

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

**District:** Cherwell

**Application no:** 21/04202/F

**Proposal:** Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

**Location:** Former Buzz Bingo, Bolton Road, Banbury

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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 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 Development Control**

This application is for a development proposal comprising 80 Retirement Living apartments at the former Buzz Bingo, Bolton Road, Banbury. Typically, people of 60 years and over are permitted to purchase the Apartments and confirms 80years as the average of residents .

### **Recommendation:**

**No Objection** subject to planning conditions.

### **Conditions**

- **Car Park Layout Plan**

Prior to commencement of the development, a plan detailing the layout of the car parking area shall be submitted to, and approved by, the Local Planning Authority. The Car Park Layout Plan must set out so that all car parking spaces meet the minimum dimensions required and can be safely and easily accessed. The Parking Layout Plan should demonstrate its capability of accommodating the associated car parking manoeuvres within the car park.

*Reason: in the interest of highway safety.*

- **Cycle Parking**

Before the development permitted is commenced, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved cycle areas shall thereafter be retained solely for the purpose of the parking of cycles.

*Reason: To encourage the use of sustainable modes of transport.*

- **Full Access Details**

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage, and visibility splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

*Reason: in the interest of Highway Safety*

- **Travel Plan.**

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

*Reason: To encourage the use of sustainable modes of transport*

- **Construction Traffic Management Plan (CTMP)**

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify among others state; the routing of construction vehicles, access arrangements for construction vehicles, Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimize the impact on the surrounding highway network)

*Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding road network, road infrastructure and local residents, particularly at peak traffic times.*

- **Delivery Service Plan**

Prior to occupation of the retirement home, A DSP for the development supported by a designated Taxi and ambulance standing area, should be provided for approval LPA.

*Reason: In the interests of highway safety.*

## **Key issues**

- Information on the number of Residents/ Staff and Visitor mode of travel and associated parking demands.
- Vehicle parking design layout in compliance highway parking design Standards for cars and cycles and manoeuvring areas in accordance with OCC Residential Road Design Guide (2003) - Second Edition (2015)
- Designated Ambulance and Taxi and pick- up and drop-off area
- Travel Plan for Residents Staff and Visitors?
- Plans detailing the proposed access design and adjacent footway and cycle routes and connectivity in compliance with highway design specifications and sustainable travel

## **Detail Comments**

The site is in a sustainable location with abundance of amenities situated within walking and cycle distances. For instance, the Castle Quay shopping centre (approximately 215m east), Market Place (approximately 180m directly southeast of the site) and Parsons Street shopping parade (approx.100m directly south of site).

Footways exist on Bolton Road flanking the western side of internal access measuring 1.5m approx. and on both the northern and southern sides immediately outside the site access and towards the Castle Street junction. A pedestrian refuge island is located 100m northeast of the site (at the Bolton Road/Castle Street junction). Also, a signalised pedestrian crossing at the junctions (Castle Street/Warwick Road/Southam

Road/North Bar Street). In addition to the footways along the local highway network, the site is situated within proximity to a few Public Rights of Way (PRoW).

**Trip generation** -. The submitted TA shows the TRICS based trip generation estimates for the existing Bingo Hall, with no AM peak, 23 PM peak hour trips and a 12hr daily trips of 313trips.

In comparison, the proposed development, shows a modest increase of 8 AM peak hour trips, a reduction of 12 trips during the PM peak hour, with a 12 hr daily 139 trips in total. An estimated reduction of 174 total daily trips for the retirement home compared to for the extant permission. There is even a greater reduction when the present permission total daily trips is compared to that of Churchill Independent Research Retirement living sites trip forecast (a 194 trip 12- hour period total trip reduction).

The Transport Officer questions why no details of generated development's multimodal trips data for the residents, staff, and visitors and anticipated, trip movements and staff shift patterns etc are absent in the submitted TA document.

#### **Vehicle Access and Pedestrian and cycle route connectivity –**

Given that application site is to be accessed via the existing access, the proposed bellmouth junction access drawing should be provided showing the access visibility splays for vehicles and pedestrians at junction. The TA has provided drawings that seeks improvements to pedestrian and cycle connectivity with the local road network, Public footway and pedestrian and cycle networks between Bolton Road, Castle Street and North Bar Street requested in the Pre-application comments.

#### **Public Transport**

The closest bus stop to the site is the 'Bolton Road' bus stop located on Castle Street, 170m northeast of the site (a 2-minute walking distance). The Bus Stop is served by 6 bus service routes. Banbury Railway Station, southeast of site, is about 4- minute cycle ride and a 11-minute walk away.

**Car Parking** - In the absence OCC's and Cherwell Design Parking Standards for retirement homes, 27 parking space arrangement is proposed for the development (at a ratio of 0.33 per unit). Vehicle tracking drawings has also been provided demonstrating access and egress manoeuvres, associated with the site and the proposed parking arrangement. Independent research of the existing Churchill Retirement homes confirms average car parking demand of 0.28 spaces per apartment which amounts to 22 parking space provision for the proposed 80 apartments. Based on proposed parking space provision, the Applicant asserts that overspill parking should not occur, however in the unlikely event that it arises, the nearby 58 space Bolton Road Car Park is available to accommodate. This statement is however made without providing any detail substantive support on the availability of parking spaces to accommodate this demand.

That said, no provision has been made for designated Staff, residents, visitor, and disabled parking bays nor EVCP bays in compliance with OCCs Standards within the

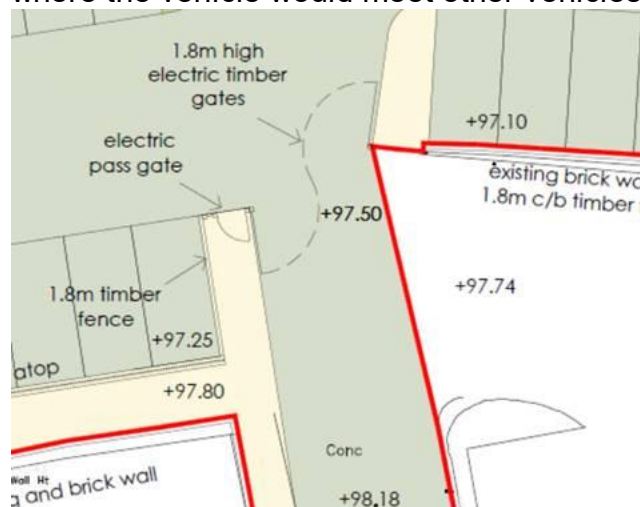
parking facility. OCC will expect the provision of 7 EVCP bays, with one EVCP allocated to a disabled parking bay. Also a parking/standing area for Taxi and Emergency Service Vehicle (e.g. Ambulance) is not evident in the Car Park layout proposal. A scaled and dimensioned parking layout plan capable of accommodating the manoeuvres and swept paths of different types of vehicles including a Fire Tender and Pentechicon will be welcomed

**Cycle parking** – It is stated that a secure cycle parking facility will be located within the mobility scooter store for the Retirement Living apartments. No details, however of drawings of the cycle storage facility for Residents Staff and Visitors has been provided. Neither has any information been submitted on how the parking would be managed in safe and secure manner. Given the age profile of residents, the sustainable location of the site and the average cycle per development (0.75) based on other Churchill Retirement home surveys. It is accepted that cycling is unlikely to be highly utilised by residents, however opportunities to promote cycling within the vicinity of the site for visitors and staff should be promoted.

**Personal Injury Accidents**- The most recent 5-year (2016-2020) Personal Injury accidents for the area, confirmed 3 accidents occurred within the proximity of the above site, two were 'slight and one serious. The serious accident was however unrelated to the proposed access junction or highway safety design issues.

**Refuse and Servicing**- Refuse collection for the development is proposed to be collected on-site, with the appropriately sized vehicle able to access the site, turn and leave in forward gear. The footway leading into the site should be 2m wide however It is noted that the existing fence which may prevent this being any wider.

We would not recommend the carriageway be narrowed within the site especially where the vehicle would meet other vehicles as shown below.



The Refuse Strategy is not ideal as the Refuse vehicle appears to narrowly pass the parking gate entrance area, with a 10.6m long Refuse vehicle used in swept path

drawing no.536.0037.003 Rev. C. The LHA normally requires the use of 11.6m long Refuse vehicle when assessing Refuse Vehicle tracking drawings. It also not obvious from the drawing where the Refuse vehicles will park for the collection of refuse/ recyclables.

A few dropped kerbs with tactile pavements should be installed where possible to allow pedestrians to safely walk down along Bolton Road from the site in the south and the northeast and in vicinity of the uncontrolled crossing at the Bolton Road/Castle Street junction.

The Applicant should note that Offsite works will need to be designed in accordance with DMRB. Furthermore, Junction and Forward Visibility Splays and dimensions must be in accordance with the OCC Street Design Guide and dedicated to OCC if they fall out of the existing highway boundary. A Stage 1 Road Safety Audit in accordance with GG119 (5.46.1) may be required in advance of planning permission being granted as the findings may result in the red line boundary having to change due to road safety remedial measures being required.

GG 119 Revision 2

5. Undertaking the road safety audit

*NOTE*      *The highway scheme can be designed by an organisation working for the third-party organisation rather than an organisation working for the Overseeing Organisation.*

5.46.1      A stage 1 RSA report should be undertaken before planning consent is applied for as this demonstrates that the potential for road user safety issues has been addressed.

*NOTE*      *The third party organisation-led scheme is submitted for planning approval to the local planning authority and, where there are highway implications, the highway or Overseeing Organisation is consulted.*

No private drainage is to discharge onto any area of existing or proposed adoptable highway. The drainage proposals will be agreed at the Section 38 Agreement stage once the drainage calculations and detailed design are presented. 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 Highway boundary needs to be checked with OCC Highway Records ([highway.records@oxfordshire.gov.uk](mailto:highway.records@oxfordshire.gov.uk)) to determine whether it coincides with the site boundary at the proposed access junction. The highway boundary is usually identified along the roadside edge of the ditch.

No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design and acceptable adoption standards will be subject to a full technical audit.

OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site, but the location of the samples must relate to the proposed location of the carriageway/footway.



**Travel Plan** – OCC welcomes the submission of the Travel Plan for the Retirement home. The size of the proposed development triggers the requirement for a Travel Plan and associated monitoring fee. The submitted Travel Plan does not meet OCC requirements and will need to be amended, then resubmitted prior to occupation. The Travel Plan specific comments are as follows:

- Add the planning application number;
- Add the full address of the development site;
- Add the planned / estimated date of occupation;
- 6.5 – ask for staff postcodes and produce a postcode plot from these;
- Show targets as a modal share including all modes for each year monitoring will take place;
- Prior to the first survey, targets can be set using data from other care home sites or using Census data;
- Targets should be set, and surveys undertaken for visitors to the site;
- Will the mobility space parking be sufficient?; and
- The Travel Plan should be able to act as a standalone document, therefore background information on the site and transport connections in the area will need to be added into the document.

Please note that the above list is not exhaustive and the [OCC guidance](#) (see appendix 5) should be consulted when updating and resubmitting the Travel Plan.

The EV charging, cycle spaces and changing facilities are welcomed.

**Legal Agreement required to secure:**

Section 106 Agreement required to secure the monitoring fee of £1,446 (RPIx Dec 2020).

Based on the nature of the residential development and the TRICS trip estimates, the LHA has in principle no objection to this application subject to the above conditions and comments being satisfied by the Applicant.

**Informative**

Please note If works are required to be carried out within the Public highway, it would be undertaken within the context either Section 278 /38 Agreements between the applicant and the Highway Authority. The Highway works shall not commence before a formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and the Council

**Officer's Name: Francis Hagan**

**Officer's Title: Senior Transport Planner**

**Date: 18 January 2022**

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- Drainage strategy drawing not detailed.
- Microdrainage calculations not detailed.
- Existing drainage not shown on the drainage strategy drawing.
- Remedial works for existing drainage pipes not identified on plan drawings.
- Surface water catchment plan not provided.
- Detailed SuDS maintenance schedule not provided.
- Surface water exceedance plan not provided.
- Public sewer technical approval not provided.
- Ground investigation report does not show the infiltration testing results.

### **Detailed comments:**

As part of a full application drawings and calculations are expected to be detailed. Drainage strategy drawing should show invert and cover levels for all proposed drainage infrastructure and SuDS feature. All surface water pipes needs to be numbered and sized which should correlate with the Microdrainage calculations. Calculations required for the whole surface water network.

Existing drainage to be shown on drainage strategy drawings. Existing pipes that are being retained should be clearly identified. Also all the maintenance requirements for the existing retained pipes needs to be identified on plan drawings.

Surface water catchment plan required to demonstrate how the site will drain and to which drainage features. The proposed areas needs to be clearly shown and the existing areas.

A detailed maintenance schedule required for all proposed drainage infrastructure and SuDS features. All the maintenance requirements needs to be clearly identified.

Surface water exceedance plan to be provided to demonstrate how the site will drain in an event where the surface water network fails. All surface water should be kept away from structures and within the site boundary.

Technical approval from the public sewer undertaker required in order to make drainage connections.

Ground investigation report states infiltration not feasible however the infiltration testing results and location of testing are not provided.

**Officer's Name: Kabier Salam**

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

**Date: 25 February 2022**

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Archaeology**

### **Recommendation:**

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.

### **Detailed comments:**

The development site lies in an area of archaeological potential and interest, within the historic core of Banbury and south east of the North Bar, which was built in the 13<sup>th</sup> century around one of the five gates to the town. The Medieval settlement is recorded in the Domesday Survey of 1086, and it is likely that the centre is what forms the historic core today.

An archaeological evaluation 50m to the west at the site of the redevelopment of the Warwick Road carpark, archaeological deposits were recorded relating to a post-medieval brewery. An archaeological watching brief took place 85m to the west of the development area at Warwick Road found that though the area had been heavily truncated by earlier development, an undated pit and gully were recorded. An archaeological investigation c. 138m to the east of the development site recorded late Saxon ditches which were likely property boundaries, an 11<sup>th</sup> century pit, a stone lined pit and gullies dated to the 13/14<sup>th</sup> centuries.

The development site also lies 160m south west of the site of Banbury Castle, where an archaeological evaluation recorded pre-Conquest activity that predated the castle. Also recorded were a large ditch and a causeway constructed across the silty marshes. The evaluation took place on a site which has been subject to development and truncation, though this is likely less than that seen on the proposal site, it suggests that

the development has the potential to impact on archaeological remains associated with the Medieval and early post Medieval development of the town.

**Officer's Name: Victoria Green**

**Officer's Title:** Planning Archaeologist

**Date:** 6th January 2022