

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

**District:** Cherwell

**Application No:** 17/02167/F-2

**Proposal:** Conversion of building from B1(a) Offices to 25 residential flats, with ancillary parking, bin storage and amenity area

**Location:** The Old Malthouse St Johns Road Banbury

**Response date:** 8<sup>th</sup> February 2018

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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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## 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 form

<b>Residential</b>	
1-bed dwellings	23 No.
2-bed dwellings	2 No.
3-bed dwellings	
4-bed & larger dwellings	

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	33.71
20 - 64 year olds	31.37
65+ year olds	3.81

0 – 4 year olds	1.14
Nursery children (number of 2 and 3 year olds entitled to funded places)	0.32

Primary pupils	0.51
Secondary pupils	0.27
Sixth Form pupils	0.00
SEN pupils	

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## Information

### **Recommendation of approval contrary to OCC objection:**

If you are minded to recommend approval of the application contrary to an objection made by OCC in this response, OCC should be grateful if you would re-notify OCC (via MPAT) to explain why material considerations outweigh OCC's objections and also give OCC the opportunity to make further representations.

**Outline applications** – The impact of a proposal upon infrastructure and services is assessed based on the number and type of dwellings and/or the floor space. If mitigation of such impacts is required the S106 contributions/measures set out in the Schedules to this response are based on the unit mix / floor space stated in the Assessment Criteria set out on the first page of this response. Where mitigation measures/contributions are appropriate and once the unit mix/floor space is confirmed a matrix (if appropriate) will be applied to assess any increase in contributions payable. For smaller/medium size developments where unit mix is established prior to commencement of development the matrix sum can be fixed prior to commencement of development (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 payment where in a S106 agreement the triggers for payment of S106 contributions (in aggregate) deferred to post implementation of the development exceed £1m.
- **Administration and Monitoring Fee - £0**  
This is an estimate of the amount required to be secured to address the corresponding extra monitoring and administration associated with the S106 agreement. The final amount will be determined prior to the completion of the S106 agreement in accordance with OCC's scale of fees 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 whether an agreement is completed or not.

**CIL Regulation 123**

OCC may conclude not to seek contributions to mitigate the impact of this development on certain infrastructure referred to in the Schedules to this response because of the constraints of pooling, (Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended)). 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 impact of the proposed development on the infrastructure, and the lack of mitigation in making its decision.

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## **Transport Schedule**

### **Recommendation:**

#### **No objection subject to:**

- **Planning Conditions** as detailed below.
- Note should be taken of the **informatives** stated below.

### **Key points**

- The applicant wants to provide 25 vehicular parking spaces within the curtilage of the building. However, I do not think that the 25<sup>th</sup> parking space immediately to the north of the refuse and recycling bin store is suitable. There does not appear to be anything to stop the resident who is allocated that space parking too close to the doors to the store to enable them to be opened.
- The applicant needs to provide more details regarding the gated access to the parking and refuse storage area. They say that the separate pedestrian gate is to be operated independently. However, in the event of refuse bins being placed in the collection area and there being a gate post separating the pedestrian gate from the vehicular gate, there is only 2m of width in between that post and the refuse bins to allow a motorist to pass. This could lead to the resident who has been allocated that space parking to the north of the gates and impeding access to the rear of the building for pedestrians.
- The applicant intends to provide a gate to the under-croft car park immediately to the west of the building which will be accessed through a secure gate operated by key fob for motorists and a separate gate operated independently by pedestrians.
- The applicant has not explained how the large communal refuse and recycling bins will be dragged to the kerbside on St. John's Road on collection days. These are too heavy for residents to drag.

### **Comments:**

#### **Vehicular Parking**

The applicant has provided 25 vehicular parking spaces within the curtilage of the building. However, they have not specified exactly how many parking spaces are to be allocated to each apartment or if spaces are going to be allocated at all. As mentioned in my previous responses of 20 November 2017 and 15 December 2017 I noted that there is a shortage of on-street parking in the streets surrounding St. Johns Road, a street which also has restricted parking due to the presence of a local Primary School. However, I consider the number of spaces provided to be an issue

of amenity rather than highway safety so conclude that it is a matter for the District Council.

The applicant has submitted an amended site plan which shows that vehicular parking space No. 25 is to be situated immediately to the north of the doors to the north of the refuse and recycling bin store. The applicant is advised to use a barrier to make sure that the resident who uses the space does not park so that there is no room for the double doors to the refuse store to swing outwards in a northerly direction.

The applicant needs to provide more details regarding the gated access to the parking and refuse storage area. They say that the separate pedestrian gate is to be operated independently. However, in the event of refuse bins being placed in the collection area and there being a gate post separating the pedestrian gate from the vehicular gate, there is only 2m of width in between that post and the refuse bins to allow a motorist to pass. This could lead to the off-side of the vehicle colliding with the inner gatepost, and the resident who has been allocated that space parking to the north of the gates and impeding access to the rear of the building for pedestrians. The applicant should provide a vehicle tracking drawing which shows that a normal-sized car can reverse out of the space, turn and then pass through the gated entrance to the development when the bins are placed out for collection.

### **Pedestrian Access to the Under-croft and Rear Access to the Building**

The applicant has provided an over-runnable area for pedestrians which is 2m wide. They will need to provide more details of how the gate for pedestrians, including disabled users is to be operated. They have described it as being accessible independently. This is important as this gate leads to the door from the under-croft of the building which is the only access to the building for wheelchair users.

### **Cycle Parking**

Considering my comments of 15 December 2017, the applicant has now provided 35 sheltered, secure, cycle parking spaces. I think this is enough spaces to meet likely demand and it is only one space from meeting Oxfordshire County council's current residential cycle parking standards.

### **Refuse Collection**

The applicant needs to provide details of how large communal refuse bins will be dragged from the refuse storage area to the collection area on bin collection days.

### **Drainage**

The applicant has not provided any drainage information. Therefore, I strongly advised that a planning condition be provided in relation to this. Surface water drainage run-off rates from brownfield sites must not exceed those from green-field ones and the applicant is strongly advised to consider adopting sustainable urban drainage (SuDS) principles and techniques. For redevelopment and re-use of an existing building SuDS techniques could take the form of rainwater harvesting, rain gardens, permeable paving, pond and use of infiltration techniques to achieve reductions in surface water runoff volumes and rates, and achieve compliance with wider SuDS objectives such as improving water quality, creating biodiversity and amenity.

### **Planning Conditions:**

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

#### **Refuse Collection Arrangements**

Prior to the commencement of development, a plan showing the location of refuse collection facilities for the development must be submitted and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the proposed development, construction shall only commence in accordance with the approved details.

**Reason:** In the interests of road safety.

#### **Disabled Access**

Prior to the commencement of development, a plan showing how residents with disabilities will access the development must be submitted and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the proposed development, construction shall only commence in accordance with the approved details.

**Reason:** In the interests of providing safe and suitable access to the development for all transport users in accordance with the National Planning Policy Framework.

#### **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
- Maintenance and management of SUDS features
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS
- Network drainage calculations
- Phasing
- No private drainage into the existing highway drainage system.

**Reason:** In the interests of road safety.

#### **Construction Traffic Management Plan**

Prior to the commencement of the development, a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, construction shall only commence in accordance with the approved details. This should include the following where applicable:

- 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 road safety in accordance with the National Planning Policy Framework.

### **Travel Information Pack**

Prior to the first occupation of the development, a Travel Information pack shall be submitted to and approved in writing by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

**Reason:** In the interests of ensuring that opportunities for travel by sustainable modes are maximised in accordance with the National Planning Policy Framework.

**Officer's Name: Will Marshall**

**Officer's Title: Senior Transport Planner**

**Date: 8 February 2018**

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