

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

**District:** Cherwell

**Application no:** 22/03064/OUT

**Proposal:** Outline planning application for up to 176 dwellings and associated open space with all matters reserved other than access

**Location:** Land Opposite Hanwell Fields Recreation Adj To, Dukes Meadow Drive, Banbury

**Response Date:** 10th 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.

## 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 based on a SHMA mix.

<b>Residential</b>	
1-bed dwellings	23
2-bed dwellings	45
3-bed dwellings	76
4-bed & larger dwellings	32

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	438.24
Nursery children (number of 2- and 3-year olds entitled to funded places)	11.79
Primary pupils	53.20
Secondary pupils including Sixth Form pupils	41.73
Special School pupils	1.09
65+ year olds	45.78

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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](mailto: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 - £10,059**  
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

**Recommendation: No objection subject Planning Conditions and s106**

**Contributions** as summarised in the table below and justified in this Schedule:

S106 Contributions

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Strategic Highway works	£157,948.71	March 2021	Baxter	Active Travel improvements along local walking and cycling routes in accordance with the emerging Banbury LCWIP
Public transport services	£284,768 or £1,618 per dwelling	Dec 2021	RPI-x	For the continued provision of higher frequency bus services in the area around the development.
Travel Plan Monitoring	£1,558	Dec 2021	RPI-x	To cover biennial monitoring over five years of the life of the Travel Plan
Public Rights of Way	£22,564.10	March 2021	Baxter	To improve the surfaces of all routes within 2km, replacement structures like gates, bridges and seating, sub-surfacing and drainage to enable easier access, improved signage etc taking account of likely intensified use from development.
<b>Total</b>	<b>£466,838.81</b>			

**Introduction**

The application seeks planning consent for a residential development of up to 176 units on land adjacent to and north of a parcel of land (herein referred to as Phase 1) that has recently been granted outline planning permission for up to 78 dwellings. Both sites are not allocated within the Cherwell District Council Local Plan.

### **Access arrangements**

The proposed development will be accessed via a fourth arm (western arm) of the existing Dukes Meadow Drive/ Lapsley Drive roundabout. Supporting this application is a Transport Assessment (TA) that suggests a realignment that would render access from Phase 1 to be the minor arm of a simple priority junction. This is acceptable in principle subject to an updated junction capacity assessment.

An emergency access point that also doubles as an updated cycle track or reinforced grass area is proposed off Dukes Meadow Drive further north of the access roundabout. Interrogation of Drawing No: SKL- 02 Rev A appended to the TA however shows that the emergency access would link the development along its boundary with Phase 1, which does not serve the purpose. Clarification and detail of this access shall need to be provided by a planning condition. **(To be conditioned)**

Either side of the carriageway right from the roundabout are 3m wide pedestrian and cyclist facilities into the development sites.

It is my assumption that construction traffic would avoid utilising the principal vehicular access that be in place to serve Phase 1. It is also my view that a temporary access point for construction traffic may be assumed directly off Dukes Meadow Drive, the intention of which is to minimise inconvenience to residents of Phase 1. This temporary if assumed will only be acceptable if supported by Construction Traffic Management Plan (CTMP) including swept path analyses for a 12m long rigid truck and a 16.5m long articulated truck. **(To be conditioned)**

### **Sustainable transport connectivity/transport sustainability**

The site is located on the northern settlement edge of Banbury, adjacent to the Hanwell Fields residential area built out along the Dukes Meadow Drive corridor. Hanwell Fields is approximately 2.9km from Banbury town centre and the railway station is 3.4km from the development.

The nearest bus stops are located on Highlands to the south of the site. These bus stops are located approximately 790m from the proposed site's western pedestrian / cyclist access. The bus stops are served by the B9 bus route which provides bus services between 0626 and 2321 operating every 15-30 minutes Monday to Saturday.

As for phase 1 we require a public transport contribution to support the continued operation of bus services nearby. The current rate is £1,618 per dwelling (Dec 21

base), therefore the contribution towards public transport services is £1,618 x 176 = **£284,768** (to be RPIx indexed).

Planning for cycling/walking, space for cycling within highways, transitions between carriageways, cycle lanes and cycle tracks, junctions and crossings, cycle parking and other equipment design within the development site should follow the LTN 1/20 guidance. Throughout the County we push for segregated pedestrian and cycle paths with safety and directness at the forefront but even more so in Banbury given political preference.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf)

The recently adopted Local Transport & Connectivity Plan (LTCP) sets out the mode hierarchy within the county and the objectives, targets and policies which aim to decarbonise transport, enable healthy placemaking and significantly improve safety.

Contributions towards upgrading the current footpath on the southern side of the carriageway to a segregated cycle and footpath in line with the current LTN1/20 guidelines should be provided from Lapsley drive roundabout to Winter Gardens way roundabout. This will be approximately 500 m of segregated walking and cycling path. Also ensure that there are safe crossings from the development arm of the roundabout to the Lapsley drive, to ensure residents can cross into the Hanwell Fields Shops, schools and community centre safely.

Contributions towards connectivity between the proposed development and Banbury as per the emerging Strategic Active Travel Network (the identification of this network is an action from the Oxfordshire Active Travel Strategy, one of the supporting strategies adopted as part of the LTCP), are expected in proportion to the scale of the development.

The emerging Banbury LCWIP (Local Cycling & Walking Infrastructure Plan) has identified Southam Road as a key route linking this part of Banbury to the town centre including to key amenities such as train station. The route is key for cycle facilities although it needs to be improved to encourage more sustainable means of transport for residents.

### **Public rights of way**

The walking and cycling routes inside the site need to be provided to a high standard and managed in perpetuity as part of public open space/green corridors. Access from the site to connecting public rights of way and walk/cycle route needs to be provided on land in the applicant's control.

Oxfordshire County Council manages the legal record and access functions on the public rights of way and access land network. In addition to the statutory functions of

recording, protecting and maintaining public rights of way, part of the authority's role includes securing mitigation measures from residential and commercial developments that will have an impact on the public rights of way and access land network in order to make those developments acceptable. This work meets the aims and outcomes of the adopted Oxfordshire Rights of Way Management Plan 2015-2025  
[www.oxfordshire.gov.uk/rowip](http://www.oxfordshire.gov.uk/rowip)

Oxfordshire County Council's Walking and Cycling Design Guides need to be referred to when public rights of way are intended or need to become urbanised utility access routes.

#### Standard measures/conditions for applications affecting public rights of way

1. *Correct route of public rights of way:* Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at [www.oxfordshire.gov.uk/definitivemap](http://www.oxfordshire.gov.uk/definitivemap).
2. *Protection, Mitigation and Improvements of routes.* Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All necessary PRow mitigation and improvement measures onsite need to be undertaken prior to first occupation so that new residents are able to use the facilities without causing additional impacts and without affecting existing users to ensure public amenity is maintained.
3. *Protection of public rights of way and users.* Routes must remain useable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horsriders as vulnerable road users needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.
4. *Temporary obstructions and damage.* No materials, plant, vehicles, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place. Avoidable damage to PRow must be prevented.

Where this takes place repairs to original or better standard should be completed within 24hrs unless a longer repair period is authorised by OCC Countryside.

5. *Gates / right of way.* Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.

### **Site layout and Parking**

As this is an 'Outline' application the internal layout of this site will therefore be finalised at the subsequent full or reserved matters applications. The layout plans shall be required to demonstrate the ability of refuse vehicles and cars to manoeuvre within the site and back onto the highway in a forward gear particularly utilising turning heads.

It is my view that the internal roads shall be offered for adoption. Should the developer wish to have these adopted by the Local Highway Authority, then a s38 Agreement under the Highways Act 1980 shall need to be entered into. Alternatively should the roads remain private, then a Private Road Agreement will be required between the developer and Oxfordshire County Council.

It is expected for subsequent applications to show a comprehensive pedestrian network throughout the site with footways provided on both sides of the carriageway to make it sufficiently permeable with the surrounding infrastructure.

Section 4.3 of the TA alludes to parking standards that shall adhere to the Oxfordshire County Council's Residential Roads Design Guide. I wish to inform you that parking standards within that guidance have since been superseded by new standards. The revised Parking Standards for New Developments were adopted by cabinet on 18 October. The OCC webpage is yet to be updated with these standards. In the meantime, you can find the cabinet report(s), draft document and appendices for the parking standards document via the cabinet report [Agenda for Cabinet on Tuesday, 18 October 2022, 2.00 pm \(oxfordshire.gov.uk\)](#).

Electric Vehicle charging shall need to comply with the Oxfordshire Electric Vehicle Infrastructure Strategy.

[https://mycouncil.oxfordshire.gov.uk/\(S\(0qslfpunitwzla330vlet55\)\)/documents/s55283/CA\\_MAR1621R11%20Annex%203%20-%20DRAFT%20Oxfordshire%20Electric%20Vehicle%20Infrastructure%20Strategy%2020210225.pdf](https://mycouncil.oxfordshire.gov.uk/(S(0qslfpunitwzla330vlet55))/documents/s55283/CA_MAR1621R11%20Annex%203%20-%20DRAFT%20Oxfordshire%20Electric%20Vehicle%20Infrastructure%20Strategy%2020210225.pdf)

The following must be noted when progressing the development to a detailed design stage. Matters relating to Section 278 requirements are set out below.

- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design and acceptable adoption standards will be subject to a full technical audit.



- The Highway boundary needs to be checked with Oxfordshire County Council Highway Records ([highway.records@oxfordshire.gov.uk](mailto:highway.records@oxfordshire.gov.uk)) to determine whether or not it coincides with the site boundary at the proposed access junction. The highway boundary is usually identified along the roadside edge of the ditch.
- OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway.
- Where there is not a footway adjacent to the carriageway i.e. a shared surface carriageway, a minimum 800mm maintenance margin is required.
- A long section indicating the vertical alignment will be required to determine appropriate carriageway and footway gradients. These will need to be DDA compliant i.e. maximum 1:20 or 5%.
- The Service corridor will need to be a minimum 2m wide under the footway or verge.
- There are no visibility splays indicated. Junction and Forward Visibility Splays must be in accordance with the County's Design Guide and dedicated to the County if they fall out of the existing highway boundary.
- The County requires a swept path analysis for an 11.6m refuse vehicle for all manoeuvres in forward gear passing an on-coming or parked family car throughout the layout. The carriageway will require widening on the bends.
- The carriageways that are straight for over 70m will require some form of traffic calming to ensure vehicle speeds are less than 20mph.
- Shared surfaces width will be a minimum of 6m and a minimum of 880 mm maintenance margin is required either side of the shared surface. A blocked paved surface or similar will be required for shared surfaces.
- No private drainage is to discharge onto any area of existing or proposed adoptable highway. The drainage proposals will be agreed at the Section 38 Agreement stage once the drainage calculations and detailed design are presented.
- Trees must not conflict with streetlights and must be a minimum 10 metres away and a minimum 1.5m from the carriageway. Trees that are within 5m of the carriageway or footway will require root protection. Given the number of trees indicated it would be helpful that the proposed street lighting is provided as trees will have to be located at least 10 metres away to ensure the streetlights can perform effectively.

- Trees within the highway will need to be approved by the County and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.
- The visitor parking bays parallel to the carriageway can be adopted but accrue a commuted sum. Any other bays, echelon or perpendicular, or private bays will not be considered for adoption.
- No property should be within 500mm to the proposed highway. No doors, gates, windows, garages or gas/electric cupboards should open onto the highway.

## **Traffic impact**

### *Trip Generation and Distribution*

TRICS database has been used to estimate the likely amount of person trip rates that the development would generate. The trip rates used in the consented Phase 1 (21/03426/OUT) have been re-applied for consistency - and this is acceptable.

It is my view that the person trip rates and resultant trips by mode presented in Tables 4.2, 4.3 and 4.4 of the TA respectively are reasonable for a site of this size in this type of location. The methodology goes on to apply the anticipated modal split for the local MSOA utilising the land use. The submission predicts that there will be about 129 and 116 two-way vehicular movements in the AM and PM peak periods respectively. As such it is considered that the volume of traffic as set out in the TA is a reasonable prediction of the level of demand that shall be experienced when the development comes up.

The peak hour vehicular trips obtained from the trip generation exercise have been assigned on to the network using the distribution patterns obtained from the 2011 Census data. This methodology is also deemed acceptable.

In attempting to appraise the traffic impact of this development onto the local highway network, the TA has undertaken modelling exercises on the following junctions:

- Access Dukes Meadow Drive/ Lapsley Drive
- A423 Southam Road/ Dukes Meadow Drive and
- Dukes Meadow Dr/ B4100 Warwick Road/Walker Rd

Assessment was undertaken for both the baseline scenario and 2027 as a future year scenario to forecast how these junctions would operate without and with the development traffic.

*Tables 5.2, 5.3, 5.4, 5.5, 5.6 and 5.7* are the summarised results of the assessment modelling on the junctions above. Apart from the A423 Southam Road/ Dukes Meadow

Drive junction, modelling results on the other junctions presents RFC values on all arms of the respective junctions to be lower than the theoretical capacities of these arms.

*Table 5.5* which summarises the modelling undertaken on the A423 Southam Road/ Dukes Meadow Drive roundabout in the PM peak however, shows the RFC value for the Southam Road (S) to operate slightly over its designed threshold.

While OCC would have required the development to adequately mitigate the seemingly meagre impact on the network such as has been demonstrated at this roundabout, the approach captured in OCC's LTCP policies however seek to only consider road capacity improvements as the last resort. It is acknowledged that with improved public transport services and active travel opportunities such as those identified for improvement in the LCWIP, there would be a modal shift that would eventually balance out the need for the increase in road capacity.

In summary, it is agreeable that subject to improvements to public transport services and active travel infrastructure identified, the proposed development will not result in a detrimental impact on the highway network.

### **Travel Plan**

The closest bus stop is a considerable distance from the development and so could act as a deterrent to public transport use for those with mobility issues or small children. Are there any plans for a bus service to be re-routed closer to the development?

A development of this size will require a full 'Residential Travel Plan' to be produced. This should be produced prior to first occupation and then updated on occupation of 50% (88<sup>th</sup> dwelling) of the site once adequate survey data is available. Information regarding the required criteria can be found within appendices 5 and 8 of the OCC guidance document 'Transport for New Developments – Transport Assessments and Travel Plans March 2014'. A copy has been attached with this response for ease of reference. Further information and advice can also be sought from the Travel Plans Team at OCC. [Travelplan@oxfordshire.gov.uk](mailto:Travelplan@oxfordshire.gov.uk)

A 'Framework Travel Plan' has been submitted with this application but as discussed above, a 'Residential Travel Plan' is required. Further information is required before the submitted travel plan meets OCC criteria and so it is recommended that applicant consult the aforementioned appendices and the specific points outlined below before revising and resubmitting for approval.

A travel plan monitoring fee of £1,558 (RPI index linked) is required to enable the travel plan to be monitored for a period of 5 years.

This development also triggers the requirement for a 'Residential Travel Information Pack' to be produced. This should be produced prior to first occupation and then distributed to all residents at the point of occupation. Reason – to ensure all residents

are aware of the travel choices available to them from the outset. A copy of the OCC guidance document has also been attached with this response.

- What facilities are available at the closest bus stop? Shelter, lighting, seating etc?
- What is the expected/ anticipated date of occupation?
- Paragraph 5.23 – Indicative targets are required for the baseline year and for years 1,3 and 5 and for all modes.
- Section 6 – What budget will be allocated to the TPC to enable them to progress the identified actions?
- Please could the contact details for an interim TPC be included. This is useful for the Travel Plans Team to establish a monitoring dialogue from the outset.
- What are the barriers to the promotion of sustainable, active travel modes? How will the actions within the travel plan seek to mitigate these?
- Are there any community transport services operating close to the development that would be useful for residents?
- Paragraph 7.2 – each of the actions should be linked to the specified objectives.
- Whose responsibility is it to progress each of the actions i.e., developer, TPC etc?
- Actions within the action plan should be more specific – a mixture of education and engineering, relevant to the travel plan community and seek to mitigate any identified barriers.
- Paragraph 9.2.1 – Baseline surveys should be undertaken on occupation of 50% of the site (88<sup>th</sup> dwelling) and then in years 1, 3 and 5. If targets are not met by year 5 the monitoring requirement may continue in years 7 and 9.
- A commitment is required that monitoring reports will be submitted to the Travel Plans Team at OCC within one month of completion.

### **Planning Conditions:**

In the event that permission is to be given, the following planning conditions should be attached:

### **Accesses: Full Details**

Prior to the commencement of the development hereby approved, details of the means

of access (including the emergency access) between the land and Dukes Meadow Drive including position, layout and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the occupation of any dwellings, the means of access onto the highway shall be constructed and retained in accordance with the approved details.

*Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework*

#### Construction traffic management plan

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

*Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework*

#### Residential Travel Plan and Travel Information Pack

Prior to first occupation of the development hereby approved, a Residential Travel Plan and Residential Travel Information Pack prepared in accordance with OCC guidance shall need to be submitted to the Local Planning Authority and then updated on occupation of 50% (88<sup>th</sup> dwelling) of the site once adequate survey data is available. Thereafter, the approved Travel Plan and Travel Information Pack shall be implemented and operated in accordance with the approved details.

*Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.*

**Officer's Name: Rashid Bbosa**

**Officer's Title: Senior Transport Planner**

**Date: 04/11/2022**

**Application no: 22/03064/OUT**

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### **Lead Local Flood Authority**

#### **Recommendation:**

Objection

#### **Key issues:**

- Surface water to be restricted to Qbar greenfield run off rate.
- Provide infiltration testing results and its locations.
- Provide watercourse/ditch ownership details and permission to discharge surface water.
- Discharge rate to be identified on drainage plan.

#### **Detailed comments:**

The surface water discharge rate is around 30l/s however the greenfield qbar is calculated to be less. The discharge rate to be based on the Qbar.

Provide the infiltration testing results and its location plan.

Provide a agreed point of surface water discharge. Provide watercourse/ditch ownership details and permission to discharge surface water.

Provide the discharge rate on the drainage plan.

**Officer's Name: Kabier Salam**

**Officer's Title:** LLFA Engineer

**Date:** 04/11/2022

**Application no: 22/03064/OUT**

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### **Education Schedule**

**Recommendation:**

**No objection subject to:**

- **S106 Contributions** as summarised in the tables below and justified in this Schedule.

Contribution	Amount £	Price base	Index	Towards (details)
<b>Secondary education</b>	<b>£1,395,954</b>	<b>327</b>	BCIS All-In TPI	Secondary education capacity serving the development
<b>Secondary Land Contribution</b>	<b>£139,986</b>	<b>Nov-20</b>	RPIX	Secondary land contribution
<b>Special education</b>	<b>98,715</b>	<b>327</b>	BCIS All-In TPI	Special school education capacity serving the development
<b>Total</b>	<b>£ 1,634,655</b>			

### **S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£1,395,954 Secondary School Contribution indexed from TPI = 327**

**Justification:**

For secondary education provision, demand for places in Banbury has risen in recent years, such that in 2021 and 2022 there were more applicants than places available. The need for places is expected to continue to grow as a result of population growth from planned housing development in the area, resulting in a sustained shortage of secondary school places across the Banbury area unless additional capacity is provided. Therefore, there would be insufficient secondary capacity in the Banbury area to accommodate the expected pupil generation from the proposed development.

A site for a new secondary school has been included in the Cherwell Local Plan as part of policy area Banbury 12. The new school will need to be at a minimum a 600-place

secondary school, and would be built at a size to provide sufficient capacity for the planned growth of the town's population, including that resulting from this proposed development, should it be permitted.

**Calculation:**

Number of secondary pupils expected to be generated	42
Estimated per pupil cost of building a new 600-place secondary school	£33,237
Pupils * cost =	<b>£ 1,395,954</b>

**£139,986 Secondary School Land Contribution indexed from Nov-20**

**Justification:**

The county council will incur a cost of £1,999,634 (uplifted to Nov-20) to purchase the land for the planned secondary school within the Banbury 12 policy area, which would serve this proposed development. This will provide land for 600 pupils, i.e. £3,333 per pupil place.

**Calculation:**

Contribution required towards school land costs = £3,333 \* 42 = £139,986

**£37,757 Special School Contribution indexed from TPI = 327**

**Justification:**

Government guidance is that local authorities should secure developer contributions for expansion to special education provision commensurate with the need arising from the development.

Approximately half of pupils with Education Needs & Disabilities (SEND) are educated in mainstream schools, in some cases supported by specialist resource bases, and approximately half attend special schools, some of which are run by the local authority and some of which are independent. Based on current pupil data, approximately 0.9% of primary pupils attend special school, 2.1% of secondary pupils and 1.5% of sixth form pupils. These percentages are deducted from the mainstream pupil contributions referred to above and generate the number of pupils expected to require education at a special school.

The county council's Special Educational Needs & Disability Sufficiency of Places Strategy is available at



<https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places> and sets out how Oxfordshire already needs more special school places. This is being achieved through a mixture of new schools and expansions of existing schools.

The proposed development is expected to further increase demand for places at SEN schools in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data. (This amount of pupils has been deducted from the primary and secondary pupil generation quoted above.)

**Calculation:**

Number of pupils requiring education at a special school expected to be generated	1.1
Estimated per pupil cost of special school expansion	£89,741
Pupils * cost =	<b>£ 98,715</b>

The above contributions are based on a unit mix of:

19 x 1 bed dwellings  
53 x 2 bed dwellings  
71 x 3 bed dwellings  
33 x 4 bed dwellings

(unit mix taken from the Application Form dated 5/10/2022)

It is noted that the application is outline and therefore the above level of contributions would be subject to amendment, should the final unit mix result in an increase in pupil generation.

**Officer's Name: Louise Heavey**

**Officer's Title:** Access to Learning Information Analyst

**Date:** 01/11/2022

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## **Archaeology**

### **Recommendation:**

The site is in an area of archaeological interest and potential, and we have already accepted a Written Scheme of Investigation from an archaeological contractor for the evaluation.

### **Key issues:**

### **Legal agreement required to secure:**

### **Conditions:**

In accordance with the National Planning Policy Framework (NPPF 2021) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

### **Informatives:**

### **Detailed comments:**

The site is located in an area of archaeological interest with later prehistoric through to Roman archaeological deposits recorded in the immediate vicinity. Two prehistoric ring ditches were recorded 600m west of the site along with prehistoric ditches and a number of undated post holes and pits which are likely to be of a similar date. A recent archaeological excavation to the west of Southam Road recorded prehistoric worked flint and Beaker Pottery (Wessex Archaeology forthcoming). A post medieval ring ditch, probably form a windmill, was also recorded on the site. This may have been built on a surviving prehistoric barrow mound. Iron Age and Roman settlement evidence has also

been recorded 1kn to the west of the site. Historic England have recorded the line of a Roman Road (RR 161a) from Harwell to Oxford 270m west of the application site.

It is therefore likely that further archaeological deposits could survive on the site and a programme of archaeological evaluation will need to be undertaken

**Officer's Name: Victoria Green**

**Officer's Title:** Planning Archaeologist

**Date:** 24/10/2022

Application no: 22/03064/OUT

Location: Land Opposite Hanwell Fields Recreation Adj To, Dukes Meadow Drive, Banbury

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## Waste Management

### Recommendation:

No objection subject to S106 contributions

### Legal agreement required to secure:

#### No objection subject to:

- S106 Contributions as summarised in the tables below and justified in this Schedule.

Contribution	Amount	Price base	Index	Towards (details)
Household Waste Recycling Centres	<b>£16,537</b>	327	BCIS All-In TPI	Expansion and efficiency of Household Waste Recycling Centres (HWRC)

### S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):

**£16,537** Household Waste Recycling Centre Contribution indexed from Index Value 327 using BCIS All-in Tender Price Index

#### Towards:

The expansion and efficiency of Household Waste Recycling Centre (HWRC) capacity.

#### Justification:

6. Oxfordshire County Council, as a Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to arrange:

*“for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”;*

*and that*

*“(a) each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;*

*(b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25<sup>th</sup> December or 1<sup>st</sup> January);*

*(c) each place is available for the deposit of waste free of charge by persons resident in the area;”.*

7. Such places are known as Household Waste Recycling Centres (HWRCs) and Oxfordshire County Council provides seven HWRCs throughout the County. This network of sites is no longer fit for purpose and is over capacity.
8. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently ‘over capacity’ (meaning residents need to queue before they are able to deposit materials) at peak times, and many sites are nearing capacity during off peak times. The proposed development will provide 176 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 704 HWRC visits per year.
9. Congestion on site can reduce recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin. Reduced recycling leads to higher costs and an adverse impact on the environment. As all sites are currently over capacity, population growth linked to new housing developments will increase the pressure on the sites.
10. The Waste Regulations (England and Wales) 2011 require that waste is dealt with according to the waste hierarchy. The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt. Combined with the complex and varied nature of materials delivered to site it will become increasingly difficult over time to comply with the EU Waste Framework Directive 2008, enacted through the Waste Regulations (England and Wales) 2011 (as amended), maintain performance and a good level of service especially at busy and peak times.

**Calculation:**

Space at HWRC required per dwelling (m <sup>2</sup> )	0.18	Current land available 41,000m <sup>2</sup> , needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%. Therefore, total land required for current dwellings (300,090) is 55,350 m <sup>2</sup> , or 0.18m <sup>2</sup> per dwelling
Infrastructure cost per m <sup>2</sup>	£275	Kidlington build cost/m <sup>2</sup> indexed to 327 BCIS
Land cost per m <sup>2</sup>	£247	Senior Estates Surveyor valuation
Total land and infrastructure cost /m <sup>2</sup>	<b>£522</b>	
Cost/dwelling	£93.96	
No of dwellings in the development	<b>176</b>	
Total contributions requested	<b>£16,537</b>	

**Detailed comments:**

Oxfordshire councils have ambitious targets to reduce the amount of waste generated and increase the amount recycled as demonstrated in our Joint Municipal Waste Management Strategy 2018-2023. Enabling residents of new dwellings to fully participate in district council waste and recycling collections is vital to allow Oxfordshire's high recycling rates to be maintained and reduce the amount of non-recyclable waste generated.

Given the pressing urgency of climate change and the need to embed the principles of the circular economy into all areas of our society, we encourage the applicant to consider including community spaces that help reduce waste and build community cohesion through assets such as community fridges, space for the sharing economy (library of things), refill stations, space for local food growing etc.

At the reserved matters application stage, we expect to see plans for how the developer will design the development in accordance with waste management policies in Cherwell District Council's waste planning guidance.

Bin storage areas must be able to accommodate the correct number of mixed recycling, refuse and food recycling bins; be safe and easy to use for residents and waste collection crews and meet the requirements of the waste collection authority.

The development will increase domestic waste arisings and the demand for all waste management services including Household Waste Recycling Centres (HWRCs).

**Conditions:**

In the event that permission is to be given, the following conditions should be attached:

N/A

**Officer's Name: Mark Watson**

**Officer's Title: Waste Strategy Projects Officer**

**Date: 20/10/2022**