

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

District: Cherwell

Application No: 21/00503/FUL

Proposal: Use of the site for the storage of operational vehicles, elevational alterations, associated parking, vehicle barriers, guard hut and associated infrastructure.

Location: Warehouse Car Park, Land at West of Southam Road(Banbury 200), Banbury,OX16 3AE

Response date: 30/06/2021

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 informative 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.

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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) 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:

- Ø **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.
- Ø **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).
- Ø **Administration and Monitoring Fee - £250.00**
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.
- Ø **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.

CIL Regulation 123

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

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Southam Road, Banbury OX16 3AE

Transport Schedule

Recommendation:

No objection with Condition

Following a review of the Transport Statement for the above Application and Oxfordshire County Council (OCC), TDC's Officer response of 26th March 2021. The Applicant's Consultant has submitted a Technical Note (TN) addressing those comments.

The issues related to additional information, concerns and clarifications stated below:

Key Points

- Clarification of Operational Trips;
- Trip Generation and Parking Demand;
- Access Design and Network Capacity impacts and mitigation;
- Walking/Cycling and Public Transport infrastructure improvements;
- And
- Travel Plan

In the event of permission being granted for the above application it should be subject to the following standard planning conditions:

Conditions

- **Van Park Layout Plan/drainage/surface retention**
Prior to commencement of the development, a plan detailing the layout of the Van parking area shall be submitted to, and approved by, the Local Planning Authority. The Van Park Layout Plan must set out so that all van parking spaces meet the minimum dimensions required and can be safely and easily accessed. The Parking Layout Plan should demonstrate its capability of accommodating the associated Van parking manoeuvres within it. Thereafter, and prior to the first occupation of the development, the parking storage area shall be laid out, surfaced, drained and completed in accordance with the approved details, and retained for the parking of vehicles at all times thereafter.
Reason: in the interest of highway safety.

- **Cycle Parking**

Before the development permitted is commenced, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved cycle areas shall thereafter be retained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport

- **Full Access Details**

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and visibility splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: in the interest of Highway Safety?

- **Travel Plan.**

A Travel Plan for the development will be required in support of the proposal for approval for LPA

Reason: To encourage the use of sustainable modes of transport

- **Van Storage and Delivery Service Management Plan**

Prior to occupation of the van park, A van park storage and delivery service management plan shall be provided for approval by the LPA.

Reason: In the interests of highway safety

- **Construction Traffic Management Plan (CTMP)**

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify among others state; the routing of construction vehicles, access arrangements for construction vehicles, Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours to minimize the impact on the surrounding highway network)

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

Detail Comments

In response to the TDC's Officer's comments the Applicant have addressed the following:

- Information and clarification on how the proposed Van storage development will operate in tandem with the existing Last-mile Distribution Centre, together with concerns regarding of overspill of car parking on the surrounding roads. The TN has indicated that Van Drivers commuting to the site by car would park in a Van Storage space once vans are removed for use, so all car parking requirements will be accommodated on-site
- The site Access safety issues including capacity and visibility issues according to the TN have also been addressed (ref:18/01246/F). The

applicant has confirmed the site access complies with Standards, and adequate for vans that would use the van park including larger Vehicles such as those used by the adjacent Waitrose Retail unit.

- The TN has provided clarifications and evidenced based junction Capacity data analysis for the existing network intersections near the Warehouse and the Van storage park justifying the developmental traffic / highway impacts would not be severe. The TN confirms that vehicles associated with the development are already present on the network. In this regard, there will not be a net increase in activity on the wider network, rather a redistribution of traffic at the local level. Having considered the RFCs, delays and queue length data with the above clarifications, the development traffic impact should be negligible on the network.
- The TDC Officer welcomes the decision of the Applicant to explore the provision of the requested mitigation measures, and financial contributions towards improving the existing sustainable transport facilities. The quality of the bus stops closer to the access is extremely poor with just a flagpole and therefore requires significant improvements. The applicant has indicated his willingness to explore in detail with OCC and CDC the funding for two Premium Route bus stop pole/flag/information cases and two shelters at an indicative cost of £16,000. Which should form part of a Section 106 contribution.
In addition, the developer should also liaise with Banbury Town Council on the style of bus shelter to be procured, the ongoing liability for maintenance. The cost of additional load factors etc. as result of the development.
- Applicant acknowledges the need to operate a Travel Plan at this site. In recognition of this, the Travel Plan document will provide a Travel Pack which will include measures and targets that encourages sustainable travel. The final version of the document, should be agreed with OCC and CDC as a planning condition prior to the proposed development being operational.
- The external lighting Lux Plot drawing no. 10336-PL-100 Rev OCC Street lighting Officers for comments, Applicant. The lighting arrangement is not be to OCC specification so required to establish if this road a private road. There is no indication as to what category or classification the developer is trying to achieve with the lighting arrangement/levels. The lighting levels seem higher to what OCC would specify and the colour temperature is 4000k which is higher than we would use which is 3000k. The light the fittings are similar to what we would approve.

To sum up, the Applicant confirms the proposed arrangement will improve the existing operations, reduce overall journeys, enhance the sustainability of the operation and travel and be consistent with the principles of freight consolidation which is plausible. In addition, the TN states the proposed van storage site will remove vans from the road network during out-of-operation hours; and would allow the incorporation of passive/active Electric Vehicle (EV) charging for future increase

in EV fleet. Details of EVCPs including location, ducting and cabling should be provided with the Van Storage area Plan for consideration and approval.

Based on additional information and clarifications submitted in TN and Transport Statement, the Transport Officer has no objection in principle to above application subject to the above issues and conditions being satisfactorily addressed by the Applicant.

Informative:

Please note If works are required to be carried out within the Public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council. Any alterations to the Public highway will be at the applicant's expense and to Oxfordshire County Council's Standards and specifications. Written permission must be gained from the Oxfordshire County Council (Contact - 0845 310 1111 or refer to <https://www.oxfordshire.gov.uk/cms/content/dropped-kerbs> for this action)

Officer's Name: Francis Hagan
Officer's Title: Transport Planner
Date: 30/06/2021
