

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

District: Cherwell

Application No: 19/00400/REM

Proposal: Reserved Matters to 10/01642/OUT - Dorchester Phase 8A, comprising the provision of twenty four affordable residential units with associated landscaping, car parking, infrastructure and external works

Location: Heyford Park Camp Road Upper Heyford Bicester

Response date: *17th April 2017*

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: 19/00440/REM

Location: Heyford Park Camp Road Upper Heyford Bicester

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

Objection for the following reasons.

- The footway access from the north should be extended down to meet the vehicle access.
- The tracking shows some large areas of body overhang and overrun of kerbs which is not acceptable.

If despite the County's objection permission is proposed to be granted then the County advises planning conditions and informatives as set out below.

Key points

- The footway access from the north should be extended down to meet the vehicle access.
- The tracking shows some large areas of body overhang and overrun of kerbs which is not acceptable.

Comments

Transport Development Control

The proposal represents an amendment to the mix and layout of dwellings on the application site and appears to represent a slight reduction in the number of dwellings proposed for this part of Phase 8 under the extant permission 16/00864/REM. It is part of a wider series of amendments to Phase 8 and Village Centre North that will lead to an increase in the number of residential units.

Trips generated by this increased quantum are unlikely to have any significant adverse impact on the surrounding transport network. However, it is noted that this intensification is part of a wider initiative which could lead to intensification of residential use on other sites within the permitted scheme. At the time of writing it is understood that the likely increase in residential quantum within the permitted scheme as part of this initiative is undefined. It should be noted that further increases in residential quantum within the permitted scheme above that already permitted could lead to a level of trip generation that could have a significant impact on the surrounding transport network. The County therefore advises that it may require further transport impact analysis and mitigation to take account of all increased quantum within the permitted scheme that is over and above that already permitted.

Parking provision meets standards set out in the Heyford Park Design Code.

Vehicle tracking for a large car and refuse vehicle is acceptable.

Road Agreements

The footway access from the north should be extended down to meet the vehicle access. **Reason for objection.**

The tracking shows some large areas of body overhang and overrun of kerbs which is not acceptable. This should be adjusted. **Reason for objection.**

Other items that will need to be addressed at the Section 38 / Section 278 stage are as follows.

- Visibility Splays must be dedicated to the County if they fall out of the existing highway boundary.
- If there is not a footway adjacent to the carriageway an 800mm maintenance margin is required.
- Visitor parking bays should not interfere with internal visibility splays.
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit.
- The County requires saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site, but the location of the samples must relate to the proposed location of the carriageway/footway.
- Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.
- No property should be within 500mm of the proposed highway. No doors, gates, windows, garages or gas/electric cupboards should open onto the proposed highway.
- Trees within the highway will need to be approved by the County and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.
- Trees that are within 5m of the carriageway or footway will require root protection, and trees must not conflict with street lights.
- No private drainage to discharge onto existing Highway.
- No private drainage to discharge onto any area of proposed adoptable highway.

Planning Conditions

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

D5 Vision Splay.

D10 Estate Accesses, Driveways and Turning Areas.

D19 Cycle Parking Provision.

Informative

The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the

frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively, the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

Prior to commencement of development, a separate consent must be obtained from the County's Road Agreements Team for the new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

Officer's Name: Chris Nichols

Officer's Title: Transport Development Control

Date: 17th April 2019
