

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

**District:** Cherwell

**Application No:** 20/01747/F

**Proposal:** Change of Use of land to a 6no pitch Gypsy and Traveller site to include 6no mobiles, 6no tourers and associated operational development including hardstanding and fencing

**Location:** Land South Side Of Widnell Lane Piddington

**Response date:** 17<sup>th</sup> August 2020

---

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

---

**Application no: 20/1747/F**

**Location:** Land South Side Of Widnell Lane Piddington

---

## **General Information and Advice**

### **Recommendations for approval contrary to OCC objection:**

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via [planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweigh OCC's objections, and given an opportunity to make further representations.

### **Outline applications and contributions**

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

### **Where a S106/Planning Obligation is required:**

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - TBC**  
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

**Application no: 20/1747/F**

**Location:** Land South Side Of Widnell Lane Piddington

---

## **Transport Schedule**

### **Recommendation:**

#### **Objection for the following reasons:**

- The proposals do not provide for safe and suitable access for all people, which is contrary to NPPF

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission planning conditions and informative as detailed below.

### **Key points**

- The application is for 6 traveller pitches, each comprising one mobile home and one touring caravans
- Widnell Lane is unlit and has no pedestrian facilities.
- This application would increase the number of pedestrian movements along Widnell Lane, including by children, and therefore there is an unacceptable risk to pedestrian safety.

### **Comments:**

#### **Background**

This site and application are very similar in nature to the adjacent field, which has recently been the subject of a refused permission (overturned on appeal) and an undecided application for enlargement.

Application no. 17/01962/F on the adjacent field was refused for two reasons – firstly, due to the lack of information regarding nearby noise generating uses and, secondly, because the proposed development was not considered to be a suitable or sustainable development. The appeal against this decision was allowed in October 2019. OCC, as the Local Highway Authority (LHA), did not object to the application and highway matters were not given as a reason for refusal.

More recently, on the same site, application no. 20/01122/F is seeking to double the size of the development by adding six more plots. In my response to this application I have taken into account the Inspector's comments regarding the sustainability of the location. However, the absence of a footway and streetlighting along Widnell Lane are considered to present a risk to the safety of vulnerable road users. The potential

doubling of the site would lead to a proportionate increase in the likelihood of a road safety incident, which is not considered to be acceptable.

The subject application (20/01747/F) is also for six plots, so would have an identical impact on road safety as 20/01122/F. Therefore, the proposals do not provide for safe and suitable access for all people, contrary to the NPPF.

### Access

The Proposed Block Plan labels the access point from Widnell Lane as “Existing Access”, although none was evident when I made my site visit. I am happy that the visibility is at least as good as that available from the approved and partly constructed access to the adjacent field. As the application site is closer to the B4011 junction, it is likely that speeds in both directions will be slightly less, so the proposed access location is acceptable.

Any gates would need to be set back sufficiently to ensure that vehicles and trailers do not have to wait on the carriageway whilst gates are opened.

A bellmouth junction would need to be provided and this will require a S278 agreement with OCC to carry out the works on the highway.

### Refuse collection

By reference to the OCC response to the adjacent site, I note that a full-size (11.6m long) refuse collection vehicle (RCV) will be expected to enter the site. The layout must be designed to allow the RCV to enter, turn in and exit the site safely in a forward gear. The Inspector for the appeal did not require a condition to demonstrate that these manoeuvres were possible, so I have not requested such a condition in the event of permission being granted.

### Conditions

#### **Access**

Prior to commencement of the development full details of the site access bellmouth junction shall be submitted to and approved in writing by the Local Planning Authority. There shall be no occupation of the site until the site access junction has been constructed in accordance with the approved details.

#### **Refuse vehicle tracking**

Prior to commencement of the development, full details of the internal road and turning area including swept path analysis showing that an 11.6m long refuse collection vehicle can enter and leave the site in forward gear, shall be submitted to and approved in writing by the Local Planning Authority. There shall be no occupation of the site until the internal road and turning area have been constructed in accordance with the approved details.

**Informative:**

No works within the highway (including the verge) will be permitted unless a legal agreement for the works under S278 of the Highways Act 1980 is first entered into with Oxfordshire County Council as Local Highway Authority.

**Officer's Name: Joy White**

**Officer's Title: Principal Transport Planner**

**Date: 14 August 2020**

---

**Application no: 20/1747/F**

**Location:** Land South Side of Widnell Lane Piddington

---

## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- Insufficient detail has been provided in relation to surface water management, flood risk, SuDS implementation to enable a technical assessment of the proposal.
- The area around Widnell Lane is noted to be subject to surface water flood risk.
- National and Local Standards for flood risk and sustainable drainage must be adhered to for a proposal of this nature and scale.
- Information needs to be submitted as per the below guidance.

### **Detailed comments:**

An on the surface, sustainable surface water management strategy needs to be developed in accordance with the following guidance:

The [Sustainable Drainage Systems \(SuDS\) Policy](#), which came into force on the 6th April 2015 requires the use of sustainable drainage systems to manage runoff on all applications relating to major development. As well as dealing with surface water runoff, they are required to provide water quality, biodiversity and amenity benefits in line with National Guidance. The [Sustainable Drainage Systems \(SuDS\) Policy](#) also implemented changes to the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2010](#) to make the Lead Local Flood Authority (LLFA) a statutory Consultee for Major Applications in relation to surface water drainage. This was implemented in place of the SuDS Approval Bodies (SAB's) proposed in Schedule 3 of the Flood and Water Management Act 2010.

All full and outline planning applications for Major Development must be submitted with a Surface Water Management Strategy. A site-specific Flood Risk Assessment (FRA) is also required for developments of 1 hectare or greater in Flood Zone 1; all developments in Flood Zones 2 and 3 or in an area within Flood Zone 1 notified as having critical drainage problems; and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

Further information on flood risk in Oxfordshire, which includes access to view the existing fluvial and surface water flood maps, can be found on the [Oxfordshire flood tool kit](#) website. The site also includes specific flood risk information for developers and Planners.

**Officer's Name: Richard Bennett**  
**Officer's Title: Flood Risk Engineer**  
**Date: 14 August 2020**

---