

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

District: Cherwell

Application no: 21/03426/OUT

Proposal: Outline planning application for up to 78 dwellings and associated open space with all matters reserved other than access

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

Date: 1st December 2021

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.

Residential	
1-bed dwellings	6
2-bed dwellings	25
3-bed dwellings	39
4-bed & larger dwellings	8

Application no: 21/03426/OUT

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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 outweighs OCC's objections, and to be given an opportunity to make further representations.

Outline applications and contributions

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of S106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Administration and Monitoring Fee - TBC**
This is an estimate of the amount required to cover the monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether a S106 agreement is completed or not.

Security of payment for deferred contributions - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

Application no: 21/03426/OUT/1

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

Transport Schedule

Recommendation:

No objection subject to:

- S106 Contributions as summarised in the table below and justified in this Schedule:
- An obligation to enter into a S278 agreement as detailed below
- Planning Conditions as detailed below.
- Note should be taken of the informatives stated below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Highway works			Baxter	
Public transport services	£117,156	January 2021	RPI-x	For the continued provision of higher frequency bus services in the area around the site, which may include the B3 and/or B9 services.
Public transport infrastructure (<i>if not dealt with under S278/S38 agreement</i>)		Jan 2021	Baxter	
Traffic Reg Order (<i>if not dealt with under S278/S38 agreement</i>)	£2,250	Jan 2021	RPI-x	TRO amendment to accommodate new bus stop on new footpath east of site access
Travel Plan Monitoring			RPI-x	
Public Rights of Way	£10,000	January 2021	Baxter	To improve the surfaces of all routes within 2km and to take

				account of the likely increase in use by residents of the development as well as new or replacement structures like gates, bridges and seating, sub-surfacing and drainage to enable easier access, improved signing etc
Strategic Highway Contribution	£70,000	Index Q1 2021	BCIS	Active Travel improvements along Dukes Meadow Drive in accordance with the emerging Banbury LCWIP
Total	£197,156			

Key points

- The development is acceptable in principle and the vehicular access arrangements appear to be acceptable.
- Given the scale of the development, there is no reason that the 3m wide shared use provision shouldn't continue along the entire length of the access. 3 metres is considered the minimum for shared use cycle/footways in LTN1/20
- The proposed pedestrian links from the south of the site to Hanwell Fields Park should be formalised with dropped kerb crossing points and self-binding gravel type paths.

Comments:

The proposals are for the erection of up to 78 homes and associated open space, with all matters reserved except access. The proposed development provides vehicular and pedestrian access via a new, 4th arm to the Dukes Meadow Drive roundabout. Additional pedestrian access points are to be provided connecting the development to Hanwell Fields.

Vehicular Access

The vehicular access in the proposed location is deemed acceptable. The highway boundary appears to extend in full width to the site boundary. The access proposals should have a stage 1 Road Safety Audit conducted on the design.

Pedestrian and Cycle Access

The development is currently primarily accessed via a 3m wide shared use path either side of the main vehicular access off the Dukes Meadow Drive roundabout. The submitted drawings show the 3m wide shared use path narrowing to 2m after the roundabout refuge. As far as practicable, the shared use paths should remain 3m wide along the full length of the vehicular access. The minimum width for a shared use path in LTN 1/20 is 3m. There are aspirations for an active travel corridor along Dukes Meadow Drive, accepting less than these minimum requirements would contravene this scheme and go against the Council's objectives.

There are two pedestrian links to Hanwell Fields Park outlined in the submitted documents. Limited details on these are provided. They should take the form of dropped kerb crossing points with associated tactile paving to allow pedestrians a safe way of crossing Dukes Meadow Drive. In addition, the routes from the site to the dropped kerb access points should be upgraded from grass verge to a self-binding gravel type surface at a minimum. These can be provided via section 278 agreement.

Public Transport

Oxfordshire County Council seeks to ensure that all new developments are accessible by public transport services that offer real travel choice for residents or employees on a site. This is achieved by securement of financial contributions or conditions through the planning process.

Section 2.7 of the Transport Statement notes that the nearest bus stop are at Highlands, 650 metres from the western access. However, the walking route to the bus stops crosses Hanwell Fields Park on unlit paths and would be particularly unattractive at night or for certain groups of residents. The site is therefore not particularly well located for public transport services when this is considered.

Bus services in this area of Banbury are financially supported by the County Council utilising Section 106 funds from local development. As further development is proposed it becomes more important for further funds to come forward to ensure that these services are maintained at their higher frequency for a longer period of time, in order that the maximum potential for commercial viability can be achieved.

To provide improved services to the area, it may be possible to divert existing service B3 from its current route on Southam Road along Dukes Meadow Drive to the development – either via Lapsley Drive or direct.

A financial contribution is requested for the continued provision of higher frequency bus services in the area around the site, which may include the B3 and/or B9 services. The standard contribution for bus services in this area of Banbury is £1,502 per dwelling which for a development of 78 dwellings equates to **£117,156**.

To facilitate such a diversion, the developer is required to deliver a bus stop on the northern side of Dukes Meadow Drive to the east of the Lapsley Drive / site entrance roundabout, together with associated footway works for adequate access from the development. This bus stop should include a pole, flag and timetable case to OCC specification (*attached*) and a two-bay shelter, the details of which should be discussed with Banbury Town Council who have an arrangement with Clear Channel for the provision of shelters.

These provisions are necessary to ensure that the development benefits from improved public transport access which will increase the sustainability of the location.

Traffic Impact

The overall conclusions of the Transport Statement as it relates to trip rates are accepted. The methodology used to generate the final trip rates is accepted.

Travel Plan

A Travel Plan Statement will be required for a development of 78 dwellings. This should be produced prior to first occupation. Further information regarding the template and the required criteria can be found within appendix 4 of the OCC guidance document – Transport for New Developments – Transport Assessments and Travel Plans March 2014.

A Travel Plan Statement has been produced to accompany this application but currently does not contain the level of detail required to meet OCC criteria. The applicant is therefore encouraged to wait until further information is available before revising and resubmitting for approval.

A Residential Travel Information Pack should be produced prior to first occupation and then distributed to all residents at the point of occupation.

Reason – to ensure all residents are aware of the travel choices available to them from the outset. Further information regarding the criteria can be found on OCC's website or attached with this response.

Please could cycle parking be provided within residential boundaries, either within a garage or a garden shed.

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

£70,000 Highway Works Contribution indexed from Q1 2021 using BCIS Index

Towards:

- Active Travel Corridor along Dukes Meadow Drive

Justification:

The site will increase the number of residents utilising sustainable modes of transport such walking and cycling. Banbury's emerging Local Cycling and Walking Infrastructure Plan (LCWIP) has identified Dukes Meadow Drive as a high traffic pedestrian and cycle route that should be upgraded to an active travel corridor. This development will contribute towards increased usage along this route. A contribution is required to mitigate against the cumulative impact of planned growth and improve active travel opportunities.

Calculation:

Indexed from Q1 2021.

£117,156 Public Transport Service Contribution indexed from 2021 using RPI-x

Towards: A financial contribution is requested for the continued provision of higher frequency bus services in the area around the site, which may include the B3 and/or B9 services. The standard contribution for bus services in this area of Banbury is £1,502 per dwelling which for a development of 78 dwellings equates to **£117,156**.

Justification: Section 2.7 of the Transport Statement notes that the nearest bus stops are at Highlands, 650 metres from the western access. However, the walking route to the bus stops crosses Hanwell Fields Park on unlit paths and would be particularly unattractive at night or for certain groups of residents. The site is therefore not particularly well located for public transport services when this is considered.

Bus services in this area of Banbury are financially supported by the County Council utilising Section 106 funds from local development. As further development is proposed it becomes more important for further funds to come forward to ensure that these services are maintained at their higher frequency for a longer period of time, in order that the maximum potential for commercial viability can be achieved.

Calculation: £1,502 per dwelling is sought from developments in this area of Banbury to support the B3 and/or B9 services.

£10,000 Public Transport Infrastructure Contribution indexed from Q1 2021 using Baxter Index

Towards: Mitigation measures in the 'impact' area up to 2km from the site. Primarily this is to improve the surfaces of all routes to take account of the likely increase in use by residents of the development as well as new or replacement structures like gates, bridges and seating, sub-surfacing and drainage to enable easier access, improved signing etc

Search map

Select the type of search you require and enter the search term below.

Town/Village

Street name

Postcode

Parish

Grid reference (e.g. SP4233 0336)

Path number e.g. 100/10

Village Green Application Reference e.g. NLREG24

Current location

Save location

To find a location use the Search options to locate paths, settlements or parishes. If your device has a GPS you can centre the map on your current position by pressing the 'Current Location' button.



Justification:

a) Necessary to make the proposed development acceptable in planning terms. There is expected to be an increase in numbers of residents and their visitors using the rights of way network in the vicinity of the site due to the proximity of the development. OCC Countryside Access is seeking a contribution to mitigate the impact of this increase in numbers of residents and their visitors accessing the network along these routes.

b) Directly related to the development.

The site has had a desk assessment to both assess the current situation and look at how public use could be protected and enhanced. With the development site at the centre, the logical and realistic public rights of way network likely to be affected is considered.

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

The proposed measures are based on the desk assessment of likely costs for the measures. The proposed off-site measures are in the form of a reasonable financial contribution to allow the Countryside Access Team to plan and deliver improvements with third party landowners in a reasonable time period and under the Rights of Way Management Plan aims.

The contribution would be spent on improvements to the public rights of way in the vicinity of the development. Primarily this is to improve the surfaces of all routes to take account of the likely increase in use by residents of the development as well as new or replacement structures like gates, bridges and seating, sub-surfacing and drainage to enable easier access, improved signing etc.

Calculation:

The proposed measures are based on the desk assessment of likely costs for the measures. They are not based on a standard formula or any other kind of per-dwelling or per-m² tariff system. Estimated contribution breakdown by activity:

- site surveys & assessments 5%
- habitat survey & mitigation 5%
- landowner negotiations 5%
- Materials, contractor, plant & equipment 60%
- Legal processes e.g. temporary works closures, agreement payments 5-10%
- Contract preparation & supervision 5%
- Admin costs 5%
- Contingency/Follow-up repair works 5-10%

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- A bus stop on the northern side of Dukes Meadow Drive to the east of the Lapsley Drive / site entrance roundabout, together with associated footway works for adequate access from the development. This bus stop should include a pole, flag and timetable case to OCC specification (attached) and a two-bay shelter, the details of which should be discussed with Banbury Town Council who have an arrangement with Clear Channel for the provision of shelters.
- Two dropped kerb crossing facilities to be provided at the proposed pedestrian crossing points south of the site to Hanwell Fields Park. These should include tactile paving.
- Provision of two pedestrian paths linking the site to the two dropped kerb crossing points on Dukes Meadow Drive. These should be at minimum, self-binding gravel type surfaces as this area is currently grass, not suitable for crossing by pedestrians and vulnerable users.

Justification

The provision of dropped kerb pedestrian crossing points across Dukes Meadow Drive and associated self-binding gravel type surfaces linking them to the site are required to improve the connectivity of the site by providing viable east/west and north/south links

to the wider Banbury area. Without these facilities, residents will be subject to extremely long and inconvenient detours to access the west/south of Banbury.

The bus stop and associated footpath is required to ensure that the site has access to a valid public transport connection. The existing stops are more than 400m away from the site access and involve travelling long unlit footpaths which many users will opt not to use. Public transport must be encouraged and the provision of a bus stop for a diverted B3/B9 service will make the site acceptable in terms of public transport provision.

Notes:

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

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 highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to first occupation the means of access shall be constructed and retained in accordance with the approved details.

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

Travel Information Pack

Prior to first occupation a Travel Information Pack shall be submitted to Local Planning Authority for approval. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Travel Plan Statement (TPS)

Prior to first occupation a Travel Plan Statement (TPS) shall be submitted to Local Planning Authority for approval.

Construction Traffic Management Plan (CTMP)

Prior to commencement of the development hereby approved; a construction traffic management plan shall be submitted to and approved by the Local Planning Authority. The CTMP will need to incorporate the following in detail and throughout development the approved plan must be adhered to

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times

Informative:

- OCC require a swept path analysis for an 11.6m in length refuse vehicle for all manoeuvres in forward gear. All internal bends and junctions will need to be tracked with two vehicles using the bend/junction at the same time.
- Highway boundary needs to be checked with OCC Highway Records (highway.records@oxfordshire.gov.uk) to determine whether or not it coincides with the site boundary at the proposed access junction. If there is a ditch present the highway boundary is usually the roadside edge of the ditch.
- Visibility Splays must be dedicated to OCC if they fall out of the existing highway boundary.
- No private drainage to discharge onto existing Highway.
- No private drainage to discharge onto any area of proposed adoptable highway.
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design will be subject to a full technical audit.

Officer's Name: Glenn Speakman

Officer's Title: Assistant Transport Planner

Date: 22 November 2021

Application no: 21/03426/OUT

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

Lead Local Flood Authority

Recommendation:

Objection

Comments:

The information submitted is not detailed enough to review the strategy. detailed surface water management strategy must be submitted in accordance with the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire

In line with this guidance, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site as much as possible.

Proposed development needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.

Proposed development must meet local standards, L19, "At least one surface feature should be deployed within the drainage system for water quality purposes, or more features for runoff which may contain higher levels of pollutants in accordance with the CIRIA SuDS Manual C753. Only if surface features are demonstrated as not viable, then approved proprietary engineered pollution control features such as vortex separators, serviceable/ replaceable filter screens, or pollution interceptors may be used"

The applicant is required to provide a Surface Water Management Strategy in accordance with the following guidance:

The Sustainable Drainage Systems (SuDS) Policy, which came into force on the 6th April 2015 requires the use of sustainable drainage systems to manage runoff on all applications relating to major development. As well as dealing with surface water runoff, they are required to provide water quality, biodiversity and amenity benefits in line with National Guidance. The Sustainable Drainage Systems (SuDS) Policy also implemented changes to the Town and Country Planning (Development Management

Procedure) (England) Order 2010 to make the Lead Local Flood Authority (LLFA) a statutory Consultee for Major Applications in relation to surface water drainage. This was implemented in place of the SuDS Approval Bodies (SAB's) proposed in Schedule 3 of the Flood and Water Management Act 2010.

All full and outline planning applications for Major Development must be submitted with a Surface Water Management Strategy. A site-specific Flood Risk Assessment (FRA) is also required for developments of 1 hectare or greater in Flood Zone 1; all developments in Flood Zones 2 and 3 or in an area within Flood Zone 1 notified as having critical drainage problems; and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

Further information on flood risk in Oxfordshire, which includes access to view the existing fluvial and surface water flood maps, can be found on the [Oxfordshire flood tool kit](#) website. The site also includes specific flood risk information for developers and Planners.

The [National Planning Policy Framework \(NPPF\)](#), which was updated in July 2021 provides specific principles on flood risk (Section 14, from page 45). [National Planning Practice Guidance \(NPPG\)](#) provides further advice to ensure new development will come forward in line with the NPPF.

Paragraph 159 states; “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”

As stated in Paragraph 160 and 161 of the NPPF, we will expect a sequential approach to be used in areas known to be at risk now or in the future from any form of flooding.

The [Non-statutory technical Standards for sustainable drainage systems](#) were produced to provide initial principles to ensure developments provide SuDS in line with the NPPF and NPPG. Oxfordshire County Council have published the “[Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)” to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The SuDS philosophy and concepts within the Oxfordshire guidance are based upon and derived from the CIRIA [SuDS Manual \(C753\)](#), and we expect all development to come forward in line with these principles.

In line with the above guidance, surface water management must be considered from the beginning of the development planning process and throughout – influencing site

layout and design. The proposed drainage solution should not be limited by the proposed site layout and design.

Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site. Therefore, we will expect existing drainage features on the site to be retained and they should be utilised and enhanced wherever possible.

Although we acknowledge it will be hard to determine all the detail of source control attenuation and conveyance features at an outline stage, we will expect the Surface Water Management Strategy to set parameters for each parcel/phase to ensure these are included when these parcels/phases come forward. Space must be made for shallow conveyance features throughout the site and by also retaining existing drainage features and flood flow routes, this will ensure that the existing drainage regime is maintained, and flood risk can be managed appropriately.

[Drainage Pro-Forma](#)

Officer's Name: Sujeenthan Jeevarangan

Officer's Title: LLFA Planning Engineer

Date: 23 November 2021

Application no: 21/03426/OUT

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

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)
Secondary education	£631,503	327	BCIS All-In TPI	Secondary education capacity serving the development
Secondary Land Contribution	£63,327	Nov-20	RPIX	Secondary land contribution
Special education	£37,757	327	BCIS All-In TPI	Special school education capacity serving the development
Total	£ 732,587			

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

£631,503 Secondary School Contribution indexed from TPI = 327

Justification:

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

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

planned growth of the town's population, including that resulting from this proposed development, should it be permitted.

Calculation:

Number of secondary pupils expected to be generated	19
Estimated per pupil cost of building a new 600-place secondary school	£33,237
Pupils * cost =	£ 631,503

£63,327 Secondary School Land Contribution indexed from Nov-20

Justification:

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

Calculation:

Contribution required towards school land costs = £3,333 * 19 = £63,327

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

Justification:

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

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

The county council's Special Educational Needs & Disability Sufficiency of Places Strategy is available at <https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places> and sets out how Oxfordshire already needs

more special school places. This is being achieved through a mixture of new schools and expansions of existing schools.

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

Calculation:

Number of pupils requiring education at a special school expected to be generated	0.5
Estimated per pupil cost of special school expansion	£75,513
Pupils * cost =	£ 37,757

The above contributions are based on a unit mix of:

6 x 1 bed dwellings
25 x 2 bed dwellings
39 x 3 bed dwellings
8 x 4 bed dwellings

(unit mix taken from the Application Form dated 5/10/2021)

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

Officer's Name: Louise Heavey

Officer's Title: Access to Learning Information Analyst

Date: 18 November 2021

Application no: 21/03426/OUT

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

Archaeology

Recommendation:

Objection

Key issues:

see below

Detailed comments:

We have previously provided archaeological advice on a pre application consultation for this site under the reference number 21/01880/PREAPP where we advised that an archaeological evaluation would need to be undertaken ahead of the determination of any planning application for the site.

The applicant has submitted an archaeological desk-based assessment but this was not undertaken in line with the standards and guidance of the Chartered Institute for Archaeology and no attempt was made to agree a written specification for this site as set out in this standard. As such this assessment omits a number of archaeological sites to the west of this proposal which should have been taken into account for any such assessment. This would have been highlighted to Thames Valley Archaeological Services had they contacted us to agree the scope as set out in the ClfA standards and guidance.

The applicant has also submitted the results of a geophysical survey. Although a written specification was agreed for this survey the work was not undertaken in line with this agreed specification.

The site is located in an area of archaeological interest with later prehistoric through to Roman archaeological deposits recorded in the immediate vicinity. Two prehistoric ring ditches were recorded 600m west of the site along with prehistoric ditches and a number of undated post holes and pits which are likely to be of a similar date. A post medieval ring ditch, probably from a windmill, was also recorded on the site. This may have been built on a surviving prehistoric barrow mound. Iron Age and Roman settlement evidence has also been recorded 1kn to the west of the site. Historic England have recorded the line of a Roman Road (RR 161a) from Harwell to Oxford 277m west of the application site.

Considerable Iron Age and Roman settlement has been recorded to the west of the application area, just 860m west of the application boundary. These excavations recorded a Bronze Age ring ditch and part of a probable middle Iron Age to Roman settlement. The Iron Age activity consisted of three enclosures, two of which had associated internal features containing pits and postholes. The Roman activity comprised three corn driers, beam slot and posthole structures, a metalled trackway and other ancillary features. A middle/late Iron Age crouched burial, supine burial and two cremations were also excavated.

The details of this site should have been included in the desk based assessment submitted as part of this application.

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

In accordance with the National Planning Policy Framework (NPPF, paragraph 194), we would therefore recommend that, prior to the determination of any planning application for this site the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This evaluation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

Officer's Name: Richard Oram
Officer's Title: Archaeology Lead
Date: 15 November 2021

Application no: 21/03426/OUT

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

Waste Management

Recommendation:

No objection subject to S106 contributions

Legal agreement required to secure:

No objection subject to:

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

Contribution	Amount	Price base	Index	Towards (details)
Household Waste Recycling Centres	£7,329	327	BCIS All-In TPI	Expansion and efficiency of Household Waste Recycling Centres (HWRC)

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

£7,329 Household Waste Recycling Centre Contribution indexed from Index Value 327 using BCIS All-in Tender Price Index

Towards:

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

Justification:

1. 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;”.

2. Such places are known as Household Waste Recycling Centres (HWRCs) and Oxfordshire County Council provides seven HWRCs throughout the County. This network of sites is no longer fit for purpose and is over capacity.
3. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently ‘over capacity’ (meaning residents need to queue before they are able to deposit materials) at peak times, and many sites are nearing capacity during off peak times. The proposed development will provide 78 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 312 HWRC visits per year.
4. Congestion on site can reduce recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin. Reduced recycling leads to higher costs and an adverse impact on the environment. As all sites are currently over capacity, population growth linked to new housing developments will increase the pressure on the sites.
5. The Waste Regulations (England and Wales) 2011 require that waste is dealt with according to the waste hierarchy. The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt. Combined with the complex and varied nature of materials delivered to site it will become increasingly difficult over time to comply with the EU Waste Framework Directive 2008, enacted through the Waste Regulations (England and Wales) 2011 (as amended), maintain performance and a good level of service especially at busy and peak times.

Calculation:

Space at HWRC required per dwelling (m ²)	0.18	Current land available 41,000m ² , needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%. Therefore, total land required for current dwellings (300,090) is 55,350 m ² , or 0.18m ² per dwelling
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Infrastructure cost per m ²	£275	Kidlington build cost/m ² indexed to 327 BCIS
Land cost per m ²	£247	Senior Estates Surveyor valuation
Total land and infrastructure cost /m ²	£522	
Cost/dwelling	£93.96	
No of dwellings in the development	78	
Total contributions requested	£7,329	

Detailed comments:

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

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

At the reserved matters application stage, we expect to see plans for how the developer will design the development, expanding on the details provided about the Refuse Strategy in the Design and Access Statement, in accordance with waste management policies in Cherwell District Council's waste planning guidance.

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

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

Conditions:

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

N/A

Officer's Name: Mark Watson

Officer's Title: Waste Strategy Projects Officer

Date: 26 November 2021