

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

District: Cherwell

Application No: 20/01127/F

Proposal: Demolition of existing buildings. Erection of replacement business units, ancillary hub and associated external works.

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester

Response date: *8th July 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: 20/01127/F

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester

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 outweighs 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.

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.

Application no: 20/01127/F

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester.

Transport Development Control

Recommendation

No objection

Key issues

- Traffic impact of the proposed development is considered unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.
- The Framework Travel Plan (FTP) is considered acceptable and should be activated on first occupation of the development.
- The Construction Traffic Management Plan is inadequate and an improved CTMP can be submitted in discharge of a condition of planning permission.

Conditions

D7 Vision Splay Protection

D14 Turning Area and Car Parking

D15 Parking and Manoeuvring Areas Retained

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details. The CTMP will include the following details:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles including means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.

- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Detailed comments

During the consultation period for this planning application this case officer has been in dialogue with Cllr Fatemian of the County's Deddington Division. This dialogue has prompted additional scrutiny of the planning application from a transport development control point of view and is referred to below where relevant.

Transport Statement

The planning application is accompanied by a Transport Statement (TS), which is considered to be an appropriate level of submission for a development proposal of this size. The following points are noted.

There is a discrepancy between the floor areas for the existing and proposed uses as quoted in the TS and those quoted on the application form. However, this discrepancy is considered minor and will not significantly affect the outcome of any traffic analysis.

The TS does not present records regarding personal injury accidents (PIA) as is standard practice for a submission of this type. A review of available PIA data for the last five years by the County reveals that there was one PIA on Fir Lane some 120m to the north of the existing development site access. The PIA was of only slight severity and is not considered to be representative of a significant road safety problem in the area surrounding the development site.

Cllr Fatemian has voiced concern regarding the impact of the increased traffic generated by the development on Road Safety at Dr Radcliffe's C of E Primary School. The County's Traffic and Road Safety Team has reviewed this matter twice since 2012 and again in the light of this planning application. As a result it has concluded that

the additional traffic generated by the development does not give rise to a safety concern that the County needs to address.

Table 4.3 presents a trip generation analysis, but it is not clear where the figures for the “*Baseline*” have come from since they do not appear anywhere else in the TS and no explanation is offered. However, the “*Baseline*” figures are not used in the calculation of the “*Net Change*” in trips. The increase in trip generation presented in Table 4.3 is considered unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.

The veracity of the numbers presented in Table 4.3 of the TS has been checked by the County with reference to the TRICS industry standard trip generation database. That exercise has validated the traffic outcome presented in Table 4.3.

Using the floor area of 3,170m² quoted in paragraph 1.1.2 of the TS and a County standard car parking provision of one space per 30m² for this land use results in a car parking requirement of 106 spaces. The planning application proposes 97 car parking spaces which represents a shortfall of nine spaces. The parking accumulation presented in Section 6 of the TS demonstrates that this shortfall should not result in unwanted on-street parking.

Paragraph 5.6.3 and Appendix E of the TS present visibility splays for the existing site access and notes that they are “...*in-line with Manual for Streets Sight Stopping Distances...*”. The use of Manual for Streets standards on Fir Lane is not necessarily appropriate since it is unlit and has no segregated pedestrian footways. Standards in the Design Manual for Roads and Bridges (DMRB) may be more appropriate. DMRB has been checked and visibility is acceptable against this more rigorous standard.

Vehicle tracking, as discussed in paragraph 5.6.4 and presented in Appendix E, is acceptable.

Cycle parking provision is acceptable.

Traffic impact of the proposed development, as presented in Section 7 of the TS, is considered unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.

Framework Travel Plan

The Framework Travel Plan (FTP) has been reviewed by the County’s Travel Plans discipline, and is considered acceptable and should be activated on first occupation of the development. Thereafter the FTP should be monitored and updated as set out in Section 8 of that document.

Construction Traffic Management Plan

The Construction Traffic Management Plan (CTMP) is inadequate for a number of reasons. This is not a reason for the County to object since an improved CTMP can be submitted in discharge of a condition of planning permission. An improved CTMP would need to address the following issues as a minimum.

- The document would need to be prepared with reference to the County's own checklist relating to the preparation of a CTMP. This is included in the condition specified in this response.
- A site plan would be required to show access arrangements, staff car parking, construction vehicle parking, vehicle turning areas, storage areas, staff welfare areas, wheel washing facilities.
- Table 4.1 – the daily number and type of construction vehicles should be stated for each of the construction phases.
- Para 4.5.1 – hours of construction activity should be “proposed” not “expected”.
- Para 4.6.1 – it is not clear what a “turn up and go” management regime is.
- Words such as “encourage” and “encouraged” should be replaced with imperative words such as “expected” or “instructed” throughout.
- Section 4.7 should specify the number of staff car parking spaces to be provided and demonstrate that the proposed quantum is adequate. This should be shown on the plan specified above.
- Section 4.8 – it should be stated how the “...*maximum 4 two-way daily vehicular trips...*” has been derived.
- Para 5.2.8 – construction traffic should be “instructed” to use the preferred route not “encouraged”.

Officer's Name: Chris Nichols

Officer's Title: Transport Development Control

Date: 30 June 2020

Application no: 20/01127/F

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- FRA not aligned with Local or National Standards.
- Climate Change factor is not as per Local Standards.
- Run-off rate proposed is not to greenfield rates.
- Fully infiltrating drainage system to be confirmed.
- Surface Water Management Strategy to be submitted.

Detailed comments:

The below guidance is to be followed to define outline drainage strategy design:

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.

By the end of the Concept Stage evaluation and initial design/investigations Flows and Volumes should be known. Therefore, we ask that the following Pro-Forma is completed and returned as soon as possible:

Officer's Name: Adam Littler
Officer's Title: Drainage Engineer
Date: 02 July 2020

Application no: 20/01127/F

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester

Archaeology

Key issues:

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Legal agreement required to secure:

Conditions:

Informatives:

Detailed comments:

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Officer's Name: Richard Oram

Officer's Title: Planning Archaeologist

Date: 14th May 2020

District: Cherwell

Application No: 20/01127/F

Proposal: Demolition of existing buildings. Erection of replacement business units, ancillary hub and associated external works.

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester

LOCAL MEMBER VIEWS

Cllr: Arash Fatemian

Division: Deddington

Comments:

From a county council perspective (highways). I have some concerns surrounding the impact on traffic volume and the surrounding area.

The main access road in particular is single track at places and often has poor visibility and there are no footpaths.

I also believe that only token appreciation has been made of other forms of transport. I cannot accept the travel plan and given there is only an hourly bus service, and the station at Heyford is over a 30 minute walk away, it would be fair to consider the travel plan as not lacking and not achievable. Whilst it may have the best of intentions, the vast majority of traffic to the site will be via Car.

I accept that regrettably, there is an existing planning permission in place which already gives the site greater parking and car numbers than are presently being utilized.

However, the existing use of Hatch End is a mixture of B1,B2 and B8. The proposed development plans are for 29 identical units which, according to the planning statement '...construct new purpose built units with a floor space of 3198 sq.m of B1 business space'.

The County Council uses the method of estimating car trips from developments by applying observed car trip generation rates per unit of floor area from the industry standard TRICS database (Trip Rate Information Computer System). TRICS contains trip generation data for a comprehensive range of land uses from sites which have been surveyed throughout the UK and Ireland. You will see in the highways response that the Transport Statement for this proposal used TRICS data from eight comparable sites in its trip generation estimates and concluded that the development would generate an additional 16 car movements in the AM peak hours over and above the existing permitted use. The Council's own assessment was similar is based on an average of circa 30sqm for each parking space and associated travel.

Permitted is the key word here as there is permission for a higher figure than is currently being utilised.

However, I would argue that given the nature of this B1 development, a different standard should be applied. The Government's own density guidelines (Home &

Communities Agency Employment Density Guidelines 2010. Second Edition) offers a different perspective.

The table below, taken from the guide clearly shows that for an out of town business park, the are per full time equivalent or FTE is 10 sqm.

Use Class	Use Type	Area per FTE (m ²)	Floor Area Basis	Comment on potential variation
Industrial				
B2	General	36	GIA	Range of 18 - 60 m ²
B1(c)	Light Industry (Business Park)	47	NIA	
Warehouse & Distribution				
B8	General	70	GEA	Range of 25 - 115 m ² The higher the capital intensity of the business, the lower the employment density
B8	Large Scale and High Bay Warehousing	80	GEA	Wide variations exist arising from scale and storage duration
Office				
B1(a)	General Office	12	NIA	Includes HQ, Admin and 'Client Facing' office types
B1(a)	Call Centres	8	NIA	
B1(a)	IT/ Data Centres	47	NIA	A blended rate of the above B1(a) uses where they are found in out of town business park locations
B1(a)	Business Park	10	NIA	
B1(a)	Serviced Office	10	NIA	
Densities within separately let units are c.7 m ² per workstation but 30% of a facility's total NIA for shared services reduces the overall density				

If we take the 3198 total B1 area that planning permission has been requested for, this results in 319 FTE's. Even allowing for this non-blended rate. A general office rate of 12sqm would give 266 FTE's. As such, neither the no of parking spaces proposed, nor the travel plan submitted are adequate to serve the requirements of the park.

As mentioned above, there is already planning permission for a blended use of 2246 sqm, so we are assessing an additional 952 sqm or 82 (at 12 sqm) additional FTE's. However, this pure analysis of the additional sqm space fails to take into account the change to all of the office space being B1, which, as per the table above, changes the nature of the number of FTE's on the site.

The result being that this is likely to put far greater strain on the local highway network and infrastructure in the surrounding villages (e.g. parking) than is being accounted for.

This says nothing of the concerns for highway safety that were noted when the last planning permission for the site was noted.

There are also very material concerns around construction traffic to the site and the impact this will have during the peak travel hours.

In summary, when taking into account both the change of use (to 100% B1) and additional capacity required, it is clear that the proposed parking and travel plan do not

serve the capacity for which planning permission is sought. This will create additional strain on local highways infrastructure and safety. To say nothing of the logic of increasing traffic on a national speed limit single track road, a few hundred yards from a school.

I would strongly urge you to consider the above when making a decision on this application.

Date: 26 June 2020
