

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

District: Cherwell

Application No: 20/02446/F

Proposal: Formation of inland waterways marina with ancillary facilities building, car parking, access and associated landscaping including the construction of a new lake - re-submission of 18/00904/F

Location: Glebe Farm, Boddington Road, Claydon, Banbury

Response date: 20th October 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.

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Location: Glebe Farm, Boddington Road, Claydon, Banbury

Strategic Comments

Attached are comments from Transport and Lead Local Flood Authority. Also attached are Local Member views concerning flood and traffic matters.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 20/10/2020

Application no: 20/02446/F

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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:

- **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 for highway improvements** as detailed below.
- **Planning condition(s)** as listed below.

Legal agreement required to secure:

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Public Rights of Way	10,000	June 2018	Baxter	Footpath improvement works
Total	10,000			

An agreement will be required under Section 106 of the Town and County Planning Act 1990 to:

- Mitigate the developments local highway impact under Section 278 of the Highways Act 1980 to enable completion of off-site highway improvements. This includes identifying places within highway to provide at least passing places along Boddington Road.

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works along Boddington Road by provision of about three passing bays in suitable locations within Oxfordshire County Council jurisdiction.

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.

Planning Condition(s):

Construction Traffic Management Plan (CTMP)

Prior to development; a CTMP shall be submitted to and approved by the Local Planning Authority. Throughout development the approved plan must be adhered to. NB: The CTMP is likely to require the construction of the access prior to commencement of development. A CTMP will also need to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes 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.
- 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.

Reason - In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents.

Comments:

Access

The proposed site access would be taken off Boddington Road. The access detail is illustrated by Drawing No: **ADAMCM-1-1-005 Rev A** shown to benefit from 101m and 82m visibility splays to the north and south respectively along Boddington Road. The splays are considered suitable for 40mph design speed to the north and 35mph to the south.

A 10m wide access mouth, with a 10m kerbing radius would lead to a gate set back by about 30m is suitable for HGV access or a few waiting vehicles without hindering movement on the highway.

Vehicular and pedestrian access to the berths would be provided by a new road that would run adjacent to the marina banks, curving around the whole of the marina basin.

Notwithstanding the above, it is acknowledged that Boddington Road being the strategic access to the wider network from Banbury Road is not without constraints such as width of carriageway, winding nature and dilapidated surfacing. The above factors exacerbated by the site being remote draws attention to safety along the route.

In order to improve accessibility to the site discussions between the OCC and the applicant agreed that it is reasonable to provide at least three passing places at suitable locations along Boddington Road (within Oxfordshire County's jurisdiction). As such, the applicant will identify areas along Boddington Road for localised widening north of the site that would ensure that safe passage of vehicles in opposite directions can be achieved. This will be subject to a S278 agreement of the Highways Act 1980 secured through a S106 obligations of the same Highways Act.

Parking

The Road Traffic Generation and Car Parking Requirements of Marinas Briefing Note (November 2008) issued by British Waterways indicates that during peak times (1pm to 4pm Sunday afternoon) a 100 boat marina would require 64 parking spaces for the whole marina. Using this ratio, a 192 berth marina would require approximately 123 parking spaces. In light of this, the proposed number of parking spaces at the marina is in excess of what is considered as sufficient to accommodate the parking demand generated by a facility of this size.

Parking for vehicles would be available at numerous points on the access road surrounding the basin.

Traffic Impact

The application proposes a development of up to 192 narrow boats. This would include a clubhouse building and ancillary facilities with parking for 142 vehicles.

The proposed development is aimed at boaters with their vehicles and not envisaged to generate any HGV's as part of the development traffic but operational only such as weekly refuse collections and during construction.

Data extracted from TRICS database on marinas possessing similar characteristics such as this one show that they are busiest during bank holiday weekends, generating about one vehicle every 3 minutes during the busiest hour. It is not expected for such a development to generate significant movements during the local network peak hours. Although this would still be additional movements on the network, in view of the nature of development and location, this is not likely to result in a significant detriment to highway safety and/or traffic flow.

Para 5.15 of the Transport Statement asserts that in view of Boddington Road being lightly trafficked and because the predicted traffic from the site shall not have an impact on local junctions, no mitigation measures are required. I would like to remind the applicant that because of the constraints along Boddington Road, mitigation measures need to be put in place in order that safe passage of vehicles is provided for.

It is understood that construction vehicles will be limited to those required in the process of spoil excavation in order to create a basin. The excavated spoil on-site is intended to be used for the construction of the Marina. Therefore, construction traffic will be limited to bringing in earth excavating and digging plant at the start and end of the build and those that would occasionally bring in materials for the clubhouse and car parking/yard areas.

Acknowledgement is made of the applicant's willingness to enter into a routeing agreement that will require the construction vehicles to arrive and eventually leave via Springfield Farms, the adjacent land to the north of the site. This is illustrated on drawing ref: **AdamCM-1-5-006 (Transport Routing Plan)**. This would ensure that the construction related traffic avoids the use of Boddington Road but rather utilise access to Springfield Farm which is under the applicant's ownership. This is acceptable and should be clearly stated as part of the routeing structure in the Construction Traffic Management Plan.

The proposed marina would have little impact upon Oxfordshire County Council roads, although it is requested that should permission be granted the Authority has sight of any routeing agreement.

PROW

The proposed footbridge should be constructed to DMRB standards, or to Canal and River Trust (C&RT) public towpath standard. This structure must be maintainable by the applicant or C&RT and OCC accepts no liability for its construction, public liability or future maintenance. The footpath/towpath will need to be closed to enable construction and a temporary closure needs to be applied for from OCC. Note that there is normally a 12 week lead time for this. It is expected that the footpath/towpath will be protected from plant damage and repaired to same or higher standard after the works have been completed.

The applicant should fund improvements for the footpath to Claydon to enable visitors/residents to gain access. A sum of £10k is considered appropriate for spot surface, furniture (stile to gate replacement) and vegetation management works

Other than this the following PROW standard measures must apply:

Standard measures

1. **Temporary obstructions.** No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place. Reason: To ensure the public right of way remains available and convenient for public use.

2. **Route alterations.** No changes to the public right of way direction, width, surface, signing or structures shall be made without prior written permission by Oxfordshire County Council or appropriate temporary diversion. Reason: To ensure the public right of way remains available and convenient for public use.
3. **Vehicle access (construction):** No construction / demolition vehicle access may be taken along or across a public right of way without prior written permission and appropriate safety/mitigation measures approved by Oxfordshire County Council. Reason: To ensure the public right of way remains available and convenient for public use.
4. **Vehicle access (Occupation):** No vehicle access may be taken along or across a public right of way to residential or commercial sites without prior written permission and appropriate safety and surfacing measures approved by Oxfordshire County Council. Reason: To ensure the public right of way remains available and convenient for public use
5. **Gates / right of way:** Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way. Reason: To ensure that gates are opened or closed in the interests of public right of way user safety

Improvements to routes: Public rights of way through the site should be integrated with the development and improved to meet the pressures caused by the development whilst retaining their character where appropriate. No improvements may be implemented without prior approval of Oxfordshire County Council. For this site it is recommended that the applicant funds and undertakes appropriate improvements to the canal towpath in the vicinity of the site in order to give residents/visitors more options for walking. Reason: To ensure the public right of way through the development retains character and use as a linear corridor and is able to integrate with the development

Officer's Name: Rashid Bbosa

Officer's Title: Senior Transport Planner

Date: 16 October 2020

Application no: 20/02446/F

Location: Glebe Farm, Boddington Road, Claydon, Banbury

Lead Local Flood Authority

Recommendation:

No objection subject to conditions and EA approval

Key issues:

- Proposals also require Environment Agency approval
- Treatment of runoff from Service area before discharge to Marina needs to be confirmed.

Conditions:

Development shall not begin until a detailed surface water drainage scheme for the site, in accordance with the approved flood risk assessment and Drainage Strategy, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- *a compliance report to demonstrate how the scheme complies with the 'Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire'*
- *full microdrainage calculations for all events up to and including the 1 in 100 year plus 40% climate change*
- *a Flood Exceedance Conveyance Plan*
- *detailed design drainage layout drawings of the SuDS proposals including cross section details*
- *detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element; and*
- *details of how water quality will be managed during construction.*

Detailed comments:

The submitted drainage strategy in the EAS Flood Risk Assessment addresses the main concerns that were raised previously by the LLFA. The proposals also require approval from the Environment Agency.

Treatment of runoff from any trafficked areas before they discharge to the marina may need to be confirmed through detailed design. A water quality assessment should be provided in line with the SuDS Manual C753 to demonstrate how water quality requirements are being met through the design.

Officer's Name: Richard Bennett

Officer's Title: Flood Risk Engineer

Date: 16 October 2020

District: Cherwell

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LOCAL MEMBER VIEWS

Cllr: George Reynolds

Division: Wroxton and Hook Norton

Comments:

These comments are made in my capacity as County Councillor concerning flood and traffic matters.

This will be a major development in a rural area in low lying land next to the canal. It will be essential despite the virus restrictions and the previous application the a site visit is made to assess the highway network in the area. It will be seen that the site is accessed by a minor rural road containing a humpback bridge and another bridge that has been scheduled for major repair for a number of years.

It is my opinion that no traffic should access the site from Claydon due to the narrowness of the road and the bridge let alone the rural roads that access Claydon itself. It is absolutely essential that no works traffic uses the Claydon access as I believe irreparable damage will be done to the road.

I also understand that there will be HS2 works in the vicinity that may affect the highway network.

As flood authority OCC need to ensure that any development does not increase the flood risk for the surrounding areas.

George Reynolds

OCC Councillor for the Wroxton and Hook Norton Division.

Date: 01 October 2020
