

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

District: Cherwell

Application No: 18/00220/F-3

Proposal: Change of use of agricultural land to sport/recreation and community use.

Location: Land North of Milton Road, Adderbury, Oxfordshire.

Response date: 08 August 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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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 outweigh 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 conditions.

Conditions:

Access: Full Details

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. Thereafter, the means of access shall be constructed and retained in accordance with the approved details. Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

No Other Access

Other than the approved access(s) no other means of access whatsoever shall be formed or used between the land and the highway. Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

Vision Splay Protection

The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.5 m measured from the carriageway level. Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

Turning Area and Car Parking

Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and 141 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, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter. Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

Provision of New Permanent Public Footpaths

Prior to the first use of any new public footpath, the new footpath shall be formed, constructed, surfaced, laid and marked out, drained and completed in accordance with specification details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Reason - In the interests of highway safety and public amenity and to comply with Government guidance contained within the National Planning Policy Framework.

Cycle Parking Provision

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.

Water Drainage Scheme

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
- SUDS (Porous Paving, Soakaway, Infiltration trench)
- Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
- Infiltration in accordance with BRE365 (To include further infiltration testing; Seasonal monitoring and recording of groundwater levels)
- 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)

Comments:

As stated in our previous responses to 18/00220/F, Oxfordshire County Council Transport Development Control (TDC) have no objection **in principle** to the change of use of this site to Class D2.

This revised application contains the requested Transport Statement (TS) which is comprehensive and is based on detailed assumptions which are extremely robust. 141 parking spaces are being proposed, along with a new 2.0m wide footway link to the east of the site to the footways into the village. An informal crossing point on

Milton Road is also required in order to improve connectivity from the site to St Marys Road.

A section 278 agreement will be required for the bellmouth junction, with additional elements factored in to permit adequate visibility from the new access, this will include the gateway feature and speed limit signs.

The Suds proposals for the site include an Infiltration Trench, Soakaway, and Pervious Paving. The site makes use of SuDS infiltration to manage surface water at the site, and a single infiltration test has been undertaken at the site which exhibited a good infiltration rate.

The drainage design details supplied with application are at an outline stage level of detail with apparently no detailed design details submitted. Therefore OCC (drainage) requests its standard surface water condition to be applied if approval is granted.

Infiltration Testing

A single test pit has been taken at the site and OCC (drainage) would expect some additional test pits to confirm the potential and to inform the detailed design at specific SuDS locations. No indication has been provided as to the seasonal high ground water level at the site. A separation of one metre must be provided between the base of the infiltration device and the seasonal high ground water level.

Parking Areas

OCC (drainage) was unable to verify that the any design has been undertaken for the car parking areas. The applicant proposes to use a pervious paving; the design should ensure that sufficient subbase for storage of run off is provided such that no flooding occurs within the car park for the design event.

SuDS Maintenance

It is not clear the party responsible for maintenance of SuDS at the site. A SUDS Management and Maintenance Plan must be provided and include:

- *Details of which organisation or body will be responsible for vesting and maintenance for individual aspects of the drainage proposals (individual properties/curtilages, roads, special areas etc) with evidence that the organisation/body has agreed to such adoption. Where the agreement is subject to other legalities, it may be acceptable to provide agreement-in-principle.*
- *Details of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.*

- *A Maintenance Schedule setting out which assets need to be maintained, at what intervals and what method is to be used.*
- *A Site Plan identifying the location of each element of the drainage scheme, including access points, maintenance access easements and outfalls. Maintenance operational areas are to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site for example by providing a silt deposit area and cut weed composting area for large ponds.*
- *Any health and safety information required to manage identified residual risks associated with maintenance activities*

Flood Exceedance

As well as the consideration of the modelled events, there should be a qualitative examination of what would happen if any part of the drainage/SuDS system fails, to demonstrate that flood water will have flow routes through the site without endangering property and where possible maintaining emergency access/egress routes. This should be supported by a flood exceedance route plan.

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
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- Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
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- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)

Officer's Name: Tom Plant

Officer's Title: Assistant Transport Planner

Date: 03 August 2018

Application no: 18/00220/F-3

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Archaeology Schedule

Recommendation: Conditions

Comments:

The site is located in an area of archaeological potential 300m to the south east of a possible Roman building (PRN 26327). The site was recorded in the 1920s when evidence of a building and paving stones, roofing slates and burnt stones, along with abundant C2nd pottery was recorded. Mesolithic and Neolithic flint tools have also been recorded in the same area (PRN 15454).

A programme of archaeological investigation has recently been undertaken immediately east of the proposed site which recorded a number of possible prehistoric features including a possible henge site and a Bronze Age posthole structure. A third ring ditch, initially thought to be a Bronze Age barrow was also recorded. The post excavation analysis of this site is still underway but initial results would suggest that these features are of some significance.

A geophysical survey report has been submitted with this application which does highlight a number of possible archaeological features across the site. These features cannot be dated from geophysical survey alone and may be related to the adjacent site. It is also possible that further archaeological features not identified from the geophysical survey could survive on the site. The proposed works, including the drainage scheme, may impact on these features and a programme of archaeological evaluation and mitigation will be required ahead of the commencement of this development.

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:

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

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 (2012).

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.

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 (2012).

Officer's Name: Richard Oram

Officer's Title: Planning Archaeologist

Date: 27 July 2018
