

**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: 22nd June 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

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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) 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 - £1,500**
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.

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Transport Schedule

Recommendation: Objection for the following;

- Delivery and Service/ Refuse arrangement is not satisfactorily addressed

If despite OCC's objection, permission is proposed to be granted then OCC requires prior to the issuing of planning permission to impose the planning conditions attached in this report.

Key points:

- The adjacent site has since had its planning application approved as was assumed in the proposals. This means this development can no longer be compromised by failure to acquire planning permission on the adjacent site.
- The Transport Note shows a willingness of adopting OCC's electric vehicle charging strategy.
- Delivery and service arrangement is yet to be resolved to an acceptable standard.
- Layout has been revised with the removal of conflict between entering and exiting vehicles.

Comments:

Site layout

The layout has been amended to provide a designated area (by the access mouth) for use by delivery and refuse vehicles. This seems to be acceptable with respect to minimising conflict with circulating vehicles and with assumption that the turning head shall be utilised for such vehicles to turn around.

My concern then shifts to movement of goods and refuse bins between their respective storage locations. For deliveries, I expect these to be on rolling cages that need to be wheeled into the store - which appear to be located through the door adjacent to the bins. The safety associated with such movement with no dedicated path rather than utilising the circulatory drive leaves me concerned.

Also, it is not feasible to think that bins would be wheeled from their designated storage area to the loading every time refuse collection is made. The type and size of bins associated with such a development is the large and heavy type of bins that are not conveniently wheeled over such a distance. Besides, the route from the bin store

appears to have obstacles in the form of bicycle racks and hedge planting around.

The alternative arrangement requires bringing the refuse/ delivery vehicles closer to the southern end of the car park although this also presents a swept path challenge. It would also be unwise to consider wheeling the bins down the drive across the site. This remains the sticking point that requires a solution, without which HA support shall not be given on grounds of safety.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Cycle Parking

Before the development is occupied, details of covered of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. thereafter the areas shall be retained solely for the purpose of the parking of cycles. *Reason: in the interest of sustainable travel*

Travel Plan

Prior to first occupation a Travel Plan Statement shall be submitted to and approved by the Local Planning Authority.

CTMP

Prior to the commencement of the development a Construction Traffic Management Plan prepared in accordance with Oxfordshire County Council's checklist, must be submitted to and approved in writing by the local planning authority. The construction works must be carried out in accordance with the details approved in the Construction Traffic Management Plan.

Officer's Name: Rashid Bbosa

Officer's Title: Senior Transport Planner

Date: 21/06/2022