

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

District: Cherwell

Application no: 17/02490/F(VAR)-2

Location: Bicester Heritage, Buckingham Road, Bicester.

Proposal: Variation of condition 8 (permitted uses) to include B1c (light industrial use), sui Generis (showroom/workshop use) and ancillary A3 use to building 129 (latter use retrospective); and variation of condition 17 (to revise the timeframe for the installation of the new access) of planning permission 17/02312/F.

Response date: 18th April 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.

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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 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.

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Transport Schedule

Recommendation:

No objection subject to condition

Comments:

This amendment constitutes a change to the description of the application:

The original description was:

: Variation of conditions 9 (building 129 use class), 13 (building 130 use class) and 17 (revise the timeframe for the installation of a new access) of 16/01805/F

This is now proposed to change to

Summary of amendments/additions (Note: this is the extract text that will go out on the consult letters):

Revised description: Variation of condition 8 (permitted uses) to include B1c (light industrial use), sui generis (showroom/workshop use) and ancillary A3 use to building 129 (latter use retrospective); and variation of condition 17 (to revise the timeframe for the installation of the new access) of planning permission 17/02312/F.

In relation to conditions 9 and 13, our response of 17 January in which we commented on the relatively small size of buildings 129 and 130 still apply – there is not likely to be a significant traffic impact.

In relation to condition 13, the comment in our response of 15 March still applies:

I recommend that through this application, condition 17 of 16/01805/F is re-worded as follows:

Within 12 months of the date of this permission, full details of the improved means of access between the land and the highway on Buckingham Road including position, layout, and vision splays shall be submitted to and approved in writing by the Local Planning Authority. This improved means of access must incorporate facilities for safe and convenient movement of pedestrians and cyclists at the site access itself and to and from the nearby bus stops and existing pedestrian and cycling facilities. Within 18 months of the details being approved the means of access shall be constructed and retained in accordance with the approved details.

This recommended change would also apply to 17/02312/F.

Please see the reasons set out in our response of 15 March.

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 17 April 2018
