

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

District: Cherwell

Application no: 24/03328/SCOP

Proposal: EIA Scoping Request to support a Section 73 application (24/01670/F) to vary conditions attached to the extant planning permission for the Himley Development (ref 14/02121/OUT).

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire

Response Date: 9th January 2025

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.

Application no: 24/03328/SCOP

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire

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**

A fee to cover the cost of monitoring and administration associated with the S106 agreement will be secured in the S106 agreement. The fees for the period 1st April 2024 to 31st March 2025 are set out below. The fees are revised annually and approved by Cabinet.

Aggregate of contributions secured in S106	Up to £10K	Up to £25K	£25,001 - £50K	£50,001 - £150K	£150,001 - £500K	£500,001 - £1m	£1,000,001 - £2m	Over £2m
Admin and Monitoring Fee	£150	£370	£730	£2,200	£5,410	£7,310	0.9% of aggregate of contribution	£18,500 + 0.09% of any amount over

							amount	£2m
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- **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: 24/03328/SCOP

Location: Land north of Middleton Stoney Road, Bicester

Transport Schedule

The request for an EIA Scoping Opinion is made by Cala in connection with a Section 73 application to vary conditions attached to the planning permission for the Himley Village development at Land north of Middleton Stoney Road, Bicester, Oxfordshire.

The Site benefits from an outline planning permission for a development of up to 1,700 residential dwellings, a retirement village, flexible commercial floorspace, social and community facilities, land to accommodate an energy centre and land to accommodate a primary school (14/02121/OUT).

The Section 73 application relates to a variation of Condition 44 and 45 (Use and Class of building) of 14/02121/OUT. The Scoping Report seeks to confirm agreement on the content of the forthcoming ES Addendum to be submitted to CDC.

The amended Section 73 application is now anticipated to propose the following amendments to Condition 44:

No more than a total of 8,000sqm floor space shall be provided for the mixed uses set out in Table 1. ~~and each~~ No use shall not exceed the maximum Gross Internal Area for each specified use, unless an updated Transport Assessment demonstrates that an alternative mix of uses would not give rise to a material increase in traffic movements to and from the site has been submitted to and approved in writing by the Local Planning Authority. These approved uses shall only be provided within the areas of the site annotated for 'Other Uses' and 'Social/ Community' on 'Land Use Parameter Plan 4' drawing number P22-3093_DE_013.

Land Use	Maximum GIA (sqm)
Hotel (Class C1)	2,600sqm 2,000sqm
Veterinary Surgery (Class E(e))	2,000sqm 300sqm
Pub/Community (Classes Sui Generis/F.2)	400sqm 500sqm
Retail, Restaurants and Cafés, Financial and Professional Services, <u>Drinking Establishments and Hot Food Takeaways</u> (Classes E(a)(b)(c) and (Sui Generis))	700sqm 300sqm
Office (Class E(g)(i))	1,000sqm 1,000sqm
Health Facility (Class E(e))	1,500sqm 500sqm
Nursery (Class E(f))	100sqm 500sqm
Discount Food Store (Class E(a))	2,500sqm
Energy-Centre (Sui-Generis)	375sqm
Water Treatment Plant (Sui Generis)	450sqm

The amended Section 73 application is expected to seek the following amendments to Condition 45:

No individual Retail unit allowed for in Table 1 of condition 44 shall exceed 150m² in Gross Internal Area with the exception of a single ~~Discount Food Store~~ unit of up to a maximum of ~~300~~2,500m² which shall be for uses within Use Class E of the Town and Country Planning (Use Classes) Order 1987 (or their equivalent in subsequent enactments or re-enactments). If provided, the single retail unit over 150m² for uses falling within Use Class E shall remain within that Use Class and it shall be used for no other Use whatsoever. Thereafter retail units shall not be amalgamated.

The Scoping Report explains that Transport has been scoped in and will be dealt with via a Transport ES Chapter.

Paragraph 1.4.7 of the Scoping Report states: “*The primary amendment to condition 44 anticipated to be requested in the amended S73 application would re-introduce the maximum floor space limits which the original S73 submission sought to remove. The amended floor space limits would reflect the preliminary testing scenario used within the transport assessments used to inform this Scoping Request.*”

A review of the Transport chapter in the Scoping Report revealed that the information provided is not sufficient to assess the impact of the S73 application as suggested in

paragraph 1.4.7. TRICS output data has not been submitted for the TRICS data in Table 7 and traffic flow diagrams have not been included. The trip reductions due to containment (95% for the food store) have not been evidenced and no calculations have been provided demonstrating the expected trips from within Himley village, trips from the wider Bicester area and pass by trips.

Paragraph 6.18.18 states: *“The total number of wholly new trips related to retail uses is likely to be less than 5% of total movements. This is on the basis that food store retail trips will unlikely be from outside Bicester and those that are will either be diverting from other food stores in the area (and therefore potentially more local) or generated from new housing which is assessed elsewhere.”*

It should be noted that any trips to and from the food store not originating in Himley Village will be new trips on the local network, regardless of the fact that these trips are local to Bicester or diverted from other food stores. If there is a significant net peak hour increase of trips outside the Himley Village development due to the change in proposed uses, assessments of local junctions will be required.

It is greatly recommended that a Transport Assessment Scoping Note is prepared and submitted to us for comments followed by a Transport Assessment to be submitted with the S73 planning application. The Transport Assessment should clearly set out how the discount food store trips have been derived and provide evidence for any trip reductions using information from the original planning application and TRICS Research Report 14/1.

Officer's Name: Sarah Halsey

Officer's Title: Senior Transport Planner

Date: 08/01/2025

Application no: 24/03328/SCOP

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire

Lead Local Flood Authority

Recommendation:

Comments

Detailed comments:

The LLFA anticipates that any planning application will include a flood risk assessment and surface water drainage strategy. This would be reviewed by the LLFA at that time and is not necessarily something that needs to be reviewed through EIA.

The applicant should review the local standards and guidance provided by the LLFA, along with the requirements of the NPPF and best practice guidance, when designing the surface water drainage system.

Pre-application advice is also available here:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/street-maintenance-z/flooding/pre-application-flood-advice>

Officer's Name: Thomas Callaway

Officer's Title: Team Leader – SuDs and Surface Water

Date: 03/01/2025

Application no: 24/03328/SCOP

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester, Oxfordshire

Archaeology

Recommendation:

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.

Detailed comments:

Archaeological Mitigation has been conditioned under permission 14/02121/OUT. The proposed changes to the planning permission do not require new archaeological constraints.

Officer's Name: Oxfordshire County Archaeological Service

Officer's Title: Planning Archaeologist

Date: 30/12/2024

Application no: 24/03328/SCOP

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road,
Bicester, Oxfordshire

Landscape / Green Infrastructure

Comments

The District Council Landscape Officer should be consulted on the application.

Officer's Name: Haidrun Breith

Officer's Title: Landscape Specialist

Date: 19/12/2024