

**Lynne Baldwin**

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**From:** Rebekah Morgan  
**Sent:** 28 January 2022 16:07  
**To:** DC Support  
**Subject:** FW: Application 21/02286/F: Land adj Launton Road Roundabout, Bicester (Proposed Gregg's drive-thru)-

Please capture in DEF

App: 21/02286/F  
OCC Highways Consultation response  
Public

With kind regards

Rebekah Morgan

Mrs Rebekah Morgan BSc (Hons) MSc MA MRTPI | Principal Planning Officer – Development Management: Major Projects Team | Cherwell District Council | 01295 227937 | [rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)

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**From:** Hagan, Francis - Oxfordshire County Council <Francis.Hagan@Oxfordshire.gov.uk>  
**Sent:** 28 January 2022 15:54  
**To:** Rebekah Morgan <rebekah.morgan@cherwell-dc.gov.uk>  
**Subject:** RE: Application 21/02286/F: Land adj Launton Road Roundabout, Bicester (Proposed Gregg's drive-thru)-

Hi Rebekah,

Thank you for e-mail, I can confirm my acceptance of the reasons for the 106 Agreement requirement for the proposed footway works.

The issue regarding the footway widening proposal has been discussed by Roads Agreement Engineers, and can confirm the Applicant's indicative Drawing(no.4364-SK-05) is acceptable to the LHA for the Section 278 Agreement works. The proposed Works comprise the widening of footway pavement (to a minimum of 2m) along the stretch immediately adjoining the vehicular egress from the Application site frontage, with associated road markings, etc. The proposed works will also be subject to appropriate Road Safety Audits.

In order to facilitate the proposed footway works( should planning consent be granted), A Section 278 works Application would be required by the LHA from the Applicant.

Kind regards

Francis

## Francis Hagan

Transport Development Control Planner (Cherwell, West Oxfordshire and Oxford City)  
Oxfordshire County Council | Environment and Place | Growth and Place  
**Oxfordshire County Council**

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**From:** Rebekah Morgan <[rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)>

**Sent:** 28 January 2022 13:03

**To:** Hagan, Francis - Oxfordshire County Council <[Francis.Hagan@Oxfordshire.gov.uk](mailto:Francis.Hagan@Oxfordshire.gov.uk)>

**Cc:** Andy Bateson <[Andy.Bateson@cherwell-dc.gov.uk](mailto:Andy.Bateson@cherwell-dc.gov.uk)>

**Subject:** RE: Application 21/02286/F: Land adj Launton Road Roundabout, Bicester (Proposed Gregg's drive-thru)-

**Importance:** High

Good afternoon Francis,

My manager had a discussion with Jennifer Crouch this morning regarding the requirement for a Section 106 in addition to the Section 278 agreement. She has advised that a Section 106 is required so that OCC can a) appropriately secure funding and b) have quick powers to take out injunctions if the developer has not complied with their requirements.

Reading your last comments below, it is not clear if the footpath widening (that was detailed in the applicant's drawing) is required or whether you are likely to require something different. At this stage, I just need to understand what works we are seeking (so a brief description can be included in the committee report) and the technical detail/costs can be determined prior to the Section 106 being signed. It is essentially that the works being sought are directly related to the proposal, regardless of whether the applicant has 'offered' to pay for them.

With kind regards

Rebekah Morgan

Mrs Rebekah Morgan BSc (Hons) MSc MA MRTPI | Principal Planning Officer – Development Management: Major Projects Team | Cherwell District Council | 01295 227937 | [rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)

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**From:** Hagan, Francis - Oxfordshire County Council <[Francis.Hagan@Oxfordshire.gov.uk](mailto:Francis.Hagan@Oxfordshire.gov.uk)>

**Sent:** 26 January 2022 16:21

**To:** Rebekah Morgan <[rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)>

**Subject:** FW: Application 21/02286/F: Land adj Launton Road Roundabout, Bicester (Proposed Gregg's drive-thru)-

**Importance:** High

Hi Rebekah,

**Footway widening proposal,**

A section 106 contribution or a CIL compliance would not be necessary for the requested footway widening proposal.

The footway widening scheme details will be assessed when footway connectivity condition is approved, if planning permission is granted. The applicant should note that the process for implementing the footway widening proposal would be by a Section 278 Agreement with Highway Authority, and at cost to the Developer.

### **PRoW query**

Given the lack of recorded PRoW across the site and the alternative provision on the footway with the nearby footpaths 272/17 and 272/15, I tend to agree about the need to preserve and protect as much undisturbed area as possible. I don't think we can insist on this and justify it at appeal as there isn't a significant need that can't be met in other ways. I would however suggest to the District Council/Applicant to consider, if a walked 'desire line' emerges (and the application is approved and the site is occupied), the site owner will commit to work with OCC to formalise that access route in the form of a footpath creation agreement.

Kind Regards

### **Francis Hagan**

Transport Development Control Planner (Cherwell, West Oxfordshire and Oxford City)  
Oxfordshire County Council | Environment and Place | Growth and Place  
**Oxfordshire County Council**

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**From:** Rebekah Morgan <[rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)>

**Sent:** 25 January 2022 15:36

**To:** Hagan, Francis - Oxfordshire County Council <[Francis.Hagan@Oxfordshire.gov.uk](mailto:Francis.Hagan@Oxfordshire.gov.uk)>

**Subject:** Application 21/02286/F: Land adj Launton Road Roundabout, Bicester (Proposed Gregg's drive-thru)

**Importance:** High

Hi Francis,

You previously provided highway comments on this application and raised no objections to the proposal, subject to conditions.

The applicant submitted an additional letter back in September to address some of the minor comments and concerns raised by the Bicester Bike User Group. Unfortunately, we didn't reconsult OCC at the time. The letter includes details of proposed footpath widening and suggests a Section 106 contribution for the work. They also dispute the need for the suggested footpath link.

I can send a formal re-consult, but I'm on a tight deadline to get the committee report finished by the end of this week. Is there any chance you could have a look at the attached letter/plan and give me your thoughts. My main issue is understanding if a S106 contribution for footpath widening would be CIL compliant given OCC didn't request this work? (the committee report needs to set out if a Section 106 is required in the recommendation).

I'm happy to have a telephone conversation if that would help. I'm going to be working late today or will be available after 2pm on Wednesday (my kids tested positive for covid so I've got to home school before I can start work tomorrow).

With kind regards

Rebekah Morgan

Mrs Rebekah Morgan BSc (Hons) MSc MA MRTPI | Principal Planning Officer – Development Management: Major Projects Team | Cherwell District Council | 01295 227937 | [rebekah.morgan@cherwell-dc.gov.uk](mailto:rebekah.morgan@cherwell-dc.gov.uk)

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