

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

District: Cherwell

Application no: 22/01682/F

Proposal: Development of a ground mounted solar farm incorporating the installation of solar PV panels, associated infrastructure and access, as well as landscape planting and designated ecological enhancement areas.

Location: Land North Of Manor Farm, Noke

Response Date: 1st 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.

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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 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:

No objection subject to:

- **An obligation to enter into a S278** agreement as detailed below.
- **Planning Conditions** as detailed below.

Other obligations:

- Off-site highway works:
 - Any temporary signage associated with the access
- On site highway works:
 - Formation of a temporary site construction access from Noke Village Road

Comments:

Introduction

This response must be read in conjunction with the Transport Schedule (dated 13 July 2022) contained within the OCC Single Response dated 20 July.

In the previous response there was an objection for the following reason:

- It has not been demonstrated that the visibility splays available from the proposed site access are adequate for vehicle speeds along Noke Village Road

This has been addressed in the Transport Technical Note dated October 2022

Access arrangements

It is not clear which Automatic Traffic Counter is on which side of the access. However, the data from each is very similar so this does not matter in determining the visibility requirements.

The Five Day Average 85thile speeds in Table 2.1 are given for certain time periods. Given that the speeds are unlikely to vary markedly across the day, the 24-hour value

should be used and quoted for both sites separately. For Site 01 these are 30mph (n/b) and 32mph (s/b), and for Site 02 30mph and 33mph. The DMRB visibility requirement for 33mph is 76m, which is less than that available, so I am happy that the access is suitable.

Public rights of way

It is recognised that the bridleway connection suggested by OCC passes through the Ecology Enhancement Area and is therefore not desirable. OCC are happy to remove the request for a footpath upgrade to a bridleway.

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- Formation of a temporary site construction access from Noke Village Road
- Any temporary signage associated with the access

Notes:

This is to be secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments, including commuted sums, that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

Planning Conditions:

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

No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed prior to commencement of development in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved CTMP.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Government guidance contained within the National Planning Policy Framework.

Officer's Name: Roger Plater

Officer's Title: Transport Planner

Date: 30/11/2022

Application no: 22/01682/F

Location: Land North Of Manor Farm, Noke

Lead Local Flood Authority

Recommendation:

Objection

Detailed comments:

Discharge rates to be based on Qbar greenfield run off rate.

Provide updated drainage strategy drawing showing all the discharge rates based on Qbar greenfield run off rate.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 01/12/2022

Application no: 22/01682/F

Location: Land North Of Manor Farm, Noke

Archaeology

Recommendation:

No objection subject to conditions.

Key issues:

The site has been subject to an archaeological evaluation, which recorded Roman settlement activity, including a trackway.

Though a report of the evaluation work has been submitted with the application, this has not been approved by Oxfordshire County Archaeology Services. I passed my comments on to the Heritage Consultant working on behalf of the applicant, and so these will need to be addressed and an updated report submitted as part of the planning application. Once the evaluation report has been accepted, the Roman remains will need to be investigated through a further phase of archaeological mitigation, secured through a condition.

Legal agreement required to secure:

Conditions:

We would recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition along the lines of:

- 1 Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2021).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written

Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021).

Informatives:

Detailed comments:

The site has been subject to an archaeological evaluation, which recorded an area of Roman settlement including a trackway. Some of the pottery recovered dates from the late Iron Age / Early Roman period, though the majority dates from the 2nd-4th century AD. The remains could suggest a low status Roman settlement, which was deserted in the late 3rd or early 4th century AD. The trackway could be part of a postulated Roman Road recorded from cropmarks.

The evaluation also recorded Medieval remains representing field boundaries and furrows.

The Roman remains will need to be investigated through a further phase of archaeological excavation, which can be secured via a condition, once the accepted evaluation report has been submitted.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 24/11/2022