

**OXFORDSHIRE COUNTY COUNCIL'S
REGULATION 122 COMPLIANCE STATEMENT**

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of Camp Road Heyford Park

Planning Application Ref: 21/04289/OUT

Appeal Reference: APP/C3105/W/23/3326761

Proposal: Outline planning application for the erection of up to 230 dwellings, creation of new vehicular access from Camp Road and all associated works with all matters reserved apart from Access

Date of Regulation 122 Statement: 18th September 2023

1. INTRODUCTION

- 1.1. Oxfordshire County Council (OCC) considers that the proposed development of up to 230 dwellings is unacceptable without an agreement under Section 106 of the Town and County Planning Act 1990 (S106) which is required to mitigate the demands which will be placed on infrastructure and services as a result of the development. This statement by OCC provides the justification for its requirements for contributions towards Education, Transport, Library, Household Waste Recycling Centres and also justification for an administration & monitoring fee.
- 1.2. This statement supplements the formal response by OCC dated 20/05/2022 to the consultation by Cherwell District Council (CDC).
- 1.3. R122(2) of the Community Infrastructure Levy (CIL) regulations 2010 (as amended) introduced three tests for S106 agreements which must apply if a planning obligation is to constitute a reason for granting planning permission. It should be, a) necessary to make the development acceptable in planning terms, b) directly related to the development and c) fairly and reasonably related in scale and kind to the development. The purpose of this statement is to show that the requested contributions comply with the requirements of the three tests.

2. INFRASTRUCTURE CONTRIBUTIONSSUMMARY:

- 2.1. OCC considers that the development would have a detrimental impact on the local services it provides unless the contributions sought are provided as set out below:

Contribution Type	Contribution Amount	Indexed-linked
Primary & Nursery Education	£1,604,630	BCIS all in TPI 327
Secondary Education	£1,195,632	BCIS all in TPI 327
SEND Education	£125,637	BCIS all in TPI 327
School Transport	£385,700	RPIX June 2022
Highway Works	1,682,237	Baxter August 2021
Public Transport Services	£453,155	RPIX August 2021
Cycle Route	£84,374	Baxter August 2021
Village Traffic Calming	£57,704	Baxter August 2021
Middleton Stoney Mitigation	£99,455	Baxter August 2021
M40 J10	£308,508	Baxter August 2021
Safety Improvements 1	£6,630	Baxter August 2021
Safety Improvements 2	£7,139	Baxter August 2021
Local Weight Restriction	£5,892	Baxter August 2021
Travel Plan Monitoring	£1,558	RPIX December 2021
Library	£12,485	BCIS all in TPI 327
Household Waste Recycling Centres	£21,611	BCIS all in TPI 327

Table 1: Infrastructure Contributions

- 2.2. **Administration and Monitoring Fee - £19,242** based on the contributions above
- 2.3. The above contributions save for the Administration and Monitoring Fee are 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 as currently required.

3. Population Assessment

- 3.1. Education contributions are assessed in accordance with the population likely to be generated by the proposed development, and the likely demands that this additional population would place on local infrastructure and services. Such assessment is made using the county's population forecasting tool, which uses the results of the 2018 Oxfordshire Survey of New Housing to generate a population profile of new development, taking into account:
 - a) The scale and dwelling mix of development
 - b) An allowance for attendance of children at non-state funded schools
- 3.2. The contributions below are based on the application form:
 - 29x one bed dwellings
 - 59 x two bed dwellings
 - 100 x three bed dwellings
 - 42 x four bed dwellings
- 3.3. It is estimated that the proposed development would generate a net increase of 560 additional residents including:

70 primary school pupils
46 secondary school students, and
15 nursery pupils.
1.4 pupils requiring education at a special school

4. EDUCATION

4.1 LEGISLATION AND POLICY

Education authorities have statutory duties to:

- Ensure sufficient school places (The Education Act 1996 S14)
- Increase opportunities for parental choice (S2 of the Education and Inspections Act 2006 inserts sub-section 3A into S14 of the Education Act 1996)
- Comply with any preference expressed by parents provided compliance with the preference would not prejudice the provision of efficient education or the efficient use of resources (School Standards and Framework Act 1998 S86)
- Ensure fair access to educational opportunity. (S1 of the Education and Inspections Act 2006 inserts sub-section 1(b) into S13 of the Education Act 1996)

The National Planning Policy Framework (NPPF) September 2023

Paragraph 95 of the NPPF states:

“it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

a) They should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.

Policy INF 1 (Infrastructure) of the adopted Cherwell Local Plan 2011-31 states that *“Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”*

4.2 EDUCATION CONTRIBUTIONS

4.2.1 Primary & Nursery Education Contribution - £1,604,630 index linked from index value 327 using BCIS All In TPI Index, towards primary education capacity serving the development

(a) Necessary to make the development acceptable in planning terms

The Heyford Park strategic development area is currently served by a 2-form entry all-through school, Heyford Park School, providing 446 nursery and primary pupil places.

The 2,800 homes already built / permitted at Heyford Park are expected to generate approximately 867 nursery and primary pupils, once fully populated. The current provision will be insufficient.

To meet this need, a further 1.5 form entry school is currently planned on land within the 18/00825/HYBRID development, which would provide a further 390 nursery and primary places, bring the total to 836 places. The school will be designed to facilitate further expansion to 2 form entry if needed as a result of further housing growth, such as that proposed by this appeal site.

As this school is expected to be filled by already permitted development, it would need to be expanded to two forms of entry in order to accommodate the 85 additional pupils expected to be generated by this proposed development. For this reason, this proposed development would be expected to contribute to the cost of expanding the school.

(b) Directly related to the development

The contribution will be used to fund the primary school capacity created in the local area to accommodate the children generated by the Heyford Park development, including this proposal.

(c) Fairly and reasonably related in scale and kind to the development

The contribution has been based on the estimated pupil generation from the proposed development, and the average cost per pupil of expanding a primary school, as set out in DfE Guidance and data.

Number of primary and nursery pupils expected to be generated: 85

Estimated per pupil cost: £18,878

Pupils * cost = £ **1,604,630** @ BCIS TPI = 327

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix.

4.2.3 Secondary Education Contribution - £1,195,632 index linked from index value 327 using BCIS All In TPI Index, towards secondary education capacity serving the development

(a) Necessary to make the development acceptable in planning terms

Heyford Park School is currently built as a 2-form entry school, with a secondary pupil capacity of 420 places. The 2,800 homes already built / permitted at Heyford Park are expected to generate approximately 612 secondary pupils, once fully populated. To meet this need, the county council, as local education authority, is working with the academy trust responsible for Heyford Park School to plan its expansion; it is expected that the first phase would expand the school by 150 places, with further expansion in the longer term in line with local population growth.

This proposed development would increase the expected number of secondary pupils by a further 46, and therefore also be dependent on expansion of the school, and as such is expected to contribute towards the cost.

(b) Directly related to the development

The contribution will be used to expand secondary school capacity in the local area to accommodate the children generated by this development.

(c) Fairly and reasonably related in scale and kind to the development

The contribution has been based on the estimated pupil generation from the proposed development, and the average cost per pupil of expanding a secondary school, as set out in DfE Guidance and data.

Number of secondary pupils expected to be generated: 46

Estimated per pupil cost: £25,992

Pupils * cost = **£1,195,632** @ BCIS TPI = 327

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix.

4.2.4 SEND Education Contribution - £125,637 index linked from index value 327 using BCIS All In TPI Index, towards SEND education capacity serving the development

(a) Necessary to make the development acceptable in planning terms

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 pupil 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.

(b) Directly related to the development

The contribution will be used to expand special school capacity serving the local area to accommodate the children generated by this development.

(c) Fairly and reasonably related in scale and kind to the development

The contribution has been based on the estimated pupil generation from the proposed development, and the cost per pupil of expanding special school capacity in Oxfordshire.

Number of pupils requiring education at a special school expected to be generated by this development: 1.4

Estimated per pupil cost of special school expansion: £89,741

Pupils * cost = **£125,637** @ BCIS = 327

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix.

4.2.5 Primary Pupil Transport Contribution - £385,700 index linked using RPIX Index from June 2022, towards the transport of primary pupils to their nearest available school

(a) Necessary to make the development acceptable in planning terms

As set out above, the proposed development is dependent on capacity to be provided at a new school. Delivery of that school is dependent on the progress of the host development (18/00825/HYBRID), and at this stage it cannot be confirmed that sufficient capacity can be provided to meet the needs of the appeal site. If the appeal site implements prior to Reserved Matters being approved for the planned new primary school, children moving into the new homes may be unable to secure a place at the existing primary school, and need to be transported to the nearest available primary school, at the county council's cost.

(b) Directly related to the development

This additional cost to the county council would directly result from the appeal site's development ahead of the new school being provided. The contribution would only be required should the county council incur costs to transport primary school children from Heyford Park to their nearest available primary school.

(c) Fairly and reasonably related in scale and kind to the development

A June 2022 tendering exercise conducted by the county council identified the average cost of a school coach as £290 per day, and there are 190 school days in a year. Once a child starts at a primary school, they are likely to stay there, even once a new school is opened closer to home, and therefore the county council would require the contribution for the 7 years that a child is at primary school.

5. TRANSPORT

5.1 LEGISLATION AND POLICY

National Planning Policy Framework, Sept 2023

- i. Paragraph 104

Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- (a) the potential impacts of development on transport networks can be addressed;
- (b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.
- (c) opportunities to promote walking, cycling and public transport use are identified and pursued.
- (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- (e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

ii. Paragraph 105

The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

iii. Paragraph 106

Planning Policies should:

- (a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;
- (b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;
- (c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development.
- (d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);

iii Paragraph 110

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

- (b) safe and suitable access to the site can be achieved for all users; and
- (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

iv Paragraph 112

Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport.
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

v Paragraph 113

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Oxfordshire County Council- Local Transport and Connectivity Plan 2022 - 2050 – LCTP.

Policy 1 – We will

Develop, assess and prioritise transport schemes, development proposals and policies according to the following transport user hierarchy:

Walking and wheeling (including running, mobility aids, wheelchairs and mobility scooters)

Cycling and riding (bicycles, non-standard cycles, e-bikes, cargo bikes, e-scooters and horse riding)

Public transport (bus, scheduled coach, rail and taxis)

Motorcycles

Shared vehicles (car clubs and carpooling)

Other motorised modes (cars, vans and lorries)

Policy 2 – We will:

a) Develop comprehensive walking and cycling networks that are inclusive and attractive to the preferences and abilities of all residents in all towns. All new walking and cycling schemes will be designed according to the updated Oxfordshire Walking and Cycle Design Standards (to be published in 2022).

b) Ensure that all new developments have safe and attractive walking and cycling connections to the site, include a connected attractive network for when people are walking and cycling within the development and that the internal routes connect easily and conveniently to community facilities and the local cycle and walking network.

c) Work closely with stakeholders using co-production methods when developing and improving cycle and walking networks from inception to delivery.

Policy 4 – We will:

a) Develop a Strategic Active Travel Network in order to identify key routes for walking and cycling between destinations across the county and prioritise interventions to existing and new infrastructure.

b) Identify and support all opportunities to develop and link up the Strategic Active Travel Network in new developments, rural and major roadworks and road schemes.

Policy 18 – We will:

a) Work in partnership with bus operators, District and City councils to maintain a commercially sustainable and comprehensive network of services which is accessible to as many residents as possible.

c) Seek to make the bus a natural first choice through development of infrastructure and network management measures which give priority over the private car and improve journey speeds.

h) Ensure bus services are accessible and support community transport to address unmet local transport needs (further information in community transport policy).

j) Work to improve bus services in rural areas including consideration of flexible services where relevant.

The Cherwell Local Plan 2011 – 2031

SO13 To reduce the dependency on the private car as a mode of travel, increase the attraction of and opportunities for travelling by public transport, cycle and on foot, and to ensure high standards of accessibility to services for people with impaired mobility.

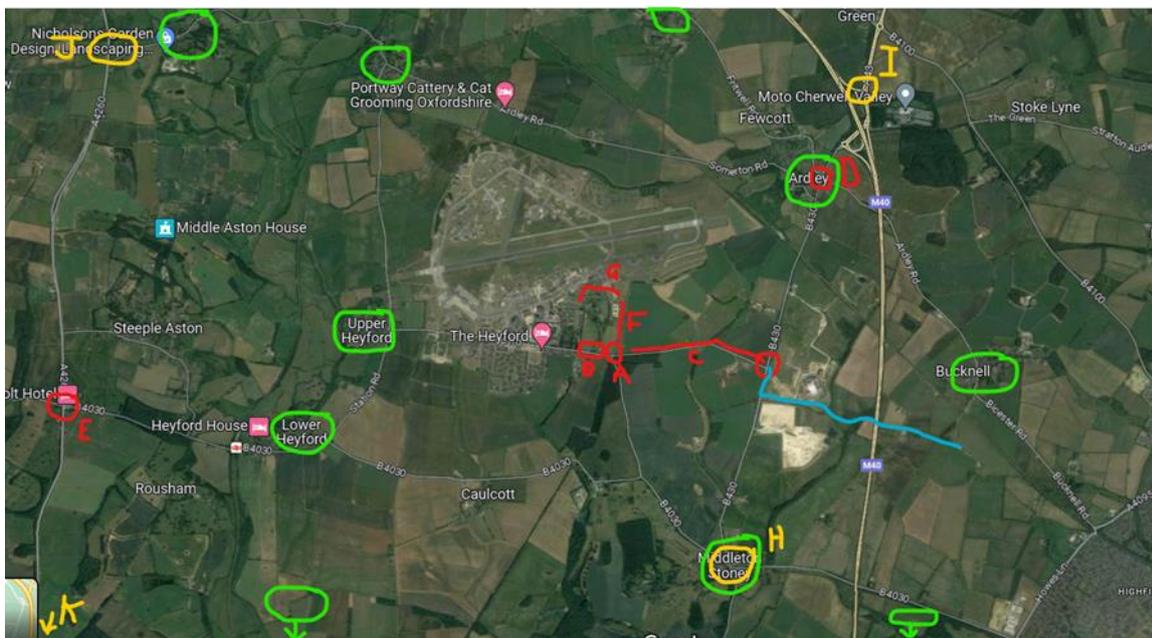
SO14 To create more sustainable communities by providing high quality, locally distinctive and well-designed environments which increase the attractiveness of Cherwell's towns and villages as places to live and work and which contribute to the well-being of residents.

Policy INF 1 (Infrastructure) of the adopted Cherwell Local Plan 2011-31 states that *“Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.”*

5.2 TRANSPORT CONTRIBUTIONS

5.2.1 The site is located immediately adjacent to the Policy Villages 5 (PV5) allocation within the Cherwell Local Plan, for 1,600 homes and employment equivalent to 1,500 jobs. It is accessed from Camp Road, and from there access to the wider highway network would be the same as for Policy Villages 5. Travel behaviour and trip generation and distribution would be similar to that for PV5 residential element. The site would be dependent on the facilities within PV5 for local services and would benefit from PV5's active travel and road network. Without PV5 highway infrastructure the site would be unacceptable.

- 5.2.2** PV5 highway mitigation was secured mainly on the largest of its planning application sites, reference 18/00825/HYBRID (1,175 dwellings out of the total of 1,600). This application site is referred to in this note as the ‘Hybrid application’. However, it is clear that the site would contribute to the need for that mitigation package, especially as the 230 homes would likely be occupied well before the main application is built out. This is true of the vehicle capacity mitigation elements, and of the public transport and active travel elements, on which the site would depend to make it sustainable.
- 5.2.3** For the smaller application sites within PV5, it has been agreed that they should make a proportionate financial contribution. With the exception of the public transport contribution, which is based proportionately on dwellings, the contribution amounts have been calculated on a trip generation basis, taking into account the employment element of PV5, by predicting the expected morning peak hour vehicle trip generation for each site (it is the morning peak that creates most pressure on the network).
- 5.2.4** Assuming the same residential trip generation rate as agreed for the main application, the site would generate 135 a.m. peak vehicle trips, compared to the total a.m. peak trip generation of 1,550 passenger car units for PV5.
- 5.2.5** The sketch below shows the locations of the various elements of the mitigation package.
- 5.2.5.1** The locations marked in red and labelled A-E are the elements to be delivered as works under obligation in relation to 18/00825/HYBRID (as described below).
- 5.2.5.2** The blue line shows the bridleway improvement which would be provided by OCC using the Cycle Route Contribution.



5.3 Highway works contribution £1,682,237 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Together with PV5, the traffic impact of the development requires new highway infrastructure on the local network. Contributions are sought towards a package of works that are secured on the main application at PV5, 18/00825/HYBRID

- New signalised junction of Camp Road/unnamed road/Chilgrove Drive – location labelled A on the map above
- Traffic calming and ped/cycle facilities on Camp Road – labelled B
- Off carriageway cycle route on unnamed road linking Camp Road to the B430, plus signalisation of the junction with the B430 – labelled C
- Signalisation of the junction of the B430 and Ardley Road in Ardley – labelled D
- Capacity improvements at the junction of the A4260 and B4030 – labelled E

It also requires the construction of a new loop road linking Chilgrove Drive back into the existing development north of Heyford Village Centre. This is required to relieve HGV traffic through Heyford Village Centre and to allow the development to be served by the new bus service. This is labelled F and G on the map.

(b) Directly related to the development

The need for this infrastructure is created by the overall traffic impact of PV5 plus this site. F and G form part of the critical infrastructure of the Heyford Park development of which this site would form part.

(c) Fairly and reasonably related in scale and kind to the development

The amount has been calculated on this sites share of the total cost of the schemes, based on the site's share of the total a.m. peak trip generation.

5.4 Bus service contribution £453,155 index-linked RPIX from August 2021

(a) Necessary to make the development acceptable in planning terms

A new high frequency bus service is required to provide an acceptable public transport level of service to and from Heyford Park, offering a credible alternative choice of mode to the private car. This is required in order to mitigate the traffic impact of the development.

(b) Directly related to the development

The service would run along Camp Road stopping on Camp Road near the development.

(c) Fairly and reasonably related in scale and kind to the development

In August 2021 PV5's contribution towards public transport services was £3,152,391 and was divided between PV5 sites on the basis of £1,970.24 per dwelling (3,152,391 / 1,600). The contribution was towards four buses to providing a high frequency service linking Heyford with Bicester. The proposed development is 230 dwellings x £1,970.24 = £453,155 August 2021.

5.5. Cycle Route contribution £84,374 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

An off carriageway cycle route is required between the site and Bicester, as the main off site destination for employment and other trips. The roads linking the site and Bicester are rural roads unsuitable for safe cycling on the carriageway. This contribution and the contributions from PV5 sites would allow OCC to upgrade an existing bridleway linking the A4095 at Bicester and the B430 north of Middleton Stoney, to provide a surface suitable for year-round cycling, and including a commuted sum for maintenance over a 20-year period. The works are required in order to mitigate the traffic impact of the proposed site and PV5 allocation.

(b) Directly related to the development

The rural cycle route would be accessible to residents via the proposed cycle route labelled C on the map above, linking Camp Road to the B430 and the proposed signalised junction at the B430, which would provide a safe crossing point for cyclists.

(c) Fairly and reasonably related in scale and kind to the development

The contribution for this development has been calculated on the basis of its predicted share of the am peak trip generation, which takes into account employment trips generated by the allocation. The contribution can be shown to be proportional to the main application contributions by applying a factor of 0.84:
(total allocation trips/(Hybrid application + Phase 9 trips)) x (this development's trips/(this development's trips + total allocation trips)*
OR (1550/(1300+175)) x (135/(1550+135))

5.6 Village Traffic Calming Contribution £57,704 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Together with the PV5 allocation the development would lead to a significant increase in peak hour traffic through a number of nearby villages, resulting in likely environmental impacts requiring mitigation by traffic calming or measures of similar benefit.

(b) Directly related to the development

The traffic generated by this development would contribute to the impact.

(c) Fairly and reasonably related in scale and kind to the development

The total amount calculated for PV5 was based on £75,000 (Aug 2021) for the villages, Upper and Lower Heyford, Middleton Stoney, Ardley, Fritwell, Somerton, North Aston, Bucknell, Chesterton and Kirtlington. A further £37,500 (Aug 2021) was required for Bucknell, which is expected to benefit from contributions from NW Bicester. The contribution for this development has been based proportionately on a.m. peak vehicle trip generation.

5.7 Middleton Stoney Mitigation Contribution £99,455 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Together with the PV5 allocation, the development is expected to contribute to a severe traffic congestion impact on the junction of the B430 and B4030, which is on the route of the bus service linking Heyford Park and Bicester. A contribution is required to enable OCC to deliver a scheme to improve the reliability of the bus service, which would likely be used by residents to access Bicester and the A34.

(b) Directly related to the development:

Vehicle trips between the development and Bicester, the nearest town, would pass through this junction.

(c) Fairly and reasonably related in scale and kind to the development

The contribution is based on a proportionate share of works to provide a bus only restriction on the B4030 west of Middleton Stoney, which were costed at £1,223,389 (Aug 2021). The scheme would be subject to consultation, and if deemed unsuitable, the contribution will allow an alternative scheme to be developed. The proportionate share is based on a.m. peak hour trips.

5.8 M40 J10 Contribution £308,508 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Traffic from the site would contribute to a predicted significant increase in congestion at M40 J10, in particular causing a safety hazard due to slip road queues extending back onto the main line of the motorway. A contribution towards a scheme of capacity improvements at the junction is therefore required.

(b) Directly related to the development

Vehicle trips between the development and the M40 would pass through this junction.

(c) Fairly and reasonably related in scale and kind to the development

The overall cost is based on a scheme of signalisation at Padbury Roundabout at M40 J10, which will be delivered by National Highways. The site's proportionate share is calculated on the basis of a.m. peak hour trip generation.

5.9 Safety Improvements Contribution 1 - £6,630 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Together with the PV5 allocation, the development is expected to contribute to a significant increase in turning movements at the crossroads junction of the A4026 and the road through North Aston and Duns Tew, exacerbating the risk of collisions.

(b) Directly related to the development

Vehicle trips between the development and the A4260 to the north would pass through this junction.

(c) Fairly and reasonably related in scale and kind to the development

The contribution represents a proportionate amount based on a.m. peak hour trips of an estimated cost for OCC to implement improvements to signage and lining at the junction to improve safety.

5.10 Safety Improvements Contribution - 2 £7,139 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Together with the PV5 allocation, the development is expected to contribute to a significant increase in turning movements at the staggered junction of the A4026 and the B4027, exacerbating the risk of collisions.

(b) Directly related to the development

Vehicle trips between the development and the A4260 to the south would pass through this junction.

(c) Fairly and reasonably related in scale and kind to the development

The contribution represents the proportionate impact based on a.m. peak hour trips of the overall proportionate impact of PV5 at the junction. It was calculated on an estimated cost of constructing a roundabout at the junction but may be used on an alternative scheme to improve safety.

5.11 Local Weight restrictions Contribution - £5,892 index-linked Baxter from August 2021

(a) Necessary to make the development acceptable in planning terms

Together with PV5, the traffic impact of the development would have a severe impact on congestion and bus reliability at the crossroads junction of the B320 and B4030 in Middleton Stoney. The weight restriction would contribute to an overall reduction in traffic flows at the critical Middleton Stoney junction and is necessary to mitigate the congestion impact. It would also reinforce the HGV routing agreements associated with the site and serve as further protection for villages from the environmental impact of HGVs.

(b) Directly related to the development

Vehicle trips between the development and Bicester would pass through the Middleton Stoney junction.

(c) Fairly and reasonably related in scale and kind to the development

The overall amount is based on an estimate by OCC of the cost of consultation and implementation of the necessary traffic regulation order(s) and signage.

The site's proportionate share is calculated on the basis of an peak hour trip generation

5:12 Travel Plan monitoring Contribution £,1,558 index-linked Baxter from December 2021

(a) Necessary to make the development acceptable in planning terms

In line with PV5, and especially given the rural location of the site, a travel plan is required to restrict car trip generation at the site, in order to make its traffic impact acceptable. The travel plan is a living document requiring regular review with OCC, leading to adjustments if necessary, in order to achieve modal share targets. The contribution is required to allow OCC to carry out this work. Without it, there would be no process of review and the travel plan would not be effective.

(b) Directly related to the development

The travel plan would be bespoke to this site.

(c) Fairly and reasonably related in scale and kind to the development

The amount is a standard amount that OCC requires for monitoring travel plans for a development of up to 399 homes and has been calculated on the basis of staff time at cost to carry out the necessary reviews and liaison with the site travel plan coordinator.

6. HOUSEHOLD WASTE AND RECYCLING CENTRE

6.1 Household Waste and Recycling Centre - £21,611 index point 327 BCIS All-In-TPI towards expansion and efficiency of Household Waste Recycling Centre serving the Site

(a) Necessary to make the development acceptable in planning terms

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 25th December or 1st January);

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

Such places are known as Household Waste Recycling Centres (HWRCs) and OCC currently provides seven HWRCs throughout the County. The HWRC nearest to the proposed development is Ardley Fields, Brackley Road, Ardley, OX27 7PH. The

HWRCs in Oxfordshire are operating beyond their capacity including Ardley Fields HWRC. 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. Ardley Fields HWRC is over capacity by up to 40% during peak opening hours and queues can reach the public highway resulting in cars being turned away and residents asked to return at another time.

The proposed development will provide 230 dwellings. If each household makes four trips per annum (average number of trips/household based upon data from site satisfaction surveys) the development would impact on the already over capacity HWRCs by an additional 920 HWRC visits per year.

Congestion on site due to the operation of HWRC at overcapacity reduces recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin and feel under pressure to move on as quickly as possible. Reduced recycling leads to higher costs and an adverse impact on the environment.

The Waste Regulations (England and Wales) 2011 enacted through the EU Waste Framework Directive 2008 require that waste is dealt with according to the waste hierarchy. To comply with the Regulations 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 but due to the combination of a lack of space at HWRCs and the complex and varied nature of materials delivered to HWRCs it is becoming increasingly difficult to comply with Regulations.

To address the issues of overcapacity at HWRCs, which are compounded by housing growth, additional HWRC capacity is required.

b) Directly related to the development

The provision of additional HWRC capacity will enable OCC to operate an efficient, safe and sustainable centre to meet the needs of the residents of the proposed development.

(c) Fairly and reasonably related in scale and kind to the development

OCC currently has 41,000 m² of HWRC space across its 7 HWRCs. The amount of space needs to increase by 35% to meet current dwellings (300,090 taken from the County Council long term 2021). The amount of space required per dwelling is 0.18 m².

In 2011 the County Council planned and costed the infrastructure for a new HWRC. The cost of infrastructure was estimated as £275 per m² of centre space.

The costs of purchasing land for a new HWRC was estimated by the County Council's Senior Estates Surveyor in 2021 as £247 per m²

The total cost of infrastructure and land for a new HWRC is therefore estimated as £522 m².

The cost per dwelling is therefore £93.96 (522 x 0.18) BCIS 327.

The number of dwellings in the proposed development is 230 making the contribution required £21,611 BCIS 327.

7. Library Service

7.1 Library Contribution - £12,485 index point 327 BCIS All-In-TPI towards Bicester Library including book stock

(a) Necessary to make the development acceptable in planning terms

The County Council has a statutory duty under the Public Libraries and Museums Act 1964 'to provide a comprehensive and efficient library service for all persons' for all those who live, work or study in the area (Section 7).

In providing this service, councils must, among other things:

- encourage both adults and children to make full use of the library service (section 7(2)(b))
- lend books and other printed material free of charge for those who live, work or study in the area (in accordance with section 8(3))

The nearest local library serving the proposed development is Bicester Library,

A new library has been provided in the Franklins Yard development in Bicester. Part of the cost of the project was forward funded in advance of contributions being received from new development. The library was built to accommodate the growth planned for Bicester which includes this development. A contribution is required from this development toward repaying the cost of forward funding the delivery of Bicester library.

b) Directly related to the development

Bicester Library is the catchment local library serving the proposed development site and therefore has a direct relationship to the proposed development.

(c) Fairly and reasonably related in scale and kind to the development

The Bicester Library project had a total cost of £1,450,000 to the County Council. Of this there is £262,233 still left to be secured.

$£262,233 \div 8,100$ (housing growth remaining for Bicester area) = £32.37 (per dwelling)
 $£32.37$ (per dwelling) x 230 (number of dwellings proposed by this application) =
£7,445

The development proposal would also generate the need to increase the core book stock held by the local library by 1.2 items per additional resident. The price per volume is £7.50 = £9 per resident.

£9 (per person) x 560 (number of people estimated to be generated by the development) = £5,040

Total Contribution (£7,445 + £5,040) = **£12,485** (BCIS All-in Tender Price Index

Value 327)

This contribution is based on the unit mix stated above and a matrix will be included in the S106 agreement to adjust the contribution to reflect any change to the unit mix

7. ADMINISTRATION AND MONITORING FEE - £19,242

Regulation 122 (2A) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) now makes it clear that a monitoring fee can be charged to monitor planning obligations provided:

- (a) the sum to be paid fairly and reasonably relates in scale and kind to the development; and
- (b) the sum to be paid to the authority does not exceed the authority's estimate of its cost of monitoring the development over the lifetime of the planning obligations which relate to that development."

The fee meets these tests because:

In order to secure the delivery of the various infrastructure improvements, to meet the needs arising from development growth, OCC needs to monitor Section 106 planning obligations to ensure that these are fully complied with. To carry out this work, the County Council has set up a Planning Obligation Team and so charges an administration/monitoring fee towards funding this team of officers. The work carried out by the Planning Obligations Team arises solely as a result of OCC entering into Section 106 Agreements in order to mitigate the impact of development on the infrastructure for which OCC is responsible. OCC then has a resultant obligation to ensure that when money is spent, it is on those projects addressing the needs for which it was sought and secured. The officers of the Planning Obligation Team would not be employed to do this work were it not for the need for Section 106 Obligations associated with the development to mitigate the impact of developments.

OCC has developed a sophisticated recording and accounting system to ensure that each separate contribution (whether financial or otherwise), as set out in all S106 legal agreements, is logged using a unique reference number. Systematic cross-referencing enables the use and purpose of each contribution to be clearly identified and tracked throughout the lifetime of the agreement.

This role is carried out by the Planning Obligations Team which monitors each and every one of these Agreements and all of the Obligations within each Agreement from the completion of the Agreement, the start of the development through to the end of a development and often beyond, in order to ensure complete transparency and financial probity. It is the Planning Obligations Team which carries out all of the work recording Agreements and Obligations, calculating and collecting payments (including calculating indexation and any interest), raising invoices and corresponding with developers, and thereby enabling appropriate projects can be delivered. They also monitor the corresponding obligations to ensure that non-financial obligations, on both the developer and OCC are complied with.

To calculate fees OCC has looked at the number of Agreements signed in a year, the size and nature of the various Obligations in those Agreements, and how much work was expected in monitoring each Agreement. From this, OCC has calculated the structure/scale of monitoring fees that would cover the costs of that team. This was then tested to see whether or not the corresponding fees associated with X number of agreements at Y contributions, would be sufficient to meet the costs; the answer was yes.

The fees are reviewed annually and approved by Cabinet.