

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

**District:** Cherwell

**Application no:** 22/03877/F

**Proposal:** Erection of three industrial buildings, replacement of former scout hut building and associated works

**Location:** Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, OX25 5QL

**Response Date:** 27/03/2023

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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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**Application no: 22/03877/F**

**Location:** Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, OX25 5QL

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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 outweigh 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 -£615.00**  
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.

**Application no: 22/03877/F**

**Location:** Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Bicester

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## **Archaeology**

### **Recommendation:**

No Objection

### **Key issues:**

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

### **Legal agreement required to secure:**

### **Conditions:**

### **Informatives:**

### **Detailed comments:**

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

**Officer's Name: Victoria Green**

**Officer's Title:** Planning Archaeologist

**Date:** 24/03/2023

**Application no: 22/03877/F**

**Location:** Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, OX25 5QL

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## **Transport Schedule**

### **Recommendation**

**Objection** for the following reasons.

- A pedestrian footway connection is required.
- Refuse vehicle tracking should be 11.6m if refuse vehicles are proposed to go on the site to collect.

If despite the County's objection permission is proposed to be granted then the County requires prior to the issuing of planning permission a S106 agreement to mitigate the impact of the development plus planning conditions as detailed below.

### **S106 Contributions**

<b>Contribution</b>	<b>Amount</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Public transport services	<b>£28,377</b>	<b>July 2021</b>	RPI-x	The retention and improvement of the S4 bus service through Steeple Aston.
Travel Plan Monitoring	<b>£1,558</b>	<b>December 2021</b>	RPI-x	Monitoring for a period of five years.
<b>Total</b>	<b>£29,935</b>			

### **Key points**

- A pedestrian footway connection is required.
- A public transport service contribution is required.
- Cycle parking provision requires clarification.
- Car parking provision requires amendment.
- The Construction Traffic Management Plan requires revision.
- A Travel Plan monitoring fee of £1,558 will be required.
- Refuse vehicle tracking should be 11.6m if refuse vehicles are proposed to go on the site to collect.

### **Comments**

#### **Transport Strategy**

Vehicle access to the site is via an unrestricted 60 mph narrow country road, Fir lane. There is no pedestrian connectivity between the site access and the village on this

narrow road with no lighting making it unsafe. The closest footpath begin 310 metres from the site access.

The Transport Addendum of 23 September 2021 submitted with planning application No.21/01123/F for this site shows a proposed pedestrian footpath to be provided by the developer within their site. This would be connected to Public Rights of Way 354/5/10 and act as further connection to Middle Aston and Steeple Aston. This proposed new footway connection set out in Transport Addendum was agreed and accepted by the County.

It is to be noted that with the current planning application no. 22/03877/F there has been no mention of a footpath connection within the transport statement or any drawings provided. A pedestrian footway connection is required between the site access and the closest footpath connection, 310 metres towards the Primary school, along the public highway. **Reason for objection.**

### **Public Transport**

Oxfordshire County Council seeks to ensure that development is well located in relation to the public transport network, and that schemes make financial contributions for the support of such services where this is relevant.

Contrary to section 5.4 of the Transport Statement, the site is not “located as to enable bus connectivity with the wider Oxfordshire area”. There are no suitable bus services available from two of the four places listed, those being Chipping Norton and Bicester. It is also considered highly unlikely that staff would make use of Heyford railway station, given its distance from the application site. The BREEAM AI score of 0.68 reflects the poor location of this site in relation to the public transport network.

The site is not in a sustainable location for public transport access with walk distances to the nearest bus stops and railway station being significant. It is likely that the private car will be the principal mode of access to the site.

In the event that permission is granted the development should make a contribution towards the retention and improvement of the S4 bus service through Steeple Aston. Based on an increase of AM peak vehicle trips of 9, and an assessment comparison with a recent site elsewhere on the S4 corridor, the County Council requires a public transport services contribution of £28,377.

### **Transport Development Control**

The planning application is accompanied by a Transport Statement (TS). This is considered to be a suitable level of submission for a development of this quantum. The County's comments on the TS are set out below.

Section 4 of the TS presents an estimate of the likely travel demand that the new buildings on the site will generate. The methodology by which this estimate is derived is considered sound. The estimate is for a small increase in trip generation which is

unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.

Section 5 presents the Access Strategy for the site. Section 5.2 addresses existing and proposed Pedestrian Connections but omits the pedestrian connection to public right of way No.364/5/10 which was previously agreed under planning application 21/01123/F. As noted above under **Transport Strategy** the County expects to see this provision as part of these proposals. **Reason for objection.**

Section 6 presents the parking strategy for the site. It should be noted that the County has recently adopted new parking standards. These can be found on the County's website at the following address.

<https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/PARKINGS.PDF>

The revised standards which would apply to this development proposal are presented in Table 5 on Page 14 of the document. It is considered that the development site falls into the category of "*E Commercial, Business and Services – office, research and development and light industrial process.*" Under these standards the following parking provisions would be required.

- 10 cycle parking spaces
- 14 car parking spaces.

The proposed provision of 10 cycle parking spaces therefore meets the County's standards. However no cycle parking provisions are shown on the Site Plan. Details of the location, type and quantum of cycle parking spaces can be provided in discharge of a condition of planning permission.

The proposed provision of 24 car parking spaces represents an over provision which should be adjusted downwards to meet the County's standards. Electric Vehicle charging points will also need to be provided in accordance of Policy EVI 8 of the Oxfordshire Electric Vehicle Infrastructure Strategy. Details of a revised car parking layout can be provided in discharge of a condition of planning permission.

Section 7.2 of the TS presents a traffic impact assessment of the development on Fir Lane and surmises that "*...the development traffic impact on Fir Lane is forecast to be negligible...*" This conclusion is considered sound.

The planning application is accompanied by a Construction Traffic Management Plan (CTMP). It is noted in paragraph 1.1.8 that the CTMP remains a draft at the planning application stage. This approach is acceptable and a full executable CTMP can be submitted in discharge of a condition of planning permission. In this respect the draft CTMP has been reviewed with reference to the County's checklist and there are a

number of items that need to be addressed or added. The County's checklist is set out below with the items that require attention highlighted in bold.

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles including means of access into the site.
- **Details of and approval of any road closures needed during construction.**
- **Details of and approval of any traffic management needed during construction.**
- **Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.**
- **Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.**
- **The erection and maintenance of security hoarding / scaffolding if required.**
- **A regime to inspect and maintain all signing, barriers etc.**
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- **Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.**
- **A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.**
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak **and school peak hours.**

### **Travel Plan**

A Framework Travel Plan was approved for this site in 2020 under application No.20/01127/F and again in 2021 under application No.21/01123/F. The Travel Plan submitted as part of this application mirrors the previously approved travel plans and is approved.



Cycle parking and electric vehicle charging for both cycles and vehicles, together with a cycle maintenance station, are required within the boundary of the industrial units.

A Travel Plan monitoring fee of £1,558 will be required.

### **Road Agreements**

The TS shows an 11.2m refuse vehicle tracking within the site. This indicates the vehicle clashing with a building. Refuse vehicle tracking should be 11.6m if refuse vehicles are proposed to go on the site to collect. **Reason for objection.**

The current tracking indicates the vehicle clashing with a building.

### **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£40,989 Public Transport Service Contribution** indexed from July 2021 using RPI-x

#### **Towards**

The retention and improvement of the S4 bus service through Steeple Aston.

#### **Justification**

The continuation and enhancement of the availability of sustainable travel modes in Steeple Aston.

#### **Calculation**

Application of a County standard rate of £3,153 per additional AM peak trip generated by the development. Additional AM peaks trips from Table 4.2 of the TS = 9 x £3,153 = £28,377.

**£1,558 Travel Plan Monitoring Fee** indexed from December 2021 using RPI-x.

#### **Justification**

To enable monitoring of the effectiveness of the Residential Travel Plan over a period of five years from first occupation.

#### **Calculation**

Appendix 12 (Travel Plan Monitoring Fees) of County guidance note Transport for New Developments: Transport Assessments and Travel Plans (March 2014) sets the Travel Plan monitoring fee for residential development at £1,240. Calculated as 31 hours at £40/hour to cover initial checks and set up and monitoring in years 0, 1, 3, and 5.

This is uplifted from March 2014 to December 2021 using RPI-x as follows:

- Index base data: RPI-x March 2014 = 254.3; December 2021 = 319.6.
- $319.6 / 254.3 \times £1,240 = £1,558$

### **Planning Conditions**

In the event that permission is to be given, the following transport related planning conditions should be attached.

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Notwithstanding the details submitted, no development shall commence until and unless a plan detailing the proposed parking provision for vehicles to be accommodated within the site, to include provision for electric vehicle charging, has been submitted to and approved in writing by the Local Planning Authority. The approved parking facilities shall be laid out and completed in accordance with the approved details before the first occupation of the buildings. The car parking spaces shall be retained for the parking of vehicles at all times thereafter.

Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the local planning authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.

### **Informative**

The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

**Officer's Name: Chris Nichols**

**Officer's Title:** Transport Development Control Officer

**Date:** 16/03/2023

**Application no: 22/03877/F**

**Location:** Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, OX25 5QL

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- No drainage strategy drawing or report provided.
- No flood risk assessment provided for the site.

### **Detailed 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 July 2021 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 159 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 160 and 161 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 an outline 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.

**Officer's Name: Kabier Salam**

**Officer's Title: LLFA Engineer**

**Date: 13/03/2023**