

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

District: Cherwell

Application no: 23/00501/REM

Proposal: Reserved matters application & condition discharge of Part B of 19/00128/HYBRID - Part B: Outline planning application - the development of up to 2 no. commercial buildings having a maximum floorspace of 16,890m² and having a flexible use [to enable changes in accordance with Part 6 Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)] within Class B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 as amended, and ancillary Class B1 offices, with all other matters reserved for future approval (19/00128/HYBRID)

Location: Unit 2, Kalabergo Close, Banbury, OX17 2FJ

Response Date: 24/03/2023

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.

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Transport Schedule

Recommendation:

Objection for the following reasons:

- The proposed car parking provision has not been demonstrated to be adequate
- There is insufficient cycle parking proposed
- The number of car parking spaces with EV charging infrastructure is insufficient

If, despite OCC's objection, permission is proposed to be granted then OCC requires planning conditions as detailed below.

Comments:

Introduction

This is a reserved matters application for a site (zone/unit C) that was granted outline permission by 19/00128/HYBRID. Units A and B were given full permission and have been constructed.

Car parking

There is no calculation of the required number of car parking spaces either in the Transport Assessment (TA) for 19/00128/HYBRID or in this current application. As Units A and B were given permission and as the use classes (B2/B8) are the same as Unit C, they may be taken as a suitable precedent.

Unit A	128 spaces
Unit B	100 spaces
Combined floor area	33,110m ²

Therefore, equivalent number of spaces for Unit C = $(128+100) \times 16890 / 33110$
= 116 spaces

The application proposes a total of 78 spaces, i.e only 67% of the appropriate provision.

The under-provision is a reason for objection unless it can be satisfactorily justified. Any overspill parking will be on the estate access road and will cause an obstruction to the

free flow of traffic, especially due to the high proportion of HGVs that will be accessing all three units.

All spaces must be a minimum of 5.0m x 2.5m, with a minimum 6.0m wide corridor for manoeuvring. It is recommended that a turning area be provided at each end to save vehicles from having to turn around in the corridor if all spaces are occupied.

The operation of the twelve “car-share spaces” needs to be explained so that the impact on overall parking provision may be assessed.

Policy EVI 8 of Oxfordshire’s Electrical Vehicle Infrastructure Strategy (adopted March 2021) and Policy 29 of the adopted LTCP requires the provision of electrical charging points at homes, workplaces, and key destinations. ‘Active’ charging points for electric vehicles for new non-residential development proposals are to be provided at a minimum level of 25% for all parking spaces with ducting provided at all remaining spaces to ‘future proof’ such spaces to be upgraded in the future.

The Site Plan identifies only two spaces with EV charging facilities and seven spaces for future installation. This is well below the requirements and is a reason for objection.

Cycle parking

Parking Standards for New Developments has recently been adopted by OCC. The document may be found here: <https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/PARKINGS.PDF>

Non-residential parking for cycles is specified in Table 5 and an extract is reproduced below:

Table 5: Non-Residential Parking Guidance for Oxfordshire

Use Class	Vehicular Standards (see supporting text)	Minimum Cycle Standards
City / Town development proposals for all non-residential land uses.	Car Free / Operational use only with supporting evidence.	Standards below apply and are encouraged to be exceeded where practical.
B2 General Industrial.	1 space per 75sqm	1 space per 175sqm for staff and 1 space per 250sqm for visitors.
B8 Storage.	1 space per 300sqm	1 space per 250sqm for staff and 1 space per 500 sqm for visitors.
C1 Hotels	1 space per bedroom	1 cycle space per 5 car parking

Taking the internal floor area of 15,840m² and applying the B8 standard,

Number of spaces = (15840 / 250) + (15840 / 500)

$$= 63 + 32 = 95 \text{ spaces}$$

The proposed number of spaces (12) is considerably lower than the required provision and has not been justified, so is a reason for objection.

Planning Conditions:

In the event that permission is to be given, the following 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 be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve, and retained as such thereafter.

Reason - To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

Each dwelling shall be provided with ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling prior to its first occupation.

Reason - To maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

No development shall commence unless and until full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority. The turning area and car parking spaces shall be constructed in accordance with the approved details prior to the first occupation of the development shall be retained as such for the parking and manoeuvring of vehicles at all times thereafter.

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.

Officer's Name: Roger Plater

Officer's Title: Transport Planner

Date: 23 March 2023

Application no: 23/00501/REM

Location: Unit 2, Kalabergo Close, Banbury, OX17 2FJ

Lead Local Flood Authority

Recommendation:

Comments

Detailed comments:

No LLFA comments however condition 13 of 19/00128/HYBRID needs to be discharged as part of the drainage.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 23/03/2023

Application no: 23/00501/REM

Location: Unit 2, Kalabergo Close, Banbury, OX17 2FJ

Archaeology

Recommendation:

Comments

Key issues:

Legal agreement required to secure:

Conditions:

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme 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 staged programme of archaeological evaluation and 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:

This site lies in an area of considerable archaeological interest, as identified through a geophysical survey and trenched evaluation undertaken to inform planning applications 17/01044/F and 19/00128/HYBRID.

Within the current application area, at the southern end of the total area of the trenched evaluation, archaeological deposits representing Roman agricultural evidence dating to the 2nd century AD were recorded within the trenches. However, archaeological evaluations are intended solely to determine whether archaeological deposits survive on a development site, and provide information to enable an assessment of their significance in line with paragraph 194 of the NPPF (2021). Archaeological evaluations do not fully record or mitigate archaeological remains, and in this particular case, due to the ingress of water in the trenches, a number of archaeological features could not be investigated.

Myself and my colleague, Richard Oram, have previously commented on the withdrawn application 21/02467/F, and highlighted the need for further archaeological investigation prior to the development of this site. The archaeological desk based assessment which has been submitted with this application was prepared in 2017 and so does not take in to account the results of the geophysical survey or trenched evaluation. An updated assessment was prepared in February 2022, and so this will need to be submitted with the application. This updated assessment acknowledges our advice that further archaeological investigation needs to be undertaken, and height data included in the assessment proves that though the site has now been truncated, it is likely that archaeological remains will still survive on the site.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme 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.

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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).

Officer's Name: Victora Green

Officer's Title: Planning Archaeologist

Date: 23 March 2023