

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

**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Purpose of document**

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local members have responded these have been attached by OCCs Major Planning Applications Team ([planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)).

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## **Strategic Comments**

### **Comments:**

This application forms the eastern part of the strategic site allocation Banbury 17 within the adopted Cherwell Local Plan. Oxfordshire County Council (OCC) object to this application for the following reasons:

- No master plan for the wider Banbury 17 site has been produced, this is contrary to the requirements of policy BAN 17. It is essential that this policy requirement is fulfilled prior to the determination of the applications on the site in order to ensure that the necessary infrastructure to mitigate the allocation is deliverable.
- The application does not contain a scaled layout plan that confirms the location of the spine road, running from this application site west to the Gallagher application area. The application site is dependent on delivery of the spine road between A361 (Bloxham Rd) and A4260 (Oxford Road), linking into a junction at White Post Road. Without a Masterplan in place, to which all parties are signed up to, delivery of the spine road is not established and therefore the application site is contrary to Banbury 17 Policy.
- We have identified a number of inadequacies with the Transport Assessment which lead us to the conclusion that it fails to demonstrate adequately the impact of the development on the local transport network.

**Officer's Name:** Lisa Michelson

**Officer's Title:** Locality Manager

**Date:** 04 September 2015

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## **Transport**

### **Recommendation:**

Objection

Objection is recommended on the basis that the proposal is contrary to Local Plan policy Banbury 17, and the application fails to demonstrate that the proposal would not cause a severe impact on the local transport network or offer any mitigation for its impact.

### **Key issues:**

- Absence of masterplan for Banbury 17
- Spine road
- Impact on junctions assessed
- Inadequacies in transport assessment

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

Should the Local Planning Authority be minded to grant planning consent, the following will be required as a minimum, secured through a S106 agreement:

- Contribution towards Banbury Area Transport Strategy, calculated on the basis of housing mix once known
- A contribution in the order of £5000 to cover the consultation on any necessary TROs
- A contribution of £1,240 to enable the travel plan to be monitored for a period of five years
- A contribution to provide for new/upgraded bus stop infrastructure (shelters, flagpole, information case)
- Provision of spine road and pedestrian and cycle routes leading from the site to adjacent existing and future built up areas, including across Salt Way
- An undertaking to improve the public footpath within the site: Bodicote Footpath 13 (137/13)
- Provision of access arrangements from White Post Road – to be agreed (S278)
- Improvements to local walking and cycling routes (to be determined following walking/cycling audit).
- Section 106 agreement to provide financial contribution to procuring the new bus service.
- Section 278 arrangement to provide basic bus stop infrastructure at agreed bus stop locations (hard-standing areas, connecting footways, marked cages on roadway).

- Section 106 agreement to provide other bus stop infrastructure (Premium Route bus stop pole/flag/information case units, shelters and electronic real-time information signs.) Arrangements must be made for ongoing maintenance of this equipment.

## **Conditions:**

Should the Local Planning Authority be minded to grant planning consent, I would recommend the following conditions:

### **Access: Full Details**

Prior to the commencement of the development hereby approved, full details of the means of vehicular, cycle and pedestrian access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

[Reason DR1](#)

### **Close Existing Accesses**

Prior to the first use of the access hereby approved, the existing accesses onto Wykham Lane shall be permanently stopped up by means of [insert] and shall not be used by any vehicular traffic whatsoever.

[Reason DR1](#)

### **Estate Accesses, Driveways and Turning Areas**

Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

[Reason DR2](#)

### **Cycle Parking Provision**

Prior to the first use or occupation of the development hereby permitted, secure cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the secure cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

[Reason DR4](#)

### **Travel Plan**

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4](#)

Prior to the 140<sup>th</sup> occupation of the development an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved updated Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4 \(to take into account the analysis of survey data from households\)](#)

## **Drainage**

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing

## **Protection of Existing Public Footpaths**

Prior to the commencement of any part of the development hereby approved within 10m of the existing public footpath(s), the affected footpath(s) shall be protected and fenced to accommodate a width of a minimum of 5m in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the footpath(s) shall remain fenced and available for use throughout the construction phase in accordance with the approved details until a time that the diverted footpath(s) is/are available for use by the public in accordance with condition unless provision has been made for temporary closure under the Highways Act 1980.

[Reason DR10](#)

## **Public Transport**

The developer must identify locations for bus stops at the earliest possible opportunity, with these locations marked on all plans, so all stakeholders and future purchasers are absolutely clear about this. Indicative locations should be shown at Outline stage, with firm location agreed before Full or Reserved Matter applications. Probably, two pairs of stops will be required (4 in total).

The developer to engage with Banbury Town Council as early as possible, regarding future arrangements for bus shelter maintenance. The Town Council has a contract with Clear Channel Ltd for the supply of shelters (advertising and non-advertising).

## **Informatives:**

Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk)

## **Detailed comments:**

### **Banbury 17 Policy Area – Masterplan**

The Local Plan Banbury 17 Policy stipulates that there must be a site wide masterplan. The Banbury 17 policy area has come forward through three separate planning applications: it is a policy requirement that each provides and is accompanied by a joint Banbury 17 wide masterplan. As yet a Banbury 17 masterplan has not been submitted with any of the applications. Therefore the application is not compliant with Banbury 17 policy.

### **Provision of the Banbury 17 Spine Road**

The application does not contain a scaled layout plan that confirms the location of the spine road, running from this application site west to the Gallagher application area. The application site is dependent on delivery of the spine road between A361 (Bloxham Rd) and A4260 (Oxford Road), linking into a junction at White Post Road. Without a Masterplan in place, to which all parties are signed up to, delivery of the spine road is not established and therefore the application site is contrary to Banbury 17 Policy.

Moreover, the position of the spine road within the development is dependent on the location of various land uses within the overall Banbury 17 allocation, so the position indicated in this application may not connect with the adjacent site in a suitable location. Again, a masterplan is required to determine the position of the entire spine road.

Further, the position of bus stops needs to be fixed in the masterplan, optimising the walking distance aiming at no more than 400m from any dwelling.

The principle of the corridor width is accepted. However, this may need to be increased on bends and the route will need to be tracked for an E300 bus (2-way).

### **Access to the Saltway Path**

The Saltway is a restricted byway and the application needs to be clear about how access from the development to the Saltway will be achieved, including preventing any type of ransom strip from occurring, or highlighting where 3<sup>rd</sup> party land is required. Routes across Salt Way are critical to the pedestrian connectivity of the application site.

Three points of access from the application site to the Saltway restricted byway are proposed: it is not clear if these are deliverable, and if the onward routes to key off site destinations are suitable for both walking and cycling. No walking or cycling facilities audits have taken place to key off site destinations; these were requested in the pre-application advice.

### **Site Access at White Post Road**

It is noted that a priority junction, where by the development spine road is the minor arm, and a three armed roundabout have been assessed. A third option exists where by a priority junction is created, however the major priority is given to the development spine road and the north section of White Post Road (leading to Sycamore Drive roundabout), and the minor arm is White Post Road south. This arrangement has not been assessed. It is recommended this option is assessed, in order to confirm (with a full spine road in place) which of the three options is the optimum junction type.

It is agreed that the priority junction, where by the development spine road is the minor arm, is not suitable to serve the Banbury 17 policy area and should not be progressed. Whichever junction arrangement is confirmed as providing the optimum solution, this will be required from the 1<sup>st</sup> occupation of this application site, an interim solution will not be suitable.

Dimensions and intervisibility splays need to be provided for the roundabout general arrangement drawing, before this can be assessed.

The access arrangements should also be modified to provide improved facilities for cyclists heading south on White Post Road from Salt Way, allowing them to avoid using the roundabout, particularly as this is a strategic, national cycle route (NCN 5). The walking route from Salt Way is a well-used route to school and therefore suitable crossing facilities (other than tactiles at roundabout splitter islands) to assist in negotiating the site access junction should be provided in either option.

Visibility splays for the cricket club access should be shown and justified. This should be treated as a junction rather than a vehicle cross over.

Clarification is needed on whether the pedestrian access to the cricket club is through the middle of the car park. I would like to see it separated from the car park or alongside it rather than through the middle.

Parking restrictions are proposed as part of the access arrangements. It is agreed that this will be necessary (although will be difficult to enforce) but it is likely to displace the school parking further towards residential areas and along the spine road. The extent of the parking restrictions will need careful consideration.

If parking restrictions are not extended back for a significant distance along the spine road, it is likely to be used for school parking, which will need to be taken into account in the bus tracking. It will also affect the morning peak hour operation of the junction, with more traffic using the spine road.

### Traffic impact

Notwithstanding inadequacies in the Transport Assessment (see below), the impact on some junctions could be considered severe. The predicted increase in queue lengths is significant especially at Hightown Road and Upper Windsor St (right turn) (SJ8 and SJ9) which show an increase in delay with the addition of development traffic of 13 and 25 secs respectively, which represents an increase in delay of around 25% in both cases.

### Transport assessment

We have identified a number of inadequacies with the Transport Assessment which lead us to the conclusion that it fails to demonstrate adequately the impact of the development on the local transport network.

### Committed Development

It is noted the following Committed Development sites have been omitted from the Transport Assessment. It is not clear why these have been omitted. In my view, these need to be included in the assessment.

Local Plan Allocation Site	Land Parcel	Planning Application	Planning Application Outcome	Date of Decision	App Heading
Banbury 2	Land Adjoining Foxhill And West Of Southam Road Banbury	13/00158/OUT	Application Permitted	18th December 2013	OUTLINE - Development of up to <b>90 residential</b> (Use Class 3/extra care housing), Class A uses, Class D1 use with associated access, landscaping/open space, parking and related works

Banbury 2	Hardwick Farm, East of Southam Road, Banbury	13/00159/OUT	Application Permitted	18th December 2013	OUTLINE - Demolition of existing structures; development of up to 510 residential units.
Banbury 5	Land Off Warwick Road North Of Hanwell Fields Banbury (Northern parcel)	12/01789/OUT	Application Permitted	2nd September 2014	Outline application for up to 350 dwellings, together with new vehicular access from Warwick Road and associated open space
Banbury 5	Land N Hanwell Fields Warwick Road, Banbury (Southern Parcel)	14/00066/OUT	Application Permitted	Thu 02 Apr 2015	OUTLINE - Planning Application for up to 160 dwellings together with associated infrastructure and open space with all matters reserved except access
Non Allocated Site	Land North East of Crouch Hill Farm and South Broughton Road, Banbury, Oxfordshire	13/01528/OUT	Application Permitted		Residential development including means of access from Broughton Road, Banbury (indication up to 40 dwellings)

### Local Plan Banbury 16 Policy Area

Paragraph 10.1.4.1 refers to Land to the West of Bloxham Road this site known in the Local Plan as Banbury 16 is committed development for 350 dwellings (14/01188/out). This site should have been included in the committed development as it is not part of Banbury 17 policy area.

### Background traffic growth assumptions

A technical note has been provided showing that TEMPRO growth has been adjusted to deduct committed development households. This is not entirely clear: workings have not been shown and the committed development appears to have been deducted in its entirety from two separate time periods. This requires further clarification.

### Trip generation

The Transport Assessment describes how the TRICS output has been filtered to remove sites near to neighbourhood centres, and multiple survey dates at the same site. I do not consider that this is justified – the more surveys are included, the more reliable the results, and there is a neighbourhood centre as part of the Banbury 17 policy area. The TRICS output has not been provided with the transport assessment.

### Traffic survey data

Traffic count data has not been provided to support the junction assessments, or establish the peak hour. Data from queue length surveys to validate LINSIG models has not been provided. Dates on which surveys were carried out have not been provided.

### Use of 2011 Census Travel to Work Data

The Transport Assessment has not used the Census area Cherwell 008 that covers most of the site. The reason is explained in the Travel Plan, why two neighbouring Census output



areas have been used, however, not what the difference would be if Cherwell 008 area was included in the assessment. The reason given is that the travel characteristics of residents would be more akin to those in Banbury than to the villages of Bodicote and Bloxham. In my view this is unlikely, as the nearby Banbury census area consists largely of older housing, where residents will probably have more established, local transport patterns and be less likely to commute longer distances.

### **Distribution of trips**

Trips to M40 southbound (10%) appear to have been assigned to junction 11 when in fact the route of choice is much more likely to be junction 10 via the B4100. This means the impact on junctions on the A4260 to the south will be more significant.

### **Transport Network Assessment**

It is noted that the following key junctions are omitted from the network assessment:

- A4260 Oxford Road/Farmfield Road signals
- Bankside / Swan Close Road/Hightown Road priority junctions, to be upgraded to signals through Longford Park s278
- Concord Avenue/Cherwell Drive roundabout.
- Springfield Ave/A361 and Queensway/A361
- High St/Weeping Cross

Additionally, the pre-application advice recommended assessment of these junctions which have been omitted:

- A4260 / Twyford Road (Adderbury)
- A4260 / B4100 Aynho Road (Adderbury)

Consequently we do not know the impact at these junctions.

### **Working with Other Sites with Banbury 17**

There is significant overlap in the strategic transport assessment between this application site, and the adjoin Gallagher land. Due to the scale of the combined development and the introduction of a new link (the spine road) my view is that the Banbury Highway Saturn Model should be used to assess the transport impact on the wider network. As both planning applications are live planning applications there is an opportunity for both developments to jointly commission an assessment using the model.

### **Junction Assessment**

Modelling software outputs have not been provided so parameters cannot be checked.

- **Signalised junctions**

LINSIG models have been created and tested against observed queues, which are said to validate the models. However, the match between observed and modelled queues is in some cases not convincing, therefore the outputs from the models are not considered reliable.

The following junctions have been assessed with NTM+Committed Development +Application site (i.e. not full Banbury 17 and excluding Banbury 16):

- SJ8: HIGHTOWN ROAD/OXFORD ROAD/HORTON VIEW.
  - This has been assessed as a standalone junction, whereas it operates as part of a signalised corridor, with Oxford Farmfield Road junction which is omitted from the assessment, and SJ9: UPPER WINDSOR STREET/OXFORD ROAD. This should have been taken into account in the modelling.

- TABLE 11 LINSIG ANALYSIS RESULTS for SJ8: OXFORD ROAD/HIGHTOWN ROAD/HORTON VIEW at 2025 BASE & WITH DEVELOPMENT shows the Degree of Saturation at 84% for a couple of movements. This is a concern as it is approaching capacity without the full Banbury 17 development area built out.
- SJ9: UPPER WINDSOR STREET/OXFORD ROAD
  - Table 15 - 2025 BASE & WITH DEVELOPMENT shows the Degree of Saturation exceeds 85% in several cases indicating the junction is approaching capacity. This is a concern as it is approaching capacity without the full Banbury 17 development area built out.
- SJ13: SWAN CLOSE ROAD/UPPER WINDSOR STREET
  - TABLE 15 2025 BASE & WITH DEVELOPMENT shows several movements with a Degree of Saturation exceeding 85% and in two cases over 90%. This is a concern as it is very close to capacity without the full Banbury 17 development area built out.

No mitigation is proposed in the TA for these junctions.

- **Banbury 17 Allocation / OCC Sensitivity Test**

The traffic assessment has assumed that only trips arising from the Banbury 17 area, and the committed developments included, will re-route via the spine road, and no assessment of the attractiveness of existing base traffic. Whilst the necessity of the spine road is to distribute trips arising from Banbury 17, the junction assessments at either end of the spine road need to be robust and include re-routing of baseline traffic as well as new trips from development. The most comprehensive way of analysing this is through the Banbury Highway Model.

- **OCC Sensitivity Test Junction Capacities**

There are at least three junctions of concern arising from the traffic impact assessment of the application site (as discussed above); these are:

SJ8: HIGHTOWN ROAD/OXFORD ROAD/HORTON VIEW  
 SJ9: UPPER WINDSOR STREET/OXFORD ROAD  
 SJ13: SWAN CLOSE ROAD/UPPER WINDSOR STREET

These junctions are not re-assessed under the sensitivity test. This is of concern due to the three developments sites omitted from the initial tests (14/01188/OUT, 12/00080/OUT and 14/01932/OUT). The full impact at these three junctions of the spine road in place has not been shown.

Of the junction capacities that are assessed, there is concern about Bodicote flyover slip roads, SJ2A: Oxford Road/Northbound Slips and SJ3A Oxford Road/Southbound Slips, these show both the priority junctions to be approaching capacity at 2025.

### **Accident history**

A three year accident history only has been provided. It is normal practice to provide a five-year history – justification is not given for providing only three years. Given the scale of the development, and the proximity to schools, I feel that five years should be provided in order to ensure that no mitigation requirements are overlooked.

## **Mitigation**

It is noted that no off-site transport mitigation is proposed for highways, walking, or cycling. No off site audits for walking and cycling have been carried out, and there are some junctions of concern.

## **Contribution to Banbury Area Transport Strategy**

It is recognised that the all peak hour trips add to the Banbury transport network. A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure and services which cannot be attributed to a single development, but which will benefit trips from this proposed development.

The Cherwell Planning Obligations Draft Supplementary Planning Document (July 2011) provides a contribution rate towards general transport and access impacts.

Once a housing mix is provided the following will be used to calculate the contribution toward the Banbury Area Transport Strategy:

The Transport Infrastructure means the formula Matrix"  
 $£(Ax 442) + (B X 638) + (C X 994) + (D X 1,336)$

When

A means the number of 1 Bedroomed Units

B means the number of 2 Bedroomed Units

C means the number of 3 Bedroomed Units

D means the number of 4 Bedroomed Units

Direct mitigation schemes, including public transport, are additional to the contribution to the Banbury Area Transport Strategy.

Contributions will be specified towards a specific scheme/s within the Banbury Area Strategy of Connecting Oxfordshire: Local Transport Plan 2031.

## **Public Rights of Way**

Bodicote Footpath 13 (137/13) runs across the site and will need to be accommodated and integrated within the development.

The Salt Way which is recorded as Banbury Restricted Byway 43 (120/43) runs to the North of the site. This is a popular historic route used mainly by pedestrians and cyclists. The existing footpath connects with this as will the proposed greenways and cycleways. It is important that the boundary is maintained so that vehicles are not able to gain access to this route.

## **Drainage**

The drainage strategy proposal for the development is to discharge into existing sewer using SuDs components to attenuate with limiting rate of discharge. Capacity checks for existing sewer lines are recommended, and also CCTV survey to ascertain the fact that the existing system can cope with the additional discharge without impacting the highway.

Note drainage condition above.

## **Travel Plan**

A full residential travel plan will be required for this development. A draft has been submitted with this application but this will need to be updated to a full travel plan which meets OCC

criteria on occupation of the 140<sup>th</sup> house, when adequate survey data becomes available. More travel plan specific comments can be found below.

A residential travel information pack is required to ensure all residents are aware of the travel choices available to them from the outset.

Cycle parking within each residential boundary is welcomed. Visitor cycle parking is also required – adjacent to play areas is a suitable place.

The name and contact details of the site travel plan co-ordinator should be forwarded to the Travel Plans Team at Oxfordshire County Council prior to first occupation to enable an effective travel plan related dialogue to take place.

A travel plan monitoring fee of £1,240 is required to enable the travel plan to be monitored for a period of five years.

Reference to a framework travel plan should be removed. The travel plan, submitted to support this application should be a full travel plan, which at the moment is at a draft stage.

The travel plan target of 0.537 2-way peak hour vehicle trips after five years is not particularly ambitious but is below the trip generation used in the assessment.

The action plan should specify that the travel plan will be updated to a full travel plan on occupation of the 140<sup>th</sup> house, when survey data is available.

Measures we would recommend are considered within the travel plan:

- Storage for home deliveries
- Taster bus tickets
- Cycle maintenance vouchers
- Other incentives for sustainable travel

### **Layout**

No comment is provided on the indicative layout as this would be for a reserved matters application. However, note that tracking for a large refuse vehicle would be required with any application. We will also be looking for pedestrian connectivity to be maximised. If outline permission is granted the developer is recommended to seek pre-application advice on any proposed layout.

### **Public Transport**

The Spine Road should have a minimum width of 6.75 metres, without vertical deflection, to be suitable for bus operation, at least in line with Road Type 2 (Link Road) designation in the Council's Residential Road Design Guide.

Whilst there is a clear intention that the new bus service should operate along the entire length of the spine road, there will almost certainly be a requirement to operate an initial bus service to an intermediate turning point, before the full service can be initiated. This will be due to phasing issues, until the full route can be operated. The developer must therefore make provision to turn buses around, near to the western boundary of this application.

It's envisaged that a new bus route will be introduced along the new spine road, from the Bloxham Road along the new Spine Road, Bankside and a new link along Tramway Road to the Rail Station and thence to the Town Centre. It is possible that this route could be cross-linked with other bus services, to provide direct access to workplaces to the north or east of the Town Centre.

This new bus service would be procured on a pump-priming basis, to ensure that it became fully commercially viable after a few years. The cost of introducing the new service will be considerable, but will move towards commercial viability after 8 years of operation.

There are plans to make a significant improvement to local bus services in the Banbury area, including the implementation of new routes to residential developments. There is an ambition to connecting new residential areas with workplaces and interchange points for transfer for other services to work destinations, all with the aim of increasing the numbers of people travelling to work by bus, and thus mitigating the impact of new housing on the town's road network.

**Officer's Name: Joy White**

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

**Date: 27 August 2015**

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**District:** Cherwell

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## Archaeology

### Recommendation:

No objection subject to conditions

### Key issues:

The site has been the subject of an archaeological geophysical survey and trenched evaluation which recorded a range of deposits dating from the Bronze Age through to the Iron Age. A staged programme of archaeological investigation will be required ahead of any development of the site. This can be secured through an appropriately worded condition.

### Legal agreement required to secure:

None

### Conditions:

- F6** 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.

- F11** Prior to any demolition on the site (other than in accordance with the agreed Written Scheme of Investigation) and prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [F6], 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.

**Informatives:**

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.

**Detailed comments:**

The site has been the subject of an archaeological geophysical survey and trenched evaluation which recorded a range of deposits dating from the Bronze Age through to the Iron Age. The evaluation phase recorded boundary ditches, enclosures pits and roundhouses dating to the Iron Age as well as a possible Bronze Age barrow. Further archaeological investigation will be required ahead of the development of the site and a condition requiring a staged programme of archaeological investigation will be required on and subsequent planning application.

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.

**Officer's Name: Richard Oram**

**Officer's Title:** Planning Archaeologist

**Date:** 10 August 2015

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## **Education**

### **Recommendation:**

No objection subject to conditions

### **Key issues:**

Based on the information currently available, this proposed development has been estimated to generate 107 primary pupils, 85 secondary pupils (including 11 sixth formers) and 2.1 pupils requiring education at an SEN school.

#### **Primary education**

- £2,055,470 Section 106 required towards the cost of the new primary school planned for the South of Salt Way development.

#### **Secondary education**

- £1,495,951 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, at Warriner School.

#### **Special Educational Needs (SEN) education**

- £64,378 Section 106 required for the necessary expansion of permanent SEN school capacity serving the area, at Frank Wise School.

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

£2,055,470 Section 106 developer contributions towards the cost of the new primary school planned for the South of Salt way development, based on 107 pupil places directly related to this development. This is based on the pro rata cost of building a new 2 form entry primary school, which the county council's property consultants have calculated as £19,210 per pupil, or £8,068,000 in total. This is index linked to 3<sup>rd</sup> Quarter 2012 using PUBSEC Tender Price Index.

£1,495,951 Section 106 developer contributions towards the expansion of Warriner School by a total of 85 pupil places (including 11 sixth form places). This is based on Department for Education (DfE) advice for secondary school extension weighted for Oxfordshire and including an allowance for ICT and sprinklers at £17,455 per pupil place and £18,571 per Sixth Form pupil place. This is index linked to 1st Quarter 2012 using PUBSEC Tender Price Index.



£64,378 Section 106 developer contributions towards Frank Wise (SEN) School, based on projected pupil generation of 2.1 pupils. This is index linked to 1st Quarter 2012 using PUBSEC Tender Price Index. We are advised to allow £30,656 per pupil place to expand capacity in special educational needs schools.

**Conditions:**

Planning permission to be dependent on a satisfactory agreement to secure the resources required for the necessary expansion of education provision. This is in order for Oxfordshire County Council to meet its statutory duty to ensure sufficient pupil places for all children of statutory school age.

**Informatives:**

This site forms the eastern section of the strategic site allocation Banbury 17 within the emerging Cherwell Local Plan. The Local Plan policy BAN 17 requires a master plan for the wider Banbury 17 site to be produced.

A new primary school will be required to serve the Salt Way strategic development area. This proposed development should contribute towards the cost of the new school (including land) in a fair and reasonable manner. Also in accordance with Policy Banbury 17 of the Cherwell Local Plan 2011-31 land needs to be reserved within the allocation to meet town wide secondary school needs. The S106 agreement for this site will need to be in line with those for the other parcels of this development area that are yet to be permitted. Negotiations are ongoing, and the details provided in this response may therefore need to be amended.

**Detailed comments:**

The scale of the proposed south of Salt Way developments, and the lack of surplus places in existing primary schools in the area, requires that south of Salt Way provides a new primary school of an appropriate size. Taking into account all of the parcels of this development area, the school will need to be 2 form entry. The school site is planned to form part of the separate application for the largest section of this development area.

This specific proposed development will need to contribute towards the new school in a fair and reasonable manner.

For secondary education, it has been identified that the existing schools in the Banbury/Bloxham area will need to expand to meet the rising pupil numbers already in the town’s primary schools. The schools jointly offer 730 places per year group currently. The current combined admission numbers will be insufficient from 2016 onwards, as shown by the pupil census data below:

<b>Year group in 2014/15</b>	<b>Y6</b>	<b>Y5</b>	<b>Y4</b>	<b>Y3</b>	<b>Y2</b>	<b>Y1</b>	<b>R</b>
<b>Year of transfer to secondary school</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Cohort size in 2014/15</b>	715	785	792	852	897	878	877

For 2014 transfer, there was a shortage of places, and some children had to be offered places at schools outside the area. Expansion of secondary school places is therefore necessary to meet the needs of the existing population, and further additional capacity will be needed to meet the needs of housing development, and make it acceptable in planning terms.

Increased capacity is planned in the first instance through expansions of existing schools. Although the scale of housing growth in the town, including that proposed in the Cherwell Local Plan, is expected to require a new secondary education establishment in addition, there is not yet a confirmed project for the new school, and therefore contributions from this development are sought towards the programme of expansion of existing schools.

There is an insufficiency of capacity for SEN provision across Oxfordshire and within Banbury itself to meet the needs of the growing population. Demands arising from further residential development will need to be addressed. SEN contributions will be used on establishments serving, and thus directly related to, the area of the development. For Banbury developments, the nearest such establishment is Frank Wise School (in Banbury) where the council is delivering a £1.8m project to replace 24 places currently provided in temporary classrooms as well as provide 8 additional places for growth. Grant funding of £963k has been secured towards this project, leaving a balance of £837k for the county council to fund from S106 and other sources. Given the scale of growth proposed in the revised Cherwell Local Plan, options are being assessed for further expansion of the school, or provision of additional SEN provision elsewhere in Banbury.

Section 106 developer contributions towards the expansion of permanent Special Educational Needs school capacity are calculated in line with the expected increase in SEN pupil numbers, based on 1.11% of school pupils attending SEN schools. The figure of 1.11% is derived from pupil census data on pupils attending Oxfordshire mainstream and SEN schools. We are advised by the county council's property consultants Turner & Townsend to allow £30,656 per pupil place to expand capacity in special educational needs schools. This is index linked to 1st Quarter 2012 using PUBSEC Tender Price Index.

**Officer's Name: Barbara Chillman**

**Officer's Title: Pupil Place Planning Manager**

**Date: 10 August 2015**

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## Property

### Recommendation:

No objection subject to conditions

### Key issues:

- The County Council considers that the impacts of the development proposal (if permitted) will place additional strain on its existing community infrastructure.
- The following housing development mix has been used:

22 x One Bed Dwellings  
42 x Two Bed Dwellings  
40 x Three Bed Dwellings  
176 x Four Bed Dwellings

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

#### **802 additional residents including:**

44 resident/s aged 65+  
531 residents aged 20+  
63 resident/s ages 13-19  
69 resident/s ages 0-4

### Legal Agreement required to secure:

- |                  |            |
|------------------|------------|
| • Library        | £68,170.00 |
| • Adult Day Care | £48,400.00 |

<b>Total</b>	<b><u>£116,570.00</u></b>
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**Admin and monitoring fee** **£11,000**

Admin and monitoring fee - Oxfordshire County Council requires an administrative payment of £11,000 for the purposes of administration and monitoring of the proposed S106 agreement, including elements relating to Education. The admin fee may increase depending on the value of any Transport related contributions.

OCC is not seeking property contributions to mitigate the impact of this development on all infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended).

The County Councils 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.

### **Informatives:**

- Fire & Rescue Service recommends that all new building including all new dwellings are constructed with fire suppression systems.

### **Detailed Comments:**

#### **Local Library**

This development is served by Banbury Library.

This provision is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library service.

Costs for improvements are based upon the costs of extending a library.

The costs of extending a library is £2,370 per m<sup>2</sup> at 1st Quarter 2012 price base; this equates to £65 (£2,370 x 27.5 / 1,000) per resident.

This calculation is based on Oxfordshire County Council adopted standard for publicly available library floor space of 23 m<sup>2</sup> per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5 m<sup>2</sup> per 1,000 head of population.

The development proposal would also generate the need to increase the core book stock held by 2 volumes per additional resident. The price per volume is £10.00 at 1st Quarter 2012 price base; this equates to £20 per resident.

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

$$\mathbf{\pounds 85 \times 802 \text{ (the forecast number of new residents)} = \pounds 68,170.00}$$

## Social & Health Care - Day Care Facilities

This development is served by Banbury Day Centre and this development will place additional pressures on this adult day care facility. To meet the additional pressures on day care provision the County Council is looking to expand and improve the adult day care facility in Banbury Day Centre

Contributions are based upon a new Day Care centre offering 40 places per day (optimum) and open 5 days per week; leading to an equivalent costing of £11,000 per place at 1<sup>st</sup> Quarter 2012 price base (this in non-revenue). 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.

- The contribution for the provision of adult day care infrastructure in respect of this application would therefore be based on the following formula:

$$\text{£1,100} \times 44 \text{ (the forecast number of new residents aged 65+)} = \text{£48,400.00}$$

## 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 outlined towards sustainable community infrastructure and its capital development 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.

## **Contributions required to mitigate the impact of the development on infrastructure but which due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) OCC cannot require a s106 obligation in respect of:**

• Central Library	£13,754.30
• Waste Management	£51,328.00
• Museum Resource Centre	£4,010.00
<b>Total</b>	<b>£69,092.3</b>

Oxfordshire County Council is **not** seeking a contribution towards central library, waste management or museum resource centre infrastructure from this application due to the pooling restrictions contained within Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) which took effect from the 6<sup>th</sup> April 2015. The property response '*No objection subject to conditions*' relies upon funding for infrastructure as critical mitigation being delivered through CIL where there is no opportunity to gain contributions through Section 106 due to current legislation. OCC hold a statutory obligation to deliver services such as education through schools.

Details of these contribution rates for sustainable capital development are set out below.

### **Detailed comments for contributions not sought solely due to S106 pooling restrictions**

#### **Central Library**

Central Library in Oxford serves the whole county and requires remodelling to support service delivery that includes provision of library resources across the county.

Remodelling of the library at 3rd Quarter 2013 base prices leaves a funding requirement still to be secured is £4,100,000. 60% of this funding is collected from development in the Oxford area. The remainder 40% is spread across the four other Districts. 40% of 4.1M = £1,604,000.

Population across Oxfordshire outside of Oxford City District is forecast to grow by 93,529 to year 2026. £1,604,000 ÷ 93,529 people = £17.15 per person

- The contribution for the provision of central library infrastructure in respect of this application would therefore be based on the following formula:

$$\mathbf{£17.15 \times 802 \text{ (the forecast number of new residents)} = \mathbf{£13,754.30}}$$

#### **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 at 1st Quarter 2012 price base; this equates to £5 per person

- The contribution for the extension of the Museum Resource Centre in respect of this application would therefore be based on the following formula:

$$\mathbf{£5 \times 802 \text{ (the forecast number of new residents)} = \mathbf{£4,010.00}}$$

#### **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. Sites in Oxfordshire are operating at capacity.

**Officer's Name: Oliver Spratley**

**Officer's Title: Corporate Landlord Officer**

**Date: 21 August 2015**

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Minerals & Waste**

### **Recommendation:**

No objection

### **Key issues:**

The application site is shown on published geological mapping to be underlain by deposits of ironstone. The site is allocated for housing development in the adopted Cherwell Local Plan 2011 – 2031 (policy Banbury 17). This allocation over-rides policy for safeguarding mineral resources.

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

None

### **Conditions:**

None

### **Informatives:**

None

### **Detailed comments:**

The application site is shown on published geological mapping to be underlain by deposits of ironstone. The site is allocated for housing development in the adopted Cherwell Local Plan 2011 – 2031 (policy Banbury 17). This allocation over-rides policy for safeguarding mineral resources.

**Officer's Name:** Peter Day

**Officer's Title:** Minerals & Waste Policy Team Leader

**Date:** 03 August 2015

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Ecology**

### **Recommendation:**

Comments

### **Key issues:**

The District Council should be seeking the advice of their in-house ecologist who can advise them on this application.

In addition, the following guidance document on Biodiversity & Planning in Oxfordshire combines planning policy with information about wildlife sites, habitats and species to help identify where biodiversity should be protected. The guidance also gives advice on opportunities for enhancing biodiversity:

<https://www.oxfordshire.gov.uk/cms/content/planning-and-biodiversity>

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

N/A - For the District Council to comment

### **Conditions:**

N/A - For the District Council to comment

### **Informatives:**

N/A - For the District Council to comment

### **Detailed comments:**

**Officer's Name:** Tamsin Atley

**Officer's Title:** Ecologist Planner

**Date:** 25 August 2015

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## LOCAL MEMBER VIEWS

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**Cllr:** George Reynolds

**Division:** Wroxton & Hook Norton

**Comments:**

This application is not in my division nor is the adjacent one for 1100 houses. However it would appear that while there is an essential condition for a link road from the A361 to Bodicote there does not appear to be any pressure to continue it onto the Oxford Road. I am also concerned that it would appear that the main exit for both these developments would be the A361 Bloxham Road. This road is already overloaded especially where it joins the main Oxford road.

This overload is already causing cars to either go through my division on the Broughton Road into Banbury or use Wykham Lane either through Bodicote or Broughton as a rat run

In my view it is essential that a through and extensive traffic survey is done but actions need to be taken by OCC on the back of these applications to ensure traffic from the west of Banbury does not snarl up in town nor overload the surrounding villages.

**Date:** 08 August 2013

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