

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

District: Cherwell

Application no: 22/01488/OUT

Proposal: Construction of up to 140,000 sq m of employment floorspace (use class B8 with ancillary offices and facilities) and servicing and infrastructure including new site accesses, internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works including demolition of the existing farmhouse

Location: OS Parcel 5616 South West Of Huscote Farm And East Of, Daventry Road, Banbury OX17 2BH

Response Date: 26th August 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	<u>m²</u>
B8	140000

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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 - 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
- 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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Strategic Comments

Previous comments have been provided with regard to planning application 22/01488/OUT and should be considered together with the attached comments.

Attached are Archaeology comments and a Lead Local Flood Authority objection to the proposal.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 26th August 2022

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Lead Local Flood Authority

Recommendation:

Objection

Detailed comments:

No updated drawings or information provided to address previous comments. Ensure all are provided to the LPA officer, which will re-consult the LLFA formally.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 23/08/2022

Application no: 22/01488/OUT

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Archaeology

Recommendation:

We have previously commented on this application and our advice is copied below. The site is in an area of archaeological potential, as defined in the submitted Desk Based Assessment, with the site immediately to the west recording Romano British remains during an archaeological evaluation. The proposal site should be subject to an archaeological evaluation prior to the determination of any planning application. The first phase of this evaluation should be a geophysical survey.

Key issues:

Legal agreement required to secure:

Conditions:

In accordance with the National Planning Policy Framework (NPPF 2021) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

Informatives:

Detailed comments:

The site is located in an area of archaeological interest and potential, with an archaeological evaluation immediately to the west of the proposed site recording features dating to the 2nd and 3rd Centuries AD (EOX6926), and a watching brief 1km

south west of the site found the remains of Saxon boundary ditches (EOX2099). In the vicinity, Neolithic pits and a large Neolithic linear feature recorded 1.5km to the north west of the site, along with a Roman settlement. A Bronze Age enclosure has also been excavated 1km northwest of the site and Bronze Age settlement evidence has been recorded 900m west of the proposed site. Iron Age settlement has also been recorded west of this proposal in the same area. A large enclosure has been identified from aerial photographs 1.2km north west of the proposed site which is thought to be of later prehistoric date, based on its form (MOX4535).

The proposed site itself contains relatively well preserved ridge and furrow which form part of a larger system of medieval and post medieval field systems crossing the county boundary into Northamptonshire. 700m to the south of the proposed development is the site of Nethercote Deserted Medieval Village (MOX26804). The extant ridge and furrow contribute to the setting of Nethercote DMV and suggest what the landscape could have looked like before the village was deserted.

An archaeological desk-based assessment has been submitted along with the application which highlights the archaeological features recorded in the surrounding area, as was recommended in the Pre-app advice.

The archaeological potential of the site will need to be investigated through fieldwork prior to the determination of this application, with the first phase of work comprising a geophysical survey.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 27th July 2022