

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

**District:** Cherwell

**Application No:** 20/00123/OUT

**Proposal:** Outline application for a food store including access and scale

**Location:** Cotefield Business Park, Oxford Road, Bodicote,

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

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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.

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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](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 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.

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## **Transport Schedule**

### **Recommendation:**

#### **No objection subject to:**

- **S106 Contributions** as summarised in the table below and justified in this Schedule:
- **An obligation to enter into a S278** agreement as detailed below.
- **Planning Conditions** as detailed below.

#### S106 Contributions

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Highway works	<b>153,780</b>	<b>January 2020</b>	Baxter	Upgrading of the A4260 footway to a cycle link between the site and Broad Gap
Travel Plan Monitoring	<b>1,240</b>	<b>January 2020</b>	RPI-x	Monitoring of the development Travel Plan
<b>Total</b>	<b>155,020</b>			

### **Key points**

- A contribution is required towards a shared use footway / cycletrack to the north of the site
- Cycle parking is to be provided
- Car parking is appropriate, but electric charging points should be considered
- A northbound bus stop layby is necessary adjacent to the store
- Access will be improved by the future Longford Park Phase 2 signalised junction.

### **Comments:**

#### **Pedestrian and cycle access**

The development site is conveniently located for residents of the new Cotefield housings estates and the business park. Pedestrian routes to the front of the store are available from three directions. The Proposed Site Plan appears to indicate zebra crossings in two places on the access roads but these are not likely to be appropriate or necessary considering the footfall and limited volume of traffic. Informal crossings points with dropped kerbs and tactile paving will probably suffice.

Providing safe access for cyclists is crucial for encouraging this form of transport, which in turn will help to reduce the number of vehicle trips. There is great potential for cycling from Bodicote and the existing and future dwellings in the Longford Park development, which may be slightly too far to reach on foot, particularly when carrying shopping. In response to the Longford Park Phase 2 application (19/01047/OUT), OCC have requested that a 3m wide shared use footway/cycleway is provided along the west side of the A4260 from the new signalised junction northwards to Cotefield Drive. It is reasonable to request that this proposed foodstore development contributes towards a similar facility that will link up the cycleways between Cotefield Drive and Broad Gap. A contribution has already been secured for this purpose from the neighbouring housing development. This link would create a safe cycling route from the new properties accessed from Longford Park Road, just north of Weeping Cross.

### Cycle parking

The Transport Assessment (TA) states that cycle parking will be provided in accordance with standards. However, cycle facilities are not indicated on the Proposed Site Plan and the proposed parking is not quantified in the TA.

OCC guidelines are one stand per 12 staff (or 600sqm) plus one stand per 200sqm for visitors, where one stand equals two spaces. This would result in around seven stands for this proposal, although I would hope that considerably more could be provided in this instance as there is great potential for cycling in this area. Details of cycle parking are requested by condition.

### Car parking

OCC guidelines are one space per 14sqm, which would result in 88 spaces, so the proposed supply of 86 bays is considered adequate. A parking accumulation analysis has been carried out based on TRICS trip generation, showing a maximum demand of 48 spaces, which is well below the 85% figure which is considered a guideline maximum for efficient turnover. Unless the car park is managed in some way, vehicles associated with the Business Park may occupy some of the spaces.

The layout of the car park appears to be logical, although no allowance has been made for one or more trolley bays, if they should be required. Aisle widths between parking bays need to be a minimum of 6.0m to allow safe manoeuvring into and out of spaces.

There is no mention in the TA of electric vehicle charging points. It is considered prudent to provide some of these, and possibly ducting for future additional installation, although there is no OCC adopted policy on this issue.

## Public transport

There is a good bus service along the A4260 offered by the S4 route, but the nearest stops are around Weeping Cross so are not suitable for shop users. In particular, the northbound stop is approximately 500m away. When Langford Park Phase 2 is built there will also be a local bus connecting the whole of the Langford Park development to Banbury, and although the route is not confirmed it is likely to include the stretch of A4260 alongside the proposed store.

OCC consider that it is necessary to introduce a new northbound bus stop adjacent to the store to make the proposal acceptable. There appears to be sufficient space in the grass verge to accommodate a full-depth layby such that a bus may pull off the carriageway to allow the flow of traffic and not affect the visibility from the junction. The layby would have to have a 3.0m wide footpath around it so that it could be incorporated into the future cycletrack to be provided by Longford Park Phase 2.



The highway boundary along this stretch is in the grass close to the back of the footway, so the area occupied by the layby and footway/cycletrack will need to be dedicated as highway. The works will be agreed and carried out under a S278 agreement. It is not proposed to have a southbound stop due to the lack of space on the other side of the A4260, but one may be introduced nearby, possibly in the existing layby, at a later date when the Longford Park Phase 2 is delivered.

Pedestrian connection between the food store and the bus stop would be short and direct, making it a viable option for people travelling from Banbury or Adderbury.

## Vehicular access

Access to the site will be taken via the existing junction of Cotefield Drive and the A4260. The junction is sometimes affected by southbound slow or queuing traffic in the morning peak, and regularly blocked by northbound traffic queuing back from the Weeping Cross signals in the evening. This can make right turns out of Cotefield Drive slightly problematic, although queuing vehicles tend to leave gaps for the exiting vehicles to use. There is no accident history at this junction, and I did not witness any significant queuing or delay to vehicles leaving Cotefield Drive during my morning and evening visits.

Development at the site will result in a large increase of vehicles using Cotefield Drive, but there is unlikely to be any noticeable change to flows on the A4260 as the number of peak hour vehicles is limited by the traffic signals at Weeping Cross and Adderbury. The proposed new junction for the Longford Park Phase 2 spine road will introduce another set of traffic signals approximately 430m to the south of Cotefield Drive. This will result in bunches of vehicles passing through northwards, with long gaps caused by the red phases. The presence of these extended gaps should ease the right turn manoeuvre.

Introducing traffic signals at Cotefield Drive is not considered to be reasonable as there is no history of accidents and it would result in four signalised junctions within 780m when Longford Park Phase 2 is built.

### Road Agreements

Standard comments from Road Agreements where appropriate:

- Tracking needs to be carried out with the below vehicle details OCC require a swept path analysis for refuse vehicle for all manoeuvres in forward gear. All internal bends and junctions will need to be tracked with two vehicles (refuse vehicle and medium sized car) using the bend/junction at the same time.  
Phoenix 2 – 23W with elite 2 6x4 chassis Dimensions; Overall length – 11.6m (including bin lift) Overall Width – 2.530m Overall body height – 3.205m Min body ground clearance – 0.410m Track width – 2.5m Lock to lock time – 4.00s  
Tacking should also be carried out with the largest vehicle proposed to access the site – i.e. 16m articulated HGV .
- Visibility Splays must be dedicated to OCC if they fall out of the existing highway boundary.
- If there is not a footway adjacent to the carriageway an 800mm maintenance margin is required.
- Visitor parking bays should not interfere with internal vis splays.
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit.
- Informative note: OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway.
- Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.

- No property should be within 500mm of the proposed highway. No doors, gates, windows, garages or gas/electric cupboards should open onto the proposed highway.
- Trees within the highway will need to be approved by OCC and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.
- Trees that are within 5m of the carriageway or footway will require root protection, trees must not conflict with street lights.
- No private drainage to discharge onto existing Highway.
- No private drainage to discharge onto any area of proposed adoptable highway.

### Travel Plan

The size of this proposed development which is for an A1 food retail unit of between 12,000-14,000 sq feet or 1,235 sq metres, will require a full travel plan to support the application. This will need to be sent to the Local Planning Authority for approval before first occupation of the site.

A link to our guidance is included below.

<https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/TravelAssessmentsandTravelPlans.pdf>

### **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£153,780 Highway Works Contribution** indexed from January 2020 using Baxter Index

**Towards:** Conversion of the existing footway to shared use for pedestrians and cyclists, along the western side of the A4260 between Cotefield Drive and Broad Gap.

#### **Justification:**

In order to encourage cycling as a mode of sustainable transport, there needs to be off-carriageway cycling facilities between the site and Broad Gap to connect up with the existing facilities. This will provide a link to the residents of Longford Park and Banbury.

The principle of this improvement to facilities has previously been agreed by the adjacent development site, "Land South of Cotefield Business Park", in application number 14/02156/OUT. The S106 agreement tied to the approval has secured a Cycle Infrastructure Contribution of £50,000 towards cycling infrastructure between the site and the existing cycle network north of Broad Gap.

#### **Calculation:**

The figure is calculated by a comparison of the expected number of vehicle trips on the local network generated by the two developments. This is used to pro-rata the previous contribution.

Table 5.3 of the Transport Assessment submitted with 14/02156/OUT gives the daily total number of two-way trips = 451

Table 5.3 of the Transport Assessment submitted with 20/00123/OUT gives the daily total number of two-way trips = 2134.

It is accepted that not all of the trips to/from the shop will be additional to the local network. Thus, it is considered appropriate to discount the pass-by trips, which account for 35% of the total trips. All other trips (new and transferred) will be additional to the A4260 and Cotefield Drive.

Therefore, no. of two-way trips =  $0.65 \times 2134 = 1387$

Contribution =  $(1387 / 451) \times £50,000 = £153,780$

**£1,240 Travel Plan Monitoring Fee** indexed from January 2020 using RPI-x

**Justification:**

To cover the cost to the County of monitoring progress of the Travel Plan against the mode share targets to ensure that the Travel Plan is either meeting targets or being adjusted to meet targets.

**Calculation:**

The fees charged are for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site.

The work to be carried out by the monitoring officer is as follows.

- Review the survey data produced by the developer.
- Compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets.
- Agree any changes, updated actions, and future targets in an updated travel plan.

Three biennial monitoring and feedback procedures to be undertaken at years 1, 3 & 5 following first occupation would require an expected 31 hours of officer time at £40 per hour. Total £1,240

**S278 Highway Works:**

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- 3.3m deep layby to accommodate a bus stop, located on the A4260 south of the Cotefield Drive junction
- All associated lining and signing
- Bus shelter, Premium Route pole and flag, suitable seating and Real Time Information display

- 3.0m wide footway around layby to be incorporated into future shared-use cycle track

**Notes:**

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

**Planning Conditions:**

In the event that permission is to be given, the following planning conditions should be attached:

**Details of Turning for Service Vehicles**

Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse, fire tender and pantechnicon turning within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

**Plan of Car Parking Provision**

Prior to the commencement of the development hereby approved, a plan showing car parking provision for vehicles to be accommodated within the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

**Cycle Parking Provision**

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework

## Travel Plan

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework

## Construction Traffic Management plan

No development shall take place in respect of the development until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the relevant Local Planning Authority, in conjunction with the Local Highway Authorities.

The CTMP shall provide for:

- (i) the routing of construction vehicles and Construction Plan Directional signage (on and off site)
- (ii) the parking of vehicles of site operatives and visitors
- (iii) loading and unloading of plant and materials
- (iv) storage of plant and materials used in constructing the development
- (v) operating hours and details of deliveries
- (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (vii) wheel washing facilities
- (viii) measures to control the emission of dust and dirt during construction
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (x) Overall strategy for managing environmental impacts which arise during construction
- (xi) Procedures for maintaining good public relations including complaint management, public consultation and liaison
- (xii) Control of noise emanating from the site during the construction period
- (xiii) Details of construction access(s)
- (xiv) Provision for emergency vehicles

Reason - In the interests of highway safety, convenience of highway users and to protect the amenities of residents and safeguard the visual amenities of the locality and to comply with Government guidance contained within the National Planning Policy Framework.

**Officer's Name: Roger Plater**

**Officer's Title: Transport Planner**

**Date: 14 February 2020**

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**Application no: 20/00123/OUT**

**Location:** Cotefield Business Park, Oxford Road, Bodicote

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

Further information required to enable full technical assessment of flood risk, drainage strategy and SuDS usage for the proposal.

### **Detailed comments:**

An infiltration system is proposed in the SUSTAINABLE DRAINAGE ASSESSMENT, reference JNY9860 Sustainable Drainage Assessment 1.1, 19 June 2019

This cannot be validated without the following:

Ground water test results required

Borehole data required

BRE365 Infiltration test and shallow infiltration testing results required.

Full calculation files with associated drawing detailing these pipe numbers required.

Site storage fails the half drain down time limit.

It is not possible to evaluate the proposal without the above as the proposal is not well enough defined at Outline Design stage. Please note the following guidance which should be followed:

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.

The [National Planning Policy Framework](#) (NPPF), which was updated in February 2019 provides specific principles on flood risk (Section 14, from page 45). [National Planning Practice Guidance](#) (NPPG) provides further advice to ensure new development will come forward in line with the NPPF.

Paragraph 155 states; *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

As stated in Paragraph 158 of the NPPF, we will expect a sequential approach to be used in areas known to be at risk now or in the future from any form of flooding.

The [Non-statutory technical Standards for sustainable drainage systems](#) were produced to provide initial principles to ensure developments provide SuDS in line with the NPPF and NPPG. Oxfordshire County Council have published the [“Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”](#) to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The SuDS philosophy and concepts within the Oxfordshire guidance are based upon and derived from the CIRIA [SuDS Manual \(C753\)](#), and we expect all development to come forward in line with these principles.

In line with the above guidance, surface water management must be considered from the beginning of the development planning process and throughout – influencing site layout and design. The proposed drainage solution should not be limited by the proposed site layout and design.

Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site. Therefore, we will expect existing drainage features on the site to be retained and they should be utilised and enhanced wherever possible.

Although we acknowledge it will be hard to determine all the detail of source control attenuation and conveyance features at concept stage, we will expect the Surface Water Management Strategy to set parameters for each parcel/phase to ensure these

are included when these parcels/phases come forward. Space must be made for shallow conveyance features throughout the site and by also retaining existing drainage features and flood flow routes, this will ensure that the existing drainage regime is maintained, and flood risk can be managed appropriately.

**Officer's Name: Adam Littler**

**Officer's Title: Drainage Engineer**

**Date: 17 February 2020**

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