

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

District: Cherwell

Application no: 22/03138/F

Proposal: Removal of Condition 11 (use of building) of 89/00546/N - Condition 11 requires that the building shall be used only for the purpose of B1(a) and B1(b) and for no other purpose whatsoever. Removal of condition 11 will allow the building to be used for any activity specified under Class E of the Use Classes Order, as amended September 2020

Location: 2-6 Waterperry Court, Middleton Road, Banbury, OX16 4QG

Response Date: 8th November 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.

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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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Transport Schedule

Description: The application relates to the Six office units in terrace formation with undercroft and surface parking to provide a total 59 car spaces and new access. (As amended by the plans received on 10th August 1989)- Application CHN.546/89 – Condition 11 requires that the building shall be used only for the purpose of B1(a) and B1(b) and for no other propose whatsoever.

Recommendation:

No objection.

Detailed Comments:

This application seeks the removal of condition 11 for the above application allowing the building to be used for activity specified under Class E of the Use Classes Order, as amended September 2020.

I can confirm the LHA has no objection in principle to the removal of condition 11 at this stage of the application process from the transport perspective, however further details will be required for comments for any future application.

Officer's Name: Francis Hagan

Officer's Title: Senior Transport Planner

Date: 25/10/2022

Application no: 22/03138/F

Location: 2-6 Waterperry Court, Middleton Road, Banbury, OX16 4QG

Lead Local Flood Authority

Recommendation:

No comments required

Detailed comments:

No LLFA comments required. LPA to confirm amendment of condition 11.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 07/11/2022