

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

**District:** Cherwell

**Application No:** 18/00220/F

**Proposal:** Change of use of agricultural land to sport/recreation and community use, Class D2

**Location:** Land North Of Milton Road Adderbury

**Response date:** 28<sup>th</sup> February 2018

---

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

<b>Commercial – use class</b>	<b>m<sup>2</sup></b>
D2	35000
Development to be built out and occupied out over	

**Application no: 18/00220/F**

**Location:** Land North Of Milton Road Adderbury

---

## **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](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweighs OCC's objections, and given an opportunity to make further representations.

### **Outline applications and contributions**

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

### **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.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - £0**  
This is an estimate of the amount required to cover the extra 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 an s106 agreement is completed or not.

### **CIL Regulation 123**

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

**Application no: 18/00220/F**

**Location:** Land North Of Milton Road Adderbury

---

## **Transport Schedule**

### **Recommendation:**

#### **Objection for the following reason:**

- No details have been provided of the layout and facilities of the site, including parking and access

### **Key points**

- It is considered that the change of use application should be submitted at the same time as a full planning application for the site.

### **Comments:**

Oxfordshire County Council Transport Development Control (TDC) have no objection **in principle** to the change of use of this site to Class D2. However, if the change of use is granted ahead of a planning permission for the new facilities on the site, then communal functions and activities could take place without the access, car parking and footways being available.

The Supporting Statement provides an indicative layout only of the possible facilities that may be provided in future. TDC consider that it is not appropriate to recommend approval of the change of use until a firm proposal for the site has been put forward.

Please note that a full planning application for the site will need to include a Flood Risk Assessment, a Transport Statement and a Travel Plan Statement.

**Officer's Name: Roger Plater**

**Officer's Title:** Transport Planner

**Date:** 28<sup>th</sup> February 2018

---

**Application no: 18/00220/F**

**Location:** Land North Of Milton Road Adderbury

---

## **Archaeology Schedule**

### **Recommendation:**

No Objection subject to the planning conditions below.

### **Comments:**

The site is located in an area of archaeological potential 300m to the south east of a possible Roman building (PRN 26327). The site was recorded in the 1920s when evidence of a building and paving stones, roofing slates and burnt stones, along with abundant C2nd pottery was recorded. Mesolithic and Neolithic flint tools have also been recorded in the same area (PRN 15454).

A programme of archaeological investigation has recently been undertaken immediately east of the proposed site which recorded a number of possible prehistoric features including a possible henge site and a Bronze Age posthole structure. A third ring ditch, initially thought to be a Bronze Age barrow was also recorded. The post excavation analysis of this site is still underway but initial results would suggest that these features are of some significance.

The plans submitted do not provide any detail on the level of ground disturbance involved with this proposed development but it is likely that some degree of disturbance for drainage, levelling and foundations for the new pavilion will be required.

It is therefore likely that this development could encounter further aspects of the archaeological features recorded immediately east of the site.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition along the lines of:

### **Planning Conditions:**

1. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).

**Officer's Name: Richard Oram**

**Officer's Title: Planning Archaeologist**

**Date: 12<sup>th</sup> February 2018**

---