

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

**District:** South Oxfordshire

**Application no:** P15/S0433/FUL-2

**Proposal:** Demolition of existing buildings and construction of 1 and 2 storey buildings comprising retail units (Use Class A1), flexible retail units (Use classes A1/A3), restaurants (Use Class A3), a gym (Use Class D2); replacement public toilets; new public realm; improvements to existing public realm; new landscaping; realignment of drainage channel and alterations to access comprising amendments to the existing parking layout; additional car, motorcycle and cycle parking; new servicing area; new and amended access from the highway (including relocated bus route and closure of the High Street to allow redevelopment for retail use) and altered/new pedestrian access.(as amended by drawings received 25June 2015)

**Location:** Orchard Shopping Centre Didcot OX11 7LL

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## **Purpose of document**

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local member have responded these have been attached by OCCs Major Planning Applications Team ([planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)).

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## **Strategic Comments**

### **Comments:**

- **Object for the reason given below**
  - **Impact on road network from lack of parking, is deemed unacceptable**

### **Comments:**

These comments are given in response to the amended and updated information submitted and should be read in conjunction with the response to the original application dated 22<sup>nd</sup> May 2015.

The County Council had previous objections on the grounds of:

1. Inability to fully assess the impact of the development proposals
2. Lack of detail to demonstrate proposed re-provision of bus link and associated stops can be successfully and satisfactorily delivered.

Taking these in turn:

#### 1) Inability to fully assess the impact of the development proposals

The County Council is still concerned over the level of car parking proposed to serve the development, even with the updated transport assessment. This has the potential to create on street parking issues and impact on the shopping centres on-going vitality and attractiveness. The further evidence presented has not allayed concerns over the potential overflow of parking onto the surrounding road network and the impact on junctions in the immediate vicinity. Therefore our objection around this issue still remains.

It is also worth noting that, whilst the development cannot be expected to mitigate the future growth of Didcot, the planning authority needs to be mindful that Didcot will be expanding significantly over the coming years and that growth will look towards Didcot as the main service provider. Additional parking will be required within the town centre to accommodate this growth and the District's (both South and Vale) need a plan to accommodate this increase in demand. Hammerson's have said that they are not against the idea of accommodating some of this growth on their site – if funded by other development around Didcot.

Part of the development proposal is to 'stop-up' land on Hitchcock Way (west of the petrol filling station); this is an area of public highway as well being in the ownership of the County Council. Hitchcock Way is likely to see an increase in the number of trips in future years as Didcot expands. OCC may require this road to have changes made to it to aid with capacity improvements, such as widening. Given that the Council still has concerns about the impact parking will have on the surrounding road network and the fact we may want to implement an improvement scheme along this section of Hitchcock Way in the future; we will not agree to the stopping up of the highway (or selling of OCC land) at this time. If Hammerson's (and the planning authority) are willing to accept that increased parking is required on this site, then we would be happy to discuss the option of a lease of the land to be used for car parking facilities (including decking).

2) Lack of detail to demonstrate proposed re-provision of bus link and associated stops can be successfully and satisfactorily delivered.

Following our previous comments further work has been undertaken to ensure that the Station Rd route can be acceptable to the Highway Authority. OCC accepts the updated plans submitted and happy to say the following are acceptable:

- the widening of Station Rd at the northern curve;
- the widening of Station Rd north of White Leys Close;
- the changes to the bus stops to allow buses to pass each other;
- the moving north of the southbound bus stop;
- the changes made to the road signs; and
- inclusion of a signalised junction with the Broadway.

The council **removes its objection** to the Station Rd scheme and accepts this as a suitable alternative to the High Street bus link. As per our original response the planned changes to Station Road need to be delivered and operational before we would allow the Highway to be stopped up.

Whilst the County Council is appreciative that further work between officers, the developer and District Council has taken place, there are still outstanding issues that mean our objection cannot fully be overcome. We are broadly supportive of this development and believe there is an acceptable solution (increasing car parking capacity) that would remove our objection to this development, and would welcome continued working with the developer and District Council to achieve this.

**Officer's Name: Jason Sherwood**

**Officer's Title: Locality manager**

**Date: 09 July 2015**

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## Transport

### Recommendation

#### Objection

#### Key issues

- Previous comments in OCCs response dated 22<sup>nd</sup> May 2015 apply but are modified here.
- OCC has objected to this proposal on Transport grounds in its response to South Oxfordshire dated 22<sup>nd</sup> May 2015.
- This revised application includes a Supplementary Transport Assessment (STA) which addresses OCCs comments.
- The STA presents a trip generation uplift scenario of 28.9% which is accepted by OCC.
- This uplift scenario demonstrates a significant traffic impact, but one which cannot be argued as severe.
- Car parking provision is still considered inadequate.
- The Framework Travel Plan is still considered inadequate.
- There are still some traffic safety issues to be resolved.
- Insufficient drainage information has been supplied(to be dealt with via. conditions)

#### Legal agreement required to secure

All previous legal agreement requirements set out in OCCs response of 22<sup>nd</sup> May 2015 apply except the amended requirement below.

#### **Amended Requirement**

Bus shelters to be procured through arrangement and agreement with Didcot Town Council, including a written agreement about future on-going maintenance. The Town Council may wish to procure these shelters through its existing advertising shelter contract with Clear Channel Limited. The Premium Route bus stop pole/flag/information case units and electronic displays, and on-going maintenance thereof, would be procured through County Council call-off contracts, so section 106 contributions of £14,000 would be required.

#### Conditions

All previous conditions set out in OCCs response of 22<sup>nd</sup> May 2015 apply.

## **Informatives**

All previous Informatives set out in OCCs response of 22<sup>nd</sup> May 2015 apply.

## **Detailed comments**

All previous detailed comments set out in OCCs response of 22<sup>nd</sup> May 2015 apply, except as modified here.

### **Transport Strategy Team**

OCC officers and Vectos have had a number of meetings between the original submission of the planning application and this updated submission, and officers are grateful for the additional work undertaken.

OCC note the inclusion of the additional stopping up west of the petrol filling station within the plans. This plan should also be submitted to the County Council' land and highway records team to be consulted upon more broadly, as per the process for the original application, to ensure due process is followed.

Given that the Council still has concerns about the impact parking will have on the surrounding road network (see detailed Transport Development Control comments) and the fact it may want to do an improvement scheme along this section of Hitchcock Way in the future, OCC we will not agree to the stopping up of the highway or to the selling of OCC land at this time. If the developer is willing to accept that increased parking capacity is required on this site then OCC would be prepared to discuss the option of a long term lease of the land to be used for car parking facilities including decking.

The drawings submitted and additional work done for the Station Rd bus link are able to be signed off as acceptable.

OCC notes that the developer recognises and accepts, as set out in paragraph 2.1 of the STA, that the changes required to Station Rd to make it acceptable for use as the bus link are needed to be implemented and operational before the High Street bus link can be stopped up. This will be signed off by the OCC Road Agreements Team.

### **Transport Development Control**

#### **Trip Generation**

The STA asserts that *"It is considered that the methodology applied to estimate the increase in traffic associated with the planning application provides the most realistic estimate of traffic attraction."* OCC still disputes this assertion for the reasons set out in its response of 22<sup>nd</sup> May 2015.

Notwithstanding this the developer submitted a Technical Note to OCC on 8<sup>th</sup> June which presents an alternative methodology for estimating trip generation. The methodology involves updating a widely accepted approach to estimating the increase in trip generation associated with shopping centre expansion with new data. The methodology in question is the use of the "Parker Graph" which has been used for a number of shopping centre expansions throughout the UK (Traffic Characteristics of Major Retail Developments. Richard Parker, 1985). OCC welcomes this approach and considers it far more appropriate.

The alternative methodology presents an uplift in trip generation at the Orchard Centre of either 21.1% or 28.9% depending on whether a single shopping centre site is included in the database or excluded from it. OCCs response to this approach made it clear that it saw no reason for the exclusion of the single shopping centre site in question and that therefore the higher uplift of 29.8% should apply.

The STA then goes on to present junction capacity analysis and parking accumulation analysis based on the following uplift scenarios: 12%, 16%, 21.1% and 28.9%. OCC disputes the applicability of the 12%, 16% and 21.1% uplifts for reasons stated in its previous response and this response. The 28.9% uplift is accepted as representing a reasonable increase in trip generation that will result from the development proposals.

Under the 28.9% uplift scenario a number of junctions surrounding the proposed development site show significant deterioration in performance. However, in these cases it is noted that the junctions in question are either:

- substantially under-performing already in the without development scenario; or,
- the deterioration does not push the junction through a critical threshold of 85%; or,
- the deterioration happens on a Saturday when efficient junction performance is less important.

In all cases, whilst the deterioration is undesirable, OCC does not feel that it could argue that the impact is severe under NPPF guidelines. For these reasons OCC does not feel that it can object to the development on grounds of traffic impact.

### Car Parking

The STA presents car park occupancy levels for the 12%, 16%, 21.1% and 28.9% uplift scenarios. OCCs previous response has already noted that the 12% and 16% would be likely to generate queues into the car park. Under the 28.9% uplift scenario car park occupancy exceeds 100% and queues into the car park from Hitchcock Way would be longer. Under all scenarios it is considered that the level of parking provision for the development is inadequate.

### **Public Transport Team**

The operation of the bus link would work better if the length of the narrow section of Station Road could be reduced thus increasing the length of the two-way section of the bus link leading northwards from Broadway. This would result in the southbound bus-stop being moved slightly further north, which would assist with the operation of the traffic signals, which would ideally be triggered for buses once these vehicles have departed from the bus stop. A trigger-point at the bus stop would result in inefficient operation of the traffic signals, given the variability of dwell time at the stop at different times of day. The constraints of the public realm and retail activity on the east side of Station Road are understood. However, there is little active frontage on the western side of Station Road to the south of the entrance to Cornerstone so an opportunity may exist to redesign this short section of shared-space roadway.

Some buses need to turn left from Station Road to the east, into the section of Broadway leading to the Jubilee roundabout. Whilst this bus manoeuvre is performed relatively infrequently currently, in the future buses to/from Wallingford (current route x2) and future buses to North East Didcot will take this route. This manoeuvre will avoid any requirement for buses to turn right at the northern end of Station Road into Hitchcock Way. The left turn from Station Road into Broadway should therefore be tracked.

### **Travel Plans Team**

The Framework Travel Plan (FTP) has been updated in the light of comments from OCCs Travel Plans Team site out in its previous response. However the updates do not go far enough and the FTP will still require further substantial updating. The developer should review OCCs travel plan guidance, and could contact the Travel Plans Team for further advice.

## **Traffic Safety Team**

It is noted that the developer has tried to answer all points raised in OCCs previous response under this heading, and there are clearly some improvements.

The following comment in the supplementary TA is noted “*CCTV enforcement could be provided to enforce the ‘no-vehicles’ section. However, it is anticipated that prohibited vehicles are less likely to travel on the bus route through the pedestrianised zone, than they are through the existing bus link. This is because the existing bus link is a dedicated road whilst the new link will be a slower route through an area of shared surface with pedestrians. Hence, it will not be an attractive rat-run for prohibited vehicles. Finally, it should be remembered that the new bus route along Station Road replaces the existing bus link along High Street, which will no longer need to be enforced*”.

However, OCC is still not convinced that without some positive enforcement it will be faced with on-going complaints about non-PSVs going (a) through the pedestrianised area which is very busy during shopping hours and (b) down a residential street. Comparing it with the existing High Street bus gate is not fair as (a) that is heavily traffic-calmed and (b) there are no frontages, nor any real pedestrian activity.

Therefore a targeted operation and monitoring is recommended.

## **Road Agreements Team**

All points raised by the Road Agreements Team have been satisfactorily dealt with in principle. Design and implementation will be controlled in detail under a Section 278 Agreement.

## **Drainage (Lead Local Flood Authority & Highway Authority)**

The applicant needs to state what their detailed design is. The Flood Risk Assessment only mentions preliminary design ideas and not what is being put forward. It is understood that they will be using the attenuation measures mentioned. The outline is acceptable, the applicant has shown that there is sufficient space on site to accommodate a drainage strategy using attenuation. However for full applications OCC would expect further information. Without this OCC cannot adequately comment on the application and the following objections should be applied.

### Rate Increasing but no demonstrated way of mitigating this

In the absence of an acceptable Flood Risk Assessment (FRA) a planning condition is required to reflect the following comments:

The applicant has not demonstrated that the increase in runoff rate arising from the site can be fully mitigated for all events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change. Consequently runoff rates will increase, leading to increasing flood risk elsewhere. This is contrary to Paragraph 103 of the National Planning Policy Framework (NPPF).

The applicant needs to provide the existing surface water discharge rates for the 1 in 1, 1 in 30 and 1 in 100 (plus climate change) events and the proposed rates for the 1 in 1, 1 in 30, 1 in 100 plus climate change storm event. The proposed rates should be no greater than the existing. To mitigate for climate change the proposed 1 in 100 +CC discharge rates must be no greater than the existing 1 in 100 runoff rates. If not, flood risk increases under climate change.

System not appropriately sized (SUDS features not sized or lack of calculations to demonstrate this)

In the absence of an acceptable Flood Risk Assessment (FRA) a planning condition is required to reflect the following comments:

The applicant has not demonstrated that the proposed SUDS features are appropriately sized to manage surface water flood risk onsite for all storm events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change. Consequently the attenuation will not be able to cope with increased volumes, leading to increasing flood risk elsewhere. This is contrary to Paragraph 103 of the National Planning Policy Framework (NPPF).

Microdrainage calculations must be provided to demonstrate that the drainage system can be sized to contain the 1 in 30 storm event without flooding and that any flooding in the 1 in 100 year plus climate change storm event can be safely contained on site. The FRA states the drainage system has been designed to attenuate for 20% reduction in current discharge rates, however microdrainage network calculations have not been provided to confirm that flooding either will not occur/or can be managed on site. Without this we cannot confirm that the drainage system has been appropriately sized. Please provide these calculation results (preferably in electronic format).

## **Conditions**

### Drainage condition 1:

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the occupation of any building.

### Drainage Condition 2:

Development shall not begin until an acceptable and detailed Flood Risk Assessment is submitted and approved by the planning authority. FRA must demonstrate mitigation for all storm events up to 1 in 100 year plus 20% climate change and also demonstrate zero net increase in discharge rate from the proposed development(over existuig). FRA must demonstrate in detail proposals for SUDS features and that same can accommodate storm event noted previously in this condition. Detailed drainage design calculations must be provided and approved by the planning authority in advance of development commencing on site. All mitigation methods shall be fully implemented prior to occupation.

**Officer's Name: Chris Nichols**

**Officer's Title: Transport Development Control**

**Date: 07 July 2015**

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## **Ecology**

### **Recommendation:**

Comment

### **Key issues:**

The District Council should be seeking the advice of their in-house ecologist who can advise them on this application.

In addition, the following guidance document on Biodiversity & Planning in Oxfordshire combines planning policy with information about wildlife sites, habitats and species to help identify where biodiversity should be protected. The guidance also gives advice on opportunities for enhancing biodiversity:

<https://www.oxfordshire.gov.uk/cms/content/planning-and-biodiversity>

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

N/A - For the District Council to comment

### **Conditions:**

N/A - For the District Council to comment

### **Informatives:**

N/A - For the District Council to comment

### **Detailed comments:**

N/A - For the District Council to comment

**Officer's Name:** Tamsin Atley

**Officer's Title:** Ecologist Planner

**Date:** 07 July 2015

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