

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

**District:** Cherwell

**Application No:** 21/00104/F (VAR)

**Proposal:** Variation of Condition 2 (plans) of 19/02796/F - amend the drawing numbers, to reflect the proposed building (reduced in size).

**Location:** OS Parcels 3309 And 4319 Adjoining And North Of, Milton Road, Adderbury

**Response date:** *18<sup>th</sup> March 2021*

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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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## **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 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;
- 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:**

- **An obligation to enter into a S278** agreement as detailed below.
- **Planning Conditions** as detailed below.

### **Comments:**

This application is for the variation of a condition, but it incorporates a change to the development layout and the access location.

#### **Car parking**

Permanent car parking provision has been adjusted down in line with the reduced size of the facility (88 to 61 spaces). The amount of overflow parking is unchanged (53) so is still available for the bigger events when required. Overall, therefore, the amount of parking is 81% of the previous approved level.

#### **Site access**

The site access from Milton Road has been relocated slightly to the east. This is primarily due to the impending construction of a chicane traffic-calming feature on Milton Road, allowing for a greater spacing from that feature. I have spoken with the OCC Principal Road Safety Engineer regarding the relocation as it will move the access nearer to Wallin Road and Henge Close. His opinion was that this is acceptable, particularly given the speed reductions that will result from the traffic calming (also on Berry Hill Road to the east) and the lightly-trafficked nature of the side roads.

### **S278 Highway Works:**

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

- New site access bellmouth junction
- New 2.0m wide pedestrian footway from the Henge Close junction to the point of access into the site
- Dropped kerbs and tactile paving on both sides of the Henge Close junction

➤ New informal crossing point on Milton Road, comprising dropped kerbs and tactile paving both sides

All works as shown indicatively on Lathams drawing no. 7354 (08)22 Rev. A

**Notes:**

This is usually 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:

As per approved application 19/02796/F

**Officer's Name: Roger Plater**

**Officer's Title: Transport Planner**

**Date: 16 March 2021**

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