

Extracts from CDC Planning Committee Written Updates Report

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DISTRICT COUNCIL
NORTH OXFORDSHIRE

SUPPLEMENTARY INFORMATION

Planning Committee

9 February 2023

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**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

9 February 2023

WRITTEN UPDATES

Agenda Item 12

22/01488/OUT

OS Parcel 5616 South West Of Huscote Farm And East Of Daventry Road, Banbury)

- **S.106 Heads of Terms Update.**

- Henneff Way works and A422 link road requirements to be removed and replaced with;
 - Traffic modelling using a suitable analysis tool has not been performed so the resultant impact of development cannot be determined at this stage.
 - OCC has requested that modelling using a suitable analysis tool be undertaken and should the appellants provide the required information, and the identified impact can be mitigated, then OCC will seek appropriate planning obligations. However, OCC believe it will not be possible to conclude that any feasible mitigation scheme will be sufficient to adequately mitigate against the impact of development on the local highway network.

- **S.278 Works**

- An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works. Some of the works will be dependent on the results of the traffic modelling work to be undertaken, but the following S278 works are anticipated:
 - A priority junction site access from the A361, including widening to incorporate a right-turn filter lane.
 - A roundabout site access, including realignment and widening of the A361
 - A signalised crossing of the A361.
 - Repositioning of the speed limit to suit the northern site access.
 - Modifications to the M40 Junction 11 as required by an agreed mitigation scheme.
 - Other mitigation works as may be necessary, including sections of cycle track alongside the A361.
 - On Site Highway Works.
 - Provisions will be required in the S106 to ensure that a suitable spine road linking both accesses is provided and kept open and maintained as a potential bus route, including the provision of bus stop facilities.

UPDATED RECOMMENDATION

- **Amended wording to Refusal number 15. Should read as follows;**
 - In the absence of a satisfactory ~~unilateral undertaking or any other form of~~ Section 106 legal agreement, the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure contributions required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and workers and contrary to policy INF 1 of the Cherwell Local Plan 2015, CDC's Planning Obligations SPD 2018 and Government guidance within the National Planning Policy Framework.