

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

**District:** Cherwell

**Application no:** 19/01036/HYBRID-3

**Proposal:** Full permission is sought for Local Centre Community Floorspace (Use Class D1), Cafe (Use Class A1/A3), with a total GIA of 552 sqm, and 16 residential units (Use Class C3) with associated access, servicing, landscaping and parking. Outline consent is sought for Local Centre

**Location:** Bicester Eco Town Exemplar Site Phase 2, Charlotte Ave, Bicester, Oxfordshire,

**Date:** 11 June 2021

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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 Informative's 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](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweighs OCC's objections, and to be given an opportunity to make further representations.

### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

### **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.
- **Administration and Monitoring Fee - TBC**  
This is an estimate of the amount required to cover the 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 a S106 agreement is completed or not.

**Security of payment for deferred contributions** - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

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## Transport Schedule

### **Recommendation:**

No objection subject to condition(s):

### **Key points:**

- Many issues raised in our response to 19/01036/HYBRID have been addressed.
- Issues remain with the submitted CTMP and Travel Plan

### **Comments:**

**Access** - The proposed development shall still be accessed in much the same way as the previous local centre, which is off Charlotte Avenue. Charlotte Avenue is a 20mph designed carriageway with attractive facilities for pedestrians and cyclists.

Paragraph 3.3.1 mentions a series of crossings that shall be provided across Charlotte Avenue which shall include surface treatments. These are visible in the submitted documents and are satisfactory.

**Car Parking** - Parking details within the TS only cover the extent of the Full Application site (the northern block) which shows a provision of up to 32 parking spaces. Out of these, 16 spaces are shall be allocated to residents under a permit scheme a level which is compliant to standards. The other 16 parking spaces shall be shared amongst the different land uses – which is agreeable acknowledging the overlapping parking demand across the centre. The parking layout remains mostly unchanged in this newest rendition and is still considered acceptable.

The level of parking provision for the southern block seeking Outline planning permission will be determined at Reserved Matters in accordance with the agreed outline parameters.

**Cycle Parking** - It is agreed that the proposed cycle parking provision for the various land-uses is in line with guidance contained within the adopted Cherwell DC parking standards. Para 3.3.5 of the TS asserts that cycle storage for staff and residents will be provided in covered secure shelters close to building entrance. As we have previously

stated, we believe all of the cycle parking should be covered as well as secure. The existing plan shows spaces consisting of Sheffield stands with no real cover.

**Vehicle Tracking** - Satisfactory vehicle tracking diagrams have been provided. These prove that a refuse vehicle can access the bins, turn and leave the site in a forward gear. A confirmatory letter of agreement between the developer and the land owner of the Eco Business Centre to use the area outside the site application boundary has since been provided.

**Trip Generation** - As noted in our previous response, the TS sets out a reasonable methodology for evaluations the transport impact of the proposed scheme. Trip generation of the site is not considered an issue.

**Construction Traffic Management Plan** - A CTMP was requested in our previous response and has been submitted with this one. The CTMP is not currently acceptable for the following reasons:

- The CTMP must state that deliveries will not take place from 08:00-09:00 and 15:00-18:00, this will ensure that construction traffic does not take place during network peak and school peak hours.
- The CTMP must state that qualified banksmen will escort vehicles on and off the site.

**Travel Plan** - A framework Travel Plan was submitted with the previous application. We provided feedback on this Travel Plan which is yet to be implemented. For this reason we will request a Travel Plan via planning condition to ensure compliance.

### **Planning Conditions:**

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

#### **Travel Plan**

The submitted framework travel plan will be revised in line with comments received and sent back to the Local Planning Authority for approval before first occupation of any of the elements of the local centre.

*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.*

#### **Construction Traffic Management Plan (CTMP)**

Prior to commencement of the development hereby approved; a construction traffic management plan shall be submitted to and approved by the Local Planning Authority. The CTMP will need to incorporate the following in detail and throughout development the approved plan must be adhered to

- 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.

**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 OCC Road Agreements Team for the new highway vehicular access under S278 of the Highway Act. Contact: 01865 815700; [Roadagreements@oxfordshire.gov.uk](mailto:Roadagreements@oxfordshire.gov.uk)

**S278 Highway Works:**

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works along Charlotte Avenue - Improvements such as additional crossings suggested in the TS.

**Note:**

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.

**Officer's Name:** Glenn Speakman

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

**Date:** 28 May 2021

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**Location:** Bicester Eco Town Exemplar Site Phase 2, Charlotte Ave, Bicester, Oxfordshire,

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## **Local Lead Flood Authority**

### **Recommendation:**

Comments

### **Detailed comments:**

Drainage aspect will be reviewed upon submission of Discharge of Condition.

**Officer's Name: Sujeenthan Jeevarangan**

**Officer's Title:** LLFA Planning Engineer

Date: 1 June 2021