

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

District: Cherwell

Application No: 20/02575/SCOP

Proposal: Scoping Opinion - Environmental Impact Assessment (EIA) of the allocated Rutten Lane site in Yarnton

Location: OS Parcel 3673 Adjoining And West Of 161, Rutten Lane, Yarnton

Response date: *7th December 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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Strategic Comments

The site is allocated in the Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Needs, under the reference Policy PR9 – Land West of Yarnton.

Also attached are Transport, Drainage, Archaeology and Minerals & Waste Comments.

Officer's Name: Jacqui Cox

Officer's Title: Infrastructure Locality Lead Cherwell & West

Date: 07 December 2020

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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 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

Comments:

The EIA scoping report sets out the proposed methodology that will be used in determining the environmental impact of the proposed scheme in relation to transport, traffic and access, both during the construction stage and once the development is completed and occupied.

The Environmental Statement will largely make reference to the assessments within the Transport Assessment. Additional comment must be provided within the ES on the impact upon daily traffic flows in accordance with the requirements of the EIA Regulations. The proposed scoping area appears appropriate for the scale of the development.

Detailed scoping for the Transport Assessment is to be undertaken with the Highway Authority.

Officer's Name: Tim Peart

Officer's Title: Senior Transport Planner

Date: 26 November 2020

Application no: 20/02575/SCOP

Location: OS Parcel 3673 Adjoining And West Of 161, Rutten Lane, Yarnton

Drainage

Recommendation:

Feedback on Scope Application

Detailed comments:

Some areas within proposed development boundary is subject to medium – high risk surface water flooding.

Due to the nature and size of the development, the applicant must look to incorporate as many SuDs features as possible.

The applicant must submit a thorough drainage strategy in compliance with the latest, national and local guidance.

Parts of the site lie within low – medium risk of Groundwater vulnerability, thus within Groundwater protection zone. Therefore, water quality assessment in accordance with Section 4 and Section 24 of SuDS Manual is mandatory.

In addition, due to groundwater vulnerability, development of car parking spaces and heavy traffic flows, the proposal 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”

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: Sujeenthan Jeevarangan

Officer's Title: LLFA Planning Engineer

Date: 26 November 2020

Application no: 20/02575/SCOP

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Archaeology Schedule

Recommendation:

Comments

Comments:

The applicant's documentation states that a desk-based assessment (DBA) has been prepared assessing the archaeological potential of the site.

It is essential that this desk-based assessment should be undertaken in line with the Chartered Institute for Archaeology standards and guidance **including the submission of a written scheme of investigation** to ensure that the scope of the assessment has been agreed.

A programme of archaeological investigation will need to be undertaken ahead of the determination of any planning application for the site. This will need to include a geophysical survey as well as a trenched evaluation. The results of these investigations will need to be incorporated into the EIA and should therefore be undertaken in an appropriate timeframe to ensure that these are fully integrated into the EIA.

Officer's Name: Richard Oram

Officer's Title: Lead Archaeologist

Date: 18 November 2020

Application no: 20/02575/SCOP

Location: OS Parcel 3673 Adjoining And West Of 161, Rutten Lane, Yarnton

Minerals & Waste Planning Schedule

Recommendation:

No Objection.

Comments:

The site is not in a Strategic Resource Area for safeguarded mineral and it is just outside a Mineral Consultation Area.

We have no objection, but however, we would like to see a circular economy be included that would demonstrate how waste would be reduced.

Planning Conditions:

N/A

Officer's Name: Anna Herriman

Officer's Title: Mineral and Waste Planning Policy Officer

Date: 20 November 2020
