

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

District: Cherwell

Application no: 22/03883/F

Proposal: Development of 96 Dwellings (50% affordable housing), extension to Bicester Road Cemetery with associated access (from Bicester Road), open space, landscaping and infrastructure

Location: Land North Of 66 And Adjacent, Water Eaton Lane, Gosford

Response Date: 04/10/2023

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 for.

Residential	
1-bed dwellings	14
2-bed dwellings	31
3-bed dwellings	36
4-bed & larger dwellings	15

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	231.84
Nursery children (number of 2- and 3-year olds entitled to funded places)	6.25
Primary pupils	27.85
Secondary pupils including Sixth Form pupils	21.75
Special School pupils	0.58
65+ year olds	24.39

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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.

The comments below are OCC's response to a previous submission (dated 05/2023). These have been reproduced noting that the latest submitted Addendum Transport Statement (Ref: 1704-010/TN/05) has not made reference to these remarks.

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Transport Schedule

Recommendation – Objection for the following reasons:

- Walking and cycling facilities fail to meet the guidance set within LTN1/20 and OCC's Cycling Design Standards.
- Parking provision along the bend of the spine road is more than likely to affect forward visibility thereby compromising safety of users.
- Car and cycle parking levels again fail to comply to standards.

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 as were detailed in our previous response.

Comments:

Following the HA's response dated 06/03/2023 on the application seeking development of 96 dwellings on Land North of 66 and Adjacent, Water Eaton Lane, Gosford (Ref: 22/03883/F), the applicant has prepared a Technical Note (Ref: 1704-10/TN/04(B)) dated May 2023. This Technical Note (TN) has been prepared in address of issues raised by the HA.

This report should hence be read in conjunction with HA's original comments.

Pedestrian and Cycle Access

This application is now supported by a revised masterplan (*Drwg no: 141-PS-100 G*) – appended to the TN. The pedestrian/ cycle path has is now seen to be widened to give a continuous 3m width along its length. The above-mentioned path is further improved by the introduction of a 4m centreline radius bend. This amendment is acceptable, and issue addressed.

Para 2.6 states, '*Dropped kerbs and tactile paving can and will be introduced at junctions and locations where the carriageway becomes a shared surface*'. Whereas I agree that these can be introduced, by virtue of this being a full application, such detail must be shown on plans. The revised plans have not indicated this provision anywhere on site. **(To be conditioned)**

The detail of the crossing point at the access mouth remains outstanding. The TN alludes to the setback of the crossing from the give-way line which is not the HA's concern. The issue with such a crossing is not so much about its siting but the lack of detail. Para 2.14 and 2.15 suggest that a parallel crossing on a raised table could be introduced. Again, it is the commitment and the level of detail that we require at this stage of a full planning application. **(To be conditioned)**

The County's previous response disapproved of the 'indirectness' of the green route as it crosses the spine road. See below.

The green pedestrian/ cycleway route is consistent with the infrastructure proposed by the adjacent development. However, the crossing of the green route at the spine road is not one that adheres to LTN1/20 and Oxfordshire Cycling Design Standards. The proposed crossing point is clearly out of the desire line and does not have sufficient turning circles.

The provision shall not be supported until this issue has been fully addressed. **(Reason for objection)**

Car and cycle parking

Cycle Parking - Para 2.28 asserts that cycle parking has now been amended in accordance with the HA's comments. While the willingness has been expressed that *the*

increase in cycle parking has been achieved by increasing the available cycle parking stands in the bike storage area, this provision must be shown on plans. For this, I expect to see revised plans (including apartment block plans) supporting this claim that bike storage facilities have now been increased. **(Reason for objection)**

Again, the HA's dissatisfaction with the proposed car parking levels has not been registered and indeed addressed in this submission. A level of provision that satisfies the County's new standards and policies shall need to be reflected with this development. I wish to reinstate the comments made in our previous response below. **(Reason for objection)**

Car Parking - A total of 152 car parking spaces will be provided on-site, with 136 car parking spaces being allocated on-plot parking and 16 spaces being unallocated. I note and wish to disagree with the application of the standards set in Table 3. Edge of Oxford City Sites of OCC's Parking Standards in applying that level of provision. While this site by location is at the edge of Oxford, Table 3 was intended to guide development that falls out of the 400m distance of a frequent bus service and within 800m of a range of local amenities. (See para 6.1 and 6.2 of Parking Standards.)

This development shall wholly be within the catchments set above and so, a reduced level of parking that lends itself to the Oxford City standards should be applied. We therefore consider that a more flexible approach to allocated and unallocated car parking would be appropriate for this development such as one allocated on-plot car parking space per dwelling with provision for a set number of unallocated car parking spaces on-street which could potentially be reclaimed for other uses in the future, given the declining trend in levels of car ownership.

The applicant is reminded that the basis for consideration of the Partial Review sites was on the following. (See para 2.18 of The Cherwell Local Plan 2011 - 2031 (Part1) Partial Review - Oxford's Unmet Housing Need)

- the proximity to Oxford, the existing availability of public transport and the opportunity to maximise the use of sustainable and affordable transport in accessing Oxford's key employment areas and services and facilities.
- the opportunity to achieve an overall, proportionate reduction in reliance on the private motor vehicle in accessing Oxford's key employment areas and services and facilities and to achieve further investment in sustainable transport infrastructure.
- the deliverability of sustainable transport improvements in comparison to other Areas of Search.
- relationship of existing communities to Oxford.
- existing economic relationship between the areas of search and Oxford.
- the opportunity to provide affordable homes to meet Oxford's identified need close to the source of that need.

Also supporting the County's position are the following:

Oxfordshire Local Transport and Connectivity Plan (July 2022)

Oxfordshire County Council adopted its Local Transport and Connectivity Plan 2022- 2050 (LTCP) in July 2022. Briefly, this document sets out, that it:

...outlines a clear vision to deliver a net-zero Oxfordshire transport and travel system that enables the county to thrive whilst protecting the environment and making Oxfordshire a better place to live for all residents.

We plan to achieve this by reducing the need to travel, discouraging individual private vehicle journeys and making walking, cycling, public and shared transport the natural first choice. The policies included in the LTCP are the tools that we believe are necessary to achieve this.

LTCP Policy 33: Parking management - The availability of free or low-cost parking at destinations is a major factor in generating car journeys. Reducing and restricting car parking availability and introducing parking charges are evidence-based tools to reduce car usage. They are therefore essential measures for helping to deliver the LTCP vision. Management measures to be assessed will include parking guidance, parking charges, workplace parking levy, and controlled parking zones.

Oxfordshire Decide and Provide (Sept 2022)

In September 2022, Oxfordshire County Council adopted new requirements for transport planning based on the principle of 'decide and provide' rather than 'predict and provide' which will help the county move towards that goal.

The 'predict and provide' approach, commonly used until recently, uses past traffic data associated with developments, commonly erring on the side of caution or robustness, to shape development which approach perpetuates dependence on cars. The 'decide and provide' approach decides on a preferred vision that might reasonably be achieved in terms of travel choices associated with development and seeks to provide the means to work towards that. This enables more positive transport planning and helps implement a hierarchy of users by considering walking, cycling and public transport up front.

Putting the above in context, the application clearly intends to provide less of cycle parking yet over subscribe to car parking provision – undermining the aims and policies set within the LTCP which require developments to look at ways of reducing the need to travel and discouraging unnecessary individual private vehicle use through making walking, cycling, public and shared transport the natural first choice.

Para 2.20 to 2.26 of the TN undermine the requirement for forward visibility over the need to maintain the proposed level of car parking. This is unacceptable and grossly undermines the safety of users – contrary to 108 (b) and 109 of the NPPF. **(Reason for objection)**

Public Transport

The applicant maintains that the bus stops along Bicester Road need not to be re-positioned – against advice from the bus service providers. The main reason for this is

to not remove the hedgerow and vegetation which the HA consider to be weak as the hedgerow/ vegetation is expected to be reinstated/ replanted where this has been affected by the new bus stop.

The TN further asserts that positioning of the bus stops to the north of the site access has benefits for the existing residents in the local area who are predominantly to the north of the site. May I draw the applicant's attention that the provision of bus stops is principally to serve the new community. **(To be conditioned)**

Officer's Name: Rashid Bbosa

Officer's Title: Senior Transport Planner

Date: 16/06/2023

Application no: 22/03883/F

Location: Land North Of 66 And Adjacent, Water Eaton Lane, Gosford

Lead Local Flood Authority

Recommendation:

Comments

Detailed comments:

Drainage conditions were set as part of this application on 05/06/2023. Applicant to submit a discharge of condition application in the future to cover the detailed design.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 04/10/2023