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

**District:** Cherwell
**Application No: 20/03254/SCOP**
**Proposal:** Scoping Opinion - Environmental Impact Assessment in accordance with Regulation 15 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017
**Location:** Bicester Eco Town Exemplar Site Banbury Road Bicester

**Response date: 21st December 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) 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:**

**Objection for the following reasons:**

- More clarity is needed on the assessment of construction traffic impact

**Comments:**

The scoping report rightly refers to ongoing discussions with the Highway Authority regarding the scoping of the transport assessment. I have advised that the TA should consider construction traffic, and I am assured that it will be assessed. The methodology for assessing traffic impacts should mirror that of the TA, albeit the TA will deal with peak time impact whereas EA takes account of daily traffic flows. The Bicester Transport Model does not have daily flows so an appropriate factoring based on traffic survey data will need to be used to estimate daily flows.

The report states at 3.14 the topics that the development will be assessed for the construction and operational phases. However, I am concerned that the impacts of construction traffic on existing residents within the Exemplar site should be fully assessed. Currently it is envisaged that the eastern parcel will access the B4100 directly via a new temporary junction, an assessment of which, including a safety audit, will be included in the TA. However, the access route for the eastern parcel is not yet agreed, but will be via the existing Exemplar site. This will clearly have an impact on residents, both within their homes and when walking or cycling round the Exemplar site.

At 3.10 therefore I would like to see the internal roads and junctions that are to be used for construction access, to be included in the list of highway links and highway junctions to be assessed. While the internal roads are not yet adopted, they are publicly accessible roads nevertheless and should be included.

**Officer's Name: Joy White**
**Officer's Title:** Principal Transport Planner
**Date:** 17 Dec 2020

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# Drainage

## Detailed comments:

Some parts of the proposed development on the eastern site lie within Flood Zones 2 & 3. Also, it falls within medium to high risk of flooding from surface water and rivers & seas.

As the area proposed covers 22ha, it is suggested that numerous source control techniques can be integrated into the scheme. It is also suggested that infiltration techniques could be feasible. Due to the location and scale of scheme, we will expect detailed infiltration testing to BRE365 and substantial long-term groundwater monitoring across the site to support any proposed infiltration. However, the site is in high groundwater vulnerability area, therefore infiltration is unlikely to be feasible.

Due to the size of development proposed, we will expect surface to be managed in a number of small catchments with attenuation features provided across the whole site.

The estimated existing greenfield runoff rate is low, (Qbar =0.15 l/s/hectare) as the soil type is classed as 1 and based on highly permeable soils. It was mentioned at the meeting that this may not reflect the actual soil characteristics of the site. If a higher soil type is used to estimate the greenfield runoff rates then this must be supported by a detailed by a ground investigation report.

A detailed surface water management strategy must be submitted in accordance with the **Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire**

In line with this guidance, 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 as much as possible.

We acknowledge it will be hard to determine all the detail of source control attenuation and conveyance features at concept stage, but where this cannot be confirmed, 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.

## General Scope Application Comments:

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:** 14 December 2020

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# Minerals & Waste Planning Schedule

**Recommendation:**

No Objection.

**Comments:**

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

N/A

**Officer's Name: Anna Herriman**
**Officer's Title:** Mineral and Waste Planning Officer
**Date:** 4th December 2020