

**OXFORDSHIRE COUNTY COUNCIL’S RESPONSE TO CONSULTATION
ON THE FOLLOWING DEVELOPMENT PROPOSAL**

District: Cherwell

Application no: 21/03268/OUT

Proposal: Outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure

Location: NW Of Baynards House, Ardley

Response Date: 13th December 2022

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.

Assessment Criteria
Proposal overview and mix /population generation

OCC’s response is based on a development as set out in the table below. The development is taken from the application form.

Commercial – use class	<u>m²</u>
B8	170000
Other Ancillary Office (Use Class E(g)(i))	10000

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Location: NW Of Baynards House, Ardley

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 to be given an opportunity to make further representations.

Outline applications and contributions

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

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.
- **Administration and Monitoring Fee - TBC**
This is an estimate of the amount required to cover the 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 a S106 agreement is completed or not.

Security of payment for deferred contributions - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

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Transport Schedule

Recommendation:

Objection for the following reasons:

- Further transport modelling is required to assess the traffic impact of the scheme and test the mitigation scheme proposed.
- Points of objection from our previous response remain outstanding.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as set out in our previous response and additional, as required, to secure necessary mitigation.

Comments:

A technical note has been submitted which seeks to respond to some of the outstanding queries and points of objection from earlier responses to applications 21/03267/OUT and 21/03268/OUT. It does not claim to address all of them. Notably it does not mention the requirement for further work to demonstrate the feasibility of the cycle/pedestrian link between the sites and Bicester.

The note references the fact that the Baynards Green element of the Growth Deal scheme will no longer be going ahead. This scheme was assumed within the 2026 and 2031 reference cases of the Bicester Transport Model, and so the model will need to be re-run without the scheme. I note that this has been confirmed by National Highways.

In the absence of the Growth Deal scheme at Baynards Green, DTA have carried out an initial assessment of the junction in its existing form using 2026 and 2031 Bicester Transport Model flows and Junctions 10 modelling software. The modelling output has not been checked, but I note that National Highways have checked that the geometric parameters in the model are correct. The output indicates that the junction will experience long queues during peak periods, particularly on the A43, and on the B4100 E in the pm peak. However, it should be noted that the reference cases from which the model flows are taken, assume the Growth Deal scheme is in place – see above comment – so the actual flows will be different.

A scheme to mitigate the development's traffic impact at the Baynards Green junction has been proposed (Drawing DTA 17213-25a-GA): essentially a roundabout larger than existing, without traffic signals except to provide a signalised pedestrian and cycle

crossing of the A43 S arm. Junctions 10 has been used to provide an initial test, which shows minimal queueing and delay. However, again note the comment regarding the flow data used. The initial assessment will need to be re-run using flows from the BTM updated reference case, and ultimately it will need to be tested as a scenario within BTM and the resulting flows used to test the detailed operation of the local network using the National Highways J10 VISSIM model.

For completeness and to aid understanding, the technical note should show the flows clearly on a network diagram – with and without development, and net flows for clarity, and should include the technical note from Tetrattech as background to the modelling.

It will be for National Highways to lead on the approval of the design, but I have the following initial comments:

- The footway/cycleway appears to go outside the highway boundary on the B4100 western arm:



- This will need to be addressed in the design, as the footway cycleway link is necessary to make the development acceptable and to provide safe access to the western site.
- Where land allows, the footway/cycleway should have a greater separation from the carriageway.
- The scheme would require land within the site to be dedicated as highway.
- A drawing should be provided showing the proposed scheme alongside the development access roundabout, so that we can see the interrelationship between the two.
- It isn't clear whether the developer would intend to deliver the scheme under a S278 agreement – this should be clarified.
- I am concerned that the split into three lands on the northbound approach to the roundabout looks quite short, especially given the position of the crossing.

- A Stage 1 Safety audit will need to be provided.

The technical note acknowledges that a sensitivity test will be required in order to assess the impact of the development in combination with the planning application by Tritrax Symmetry on the land adjacent and opposite on the B4100 E. In the event that both applications are allowed, it is likely that the scheme necessary to mitigate the impact of both developments would be different. It will therefore be necessary to agree a mechanism which allows for different schemes, depending on what application(s) get(s) approved, and a mechanism for delivery of the potentially larger scheme if both applications are approved. For this reason, both applicants should work together to propose a joint mitigation scheme.

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 08/12/2022

Application no: 21/03268/OUT

Location: NW Of Baynards House, Ardley

Lead Local Flood Authority

Recommendation:

Objection

Detailed comments:

Previous LLFA comments not addressed.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 24/11/2022

Application no: 21/03268/OUT

Location: NW Of Baynards House, Ardley

Archaeology

Recommendation:

Our previous advice has recommended a predetermination evaluation takes place on this site. The geophysical survey has taken place and the trenched evaluation is due to start in mid-November 2022.

Key issues:

Legal agreement required to secure:

Conditions:

In accordance with the National Planning Policy Framework (NPPF 2021) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

Informatives:

Detailed comments:

The archaeological background has been explored in a detailed Archaeological Desk Based Assessment which highlighted the potential for remains from the later Prehistoric - Saxon/Medieval periods. Our previous comments have recommended a predetermination evaluation takes place and this is due to start in mid-November 2022.

Officer's Name: Victora Green

Officer's Title: Planning Archaeologist

Date: 09/11/2022