

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

District: Cherwell

Application No: 18/01333/F-2

Proposal: Extension to existing Technical Site to provide new employment units comprising flexible B1(c) light industrial, B2 (general industrial), B8 (storage or distribution) uses with ancillary offices, storage, display and sales, together with associated access, parking and landscaping.

Location: Bicester Heritage, Buckingham Road, Bicester.

Response date: 11th December 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.

This updated transport response should be read in conjunction with the County Council's previous Single Response to this application dated 12th September 2018.

OCC's transport objection is now withdrawn. Please note that the proposed planning conditions relating to car parking and drainage have been amended from those suggested in the first response (all other conditions, contributions and works remain the same).

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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 - £3,750**
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 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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Updated Transport Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as set out and justified in the county council's previous response dated 12th September 2018.
- **An obligation to enter into a S278 Agreement** as set out and justified in the county council's previous response dated 12th September 2018.
- **Planning Conditions** as detailed below.

Key Points

This response should be read in conjunction with the county council's previous response to the application, dated 04 September 2018.

In that response the county council objected to the application for the following reasons:

- OCC (Drainage) have raised an objection to the application as it is not clear whether infiltration testing has been undertaken at the site itself and also do not consider that sufficient information has been provided within the drainage strategy regarding the strategy to manage the high and medium probability of surface water flooding on the southern site.
- The level of car parking proposed is based on the more intensive B2 use class. Since the site will be mixed use with B8, the level of parking proposed is above the county council's maximum standard. The level of parking provided should be based on an anticipated breakdown of floor area between the proposed uses.
- Further to the above, the layout and surfacing of parking spaces in certain areas appears inappropriate with certain spaces seemingly inaccessible. This may lead to ad hoc parking in other areas of the site which could obstruct emergency access.

Amended plans and a revised Drainage Strategy have since been submitted to address these issues and the county council can now remove its objections.

Please see the county council's comments on these below.

Comments:

Car Parking

Regarding the first reason for objection, I note that the level of car parking has now been reduced in line with the anticipated breakdown of floor area being proposed from 125 car parking spaces to 84.

The county council is agreeable to an approach whereby, should the quantum of development change, then additional car parking could be required to avoid overspill parking beyond the site and / or inappropriate parking within the site. I would suggest that a planning condition is required to ensure that a review is carried out should the applicant propose an increase in car parking.

I also note that the car park layout has been amended in accordance with the revised parking numbers. The car parking spaces now appear to be appropriately located, with most parking adjacent to the workshop buildings. All parking spaces now appear to be easily accessible.

Therefore, the county council can now remove the first two reasons for objection listed above.

Drainage

Please see comments from OCC Drainage Engineer below:

OCC (Drainage) Response: No objection subject to condition

The Applicant has provided an updated drainage strategy for the site by AKS Ward Consultants dated October 2018. It is proposed to use swales, permeable paving and infiltration soakaways to manage surface water for flows up to the 100 years storm event (plus allowance for Climate Change) on the site through infiltration to ground. Two factors that could affect the drainage design include the level of the ground water at the site and the presence of contamination in the ground.

The seasonal high ground water level should be established through ground water monitoring at the site to demonstrate that a one-meter minimum clearance can be maintained between the base of the infiltration device and the high groundwater level. OCC (Drainage) requires additional assurances on the steps that will be undertaken, demonstrating that the use of infiltration devices will not mobilize contamination. Details of the scheme of soil / leachate sampling investigation that will be undertaken at the base of and surrounding vicinity of any proposed infiltration device, to test for contaminants to ensure any contamination present in the soil is not mobilised by the use of the devices, must be provided. The scheme must describe details of the type, frequency, likely contamination suites, of the proposed testing at the site. Following testing details of appropriate mitigation must be provided. These requirements can be secured by use of a condition if planning approval for the site is gained.

The Flood Risk Assessment conclusion states that: *“There is a surface water flow-path within the south site which will need to be maintained. Incorporating a conveyance channel along the south west boundary before discharging to the existing ditch would provide this opportunity.”* Although the applicant provided an exceedance

flow plan for the site it was unclear whether this addressed the point picked up in the Flood Risk Assessment about the need for a “*conveyance channel along the south west boundary*”. Therefore, this point requires further clarification and Flood Exceedance routing may require additional detailed design after final site levels are determined, which must form part of a condition.

Conditions:

Should the Local Planning Authority be minded to approve the application, the county council considers that the following conditions should be applied:

Access

No building shall be occupied until the access improvements (indicated in Drawing No. 12068/SK702 REV D) and including a footway on the eastern side of Buckingham Road, between the splitter island on the Skimmingdish Lane arm of the A4421 / A4095 roundabout and the proposed toucan crossing, has been constructed in accordance with details that shall first be approved by Local Planning Authority.

Reason: In the interest of highway safety.

Secondary Access

The secondary access to the site from Skimmingdish Lane shall be retained for emergency use and for vehicular access on event days only and shall not be utilised for day to day operational or servicing uses. The access shall not be utilised for pedestrian or cycle access.

Reason: In the interest of highway safety.

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:

- Infiltration to BRE 365 (Seasonal monitoring of groundwater levels at the site)
- SUDS (Swale, Underground Geo-Cellular Soakaway, 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
- Flood Flow Routing in exceedance conditions
- To prevent any potential contamination of groundwater, details of a scheme of soil/ leachate testing below and within the vicinity of any infiltration device
- Details of any mitigation that is required to prevent contamination to groundwater below or surrounding any proposed infiltration device (after soil / leachate testing)

Car Parking

Prior to the first occupation of the development hereby approved, the 84 parking spaces and manoeuvring areas shall be provided in accordance with the approved

site plan and shall be constructed from porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the site. Thereafter, the parking and manoeuvring area shall be retained in accordance with this condition and shall be unobstructed except for the parking and manoeuvring of vehicles at all times.

Reason: In the interest of highway safety and in accordance with planning policy.

Cycle Parking

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

Construction Traffic Management Plan

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.

Travel Plans

The submitted framework travel plan will be revised in line with comments received and resubmitted for approval by the Local Planning Authority before first occupation of the site.

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.

Officer's Name: Tim Peart

Officer's Title: Senior Transport Planner

Date: 11 December 2018
