

For and on behalf of
Laxton Properties

Town and Country Planning Act 1990
The Community Infrastructure Levy Regulations 2010 (as amended)

Draft S106 Heads of Terms

Redevelopment of land at Dovecote Farm, Fritwell Road, Somerton

Prepared by
DLP Planning Ltd
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December 2025



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Date:	December 2025

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1.0 INTRODUCTION

- 1.1 This S106 Heads of Terms has been prepared by DLP Planning Ltd (DLP) on behalf of Laxton Properties (the Applicant) to accompany a full planning application for the Redevelopment of an existing yard for the erection of up to 10 residential dwellings (Use Class C3) including allotments, footpath, public open space and other associated works.
- 1.2 Planning obligations are legal obligations entered into to mitigate the impacts of a development proposal. Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) provide limitations on the use of planning obligations. Planning obligations may only be sought where they meet all of the following tests:
- (a) *necessary to make the development acceptable in planning terms;*
 - (b) *directly related to the development; and*
 - (c) *fairly and reasonably related in scale and kind to the development.*
- 1.3 These tests are further reinforced at Paragraph 56 and 58 of the National Planning Policy Framework (NPPF). The National Planning Policy Guidance (NPPG) recognises that any planning obligations must be fully justified and evidenced and should not prevent development going forward.
- 1.4 The obligations will need to be in accordance with the statutory tests contained in Regulation 122 of The Community Infrastructure Levy Regulations (2010), any relevant planning guidance on the need for planning obligations, and the overall viability of the development proposals.
- 1.5 The Heads of Terms listed on the following page have been submitted in support of this application, which is the starting point of negotiations in relation to developer contributions. Consultation responses will be reviewed and responded to during the course of the application. Agreement will be sought on these before progressing to more detailed discussions with regards to the legal agreement.

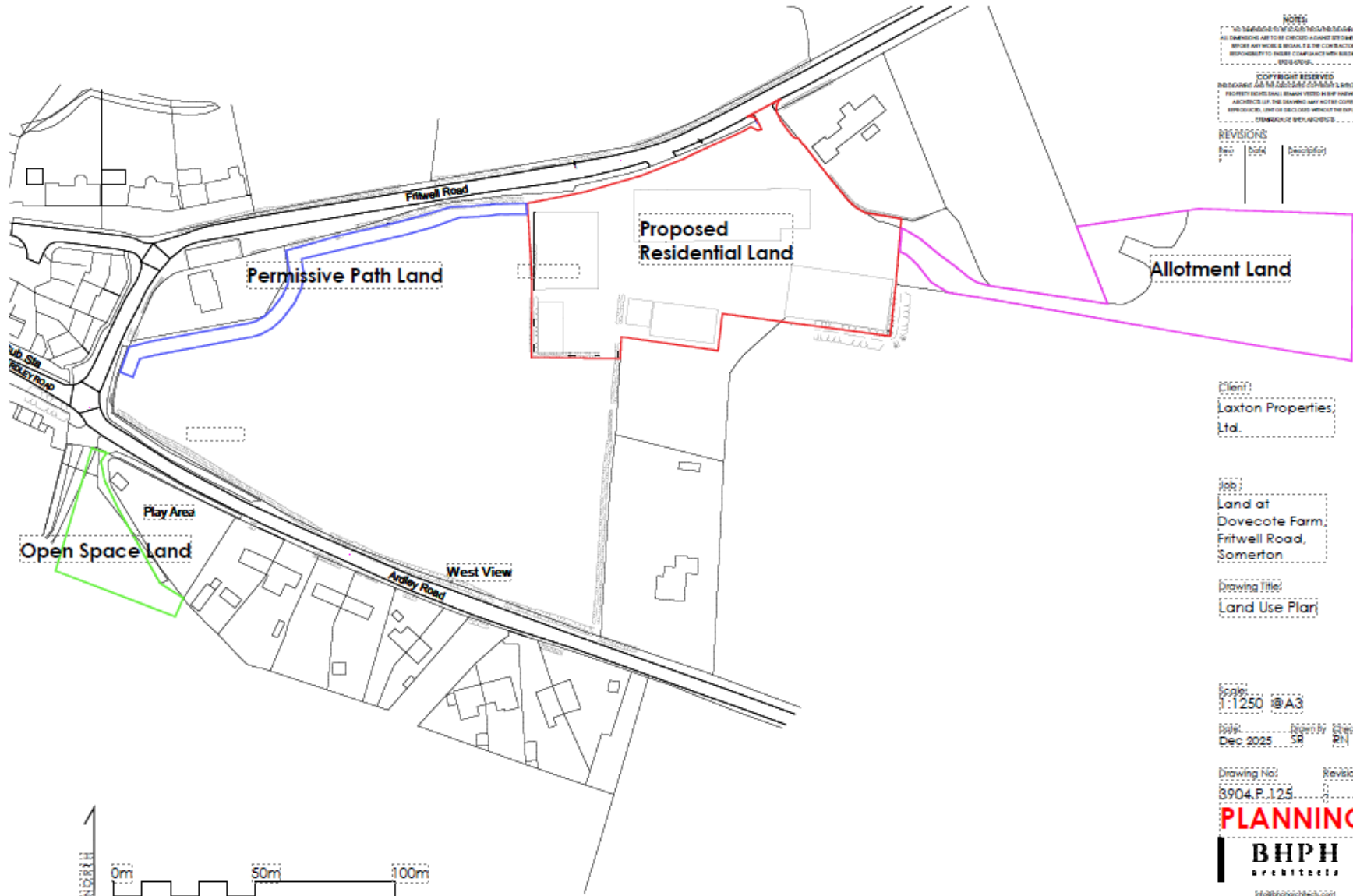


2.0 HEADS OF TERMS

- 2.1 The development will, subject to agreement, provide the following benefits and planning obligations which will be secured by a legal agreement.
- 2.2 These shall accord with the Cherwell District Council Adopted Developer Contributions Supplementary Planning Document (2018), and relevant policies of the adopted Cherwell Local Plan (2015)
- 2.3 As set out above and within related legislation such requests must be necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind.
- 2.4 The parties to this Section 106 will include Laxton Properties, the landowner, Cherwell District Council and Somerton Parish Council.

Ref.	Contribution	Details
1	Allotment Land	Ownership of a self contained land parcel of approximately 0.4ha (as identified on Plan Ref 3904.P.125) to the east of the residential development land is to be transferred by the existing landowner to Somerton Parish Council order to facilitate the creation of a community allotment space for use by the occupiers of the development and residents of the wider village. The space shall thereafter be managed and maintained by the Parish Council in perpetuity.
2	Amenity Playspace/Open Space Land	<p>Ownership of a self contained land parcel of approximately 0.1ha directly abutting the southwestern boundary of the Somerton Play Area in its position south of Ardley Road (as identified on Plan Ref 3904.P.125) is to be transferred by the existing landowner to Somerton Parish Council prior to occupation of the residential development sought by this scheme.</p> <p>This transfer in ownership will facilitate the enlargement of the existing community Play Area through incorporation of additional public open space. The space shall thereafter be managed and maintained by the Parish Council in perpetuity.</p> <p>The permissive footpath will be made available for public use for an agreed period and maintained by the landowner. Appropriate signage will be provided to clearly identify the route as permissive in nature.</p>

		The path will be closed from time to time to allow for maintained and repairs as necessary
3	Permissive Footpath	A permissive footpath route is to be established between the proposed development site and Fritwell Road in the location identified on Plan Ref 3904.P.125. This route shall be established prior to occupation of the sought residential development and maintained thereafter by the landowner for the use of all.
4	Highways Works	<p>An appropriate course of works shall be agreed with the Local Highway Authority, Oxfordshire County Council, in association with the proposed development in order to facilitate;</p> <p>i. Enhancements to the existing highway on Fritwell Road, including a proposed Traffic Regulation Order to extend the 20mph village speed limit beyond the site access off Fritwell Road, and associated traffic calming measures; and</p> <p>Construction of a pedestrian crossing at the point that the proposed permissive footpath route connecting the proposed permissive footpath to the existing public footpath west of Fritwell Road shall also be agreed.</p>
5	Biodiversity Net Gain	<p>A Biodiversity Mitigation and Enhancement Scheme and a Biodiversity Impact Assessment will be submitted to the Council for its written approval. A Biodiversity Net Gain will be delivered on land within the applicants control in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme.</p> <p>Where the provision of the Biodiversity Net Gain on Site cannot be achieved an appropriate course of off-site compensation shall be provided/funded in line with relevant legislative requirements.</p>



NOTE
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REVISIONS

No.	Date	Description
1		

Client:
 Laxton Properties Ltd.

Job:
 Land at Dovecote Farm, Fritwell Road, Somerton

Drawing Title:
 Land Use Plan

Scale:
 1:1250 @A3

Date: Dec 2025 **Drawn by:** SR **Checked by:** RN

Drawing No: 3904.P.125 **Revision:** 0

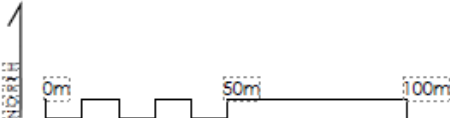
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