

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

District: Cherwell

Application no: 21/01123/F

Proposal: Demolition of existing buildings. Construction of replacement business units and associated external works. (Re-submission of 20/01127/F)

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston, Oxfordshire

Date: 22 July 2021

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 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 the following.

- **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 **informative** stated below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards
Public transport services	40,989	July 2021	RPI-x	The retention and improvement of the S4 bus service through Steeple Aston.
Travel Plan Monitoring	1,446	December 2019	RPI-x	To fund monitoring and review of the Travel Plan by County officers
Total	42,435			

Key points

- The additional traffic generated by the proposal is unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.
- The Construction Traffic Management Plan requires improvement.
- The site is not in a sustainable location with poor access to public transport.
- A footway between the site access and Steeple Aston will be required.
- A public transport services contribution will be required.
- The framework travel Plan is considered acceptable and should be activated on first occupation of the development.

Detailed Comments

It is noted that this planning application is a resubmission of 20/01127/F but with a smaller scheme comprising a smaller floor area. The original application 20/01127/F comprised an increase in floor area from the existing 2,246m² to a proposed 3,198m². This application comprises a slight reduction in floor area from the existing 2,246m² to a proposed 2,215m². Where relevant this consultation response refers to the original application 20/01127/F.

Transport Development Control

The planning application is accompanied by a Transport Statement (TS), which is considered to be an appropriate level of submission for a development proposal of this size. The following points are noted.

The TS does not present records regarding personal injury accidents (PIA) as is standard practice for a submission of this type. However, a review of latest available PIA data for the last five years confirms by the County confirms the narrative in the TS.

Cllr Fatemian has voiced concern regarding the impact of the increased traffic generated by the development on Road Safety at Dr Radcliffe's C of E Primary School. The County's Traffic and Road Safety Team has reviewed this matter twice since 2012 and again in the light of the previous planning application under 20/01127/F. It has further been reviewed by the County in response to this planning application. As a result the County still concludes that the additional traffic generated by the development does not give rise to a safety concern that the County needs to address.

Table 4.2 of the TS presents a trip generation analysis and concludes that the development proposals will generate 13 additional trips in the AM peak hour, 8 additional trips in the PM peak hour and 42 additional trips over a 12 hour period. This increase in trip generation is considered unlikely to cause a significant adverse traffic or road safety impact on the surrounding transport network.

Table 6.1 of the TS demonstrates that the quantum of cycle parking to be provided will meet the County's standards. Table 6.2 of the TS shows that car parking provision of 79 spaces will exceed the 63 spaces required by the County's standards. This is not considered to be significant over provision. The parking accumulation presented in Figure 6.1 of the TS demonstrates that this shortfall should not result in unwanted on-street parking.

The Construction Traffic Management Plan (CTMP) is inadequate for a number of reasons. This is not a reason for the County to object to this planning application since an improved CTMP can be submitted in discharge of a condition of planning permission. An improved CTMP should be developed with reference to the County's checklist which forms part of the condition included in this document. An improved CTMP would need to address the following issues as a minimum.

- Section 2 makes no mention of the County's checklist for a CTMP.
- Details of the main contractor should be provided.
- A detailed site plan will be required showing as a minimum: the temporary construction road referred to in paragraph 4.2.1; the temporary construction road site access and signage referred to in paragraph 4.2.2; construction vehicle and staff car parking; pedestrian route; site storage; site compound; security hoarding; etc.
- Paragraph 4.5.3 should exclude delivery activity during school attendance and dispersal hours.
- Paragraph 4.6.2 a banksmen should always be provided rather than "where necessary".
- Section 4.8. The site **will** generate vehicle trips and the 4 two way trips would seem to be at odds with the 15 site staff mentioned in paragraph. 4.3.2. Further detail of trip generation, including likely vehicle types, should be provided for each of the construction phases set out in Table 4.1.

Transport Strategy

The location of this site is rural, situated between the villages of Steeple Aston and Middle Aston. The road network in the area reflects this rural setting, with roads being narrow, winding and lacking in visibility and lighting. There is a relative lack of walking and cycling infrastructure, including gaps in footway provision and it is challenging to implement walking and cycling infrastructure in this location.

The development site is not well located to allow sustainable connections due to the rural location and lack of existing walking, cycling and bus infrastructure within the surrounding area. Whilst the Transport Statement includes claims that prioritisation will be made for sustainable modes, that "*...suitable access will be provided for all modes*", and that the development is "*...well placed to integrate with its surroundings and sustainable travel infrastructure in Middle Aston and wider Oxfordshire area*", no detail is provided on how this will be achieved given the aforementioned barriers to sustainable travel.

Of note, is the 300 metre gap in footway provision between the site and the existing footway south of the site at Steeple Aston, with no measures proposed to address this in the Transport Statement. Regarding cycling, LTN 1/20 states that where the speed limit is 50mph or above a fully kerbed cycle track is the most suitable option for most users. However, it is considered that this would be unreasonable to deliver.

If the development is permitted then the County will require the developer to provide a footway on the western side of Fir Lane between the site access and the existing footway in Steeple Aston which terminates at the vehicle access to Dr Ratcliffe's C of E Primary School. This will benefit the development by providing a link with the existing footway south of the site and therefore Steeple Aston village centre, amenities and the bus stop. The provision of this safe, continuous connection will promote sustainable modes of travel and make walking to and from the site more accessible for all employees and visitors. This facility can be provided under a Section 278 agreement.

Public Transport

Oxfordshire County Council seeks to ensure that development is well located in relation to the public transport network, and that schemes make financial contributions for the support of such services where this is relevant.

Contrary to section 5.4 of the Transport Statement, the site is not "*located as to enable bus connectivity with the wider Oxfordshire area*". There are no suitable bus services available from two of the four places listed, those being Chipping Norton and Bicester. It is also considered highly unlikely that staff would make use of Heyford railway station, given its distance from the application site. The BREEAM AI score of 0.68 reflects the poor location of this site in relation to the public transport network.

The site is not in a sustainable location for public transport access with walk distances to the nearest bus stops and railway station being significant. It is likely that the private car will be the principal mode of access to the site.

In the event that permission is granted the development should make a contribution towards the retention and improvement of the S4 bus service through Steeple Aston. Based on an increase of AM peak vehicle trips of 13, and an assessment comparison with a recent site elsewhere on the S4 corridor, the County Council requires a public transport services contribution of £40,989.

Travel Plan

The application is accompanied by a Framework Travel Plan (FTP). This has been reviewed by the County's Travel Plans discipline, and is closely aligned to that which was submitted with original application 20/01127/F. As such it is considered acceptable and should be activated on first occupation of the development. Thereafter the FTP should be monitored and updated as set out in Section 8 of that document.

The proposal will trigger the need for monitoring the Framework Travel Plan. This will require a monitoring fee of £1,446.

Road Agreements

- Visibility Splays must be dedicated to the County if they fall out of the existing highway boundary.
- 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.
- No private drainage to discharge onto existing Highway.
- No private drainage to discharge onto any area of proposed adoptable highway.

S106 Obligations

£40,989 Public Transport Service Contribution indexed from July 2021 using RPI-x

Towards

The retention and improvement of the S4 bus service through Steeple Aston.

Justification

The continuation and enhancement of the availability of sustainable travel modes in Steeple Aston.

Calculation

Application of a County standard rate of £3,153 per additional AM peak trip generated by the development. Additional AM peaks trips from Table 4.2 of the TS = 13 x £3,153 = £40,989.

£1,446 Travel Plan Monitoring Fee indexed from December 2019 using RPI-x

Justification

To cover the cost to the County of monitoring progress of the Travel Plan against its mode share targets to ensure that the Travel Plan is either meeting targets or being adjusted to meet targets.

Calculation

The fees charged are for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site. The work to be carried out by the monitoring officer is as follows.

- Review the survey data produced by the developer.
- Compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets.
- Agree any changes, updated actions, and future targets in an updated travel plan.

Three biennial monitoring and feedback procedures to be undertaken at years 1, 3 & 5 following first occupation would require an expected 31 hours of officer time at £46 per hour.

S278 Highway Works

An obligation to enter into a S278 Agreement will be required to secure mitigation and improvement works in the form of a footway on the western side of Fir Lane between the site access and the existing footway in Steeple Aston which terminates at the vehicle access to Dr Ratcliffe's C of E Primary School.

This is to be secured by means of S106 restriction not to implement development 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 agreement.

S278 agreements include certain payments, including commuted sums, 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 transport related planning conditions should be attached.

D9 New Estate Roads
D16 Details of Turning for service Vehicles
D17 / D18 Plan of Car Parking Provision
D19 Cycle Parking

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.

Officer's Name: Chris Nichols

Officer's Title:Transport Development Control Officer

Date: 22 July 2021

Application no: 21/01123/F

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

Proposed development needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.

Proposed development must meet local standards, L19, "At least one surface feature should be deployed within the drainage system for water quality purposes, or more features for runoff which may contain higher levels of pollutants in accordance with the CIRIA SuDS Manual C753. Only if surface features are demonstrated as not viable, then approved proprietary engineered pollution control features such as vortex separators, serviceable/ replaceable filter screens, or pollution interceptors may be used"

An exceedance flow path layout should be provided to demonstrate the direction of flows for the existing pre-development unmitigated site area and the post-development mitigated site area. It should be clearly demonstrated that any risk of flooding to the site from neighbouring sites and/or low points within the site have been mitigated in the proposed SuDS design. Exceedance flows from the entire site should be indicated, all levels should fall away from any buildings and the exceedance flows should be contained within the site boundary.

Soakage tests to BRE 365 must be carried out to confirm that infiltration is feasible for the soakaway SuDS intent for the proposed development. The report, location plan of trial pits and any other relevant information from the testing must be submitted.

The infiltration rates used in the calculations must use the results obtained from the soakage tests. Where multiple soakaways have been proposed, soakage test result at each location must be provided, indicating the infiltration rate.

Officer's Name: Sujeenthan Jeevarangan

Officer's Title: LLFA Planning Engineer

Date: 4 May 2021

Application no: 21/01123/F

Location: Hatch End Old Poultry Farm, Steeple Aston Road, Middle Aston

Archaeology

Recommendation:

No objection

Key issues:

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Legal agreement required to secure:

Conditions:

Informatives:

Detailed comments:

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Officer's Name: Richard Oram

Officer's Title: Lead Archaeologist

Date: 14 April 2021