

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

District: Cherwell

Application No: 18/01253/F-2

Proposal: Erection of hotel and conference facility with associated access, parking, and landscaping.

Location: Bicester Heritage, Buckingham Road, Bicester.

Response date: 24th October 2018

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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Strategic Comments

The road network in the vicinity of this site plays a key role in the area transport strategy. It is therefore to see that the issues raised have been resolved.

Officer's Name: Jacqui Cox

Officer's Title: Infrastructure Locality Lead Cherwell & West

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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 given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

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.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - £0**
This is an estimate of the amount required to cover the extra 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 an s106 agreement is completed or not.

CIL Regulation 123

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

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Transport Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as set out and justified in the county council's previous response dated 7 September 2018:
- **An obligation to enter into a S278** agreement as detailed below.
- **Planning Conditions** as detailed below.

Key Points

This updated response should be read in conjunction with the county council's previous response dated 7 September 2018.

In that response the county council set out an objection to the application for the following reasons:

- *An amendment to the layout of the site access is required in order to accommodate the movements of the largest vehicles anticipated to require access to the site.*
- *It is not clear from the drawings submitted whether the proposed mitigation schemes can be delivered within the highway boundary and without detriment to existing pedestrian and cycle infrastructure. Further details of these schemes are therefore required.*

To address these reasons for objection amended plans for the site access and junction mitigation schemes have been provided.

The county council is satisfied with the proposed arrangements for the site access and junction mitigation schemes and therefore these objections can be removed.

Comments:

Site Access

The site access has been amended and a new swept path analysis has been submitted which demonstrates that the largest vehicles anticipated to require access to the site can safely and easily enter and exit via the site access. The county council is satisfied with the plans submitted and can withdraw the previous objection related to the layout of the site access. The site access highway works will be subject to a full technical audit as part of the S278 Agreement.

Junction Mitigation Schemes

The county council previously objected to the proposed scheme as it was unclear whether the proposed junction improvements could be accommodated within the highway boundary and without detriment to existing footways and cycleways.

Amended plans have since been submitted which include the extent of the highway boundary and which also address some points identified since the county council's previous response.

A4421 / Launton Road / Skimmingdish Lane / Care home access roundabout

The scheme proposed for the A4421 / Launton Road / Skimmingdish Lane / Care home access roundabout junction has been amended to take account of recently completed improvements at that junction. The proposed arrangement set out in Drawing No: J32-3569-PS-112 Rev D is acceptable and will be subject to a full technical audit as part of the S278 Agreement.

Skimmingdish Lane / Buckingham Road / A4095 roundabout

The proposed improvement scheme at the Skimmingdish Lane / Buckingham Road / A4095 roundabout junction has also been amended to ensure that minimum lane widths of 3m at the point of each lane's marked separation can be accommodated on all arms. The proposed arrangement set out in Drawing No: J32-3569-PS-110 Rev D is acceptable and will be subject to a full technical audit as part of the S278 Agreement.

The county council can therefore remove the second reason for objection.

A4095 / B4100 / Banbury Road junction

The Transport Assessment submitted with the application sets out that a scheme to mitigate the impact of development traffic at this junction is required.

The county council has made a bid for Garden Town funding towards a wider capacity improvement scheme at this junction, however no announcement has yet been made as to whether that bid has been successful.

The county council has also sought developer contributions towards wider improvements at this junction from other developments in this area. Any such improvements would make the mitigation scheme proposed by the applicant in Drawing No: J32-3569-PS-111 Rev: B abortive.

Therefore, rather than implement the mitigation scheme proposed by the applicant, the county council would usually seek a financial contribution towards a wider improvement scheme at this junction - to the same equivalent value of the cost of the proposed mitigation scheme.

However, due to CIL regulation 123 pooling restrictions, no such contribution towards improvements at this junction is sought from this application.

S278 Highway Works:

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

- Site access junction as indicated in Drawing No: J32-3569-PS-100 Rev B
- Widening of Buckingham Road at the site access in order to form a ghost island right-turn lane as indicated in Drawing No: J32-3569-PS-100 Rev B
- Informal tactile pedestrian / cycle crossing adjacent to the site access to include a pedestrian refuge island on Buckingham Road
- Hardstanding for a pair of bus stops adjacent to the site access and informal tactile crossing
- Toucan crossing to the south of the Buckingham Road / Skimmingdish Lane priority junction as indicated in Drawing No: J32-3569-PS-100 Rev B
- 3m wide shared use footway / cycleway from the site access to the proposed toucan crossing outlined above, as indicated in Drawing No: J32-3569-PS-100 Rev B
- Junction capacity enhancement scheme at the A4421 / A4095 roundabout junction as indicated in Drawing No: J32-3569-PS-110 Rev D
- Junction capacity enhancement scheme at the A4421 / Launton Road / Care Home Access roundabout junction as indicated in Drawing No: J32-3569-PS-112 Rev D

Notes:

This is 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 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:

Access

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of an informal pedestrian crossing with pedestrian refuge island on Buckingham Road and a pair of bus stops adjacent to the site access and pedestrian crossing. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interest of highway safety.

Travel Plan

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with Oxfordshire County Council's approved Travel Plan guidance shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

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

CTMP

A Construction Travel Management Plan (CTMP) will be needed for this development, given the traffic sensitive nature of the potential approach routes on the wider strategic road network in and around Bicester. We would expect the CTMP to incorporate the following in detail:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes 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.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

Drainage

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Infiltration in accordance with BRE365 (To include infiltration testing; seasonal monitoring and recording of groundwater levels)
- SuDS (Underground geo-cellular soakaway, Swale, Permeable Paving)
- Maintenance and management of SuDS features (To include provision of a SuDS Management and Maintenance Plan)
- Detailed drainage layout with pipe numbers
- Network drainage calculations
- Phasing
- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)

Officer's Name: Tim Peart

Officer's Title: Senior Transport Planner

Date: 24 October 2018
