

Our Ref: JB/942/R1 Wolvercote

**Highway Records
County Hall
New Road
Oxford
OX1 1ND**

Aubrey King On behalf of Mr N Kotak
Former Londis store
2 St peters Road
Wolvercote
Oxford
OX2 8AU

**Jason Russell
Interim Director Community Operations**

Date: 03 December 2020

Dear Mr King,

Former Londis store, 2 St Peters Road Wolvercote Oxford OX2 8AU - Proposed Stopping Up of Public Highway via S247 Town & Country Planning Act

Further to your email dated 29th October 2020, I confirm that I have completed an internal consultation within the highway authority. I am pleased to advise that Oxfordshire County Council would have no objection to the proposal in principal, however with some changes required as per the approved stamped attached plan.

You will note that the approved plan has a reduced proposed stopped up area than the one you requested. This is due to Oxfordshire County Councils concerns over safety and pedestrian amenity.

It has been felt in this case as the existing very narrow footway (0.85m) to the south-west of the site and the significant use of the footway in order to access the neighbouring school at the start and end of the school day as well as the absence of a footway on the north side of the road, we must aim to provide a good rather than bare minimum standard of footway to provide an appropriate and effective walking route as possible. In this case a 2.5m width footway must be retained whilst taking into account the current highway boundary to maintain an acceptable vision splay from St Peters Road.

Another point that has been raised, there appears to be existing cable TV / broadband service which seems to conflict with the proposed area to be stopped up. You will need to consult all the Public Utility Companies in your area (if you have not already done so) by sending them a copy of your plan and asking them:

- Do you have any apparatus in the area shown on the plan and if so...?
- Do you have any objections to...? (**outline** your proposals)

Please read this next detail thoroughly and carefully:

By way of caution, this approval from the County Council is only the first step toward gaining a stopping up order and should NOT be regarded as consent to do so. This approval is valid for one year, after which time if you have not applied for a stopping up order, this process may have to be repeated.

I enclose a copy of our Guidance Notes and my Fact Sheet for your assistance but trust that the following information will be useful to you when prepare your stopping up application. There are several things that you will need to do if you have not already done so:

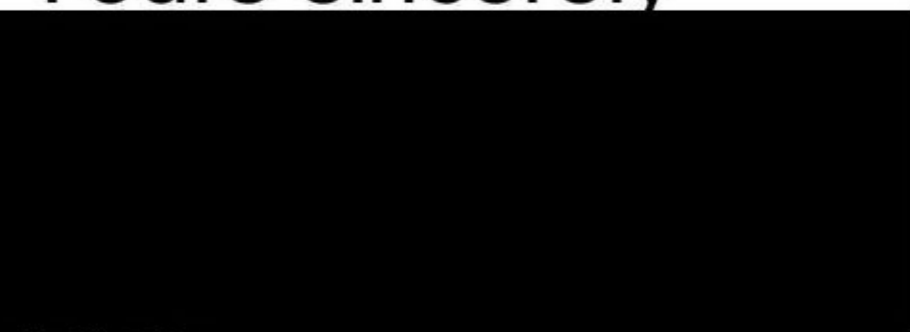
- You will need to apply for planning permission for change of use of the land from highway to a private use e.g. extension or garden (if you have not already done so) – this enables the use of Section 247 of the Town & Country Planning Act 1990 for gaining a stopping up order – *Please Note*: this permission cannot be retrospective.
- The Dept. for Transport stopping up order under Section 247 application form, guidance notes and a very useful process flow chart can all be found at <https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways> . If you need to contact The Dept. for Transport you can do so by calling Tel: 0207 944 4262 or 0207 944 4272, or emailing them on nationalcasework@dft.gsi.gov.uk. The Dept. for Transport will send you a list of people they wish you to consult (one of which is the County Council which this letter of approval covers).
- Although the land is highway, the County Council does not have title to it. You will need to arrange a title transfer, if required, you will need to be the owner of the land by the time the highway status has been removed.
- Finally, you can put all this information together, fill in the application form, with written evidence that you have contacted all the required consultees, and send it off to the Government Office with your planning consent. Should there be any outstanding objections to your proposal the Dept. for Transport will not complete the Made Order process. It would be your responsibility to remove or resolve any such objections.

After the Made Order has been completed, the area of land that has been ‘stopped up’ will remain public highway until all or any conditions associated with the Order have been carried out to our satisfaction and in accordance with your planning consent.

Another caution: You should not arrange for any works to be carried out within the area in question until the Stopping Up formalities has been entirely completed. Should the Department for Transport find that you or your client has completed work before the Made Order has been made, they will withdraw the application without appeal and the land will remain public highway.

I am here to help you so if you have any questions you are welcome to contact me.

Yours sincerely



Jac Barker

Technical Officer Highway Records

Direct line:  Email: 

www.oxfordshire.gov.uk

CC. Cllr Paul Buckley (via email)