

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

**District:** Cherwell

**Application No:** 20/02453/F

**Proposal:** A fuel depot including ancillary offices, the installation of plant and hardstanding

**Location:** Hornton Grounds Quarry, Hornton

**Response date:** *MPAT to complete*

**Signed off by:** *Localities to sign off for large major and strategic sites*

**Title:**

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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 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.

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## **Transport Schedule**

### **Recommendation:**

#### **Objection for the following reasons:**

- The generated HGV traffic would adversely affect the village of Wroxton, which is contrary to Policy TR10 of the Cherwell Local Plan
- It has not been demonstrated that the site access junction with the A422 is satisfactory, considering the proposed intensification of use

If, despite OCC's objection, permission is proposed to be granted then OCC requires planning conditions as detailed below.

### **Comments:**

#### **Pre-application advice**

Pre-application advice on the proposal was given in January 2019. The Transport response raised concerns regarding sustainability in particular, and the lack of sustainable modes of transport, as the location would be solely dependent on private motor vehicles. The proposal would be contrary to National Planning Policy Framework (NPPF) standards in that it would fail to reduce the need to travel and maximise trips by sustainable modes.

The development was also viewed as being contrary to two policies in the Connecting Oxfordshire: Local Transport Plan 2015-2031, as follows:

Policy 03 - Oxfordshire County Council will support measures and innovation that make more efficient use of transport network capacity by reducing the proportion of single occupancy car journeys and encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport.

Policy 17 - Oxfordshire County Council will seek to ensure through cooperation with the districts and city councils, that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport.

It is considered that the pre-application advice is still relevant to the full application.

#### **Existing use and conditions**

The development site is part of the Hornton Grounds Quarry. There are two relevant outline planning permissions issued by the County Council (as Planning Authority for minerals and waste applications) for this area of the quarry:

MW.0090/14            approved 2 December 2014  
MW.0076/16            approved 17 August 2016

Both permissions have a condition attached that limits the number of HGV movements in and out the site. For the 2014 permission it is a maximum of 10 movements, and for 2016 it is no more than four.

The reason given in both cases is “To control the number of HGVs through the village of Wroxton”. Wroxton is a village that straddles the A422, approximately 4km south-east of the site access and will, therefore, be on the route between the site and Banbury/M40.

The policy relevant to these conditions is TR10 of the Cherwell Local Plan, which reads:

*“Development that would generate frequent HGV movements through residential areas or on unsuitable urban or rural roads will not be permitted. The Council will resist proposals for the establishment of HGV operating centres where they would create traffic problems or adversely affect the amenity of residential areas or villages”.*

#### Generated vehicle movements

The 14 tanker drivers and three staff members will generate 34 vehicle movements if commuting individually. In addition, there will be an estimated 28 HGV tanker movements per day. It is appreciated that not all tanker journeys will be through Wroxton but there will be significantly more than permitted by the conditions on the existing quarry permissions. Thus, it is considered that the proposals are contrary to policy TR10, which is a reason for objection.

The 28 daily movements equate to 158 trips per week (including two possible additional return trips). The Travel Plan Statement says that this includes the larger fuel tank deliveries to the site, although I would have assumed that these were made by outside suppliers, rather than the applicant’s own drivers.

#### Local highway network

The A422 is not coloured on the Oxfordshire Lorry Route Map (Connecting Oxfordshire: LTP4 Freight Strategy) and is, therefore, below a local access route in the hierarchy of roads. Among other targets, the Freight Strategy aims to “**Plan** the location of new employment sites and any related transport infrastructure so that these can function well, with efficient freight access to and from the strategic transport network without adverse impacts on local communities, road users and the environment.” The application has failed to demonstrate that the A422 is suitable to accommodate the number of HGV movements that the proposals would generate, and the location is not one that would satisfy the guidelines of LTP4.

#### Site access

Although there is an existing wide bellmouth junction to the A422 and ghosted right turn lane, it has not been demonstrated in the application that the junction is suitable for the significant intensification of use.

The A422 is subject to the National Speed Limit (60mph) so the requirements of the Design Manual for Roads and Bridges apply. As a speed survey has not been undertaken, the visibility splay Y distance needs to be at least 203m. The presence of the ghosted right turn lane means that it is not a “simple” priority junction so the X distance will be 4.5m.

Having looked at Google Earth, Streetview and the Highway Record, I am doubtful that these visibility splays may be achieved, particularly looking in a north-westward direction. The splay would have to be entirely within the highway boundary or over land controlled by the applicant; however, the blue line area is not shown on the Location Plan (and the red line area does not extend to the public highway). The visibility splay must not be across third-party land. For the junction to be considered acceptable for the increased use, predominantly by slow-moving HGVs, the visibility splays need to be plotted on a topographical survey, with the full extent of land ownership and highway boundary being marked on. Therefore, unless it can be demonstrated otherwise, I consider that the development will have an unacceptable impact on highway safety, which is contrary to the NPPF and reason for objection.

### Travel Plans

The location of the development is remote, therefore sustainable travel options are limited. However, the site has a small number of staff and there are some mitigating measures that can be implemented to limit / reduce SOV use.

The submitted Travel Plan Statement is missing some pieces of information which need to be added. Also, in the detailed comments suggested measures are added which would be worth investigating.

#### Travel Plan Statement Specific Comments:

- The site location map needs to be added as an appendix to the Travel Plan Statement;
- Need to state that TPC details will be sent to Oxfordshire County Council once the TPC has been identified and prior to occupation;
- Clarify the number of EV charging points that will be available to staff;
- Will EV charging be free to use for staff?;
- Provide details on the staff lunch arrangements, will they all be travelling off-site at lunch?; and
- Provide details on deliveries to the office.

#### Other ideas to be considered:

- Offer the [Cycle to Work Scheme](#) to employees;
- Shower and locker facilities;
- Offer careful driving advice;
- Investigate the opportunity to make the fleet ‘green’;

- Actively promote car sharing and eco driving;
- Offer a guaranteed ride home scheme for employees; and
- Consider inviting an external catering team onto the site to minimise the need for staff to leave the site for refreshment purposes.

**Planning Conditions:**

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

Prior to first occupation a Travel Plan Statement shall be submitted to and approved by the Local Planning Authority.

Prior to the commencement of the development hereby approved, full details of the access vision splays, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development approved the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6M above carriageway level. Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy.

**Officer's Name: Roger Plater**

**Officer's Title:** Transport Planner

**Date:** 19 October 2020

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## **Drainage**

### **Recommendation:**

Objection

### **Key issues:**

- Concerns regarding the constant use of loading surface by HGVs. Regular turning manouvres could affect the strength of cellular tank proposed.
- Proposal is not in line with Local and National Standards
- There's no demonstration of water quality being managed appropriately in accordance with SuDS CIRIA Manual.
- Suitability of the access road for the proposed development.

### **Detailed comments:**

- 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"
- Concerns regarding the continued suitability of the access road with the increased vehicle movements from the development and the affect on the local drainage systems, specifically the ordinary watercourse near to the access on the public highway. This should be included in the FRA and the required Water Quality Assessment.

**Officer's Name: Sujeenthan Jeevarangan**

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

**Date: 28 October 2020**

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## **Archaeology Schedule**

### **Recommendation:**

No Objection.

### **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: Lead Archaeologist**

**Date: 13<sup>th</sup> October 2020**

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## LOCAL MEMBER VIEWS

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**Cllr:** George Reynolds

**Division:** Wroxton & Hook Norton

**Comments:**

I write this as the local county councillor, and we keep my remarks to traffic and flood. I am becoming concerned about the build-up of traffic on the A422 from the numerous commercial activities along the A422. Clearly the road is capable of taking the traffic but there is the effect on the villages of Wroxton and Drayton.

The possibility of fuel spill is my real concern as previous spillage some years ago polluted several water courses and even came up in the village of Balscote some distance away. So, if the development is approved there must be a fool proof system of containing it and not letting it get into the water system which has been changed by the digging out of the ironstone.

**Thank you**  
**George Reynolds**

**Date:** 08 October 2020

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