

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

District: Cherwell

Application No: 19/00439/REM

Proposal: Reserved matters to 10/01642/OUT - Dorchester Phase 7A, comprising the provision of eleven, two bed affordable dwellings with associated landscaping, car parking, infrastructure and external works.

Location: Heyford Park Camp Road Upper Heyford Bicester OX25 5HD

Response date: *12th April 2019*

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

Objection for the following reasons

- It should be clarified as to whether the proposal for this site represents an increase in development quantum under the outline permission 10/01642/OUT.
- Parking access adjacent to plots 801 and 802 are a concern.
- Parking provisions for plot 796 are a concern.

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

- It should be clarified as to whether the proposal for this site represents an increase in development quantum under the outline permission 10/01642/OUT.
- Parking access adjacent to plots 801 and 802 are a concern.
- Parking provisions for plot 796 are a concern.

Comments

Transport Development Control

The proposal is for 11 residential units on land that was originally intended for use a green infrastructure and sports pitch. However, that intended use has now been permitted on an alternative site nearby within the Heyford Park development (Planning application No.16/01904/F). It is not clear what land use was intended for that alternative site prior to its permission under 16/01904/F. It is not therefore clear whether the proposal for this site represents an increase in development quantum under the outline permission 10/01642/OUT. This should be clarified. **Reason for objection.**

It should be noted that 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.

The number of parking spaces proposed for each unit meets the standards set out in the Heyford Park Design Code.

Road Agreements

The parking access adjacent to plots 801 and 802 is of concern regarding visibility on the corner to see oncoming traffic. It would be less of a concern if this provided access to a small number of spaces but there is provision for 14 parking spaces here so the number of movements will be significant for the location. This would benefit from being rearranged, or at least a plan showing vision splays should be provided.

Reason for objection.

Parking spaces next to plot 796 are of concern since reversing manoeuvres out of these spaces are likely and visibility of oncoming traffic round the bend is poor.

Reason for objection.

Refuse collection is not obvious for plots 797-800, 803 and 806 and should be clarified. **Reason for objection.**

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 : 12th April 2019
