

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

District: Cherwell

Application no: 21/04171/F

Proposal: Re-development of part of existing car park to provide a drive-thru cafe within Use Class E; together with associated car parking, servicing and access; landscaping and all associated works

Location: Jacobs Douwe Edberts, Ruscote Avenue, Banbury

Response date: 30th March 2022

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.

Assessment Criteria
Proposal overview and mix /population generation

OCC’s response is based on a development as set out in the table below. The development is taken from the application form.

| Commercial – use class | m² |
|-------------------------------|----------------------|
| A3 | 204 |

Application no: 21/04171/F

Location: Jacobs Douwe Edberts, Ruscote Avenue, Banbury,

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 - £1500**
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.

Application no: 21/04171/F

Location: Jacobs Douwe Edberts, Ruscote Avenue, Banbury,

Transport Schedule

Comments:

Oxfordshire County Council have been re-consulted on this application. Upon reviewing the changes, it has been determined that none materially impact highways and our previous response remains relevant. As such, please refer to our previous highways response (08/02/2022) when determining this application.

Officer's Name: Rashid Bbosa

Officer's Title: Senior Transport Planner

Date: 30 March 2022

Application no: 21/04171/F

Location: Jacobs Douwe Edberts, Ruscote Avenue, Banbury,

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Storage volume to be provided for the permeable paving on the drainage strategy plan and specifying the sub base depth.
- Calculations does not include all sections of permeable paving.
- Surface water flood exceedance plan to include proposed levels.

Detailed comments:

Thanks for providing the updated documents. The updated documents addresses most of the previous LLFA comments however, there are still some outstanding comments.

The drainage strategy drawing should include the storage volumes of each permeable paving sections and its sub base depth. Which should correlate with the calculations.

The calculations does not include all permeable paving sections. Also some of the permeable paving extents are not linked to the correct manholes. For instance permeable paving is linked to manhole S5. Please review the model and ensure all SuDS have been modelled and linked to the correct drainage infrastructure.

The surface water flood exceedance plan should include proposed levels to demonstrate how the site drains. Ensure enough levels are added to the whole extent of the site and especially the extent of the impermeable areas. Levels should demonstrate surface water will be kept away from structures and within the site boundary.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 28 March 2022