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

District: Cherwell
Application no: 19/00616/OUT-2
Proposal: The erection of up to 28 dwellings and associated access
Location: OS Parcel 9507 South Of 26 And Adjoining Fewcott Road Fritwell

Response date: ***24th October***

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 -** TBC
  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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Transport Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as summarised in the table below and justified in this Schedule:
- **An obligation to enter into a S278** agreement as detailed below.
- **Planning Conditions** as detailed below.
- Note should be taken of the **informatives** stated below.

S106 Contributions

Contribution	**Amount £**	**Price base**	**Index**	**Towards** (details)
Public Rights of Way	**£15,000**	**August 2019**	Baxter	**PROW 219/6 linking the site to Fritwell village.**
Total	**£15,000**			

Key points

- Proposal seeks to erect 28 dwellings with access from Fewcott Road.
- In order to gain access to the proposed site, access is required to cross a highway ditch which is not in the Highway Authority's control. The applicant will need to take ownership of this via land registry in order to gain access and keep visibility splays clear of vegetation. This can be done as part of the S278 agreement which will be needed for the highway works proposed.
- The applicant proposes to extend the 30mph speed from the village of Fritwell to the site access, this is welcomed, however requires consultation and can therefore not be guaranteed. The previous application showed dmrb visibility splays of 215 metres in line with the 60mph speed limit and a speed survey has now been provided showing the 85th percentile speed as 34.4mph Northbound and 36.7mph Southbound. Based on a design speed of 70kph in line with DMRB, visibility splays of 120 metres should be provided, if the highway ditch is brought into the applicants ownership this seems achievable. Should the TRO be varied successfully for the extension of the 30mph speed limit, visibility splays of 90 metres will be required in line with DMRB rather than the MfS guidelines stated, however, as shown with the 215m visibility splays supplied previously this should be achievable once the highway ditch is within the applicants ownership.
- 1.8m footpath from Fritwell village to be extended to site access. This will be covered via S278 agreement.

- 54 allocated parking bays will be provided on site for the dwellings plus 10 visitor spaces. The visitor spaces currently only measure, these will need to be widened to 2.5 metres and will be conditioned to meet OCC standards.

Comments:

Traffic Generation

The traffic impact assessment was submitted with the previous documents based on 38 dwellings. It was determined at this stage that the traffic impact was not considered severe and the reduction in dwellings further decreases the impact.

Site Access

The applicant has provided updated details regarding the site access. This shows that the Manual for Streets (MfS) visibility splays for 30mph (43m) can be achieved. However, it is not considered that the MfS standards are appropriate in this location and that the DMRB visibility splays should be provided. It is not guaranteed that the 30mph speed limit will be successfully extended and therefore the visibility splays should be based on the DMRB standards.

In the previously submitted documents visibility splays of 215m (DMRB standards for 60mph) were provided, the applicant has undertaken speed surveys that show the 85th percentile speed at 34.4mph Northbound and 36.7mph Southbound and therefore visibility splays of 120 metres should be provided, as 215m was previously demonstrated this is considered achievable.

The previous issue was land out of the applicants control, however, when inspecting highway records it appears that all of the land is either owned by the applicant, classified as public highway or is the highway ditch. As part of the S278 agreement to create the access, a part of this ditch would need to become within the applicants control through land registry. After consultation with the road agreements engineer it is considered that this can be extended to contain the land required for the 120m visibility splays in addition.

The application includes alterations to the highway directly in front of the application site, this includes extending the 30mph speed limit, new VAS speed limit sigh and relocation of gateway and dragons teeth on carriageway. This will be done via S278 agreement and will require consultation.

In terms of pedestrian access, the applicant proposes to extend the existing footpath to the site access. This will measure 1.8m and will continue into the site. This is deemed beneficial to residents wanting to walk into the village. The applicant also proposes to open an access to the rear of the site onto Public Right of Way (PROW) 219/6, this is beneficial to residents as it allows more permeability and better access to certain parts of Fritwell. A contribution has been sought to upgrade this to allow increased use. Notwithstanding the proposed footway to be provided west side of Fewcott Road it is expected that the development will fully fund the improvement of the footpath to a more accessible standard. This may include widening, surfacing,

furniture and lighting. A contribution of £15,000 is sought through a Section 106 agreement to ensure pedestrian permeability is adequately provided.

Car/Cycle Parking

The applicant proposes to provide 54 allocated parking spaces for residents plus 10 visitor bays. This is in line with Oxfordshire County Council parking standards and is accepted.

All bays are required to measure 5m x 2.5m in order to meet standards. The submitted drawings show that visitor bays currently only measure 2m wide, these need to increase to the correct dimensions in order to be acceptable and as such a condition has been included.

No information has been provided regarding cycle parking. Cycle parking for each dwelling should be provided in the curtilage of the dwelling and should be covered, secure and easily accessible. If planning permission is granted, a condition will be required to ensure the correct level and form of cycle parking is provided. More information can be found here:

https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/CyclingStandards.pdf

Travel Information Pack

In order to ensure that residents of the development are fully aware of all the travel options available to them from day one of occupation, particularly sustainable options, the developer will need to submit a travel information pack for approval. This pack will be supplied to each resident on first occupation.

Refuse Vehicle Tracking

Tracking needs to be carried out with the below vehicle details
OCC require a swept path analysis for refuse vehicle for all manoeuvres in forward gear. All internal bends and junctions will need to be tracked with two vehicles (refuse vehicle and medium sized car) using the bend/junction at the same time.
Phoenix 2 – 23W with elite 2 6x4 chassis
Dimensions;
Overall length – 11.6m (including bin lift)
Overall Width – 2.530m
Overall body height – 3.205m
Min body ground clearance – 0.410m
Track width – 2.5m
Lock to lock time – 4.00s

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- Construction of the site access.

- Extension of the 30mph speed limit.
- Construction of footway from site access to join existing footpath in village.
- Land ownership and visibility splays.
- Village entry treatment including traffic calming.

Notes:
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.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

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

Travel Information Pack
Prior to first occupation a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.
Reason – to encourage residents to use sustainable modes of transport as much as possible in line with the NPPF

Cycle Parking Provision
No dwelling of the development hereby permitted shall be occupied until cycle parking has been provided according to a plan showing the number, location and design of cycle parking for the dwellings that has previously been submitted to and approved in writing by the Local Planning Authority. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.
Reason - To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.

Access: Full Details
Prior to the commencement of the development hereby approved, details of the means of access between the land and the highway on Fewcott Road, including position, layout and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details.
Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

Construction traffic management plan
Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.
Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers.

Car Park Layout Plan
Prior to commencement of the development, a plan detailing the layout of the car parking area shall be submitted to, and approved by, the Local Planning Authority. The Car Park Layout Plan must set out that all car parking spaces meet the minimum dimensions required and can be safely and easily accessed.
Reason: in the interest of highway safety.

Swept Path Analysis – Refuse Vehicles
Before the development permitted is commenced a swept path analysis shall be submitted to, and approved in writing by, the Local Planning Authority to demonstrate that a refuse vehicle (of at least 11.6m in length) can safely and easily enter and exit the development from both directions from Cowley Road.
Reason: In the interest of highway safety.

Informative:

Please note 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. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email roadagreements@oxfordshire.gov.uk

Officer's Name: Will Madgwick
Officer's Title: Transport Planner
Date: 24th October 2019

Application no: 19/00616/OUT-2
Location: OS Parcel 9507 South Of 26 And Adjoining Fewcott Road Fritwell

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Lack of sufficiently detailed information/drawings to enable technical assessment and audit of the proposal.

Detailed comments:

Stand-alone Surface Water Management Strategy needs to be produced and submitted covering the following points to move from Outline Design to Detailed Design:

MicroDrainage Calculations have been submitted but appears only to cover the 1:100 year event. Calculations should be submitted for all relevant return periods including 40% Climate Change allowance.
Default MicroDrainage Cv values have been used which are not felt to be representative of the site or proposal for surface water management.
MicroDrainage calculations provided use default Cv values, these are not representative of the site. It is recommended values of 0.95 for roofs and 0.9 for paved areas are applied. The designer must justify where a Cv of less than 0.9 has been used.

Critical duration used in calculations to be clearly identified.

It is noted that the site is to operate by means of infiltration soakaways, buffer zone between base of soakaway and ground water level to be confirmed.

Post development surface water flow plan needs to be produced and submitted.

Statement explaining how exceedance events/failure of any part of the surface water system needs to be provided.

Consideration should be given to sacrificial shallow temporary surface water ponding areas in cases of exceedance.

It is not felt that the green space potential of the site has been fully exploited for SuDS utilisation.

Surface water should be kept on or as close to the surface as possible using conveyance methods such as open dish channels, swales to move water to infiltration points as opposed to piped methods.

Linear soakways should be considered.

Detail of outfall to ditch to be provided on a plan, to include flow rate and flow control mechanism.

Evidence of consent to discharge to the ditchline required and that there is sufficient capacity within the ditch so as not to cause a flood risk in the immediate vicinity or downstream. Discharge must be limited to Greenfield run-off rates for all relevant Return Periods.

Clearly annotated plan showing permeable paved areas, proposed surface water infrastructure to be provided.

List of all proposed SuDS features to be provided and a Management and Maintenance Plan worked up (in draft) to be submitted.

Written statement demonstrating Source Control to be provided.

Consideration should be given to dividing the site into subcatchments based on the topo survey.

Evidence of infiltration testing to be provided.

Please complete the below OCC Flows and Volumes Pro-Forma and return as soon as possible.

Officer's Name: Adam Littler
Officer's Title: Drainage Engineer
Date: 22 October 2019

Application no: 19/00616/OUT-2
Location: OS Parcel 9507 South Of 26 And Adjoining Fewcott Road Fritwell

Education Schedule

Recommendation:

As advised in the county's response (dated 03/06/2019) to the original application, this proposed development would contribute towards the need for additional secondary school places.

This amendment reduces the number of dwellings, and hence pupil generation, and would result in changes to the level of contributions required.

The revised contributions would be:

Contribution	Amount £	Price base	Index	Towards (details)
Secondary	**£118,662**	**2Q 17**	PUBSEC	Creation of additional secondary school capacity through expansion of Heyford Park School
Total	**£118,662**			

Calculation:

Number of secondary pupils generated	5.14
Estimated cost per pupil	£23,086
5.14 * £23,086	**£118,662**

The above contributions are based on a unit mix of:

4 x 1 bed dwellings
7 x 2 bed dwellings
12 x 3 bed dwellings
5 x 4 bed dwellings

It is noted that the application is outline and therefore the above level of contributions would be subject to amendment, should the final unit mix result in an increase in pupil generation.

Officer's Name: Joanne Booker
Officer's Title: School Organisation Officer
Date: 16 October 2019

SuDS Flows and Volumes - LLFA Technical Assessment Pro-forma

This form identifies the information required by Oxfordshire County Council LLFA to enable technical assessment of flows and volumes determined as part of drainage I SuDS *calculations.*

*Note : * means delete as appropriate; Numbers in brackets refer to accompanying notes.*

SITE DETAILS

1.1 Planning application reference

1.2 Site name

1.3 Total application site area (1 .....m² ha

1.4 Is the site located in a CDA or LFRZ Y/N

1.5 Is the site located in a SPZ Y/N

VOLUME AND FLOW DESIGN INPUTS

2.1 Site area which is positively drained by SuDS (2 m²

2.2 Impermeable area drained pre development (3 m²

2.3 Impermeable area drained post development (3) m²

2.4 Additional impermeable area (2.3 minus 2.2) m²

2.5 Predevelopment use (4 Greenfield / Brownfield / Mixed*

2.6 Method of discharge (5 Infiltration / waterbody / storm sewer/ combined sewer*

2.7 Infiltration rate (where applicable) .....m/hr

2.8 Influencing factors on infiltration

2.9 Depth to highest known ground water table.....mAOD

2.10 Coefficient of runoff (Cv) (6

2.11 Justification for Cv used

2.12 FEH rainfall data used (Note that FSR is no longer the preferred rainfall calculation method) Y/N

2.13 Will storage be subject to surcharge by elevated water levels in watercourse/ sewer Y/N

2.14 Invert level at outlet (invert level of final flow control) .....mAOD

2.15 Design level used for surcharge water level at point of discharge(14) .....mAOD

SuDS Flows and Volumes - LLFA Technical Assessment Pro-forma

CALCULATION OUTPUTS

Sections 3 and 4 refer to site where storage is provided by attenuation and I or partial infiltration. Where all flows are infiltrated to ground omit Sections 3 -5 and complete Section 6.

3.0 Defining rate of runoff from the site

3.2 Max. discharge for 1 in 1 year rainfall .....l/s/ha, ...l/s for the site

3.2 Max. discharge for Qmed rainfall .....l/s/ha, ...l/s for the site

3.3 Max. discharge for 1 in 30 year rainfall .....l/s/ha, ...l/s for the site

3.4 Max. discharge for 1 in 100 year rainfall .....l/s/ha, ...l/s for the site

3.5 Max. discharge for 1 in 100 year plus 40%CC .....l/s/ha, ...l/s for the site

4.0 Attenuation storage to manage peak runoff rates from the site

4.1 Storage - 1 in 1 year .....m^3 .....m^3/m^2 (of developed impermeable area)

4.2 Storage -1in 30 year (7 .....m^3 .....m^3/m^2

4.3 Storage -1in 100 year (8) .....m^3 .....m3/m2

4.4 Storage - 1 in 100 year plus 40%CC (9) .....m3 .....m3/m2

5.0 Controlling volume of runoff from the site

5.1 Pre development runoff volume(10) ..... m^3 for the site

5.2 Post development runoff volume (unmitigated) (10) ..... m^3 for the site

5.3 Volume to be controlled/does not leave site (5.2-5.1)..... m^3 for the site

5.4 Volume control provided by

Interception losses(11)	.....m3
Rain harvesting(12)	.....m3
Infiltration (even at very low rates)	.....m3
Separate area designated as long term storage(13)	.....m3

5.5 Total volume control (sum of inputs for 5.4) m3 (15)

6.0 Site storage volumes (full infiltration only)

6.1 Storage - 1in 30 year (7 .....m^3 .....m^3/m^2 (of developed impermeable area)

6.2 Storage - 1 in 100 year plus CC (9 .....m3 .....m3/m2

SuDS Flows and Volumes - LLFA Technical Assessment Pro-forma

Notes

1. All area with the proposed application site boundary to be included.
2. The site area which is positively drained includes all green areas which drain to the SuDS system and area of surface SuDS features. It excludes large open green spaces which do not drain to the SuDS system.
3. Impermeable area should be measured pre and post development. Impermeable surfaces includes, roofs, pavements, driveways and paths where runoff is conveyed to the drainage system.
4. Predevelopment use may impact on the allowable discharge rate. The LLFA will seek for reduction in flow rates to GF status in all instances. The design statement and drawings explain/ demonstrate how flows will be managed from the site.
5. Runoff may be discharge via one or a number of means.
6. Sewers for Adoption 6th Edition recommends a Cv of 100% when designing drainage for impermeable area (assumes no loss of runoff from impermeable surfaces) and 0% for permeable areas. Where lower Cv's are used the application should justify the selection of Cv.
7. Storage for the 1 in 30 year must be fully contained within the SuDS components. Note that standing water within SuDS components such as ponds, basins and swales is not classified as flooding. Storage should be calculated for the critical duration rainfall event.
8. Runoff generated from rainfall events up to the 1 in 100 year will not be allowed to leave the site in an uncontrolled way. Temporary flooding of specified areas to shallow depths (150-300mm) may be permitted in agreement with the LLFA.
9. Climate change is specified as 40% increase to rainfall intensity, unless otherwise agreed with the LLFA / EA.
10. To be determined using the 100 year return period 6 hour duration rainfall event.
11. Where Source Control is provided Interception losses will occur. An allowance of 5mm rainfall depth can be subtracted from the net inflow to the storage calculation where interception losses are demonstrated. The Applicant should demonstrate use of subcatchments and source control techniques.
12. Please refer to Rain harvesting BS for guidance on available storage.
13. Flow diverted to Long term storage areas should be infiltrated to the ground, or where this is not possible, discharged to the receiving water at slow flow rates (maximum 2 l/s/ha). LT storage would not be allowed to empty directly back into attenuation storage and would be expected to drain away over 5-10 days. Typically LT storage may be provided on multi-functional open space or sacrificial car parking areas.
14. Careful consideration should be used for calculations where flow control / storage is likely to be influenced by surcharged sewer or peak levels within a watercourse. Storm sewers are designed for pipe full capacity for 1 in 1 to 1 in 5 year return period. Beyond this, the pipe network will usually be in conditions of surcharge. Where information cannot be gathered from Thames Water, engineering judgement should be used to evaluate potential impact (using sensitivity analysis for example).
15. In controlling the volume of runoff the total volume from mitigation measures should be greater than or equal to the additional volume generated.

Design and Credit to: McCloy Consulting Ltd