

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

District: Cherwell

Application no: 13/00321/OUT

Proposal: 1,000 dwellings, local centre, employment space (5,000sq.m), primary school and other supporting infrastructure, access to A361 – land south of Salt Way.

Location: South of Salt Way adjacent to Bloxham Road Banbury:

This report sets out Oxfordshire County Council's view on the additional documents which have been submitted by the developer as part of the Environmental Impact Assessment which accompanies the application.

Annex 1 to the report contains officer advice.

Overall view of Oxfordshire County Council:-

- Object for the reasons given below

Comments:

This is an outline application for a significant mixed use development site on the southern edge of Banbury. The county council objected to the application when it was submitted in May 2013 on the grounds of the proposed single access onto the A361 from the development, the lack of connectivity between the proposed development and the rest of Banbury, the inadequate transport modelling and the incomplete archaeological information to date.

The applicant has submitted further documentation in support of the environmental statement, which accompanies the application. Specifically, the county council has been consulted by Cherwell District Council on:

- An addendum to the Environmental Statement, which provides additional information on archaeology
- A revised Landscape and Visual Chapter is submitted,
- A update Transport Note is provided,
- The developers also provided an update to the ecology chapter of the ES in August 2013.

- A housing mix has been provided by the developer

Having reviewed the additional documentation submitted by the developer, the county council continues to maintain its objection to this application. Grounds for objection are:

1. The submitted transport assessment fails to appraise appropriately the traffic impact of the development and as such fails to promote the sustainable transport aspirations of the Local Highway Authority, contrary to Oxfordshire Local Transport Plan 3 and the National Planning Policy Framework.
2. The proposal would increase traffic and related delay at sensitive junctions and through Banbury Cross to the detriment of the convenience of highway users, contrary to Oxfordshire Local Transport Plan 3 and the National Planning Policy Framework.
3. The proposal would intensify the use of Wykham Lane which because of its rural nature, being narrow, winding, undulating, unlit and without separate provision for pedestrians or cyclists would be detrimental to the safety of road users, contrary to National Planning Policy Guidance.

Officers have also raised a number of other issues in response to the additional documents; all responses are set out at Annex 1.

The county council has reviewed the level of s106 contributions that would be expected from the developer to mitigate the impact of their proposal, should the district planning authority be minded to approve this application, based on the housing mix recently provided by the developer (there will be additional costs that the developer will need to fund and deliver themselves, such as site access arrangements):

• Transport	=	£1,109,352
• Primary school	=	£7,390,000
• Secondary school	=	£3,504,793
• Special education needs	=	£ 153,280
• Temporary education facilities	=	£ 346,500
• School transport	=	£30,400 to £38,000 per academic year
• Community services	=	£ 626,400

Further details and justification for these figures can be found in Annex 1. Should the application be amended or the development mix changed at a later date, the county council reserves the right to seek a higher contribution according to the nature of the amendment.

Officer's Name: Lisa Michelson
Officer's Title: Locality Manager – Cherwell
Date: 29 November 2013

ANNEX 1
OFFICER ADVICE

RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application no: 13/00321/OUT

Proposal: Additional information submitted as part of the Environmental Impact Assessment in support of an outline application for 1000 dwellings together with a local centre including retail (A1), financial services (A2), restaurants (A3-A5), up to a combined total floorspace of 1000m², employment space (B1) up to a total floorspace of 5000m² with the B1(a) office component limited to a maximum of 2,500m², associated car parking, a community primary school (including space for community uses (D1) and assembly and leisure uses (D2)).

Location: Land South of Salt Way, Bloxham Road, Banbury

ARCHAEOLOGY

Recommendation

- No objection subject to the following conditions, legal agreement and informatives

Key issues:

- The site is located in an area of archaeological interest as identified by the desk-based assessment, geophysical survey and trenches evaluation. A condition requiring a staged programme of archaeological investigation ahead of any development will be required on any planning permission for the site.

Legal Agreement required to secure:

- None

Conditions:

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

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Policy BE6 of the South East Plan 2009 and Government guidance contained within the National Planning Policy Framework.

- b. Prior to any demolition on the site and the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [a], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Policy BE6 of the South East Plan 2009 and Government guidance contained within the National Planning Policy Framework.

Detailed Comments:

We have now received the results of the archaeological trenched evaluation requested for the site. The evaluation recorded a number of archaeological deposits in three areas across the site including a possible Neolithic causewayed enclosure and other undated features, a continuation of an Iron Age settlement recorded in an earlier evaluation to the north east of the site and a small enclosure on the northern side. The possible Neolithic causewayed enclosure is located in an area of proposed green space and will need to be preserved in situ but further investigation and recording of the other archaeological sites identified will be required.

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 as suggested above.

If the applicant makes contact with us at the above address, we shall be pleased to outline the procedures involved, provide a brief upon which a costed specification can be based, and provide a list of archaeological contractors working in the area.

Officer's Name: Richard Oram
Officer's Title: Planning Archaeologist
Date: 13 November 2013

RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

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Proposal: Additional information submitted as part of the Environmental Impact Assessment in support of an outline application for 1000 dwellings together with a local centre including retail (A1), financial services (A2), restaurants (A3-A5), up to a combined total floorspace of 1000m², employment space (B1) up to a total floorspace of 5000m² with the B1(a) office component limited to a maximum of 2,500m², associated car parking, a community primary school (including space for community uses (D1) and assembly and leisure uses (D2)).

Location: Land South of Salt Way, Bloxham Road, Banbury

TRANSPORT

Recommendation

- Object for the reasons given below

Key issues:

- Insufficient Transport Assessment
- Impact on Banbury's road network and sensitive junctions.
- Additional traffic through Banbury Cross
- Additional traffic along Wykham Lane
- Single point of access

Transport Assessment

Officers have been unable to agree with the findings of the submitted transport assessment. Concerns are centred upon the distribution of development traffic ie the direction of travel to and from site; officers contend that a greater number of trips would head north towards various destinations in Banbury, the M40 and other transport links in the morning peak hours and this would be reciprocated by returning vehicles in the evening. Given the doubt over this fundamental evaluation, officers have little confidence in the subsequent junction analysis that has been provided and consider development traffic would have a greater impact upon junctions in Banbury than has been demonstrated.

Further to the issues set-out above, officers have concern with regard to the junction analysis that has been provided. Junctions have been modelled in isolation and this

raises some concern for a development of this scale and where the local network is sensitive. Increased congestion and improvements brought about by the development would lead to certain routes becoming more and less attractive. To provide appropriate models of relevant junctions, officers consider a network based approach is necessary in order to appraise redistributed trips and demand. For these reasons officers consider the submitted transport assessment fails to demonstrate appropriately the impact of development traffic upon the local highway network.

Banbury Cross

The development will generate and, furthermore, is likely to encourage additional traffic movements through Banbury Cross and its approaches. This Council has aspirations to reduce the traffic in this environmentally sensitive area and this is reflected in the current Local Transport Plan and emerging strategy.

Wykham Lane

The development will generate additional traffic movements along Wykham Lane. Despite its location at the periphery of the town, Wykham Lane is best described as a rural lane, narrow, winding, without street lighting and of a lower standard of construction than more strategic routes. As such this intensification of use is considered undesirable in terms of highway safety and convenience.

Access

Vehicular access to the entire development is via two arms of a single roundabout, arguably a single point of access. It is accepted, in principle and subject to detail, that a roundabout could provide access without causing any undue harm to the safety of highway users. However, there are greater consequences for the development and the local highway network as follows.

The roundabout performs no other function than serving development. The development is akin to a large cul-de-sac and there would appear to be little opportunity for vehicular links to the east or north of the site. Some delay to traffic travelling along Bloxham Road would occur but this is unlikely to be significant.

The layout of the site is not being determined at this stage however the nature of the access would result in high traffic flows along primary routes detracting from the residential nature of the site.

A dedicated bus service would be required to serve site as existing services would be delayed by diverting into the site. However, it is noted the applicant is willing to provide for pump priming a dedicated bus service.

Whilst officers would prefer an alternative form access to be proposed, a refusal on the grounds of access provision is not considered appropriate.

Recommendation

Officers recommend the application for planning permission is refused for the following reasons:-

1. The submitted transport assessment fails to appraise appropriately the traffic impact of the development and as such fails to promote the sustainable transport aspirations of the Local Highway Authority, contrary to Oxfordshire Local Transport Plan 3 and the National Planning Policy Framework.
2. The proposal would increase traffic and related delay at sensitive junctions and through Banbury Cross to the detriment of the convenience of highway users, contrary to Oxfordshire Local Transport Plan 3 and National Planning Policy Framework.
3. The proposal would intensify the use of Wykham Lane which because of its rural nature, being narrow, winding, undulating, unlit and without separate provision for pedestrians or cyclists would be detrimental to the safety of road users, contrary to National Planning Policy Guidance.

Should the Local Planning Authority be minded to approve the application then the County Council as Local Highway Authority requests conditions governing a detailed submission of the access proposals, implementation of an appropriate travel plan and the following obligations:-

The developer will be expected to make a contribution towards the schemes identified in the emerging Infrastructure Delivery Plan through the Non-Statutory Cherwell SPD, see the tariff below:

£442 per 1 bed unit, **£638** per 2 bed unit, **£994** per 3 bed unit and **£1,366** per 4+ bed unit (index linked, November 2013).

Using the mix provided by the developer, this equals:

76 x one bed unit x £442 = £33,592
393 x two bed unit x £638 = £250,734
310 x three bed unit x £994 = £308,140
221 x four + bed unit x £1,366 = £301,886

Total = £894,352

Contributions towards bus services are dealt with in the table below:

Stage phasing	Trigger points	Required provision / contributions
Stage 1	Before completion of first dwelling	Provision of bus stops on Bloxham Road (A361) and connecting footways
Stage 2	After the completion of 50th dwelling	Provision of £215,000 towards the enhancement of 488 bus service between Bloxham and Banbury.
Stage 3	After completion of 250th dwelling	Commence operation of additional bus from site to Banbury centre, on an hourly basis 1000-1500 and half-hourly 0630-1000 and 1500-1830 Mondays to Saturdays.

Stage 4	After completion of 500th dwelling	Additional bus service to operate twice per hour between 0630 and 1830 to Banbury Town Centre. Evening and Sunday hourly service should be provided from enhanced Bloxham-Banbury evening and Sunday no. 488 bus service.
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Officer's Name: Geoffrey Arnold
Officer's Title: Senior Engineer and Transport Planner

Date: 29 November 2013
[Click here to enter a date.](#)

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Location: Land South of Salt Way, Bloxham Road, Banbury

PLANNING OBLIGATIONS

The developer has provided an indicative housing mix for the proposed development. The mix for market housing is:

- 76 x one bed dwellings
- 393 x two bed dwellings
- 310 x three bed dwellings
- 221 x four+ bed dwellings

It is calculated that this development would generate a net increase of:

- **2348** additional residents, including
- 208 residents aged 65+

Legal Agreement required to secure:

• Library	£ 199,580
• Waste Management	£ 150,272
• Museum Resource Centre	£ 11,740
• Adult Learning	£ 27,008
• Social & Health Care	£ 228,800
• Total*	£ 626,400

*Total to be Index-linked from 1st Quarter 2012 Using PUBSEC Tender Price Index

- Administration & Monitoring £ 14,736

The county council's legal fees in drawing up and/or completing a legal agreement will need to be secured.

Conditions:

- The County Council as Fire Authority has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There will probably be a requirement to affix fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highway, water main layout and size. We would therefore ask you to add the requirement for provision of hydrants in accordance with the requirements of the Fire & Rescue Service as a condition to the grant of any planning permission
- Fire & Rescue Service recommends that new dwellings should be constructed with sprinkler systems

Library

Oxfordshire County Council has an adopted standard for publicly available library floor space of 23 m² per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc), totalling 27.5 m². Banbury library is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library.

The current cost of extending a library is £2,370 per m² at 1st Quarter 2012 price base. The proposal would also generate the need to increase the core book stock held by the local library by 2 volumes per additional resident. The price per volume is £10.00. This equates to £85 per person at 1st Quarter 2012 price base

The full requirement for the provision of library infrastructure and supplementary core book stock in respect of this application would therefore be based on the following formula:

$$\mathbf{\pounds 85 \times 2,348 \text{ (the forecast number of new residents)} = \pounds 199,580}$$

Strategic Waste Management

Under Section 51 of the Environmental Protection Act 1990, County Councils, as waste disposal authorities, have a duty to arrange for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of that waste.

To meet the additional pressures on the various Household Waste and Recycling Centre provision in Oxfordshire enhancements to these centres are either already taking place or are planned, and, to this end, contributions are now required from developers towards their redesign and redevelopment.

A new site serving 20,000 households costs in the region of £3,000,000; this equates to £64 per person at 1st Quarter 2012 price base

£64 x 2,348 (the forecast number of new residents) = £150,272

County Museum Resource Centre

Oxfordshire County Council's museum service provides a central Museum Resource Centre (MRC). The MRC is the principal store for the Oxfordshire Museum, Cogges Manor Farm Museum, Abingdon Museum, Banbury Museum, the Museum of Oxford and the Vale and Downland Museum. It provides support to these museums and schools throughout the county for educational, research and leisure activities.

The MRC is operating at capacity and needs an extension to meet the demands arising from further development throughout the county. An extended facility will provide additional storage space and allow for increased public access to the facility.

An extension to the MRC to mitigate the impact of new development up to 2026 has been costed at £460,000; this equates to £5 per person at 1st Quarter 2012 price base.

£5 x 2,348 (the forecast number of new residents) = £11,740

Adult Learning

The County Council is looking to improve and provide a more sustainable Adult Learning facility in Banbury. Any additional provision will be aligned with the priority to have a substantial new Adult Learning Centre in the towns as part of developing a cultural Quarter centred on The Mill as outlined in the emerging Masterplan for Banbury.

A new 2 classroom facility costs £440,000 at 1st Quarter 2012 price base. This facility will provide for 1,350 learners per annum; this equates to £326 per learner. At least 5% of the adult population are likely to take up adult learning; this equates to £16 per person.

**£16 x 1688 (the forecast number of new residents aged 20+) =
£27,008**

Social & Health Care - Day Care Facilities

To meet the additional pressures on day care provision the County Council is looking to expand and/or improve day care facilities at Stanbridge Hall.

A new Day Care centre offering 40 places per day (optimum) and open 5 days per week costs £11,000 per place at 1st Quarter 2012 price base. Based on current and predicted usage figures we estimate that 10% of the over 65 population use day care facilities. Therefore the cost per person aged 65 years or older is £1,100.

**£1,100 x 208 (the forecast number of new residents aged 65+) =
£228,800**

Administration

Oxfordshire County Council require an administrative payment of **£14,736** for the purposes of administration and monitoring of the proposed S106 agreement.

Indexation

Financial contributions have to be indexed-linked to maintain the real values of the contributions (so that they can in future years deliver the same level of infrastructure provision currently envisaged). The price bases of the various contributions are covered in the relevant sections above.

General

The contributions requested have been calculated where possible using details of the development mix from the application submitted or if no details are available then the County Council has used the best information available. Should the application be amended or the development mixed changed at a later date, the Council reserves the right to seek a higher contribution according to the nature of the amendment.

The contributions which are being sought are necessary to protect the existing levels of infrastructure for local residents. They are relevant to planning the incorporation of this major development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal.

Officer's Name: Lois Partridge

Officer's Title: Senior Planning Officer

Date: 25 November 2013

RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

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Location: Land South of Salt Way, Bloxham Road, Banbury

EDUCATION

Key issues:

- Based on the revised housing mix supplied by the developer, the proposed development is projected to generate a demand for 245 mainstream primary school places (age 4-10), 171 mainstream secondary school places (age 11-15), 28 sixth form places (age 16-19) and 5 Special Education Needs (SEN) school places. This represents a small increase on the figures which the council used in our previous response.
- This development lies within the school planning area of Banbury, and within the current designated area of Harriers Ground Primary School and the former designated area of Banbury School – now Banbury Academy, which does not designate a catchment area.
- Expansion of primary school capacity in the area would be necessary as a direct result of this housing development. A new primary school would be required as part of the development, fully funded by the development.
- If this application is approved in addition to the housing identified in the CDC draft Local Plan, expansion of capacity at existing secondary school(s) in the area would be necessary as a direct result of this housing development.
- The development would also be expected to result in an increased demand upon special educational needs (SEN) schools, and expansion of provision would be necessary as a direct result of this housing development.
- Temporary accommodation may need to be provided at an existing primary school pending the opening of the on-site school; school transport may also be required depending on home to school distance.

Legal Agreement:

- Developer contributions to fund a new primary school of an appropriate size in line with expected pupil generation. The pupil generation based on an assumed housing mix exceeds the capacity of a 1form entry primary school;

the next acceptable size of school is a 1.5 form entry school. It may be that the county council judges it more appropriate for the development to provide a 1 form entry new school and contribute towards extension of existing primary school accommodation in line with the balance of pupils, but this would need to be reviewed once there is an agreed housing mix. Contributions are sought based on Department for Education (DfE) advice for new schools weighted for Oxfordshire. Based on a requirement for a 1.5 form entry school we therefore require a contribution of **£7,390,000** (index linked from 1st Quarter 2012 using PUBSEC Tender Price Index) to primary school infrastructure for these homes.

- A primary school site of 2.22ha would be required, fully serviced and at no cost to the county council; site size and location within the Masterplan is to be subject of further negotiation.
- Developer contributions towards the expansion of secondary school capacity by a total of 199 places (including 28 x 6th form places). Contributions are sought based on DfE advice for secondary school (age 11-15) extensions weighted for Oxfordshire and including an allowance for ICT and sprinklers - £17,455 per pupil place at 1st Quarter 2012 price base for secondary school places (11-15) and £18,571 per pupil place at 1st Quarter 2012 price base for sixth form places. We therefore require a contribution of **£3,504,793** (index linked from 1st Quarter 2012 using PUBSEC Tender Price Index) to secondary school (including sixth form) infrastructure for these homes.
- Developer contributions towards the expansion of one or more SEN schools by a total of 5 pupil places. We are advised to allow £30,656 per pupil place at 1st Quarter 2012 price base to expand capacity in special educational needs schools. We therefore require a contribution of **£153,280** (index linked from 1st Quarter 2012 using PUBSEC Tender Price Index) to special educational school infrastructure for these homes.
- Developer contributions towards the costs of providing (and subsequently removing/reinstating) temporary accommodation at an existing school. The cost of two temporary classrooms is **£346,500** at 1st Quarter 2012. The exact cost would be reviewed when the location of the units on-site has been established and any abnormal costs identified.
- Contributions towards the costs of school transport at a rate of £160 to £200 per day for each coach for up to 40 children based on current contract prices for coaches. 190 school days per year x £160 - £200 = **£30,400 to £38,000** per academic year per coach for 40 children.

Conditions (with reasons):

- Planning permission to be dependent on a satisfactory agreement to secure the resources required for expansion of education provision.

Informatives:

- Banbury primary schools have experienced rapid growth in demand for places in recent years, so that overall, although there are still spare places in the older year groups, the younger year groups are full. Current admission numbers across the partnership total 618, and for September 2013 Reception class there were 686 applications, with 680 places allocated. This was only

possible because one school which has enough accommodation for 1.5fe, but which has been published at 1fe (i.e. PAN 30) while demand was lower, was able to take a bulge class (intake of 60), and will be able to take another in 2013. It does not have sufficient accommodation to take 60 every year, and we are now undertaking a feasibility study into permanent expansion. We have also agreed with other schools for them to take small amounts over their admission number – in some cases this is ahead of permanent increases in PAN, in others it will need to be a one-off unless additional accommodation is provided. There is, therefore, already a deficiency of Reception places, and given the current capacity of primary schools in Banbury of 4227 places, forecasted demand for school places shows an overall deficiency of places by 2015 unless schools expand. As well as the school referred to above, we are carrying out feasibility studies at two other primary schools to provide additional space partly to meet demand from the existing population and partly to respond to housing growth. All housing development in Banbury is therefore expected to contribute towards a strategic programme of primary school capacity expansion in the town.

- Banbury secondary schools currently have spare capacity, and with their current accommodation would be expected to continue to do so until after 2020 (although as they are all their own admissions authorities, they may choose to alter their capacities). However, if additional housing is permitted on top of the levels proposed in the CDC Draft Local Plan, then it, combined with the rising numbers now in primary schools and the significant housing growth proposed for Banbury, will mean that at secondary school capacity expansion will be required.
- 1.02% of children across Oxfordshire are educated in SEN schools. On this basis, it is projected that the development will generate an additional 5 pupils requiring SEN provision, and expansion of SEN capacity would be needed as a direct result of the increased school-age population. The next priority for capital investment is additional capacity at Frank Wise School in Banbury. A bid is currently being prepared to the Education Funding Agency for matched funding towards this accommodation, to supplement Basic Need and S106 funding. An “Invest to Save” proposal is also well advanced to build a new autism school at an estimated capital cost of £4m to accommodate children who are currently taught out of county due to a shortage of appropriate provision.

Officer's Name: Lois Partridge

Officer's Title: Senior Planning Officer

Date: 25 November 2013
