

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

**District:** Cherwell

**Application No:** 20/02083/OUT-2

**Proposal:** Outline - Erection of 14 two-storey dwellings

**Location:** Land north of Hempton Road and west of Wimbourne Close, Deddington

**Response date:** 25<sup>th</sup> November 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 - £250**  
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:
- **Planning Conditions** as detailed below.
- Note should be taken of the **informatives** stated below.

#### S106 Contributions

<b>Contribution</b>	<b>Amount</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Highway works	£4,500	July 2020	Baxter	Supply and installation of a solar-powered Vehicle Activated Sign
Public transport services	£14,518	July 2020	RPI-x	Improvements to the bus service that connects Deddington to Banbury and Oxford.
<b>Total</b>	<b>£19,018</b>			

### Comments:

**This response it to be read in conjunction with the previous OCC Single Response dated 9 September 2020.**

The revised Illustrative Masterplan now indicates four visitor parking spaces, where there were previously only two. These spaces must be at least 2.5m wide but scale to just 2.0m. If it is assumed that the housing mix is the same as before, there would ideally be at least five spaces. However, four of the dwellings also have garages and a least one plot has four off-road spaces, so there is an over-supply of allocated bays which means the overall provision is considered acceptable.

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

Please refer to previous response

**Planning Conditions:**

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

Please refer to previous response

**Officer's Name: Roger Plater**  
**Officer's Title: Transport Planner**  
**Date: 23 November 2020**

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## **Drainage**

### **Recommendation:**

Objection

### **Detailed comments:**

The applicant must submit a standalone proposed drainage strategy in accordance with latest national and local authority guidance. There is no evidence to show the existing additional pond can take extra discharge.

Infiltration testing results have been provided but no plan submitted showing trial pit locations in relation to the proposal.

Since the proposal includes car parking spaces and the proposed site partially falls within Groundwater Protection Zone, water quality standards must be met. Therefore, Proposed development needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.

Proposed development must meet local standards, L19, "At least one surface feature should be deployed within the drainage system for water quality purposes, or more features for runoff which may contain higher levels of pollutants in accordance with the CIRIA SuDS Manual C753. Only if surface features are demonstrated as not viable, then approved proprietary engineered pollution control features such as vortex separators, serviceable/ replaceable filter screens, or pollution interceptors may be used"

Applicant must provide calculation files clearly indicating how a gravity system is to be delivered with greenfield discharge rates.

The LLFA feel the below figures are above green-field run-off rates for the site

1:1 flow rate 63l/s

1:30 flow rate 146l/s

1:100 flow rate 230l/s

A sustainable surface water management strategy in line with OCC Guidance, as per the below, must be submitted:

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:



OCC Pro-Forma.pdf

**Officer's Name: Sujeenthan Jeevarangan**

**Officer's Title: LLFA Planning Engineer**

**Date: 24 November 2020**

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