

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

**District:** Cherwell

**Application no:** 19/01047/OUT-3

**Proposal:** Outline planning application for a residential development of up to 850 dwellings; green infrastructure including formal (playing fields with changing rooms, allotments) and informal open space, landscaping; and associated infrastructure including a balancing pond; on land off the A4260, with access off the existing Longford Park access off the A4260 (Oxford Road), and a new access off the A4260 (Banbury Road). All matters of detail reserved, save for access.

**Location:** Land North East Of Oxford Road West Of Oxford Canal And East Of Bankside Banbury

**Response date:** 18<sup>th</sup> August 2020

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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 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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## **Assessment Criteria** **Proposal overview and mix/population generation**

OCC's response is based on a development as set out in the table below. The development is based on a SHMA mix.

<b>Residential</b>	<b>No.</b>
1-bed dwellings	106
2-bed dwellings	210
3-bed dwellings	358
4-bed & larger dwellings	151
Extra Care Housing	
Affordable Housing %	30
Development to be built out and occupied out over	7 years

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	2,006
Primary pupils	226
Secondary pupils	155
Sixth Form pupils	23
SEN pupils	4.5
Nursery children (number of 2 and 3 year olds entitled to funded places)	38.5
20 - 64 year olds	1,262
65+ year olds	158
0 – 4 year olds	137

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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 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 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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## **Lead Local Flood Authority**

### **Recommendation:**

No objection subject to conditions

### **Key issues:**

As per below listed conditions

### **Legal agreement required to secure:**

### **Conditions:**

#### **Strategic Surface Water Management Scheme:**

Prior to the approval of the first reserved matters, a detailed Strategic Surface Water Management Scheme for the site, in accordance with the following documents and drawings, shall be submitted to, and approved in writing by the Local Planning Authority:

- 10327 Technical Note 05 Technical Note: Outline Drainage Strategy, 17th June 2020
- Technical Note: Response to Oxfordshire County Council's (Drainage) Comments dated 12th May 2020 for Application 19/01047/OUT-2, 22nd May 2020

The scheme shall include:

- Details of how the drainage scheme has been designed to incorporate SuDS techniques to manage water quantity and maintain water quality as set out in the FRA, and in accordance with adopted policy and best practice guidance including the SuDS Manual C753;
- Detailed drainage plan showing the location of the proposed SuDS features;
- Detailed cross sections and construction details of the proposed SuDS measures;
- Details of how the scheme shall be maintained and managed after completion;
- Details of how water quality shall be maintained during and after construction;
- Detailed drainage calculations, using FEH methodology, for all rainfall

events up to and including the 1 in 100 year plus climate change event to demonstrate that all SuDS features can cater for the critical storm event for its lifetime;

- The submission of evidence relating to accepted outfalls from the site, particularly from any third-party network owners; and
- Sequencing for implementation
- The scheme shall be implemented in accordance with the approved details and timetable.

**Reason:**

To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

**Surface Water Management Scheme (Phases):**

Prior to the approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic scheme (**Strategic Surface Water Management Scheme**) and include all supporting information as listed in the Condition.

The scheme shall be implemented in accordance with the approved details and timetable.

**Reason:**

To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and and Local and National Standards.

**SuDS – Design Documentation Plans**

Prior to occupation, a record of the approved SuDS details shall be submitted to and approved in writing by the Local Planning Authority for deposit in the Lead Local Flood Authority Asset Register. The details shall include:

As built plans in both .pdf and .shp file format;

Photographs to document each key stage of the drainage system when installed on site;

Photographs to document the completed installation of the drainage structures on site.

**Reason:**

In accordance with section 21 of the Flood and Water Management Act 2010.

**Detailed comments:**

Detailed Design to be produced and submitted as per above conditions.

**Officer's Name: Adam Littler**  
**Officer's Title: Drainage Engineer**  
**Date: 18 August 2020**

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