

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

District: Cherwell

Application No: 19/02350/OUT

Proposal: Outline planning permission for 27 dwellings including Access

Location: Land at Deerfields Farm, Canal Lane, Bodicote

Response date: 31st December 2019

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Assessment Criteria Proposal overview and mix/population generation

OCC's response is based on a development as set out in the table below. The development is taken from the application form.

Residential	No.
1-bed dwellings	4
2-bed dwellings	4
3-bed dwellings	13
4-bed & larger dwellings	6

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

Average Population	73.72
Primary pupils	8.81
Secondary pupils	5.45
Sixth Form pupils	0.85
SEN pupils	0.18
Nursery children (number of 2 and 3 year olds entitled to funded places)	2.21
20 - 64 year olds	50.01
65+ year olds	5.34
0 – 4 year olds	7.90

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General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - £3,750**
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

Application no: 19/02350/OUT

Location: Land at Deerfields Farm, Canal Lane Bodicote

Transport Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as summarised in the table below and justified in this Schedule:

- **Planning Conditions** as detailed below.

If despite OCC's objection permission is proposed to be granted, then OCC requires prior to the issuing of planning permission a S106 agreement to mitigate the impact of the development plus planning conditions as detailed below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Public transport services	£27,000	November 2019	RPI-x	Enhancing the bus Oxford to Banbury bus service

Key Points:

- The site is well located for residential development.
- While noting that the application is for Outline planning permission, there are a number of issues identified with the proposed site plan which will need to be taken into account with any reserved matters applications.
- Proportionate financial contributions towards enhancing the public transport services in the area are sought in order to mitigate the cumulative impact of development.
- The provision of a pedestrian and cycle connection with Canal Lane, as shown in the proposed layout plan, is required to provide convenient access to public transport and the wider area.
- A Construction Traffic Management Plan will be required.
- Residential Travel Information Packs will be required.

Comments:

Location and Accessibility

The site is well located for residential development given its close relationship to the built-up area of Longford Park and Bodicote and its associated infrastructure. The current B3 bus service is within easy walking distance of the site, as is the Oxford –

Banbury S4 service on the Oxford Road via the proposed pedestrian / cycle connection onto Canal Lane.

The county council is collecting developer contributions towards enhancing the Oxford – Banbury bus service (the current S4) to provide a more frequent service, which would be of great benefit to future residents. A proportionate contribution of £27,000 is sought from the development (£1,000 per dwelling), this level of contribution is in line with that secured from other developments along this route towards funding enhancements to the same service.

Access and Internal Layout

The site is to be accessed from adjacent residential parcel (Parcel D&E) within the Longford Park housing development. Parcel D&E is itself accessed via Longford Park Road.

The adjoining road through the Parcel D&E has a standard width of 5m with 1.8m footways on either side. This is likely to be sufficient for accessing the development site however for certainty I would request that a swept path analysis is provided to demonstrate that large refuse vehicles can access and egress from the site in a forward gear, allowing for some on-street parking in the vicinity of the kink in the access road through Parcel D&E.

While the current application is for outline planning permission, I note from the proposed site plan that the internal access road within the development site appears to be shared surface. If this were the case, there would therefore need to be an appropriate transition between the shared area and the adjoining access road. This would need to include a dropped access to shared areas.

With any reserved matters application, a swept path analysis would be required to demonstrate sufficient turning areas for all vehicles within the final proposed layout. Road widths and layouts will need to accord with the county council standards set out in OCC's Residential Road Design Guide.

A pedestrian connection to Canal Lane is proposed, this pedestrian connection will allow for non-car users of the site to access the A4260 in a shorter distance where additional travel options are available. It is suggested that this connection is secured through a planning condition with details to be provided with the reserved matters application(s).

Cycle and Car Parking

The proposed site plan shows all properties being allocated with just one off-street car parking space. It is not clear whether the integral garages are proposed, however even so, garages are rarely used for car parking. This would likely lead to significant levels on-street parking which would potentially cause obstructions to larger vehicles, including emergency vehicles.

Any reserved matters application will need to demonstrate that off-street car parking will be provided in line with the county council's parking standards.

Secure, covered and conveniently located cycle parking must also be provided in line with the county council's standards.

Construction Traffic

A Construction Traffic Management Plan will be required in the interest of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

Travel Planning

A Residential Travel Information Pack is required prior to first occupation and then distributed to all residents at the point of occupation. This is required to ensure all residents are aware of the travel choices available to them from the outset.

Further information regarding the criteria required can be found within the OCC Travel Information Pack guidance document.

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

£27,000 Public Transport Service Contribution indexed from November 2019 using RPI-x

Towards:

Enhancing the frequency of the Banbury to Oxford bus service (current S4 service) on Oxford Road.

Justification:

A strategy exists for improving the Oxford to Banbury bus service to ultimately operate on a half-hourly basis during the week. This would provide a more attractive level of service and an alternative public transport option for residents of the proposed development for travel to Oxford (reducing the need to travel to Banbury Station). This will provide a more credible level of service for journeys to employment and education in Banbury and Oxford.

Calculation:

The amount is based on the cost of using additional vehicles and drivers on the route necessary to provide that additional level of service and amounts to a reasonable level of £1,000 per dwelling, which is equivalent to amounts secured on developments along the bus route.

S38 Highway Works

Detailed design of the access from the adjacent residential street will need to be agreed through a S38 agreement. The S106 agreement will secure delivery via future completion of a S38 agreement.

Planning Conditions:

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

Access: Full Details

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the adjoining residential development parcel, 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 - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

Access: Pedestrian and Cycle Access to Canal Lane

Prior to the commencement of the development hereby approved, full details of the pedestrian and cycle access link between the development site and Canal Lane bridleway, including position, layout, construction and drainage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the pedestrian and cycle link shall be constructed and retained in accordance with the approved details.

Reason: To encourage the use of sustainable modes of transport, in the interests of highway safety, and to ensure a satisfactory standard of construction and layout for the development.

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 - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

Details of Turning for Service Vehicles

Prior to the commencement of the development hereby approved, and notwithstanding the application details, full details of refuse and fire tender access and turning within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

Cycle Parking Facilities

Cycle parking facilities shall be provided prior to the occupation of the development hereby approved, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

Reason: To encourage the use of sustainable modes of transport.

Construction Traffic Management Plan

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of times for construction traffic and delivery vehicles, which must be outside of peak network hours. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers.

Travel Information Packs

Prior to occupation of the development hereby permitted, Residential Travel Information Packs, which meet the requirements set out in Oxfordshire County Council's Travel Information Pack guidance document, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Travel Information Packs must be distributed to all residents at the point of occupation of each dwelling.

Reason – To encourage the use of sustainable modes of transport.

Officer's Name: Tim Peart

Officer's Title: Senior Transport Planner

Date: 16 December 2019

Application no: 19/02350/OUT

Location: Land at Deerfields Farm, Canal Lane, Bodicote

Lead Local Flood Authority

Recommendation:

No objection subject to conditions

Key issues:

Submitted information sufficient as Outline Design stage. Needs to be worked up into full Detailed Design aligned with National and Local Policy.

Legal agreement required to secure:

Conditions:

SuDS

No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing. Detailed Design to be based upon the Surface Water Drainage Strategy reference 4748.

Full detailed drainage strategy to be provided including all relevant drawings and long cross sections. Pipe numbers to be shown on plan to enable auditing against MicroDrainage report.

Full topo plan required.

Post development flow paths to be shown on plan.

Justification that all green space has been utilised to its maximum potential for SuDS incorporation.

Proof of safe ingress/egress in exceedance events.

Evidence of sacrificial temporary shallow ponding on site to help manage exceedance events.

Full justification detailing why it is felt the only means of final discharge is to both a surface water sewer and combined sewer.

Evidence of consent to connect to existing surface and combined sewer from the relevant WaSC.

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal.

Completion and Maintenance of Sustainable Drainage – Shown on Approved Plans

No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

Informatives:

Detailed comments:

Full Detailed Design to be submitted to LPA and LLFA for approval taking account of the above Conditions.

By the end of the Concept Stage evaluation and initial design/investigations Flows and Volumes should be known. Therefore, we ask that the following Pro-Forma is completed and returned as soon as possible:

Officer's Name: Adam Littler

Officer's Title: Drainage Engineer

Date: 28 December 2019

Application no: 19/02350/OUT

Location: Land at Deerfields Farm, Canal Lane, Bodicote

Education Schedule

Recommendation:

No objection subject to:

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

Contribution	Amount £	Price base	Index	Towards (details)
Primary and Nursery	£225,816	333 (related to 3Q19)	BCIS All-In TPI	Expanding primary and nursery capacity serving the development
Secondary (including sixth form)	£175,964	333 (related to 3Q19)	BCIS All-In TPI	Expanding secondary and sixth form capacity serving the development
Total	£401,780			

In all cases, a matrix provision would be required to address the outline nature of the development proposal.

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

£225,816 Primary and Nursery School Contribution indexed using BCIS All-In Tender Price Index Value 333 (published 25 October 2019)

Towards:

The expansion of primary and nursery capacity serving the development.

Justification:

The proposed development is in the designated area for Longford Park Primary School. The school opened in 2017 to serve Phase 1 of the Bankside (Longford Park) Development, and is currently a 1.5 form entry school, providing 45 places per year group with a total capacity of 315 places. It is not yet up to full capacity, but pupil forecasts indicate an emerging shortage of Reception places in Banbury from 2023 onwards, even taking into account the new school due to open in north Banbury in 2020, and so expansion of Longford Park Primary School to 2 form entry (60 places per year, total capacity 420) will be required, as set out in the Cherwell District Council Infrastructure Delivery Plan Update (December 2018). The proposed development would therefore be expected to contribute towards the cost of this expansion, proportionate to its expected primary pupil generation.

Nursery provision at Longford Park Primary School is already at capacity. The school offers 39 part-time equivalent nursery places, and as of May 2019 there were 42 pupils on roll at the nursery. Expansion of the nursery is therefore required as part of the primary school expansion to meet the expected increase in nursery pupil generation, including from this application, and so a proportionate contribution towards the cost of the nursery expansion is also sought.

Calculation:

Number of primary and nursery pupils expected to be generated	11.71
Estimated per pupil cost of primary school (including nursery) expansion, as advised by Government guidance “Securing developer contributions for education” (November 2019)	£19,284
11.71 * £19,284	£225,816

£175,964 Secondary School (including Sixth Form) Contribution indexed using BCIS All-In Tender Price Index Value 333 (published 25 October 2019)

Towards:

The expansion of secondary and sixth form capacity serving the development.

Justification:

Secondary school provision for Banbury can reasonably be considered over the Banbury/Bloxham area, and incorporate The Warriner School in Bloxham, as there is substantial pupil movement between the two areas.

Demand for secondary school places in this area is rising rapidly, and there are already limited spare places available for children transferring to secondary school; these are expected to reduce further as a result of population growth from planned housing development in the area. Forecasts indicate that there will be a shortage of Year 7 places across the Banbury area by 2022, unless additional capacity is provided. The Warriner School is currently at capacity, and although expansion is underway at this school this will not be sufficient to meet the full scale of housing growth planned for Banbury. Therefore, there would be insufficient secondary capacity in the Banbury and Bloxham planning areas to accommodate the expected pupil generation from the proposed development, and expansion is required as set out in the Cherwell District Council Infrastructure Delivery Plan Update (December 2018).

Blessed George Napier Catholic School is the only secondary school in Banbury which is planning to expand, and is also the nearest secondary school to the proposed development. Options are currently being explored for Blessed George Napier Catholic School to expand by 2 forms of entry, and contributions are therefore sought towards the cost of this expansion, proportionate to the proposed development’s expected pupil generation.

Calculation:

Number of secondary and sixth form pupils expected to be generated	6.66
Estimated per pupil cost of secondary school expansion, as advised by Government guidance "Securing developer contributions for education" (November 2019)	£26,421
6.66 * £26,421	£175,964

The above contributions are based on a unit mix of:

- 2 x 1 bed dwellings
- 5 x 2 bed dwellings
- 14 x 3 bed dwellings
- 6 x 4 bed dwellings

It is noted that the application is outline and therefore the above level of contributions would be subject to amendment, should the final unit mix result in an increase in pupil generation. It is also noted that the mix stated on the housing mix plan document is different to that stated in the application form; the former mix has been used for this response.

Officer's Name: Joanne Booker

Officer's Title: School Organisation Officer

Date: 18 December 2019
