

OXFORDSHIRE COUNTY COUNCIL'S REGULATION 122 COMPLIANCE STATEMENT

Location: OS Parcel 3673 Adjoining And West Of 161, Rutten Lane, Yarnton, OX5 1LT

Planning Application Ref: 21/03522/OUT

Appeal Reference: APP/C3105/W/23/3329587

Proposal: The erection of up to 540 dwellings (Class C3), up to 9,000sqm GEA of elderly/extra care residential floorspace (Class C2), a Community Home Work Hub (up to 200sqm)(Class E), alongside the creation of two locally equipped areas for play, one NEAP, up to 1.8 hectares of playing pitches and amenity space for the William Fletcher Primary School, two vehicular access points, green infrastructure, areas of public open space, two community woodland areas, a local nature reserve, footpaths, tree planting, restoration of historic hedgerow, and associated works. All matters are reserved, save for the principal access points

Date of Regulation 122 Statement: 06/12/2023

1. INTRODUCTION

- 1.1. Oxfordshire County Council (OCC) considers that the proposed development 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 the contributions set out in table 1 below.
- 1.2. This statement supplements the formal responses by OCC to the consultations 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 CONTRIBUTIONS SUMMARY:

- 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 Education Contribution	£3,662,000	BCIS all in TPI 327
Primary Education Land	1.8 ha land	N/A
Secondary Education Contribution	£3,773,812	BCIS all in TPI 327
Secondary Education Land Contribution	£332,890	RPIX April 2023
SEND Education Contribution	£367,938	BCIS all in TPI 327
Household Waste Recycling Centres Contribution	£50,738	BCIS all in TPI 327
Library Capacity Contribution	£40,221	BCIS all in TPI 349
Library Book-Stock Contribution	£18,646	RPIX December 2022
Mobility Hub Contribution	£1,566,384	BAXTER June 2022
A44 Highway Works Package – Bladon to Begbroke Hill Contribution	£2,116,660	BAXTER June 2022
A44 Highway Works Package – Cassington Road to Pear Tree Interchange Contribution	£1,762,912	BAXTER January 2023
Public Transport Services Contribution	£529,123	RPIX December 2021
Public Transport Infrastructure Contribution	£28,068	BAXTER March 2022
Traffic Regulation Order Contribution	£6,640	RPIX March 2022
Travel Plan Monitoring Fee Contribution	£6,684	RPIX December 2021
Public Rights of Way Contribution	£250,000	BAXTER March 2022

Table 1: Infrastructure Contributions

2.2. Administration and Monitoring Fee £26,010

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 a policy compliant mix of:

- 78 x one bed dwellings
- 164 x two bed dwellings

215 x three bed dwellings
83 x four + bed dwellings

- 3.3. It is estimated that the proposed development would generate a net increase of 1,363 additional residents including:
- 159 primary school pupils
 - 130 secondary school students
 - 4.1 pupils requiring education at a special school

4. EDUCATION & COMMUNITY

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)
- Ensure sufficient childcare for working parents (The Childcare Act 2006 S6)
- Secure free childcare for qualifying children (The Childcare Act 2016 S2)

The National Planning Policy Framework (NPPF) 5 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 AND COMMUNITY CONTRIBUTIONS

4.2.1 Primary Education Contribution - £3,662,000 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

William Fletcher Primary School serves this area, and has a current capacity of 315 primary school places, and in October 2023 had 259 pupils on roll, leaving 56 spare places.

The proposed development is estimated to generate 159 primary school pupils. It therefore cannot accommodate the growth in the local pupil population that would be generated by this development.

This assessment has been made using a population generation calculator – PopCal – which takes into account the total number of dwellings; the mix by size and tenure; and expected phasing. It draws upon a Survey of New Housing in Oxfordshire conducted in 2018, and reflects that the population profile of new housing is significantly different from the wider population, and calculates a time-based profile of population change rather than taking a snap-shot. Having estimated population increase resulting from the housing proposal at each age, it then estimates mainstream school pupil generation by discounting the population to take into account that not all children will attend state schools; that some pupils will attend special schools rather than mainstream schools; and that not all pupils will continue into post-16 education within the school sector. The percentages for each of these are based on evidence from the pupil census for Oxfordshire.

An options appraisal has been undertaken into expanding William Fletcher Primary School, the nearest and designated school serving this proposed development, from a capacity of 315 to a capacity of 420 places, an increase of 105 places. This, in addition to the 56 currently spare places, would accommodate generation of an additional 159 pupils, in line with the expected pupil generation from this development.

(b) Directly related to the development

The requested contribution will be used to provide sufficient primary school capacity for the children generated by this development.

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

This development is required to fully fund the expansion of William Fletcher Primary School, which is currently estimated to cost £3,564,000, plus £98,000 for re-providing a hard-surfaced playground on the main school site. The total cost of expansion is therefore estimated at £3,662,000. This cost is based on feasibility assessment carried out for this specific project.

4.2.2 Primary Education Land– 1.8 ha of land (freehold, fenced, remediated and made suitable for sports pitches (1.25 ha), informal play and staff car parking) for use by William Fletcher Primary School

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

As set out above, it is necessary for William Fletcher Primary School to expand to 2 forms of entry to meet the needs of this proposed development. The current site area of William Fletcher Primary School is 1.27ha. Using the Government's Building Bulletin 103 site area standards for primary schools, this site area is sufficient for 245-321 primary school pupils, i.e. in line with the school's current size. It is not large enough to support a 2 form entry primary school.

The development is required to provide sufficient land area for the school to expand. The additional school accommodation would be built on the current school site, and new playing fields would need to be provided by the applicant. These fields need to be suitable for use both for sports lessons and also informal playtime use, and therefore need to be secure and capable of being supervised during playtimes.

As advised by Government guidance on *Securing developer contributions for education*, this land should be transferred on a freehold basis to the county council.

The following conditions are required for the playing field land:

- The playing field land will be approximately 1.8ha of which approximately 1.25 ha will be remediated, marked and made suitable for sport.
- The playing field shall be fully drained, in accordance with Sport England's Natural Turf for Sport Updated guidance for 2011 and the minimum standards for natural turf sports facilities and the specification for the construction of winter games facilities as defined within the SAPCA Code of Practice for the Design, Construction and Improvement of Natural Sports Turf.
- All topsoil shall comply with BS 3882:2015.
- Type 4: Pipe drained with sand grooves as described in Sport England Guidance Note Natural Turf for Sports, shall be the minimum requirement to the whole playing field, not just the pitch area and run off.
- The layout is to be agreed to enable movement of various pitch/pitches with a uniform fall of no more than 1:100 across the full playing field area to enable them to be moved to avoid wear and tear.
- No gradient shall be greater than 1:100 along the line of play or 1:50 across the line of play.
- 2.4m high secure weld mesh boundary fencing shall secure the playing pitches, vehicle access and pedestrian fencing.
- Ball catch netting will need to be provided to the goal ends of sports pitch - 2no. 4m high by 20m.

The current hard games court will need to be replaced to enable the expansion of the school, the cost of which has been included in the Primary Education Contribution above (4.2.1). An additional 28 car parking spaces will also be required on the new playing field land (to be accessed from the new development), and on-surface attenuation provision that accounts for the outfall from the new playing field site, shall be provided outside the boundary of the new playing fields. This on-surface water storage shall form part of the overall surface water management infrastructure and shall fall under the responsibility of the Developer's appointed

Management and Maintenance Company, to maintain in perpetuity. No surface water shall be directed towards the existing school site or the new playing fields.

The remediation and laying out of the playing field is to be completed according to a timescale agreed with OCC to ensure the land is suitable for year-round play when required to be transferred to OCC for use by William Fletcher Primary School. A proving layout detailing the site layout, levels, boundary treatment, off site drainage and pedestrian and vehicle access points etc. will form part of the S106 agreement and is subject to further design development with the Applicant.

(b) Directly related to the development

The requested contribution will be used to provide sufficient primary school capacity for the children generated by this development.

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

The identified site area is the minimum amount required to facilitate the school's expansion to 2 forms of entry, as it needs to incorporate a playing field of fixed and level proportions.

4.2.3 Secondary Education Contribution - £3,773,812 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 proposed development lies within the catchment area of Marlborough School in Woodstock, which has a capacity of 1138 places and as of October 2023, 1,086 pupils on roll. As a result of housing development within Woodstock, pupil numbers are expected to grow, leaving no spare places.

The proposed development also lies close to Gosford Hill School in Kidlington, and the county council has included this school in its assessment of the impact of the proposed development, in the context of the other housing development sites included in the CDC Local Plan Partial Review.

Gosford Hill School would be forecast to have approximately 200 spare places in the absence of the planned local housing growth. The combined impact of the Partial Review sites is estimated at 1,123 additional secondary school pupils. There is a clear need for significant additional secondary school capacity, which is beyond the scope of the current secondary schools' sites to accommodate, and therefore requiring a new secondary school provision, in the order of a new 900-place secondary school which is proposed to be delivered on the PR8 Land East of the A44 at Begbroke/Yarnton strategic housing allocation.

All the CDC Local Plan Partial Review (PR) sites are required to contribute in a proportionate manner towards the additional secondary education capacity required.

(b) Directly related to the development

The requested contribution will be used to provide sufficient secondary school capacity for the children generated by this development.

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

To address the complexity of planning secondary school provision equitably across all the PR sites, the approach taken is that credit for existing 200 surplus places in the Woodstock-Begbroke-Kidlington area should be distributed across the PR sites in proportion to the number of dwellings allocated in the Local Plan. When the individual planning applications are assessed, the site's share of the surplus places will not be subject to secondary education contributions.

The 540 dwellings proposed at this site represent 12% of the total Local Plan PR sites. This site therefore benefits from 12% of the 200 surplus places, i.e. 24 places.

The estimated gross secondary pupil generation from the current application is 130, again based on the PopCal tool as outlined above.

Deducting the 24 surplus places, the estimated net secondary pupil generation from the current application is 106.

The net pupil generation (106) is charged at the per pupil cost of building a 900-place school on the Begbroke site, which is £35,602 excluding land (at BCIS TPI=327). This cost is calculated based on a full review of school building costs by Gleeds, a leading global property and construction consultancy, the outcome of which was reviewed by Mott MacDonald, a global engineering, management and development consultancy to ensure robustness of the costings. The review referenced cost data held by Gleeds' Cost Data department, BCIS, National Cost Benchmarking and data held by Mott MacDonald to derive the most representative building cost/m². New school costs include fees, legal costs, furniture and equipment, and the initial set-up costs of new schools. They do not include abnormalities, nor land acquisition. They include an allowance for net zero carbon, in line with DfE guidance.

Number of secondary pupils expected to be generated, net of surplus places: 106

Estimated per pupil cost: £35,602

Pupils * cost = **£3,773,812**@ 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 Secondary Land Contribution - £332,890 index linked from November 2020 using RPIX Index, towards the purchase of land for secondary education serving the site

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

A contribution is also required towards secondary school site acquisition land costs, proportionate to Local Plan allocated dwelling numbers.

(b) Directly related to the development

The requested contribution will be used to provide sufficient secondary school capacity for the children generated by this development.

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

This development should contribute in a fair and proportionate manner to the land required for the secondary school on the PR8 Land East of the A44 at Begbroke/Yarnton strategic housing allocation.

Oxfordshire County Council's standard land requirement for a 900-place secondary school, based on the Government's Building Bulletin 103, is 6.77 ha, and standard education land value per ha = £409,761 (November 20); this gives a total land value of £2,774,082.

This application accounts for 12% of the total PR allocation of 4,400 dwellings

It should therefore contribute 12% of the land value, which is £332,890 (November 2020 RPIX).

4.2.5 SEND Education Contribution - £367,938 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 Special 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.

Oxfordshire's SEND Sufficiency Delivery Strategy sets out that the county already has a deficiency of special school provision.

(b) Directly related to the development

The proposed development is projected to further increase demand for places at special schools in the area, and a contribution towards expansion of special 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.

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

The contribution is based on the number of special school pupils expected to be generated (4.1) multiplied by the cost per place of expanding a special school using national average costs provided by the Department for Education, adjusted for Oxfordshire cost levels, and as advised in the government's guidance on *Securing developer contributions for education* (last updated August 2023).

$$4.1 * £89,741 = \mathbf{£367,938} @BCIS TPI = 327$$

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.

4.2.6 Household Waste and Recycling Centre - £50,738 indexed linked from 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 HWRCs in Oxfordshire are operating beyond their capacity. 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 540 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 2,160 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 540 making the contribution required £50,738 BCIS 327.

4.2.7 Library Contributions - £58,867 Comprising of:

- **Library Capacity Contribution £40,221 indexed linked from index point 349 BCIS All-In-TPI towards expansion of capacity at Kidlington Library**
- **Library Book-Stock Contribution £18,646 indexed linked from December 2022 RPIX towards library stock at Kidlington Library**

(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))

For library facilities, OCC has an adopted standard for publicly available library floor space of 23m² per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5m² per 1,000 head of population. The forecast population for this site is 1,363 people. Based on this, the area of the library required to serve this development is 37.5M². This site is served by Kidlington Library but it is unable to accommodate such expansion. This development will nevertheless place increased pressure on the local library. Instead, to ensure Kidlington Library is able to provide for planned growth north of Oxford this library can be reconfigured with associated refurbishment to expand capacity within the existing footprint. The reconfiguration of the existing layout will be designed to make more efficient use of space by increasing shelving capacity; provide moveable shelving to allow for events and activities and, provide additional study space.

This development is required to contribute in a proportionate manner to the expansion of capacity at Kidlington Library including an increase in library stock.

(b) Directly related to the development

Kidlington 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 cost of reconfiguring and refitting Kidlington Library is calculated at £327,000 (BCIS TPI 349).

Based on the Local Plan allocation, this site represents 12.3% of the 'PR' sites (4,400). A proportionate contribution of **£40,221** (TPI 349 BCIS) is therefore required.

A contribution towards library stock will also be required based on 1.5 items per resident at a cost of £9.12 per item (RPIx Dec 2022). The expected population forecast for this development is 1,363 people. The contribution towards library stock is therefore **£18,646** (RPIx Dec 2022).

5. TRANSPORT

5.1 LEGISLATION AND POLICY

National Planning Policy Framework, 5 September 2023

i. Paragraph 100

Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

ii. 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.

iii. 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.

iv. Paragraph 106

Planning Policies should:

- (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 attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);

v. 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;
- (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.

vi. 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.

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.

Policy 20 – We will:

- a) Continue to support the development of Park and Ride and future bus rapid transit in the county, on a case-by-case basis and subject to careful consideration.
- b) Work with partners and Stakeholders on a more detailed review of Park and Ride in order to establish an updated strategy that accounts for the impacts of COVID-19 and considers potential new approaches, including how it fits with development of mobility hubs across Oxfordshire.

Policy 23 – We will:

- a) Support the development of mobility hubs in a range of locations and sizes in order to improve interchange opportunities, connectivity and accessibility. Appendix 4 summarises the type of facilities and services that could be provided at different scales and locations within Oxfordshire.

b) Carefully consider the following matters when developing plans for any new mobility hubs:

- The identification and safeguarding of suitable land.
- The character and needs of the local area.
- The proximity of proposals to strategic rail, bus and active travel networks.
- The potential to achieve more walking and cycling, including the need for suitable cycle parking.
- The ability to develop and improve existing assets or facilities such as stations, bus stopping areas or Park and Rides.
- The potential to tie in with high quality digital and renewable energy networks.
- The opportunity to provide complementary facilities and services such as flexible workspaces, shops and refreshment options.

c) Encourage developers to design mobility hubs into development where appropriate.

Action 12 of the Central Oxfordshire Travel Plan (COTP) sets out that the County Council will 'deliver bus priority measures along key inter-urban bus routes and on key orbital routes in the Oxford area.' The A44 is identified as being part of the Core Bus Network within the COTP.

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."*

Cherwell Local Plan 2011 – 2031 Partial Review – Oxford's Unmet Housing Need

Policy PR4a: Sustainable Transport

The strategic developments provided for under Policies PR6 to PR9 will be expected to provide proportionate financial contributions directly related to the development in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport. Where necessary, the provision of land will be required to support the implementation of relevant schemes set out in the Local Transport Plan 4 (including the Oxford Transport Strategy), the A44/A4260 Corridor Study and Local Plan Partial Review Transport Mitigation Assessment. These schemes shall include:

a) improved bus services and facilities along:

- i. the A44/A4144 corridor linking Woodstock and Oxford
 - ii. the A4260/A4165 (Oxford Road) linking Kidlington, Gosford, Water Eaton and Oxford
 - iii. Langford Lane.
- b) the enhancement of the off-carriageway Cycle Track/ Shared Use Path along the western side of the A44 and the provision of at least one pedestrian and cycle and wheelchair crossing over the A44.
- c) the prioritisation of the A44 over the A4260 as the primary north-south through route for private motor vehicles into and out of Oxford.
- d) improved rapid transit/bus services and associated Super Cycleway along the A4260 into Oxford.
- e) improvements to the public realm through the centre of Kidlington associated with (d) above.
- f) the provision of new and enhanced pedestrian, cycling and wheelchair routes into and out of Oxford.

Policy PR9 -Land West of Yarnton

...

- b) At least two separate points of vehicular access and egress to and from the A44 with a connecting road between.
- c) An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site (including public transport), to services and facilities in Yarnton, including William Fletcher Primary School, to the allocated site to the east of the A44 (Policy PR8) and to existing or new points of connection off-site and to existing or potential public transport services.
- d) Protection of existing public rights of way and an outline scheme for the creation of new pedestrian, cycle and wheelchair routes through the publicly accessible open space and to the surrounding countryside, including new public bridleways for horse riding, and connecting with the existing public right of way network.

...

13. The application(s) shall be supported by a Transport Assessment and Travel Plan including measures for maximising sustainable transport connectivity, minimising the impact of motor vehicles on new residents and existing communities, and actions for updating the Travel Plan during construction of the development.

...

22. A layout, design and appearance to achieve an extension to Yarnton village that responds to the site's prominent position on the A44 corridor, its proximity and connectivity to the allocated site Land to the East of the A44 (policy PR8), the need to protect the identity of Begbroke village (west), the opportunity for sustainable travel into Oxford and the provision of green infrastructure and access to the countryside for the local community.

Policy PR11 - Infrastructure Delivery

The Council's approach to infrastructure planning to contribute in meeting Oxford's unmet housing needs will be to ensure delivery by:

1. Working with partners including central Government, the Local Enterprise Partnership, Oxford City Council, Oxfordshire County Council and other service providers to:
 - (a) provide and maintain physical, community and green infrastructure.
 - (b) identify infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery.
2. Keeping up-to-date a Developer Contributions Supplementary Planning Document setting out the Council's approach to the provision of essential infrastructure including affordable housing, education, transport, health, flood defences and open space.
3. Ensure that development proposals demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social, sport, leisure and community facilities, wastewater treatment and sewerage, and with necessary developer contributions in accordance with adopted requirements including those of the Council's Developer Contributions SPD.
4. All sites are required to contribute to the delivery of Local Plan Infrastructure. Where forward funding for infrastructure has been provided, for example from the Oxfordshire Growth Board as part of the Oxfordshire Housing and Growth Deal, all sites are required to contribute to the recovery of these funds as appropriate.

Appendix 4 – Infrastructure Schedule

Appendix 4 of the LPPR identifies the infrastructure schemes to support the allocated growth and ensures that infrastructure needs for Cherwell are incorporated in the relevant Infrastructure providers' plans and programmes.

The Infrastructure Schedule indicates the level of priority for the schemes identified as either 'critical', 'necessary' or 'desirable' and also indicates to which development sites the schemes are relevant towards.

5.2 TRANSPORT CONTRIBUTIONS

5.2.1 - £1,566,384 Mobility Hub Contribution index-linked from June 2022 using Baxter

(a) Necessary to make the development acceptable in planning terms
Appendix 4 of CDC's Local Plan 2011-2031 Partial Review identifies the Park and Ride at London Oxford Airport as 'necessary' for the delivery of the Partial Review development plan and that this applies to all Partial Review sites.

The term 'mobility hub' refers to a recognisable place where there is a range of different shared and public transport modes, a refinement to 'Park and Ride'. The key function of an interchange between car to public transport remains, but the facility will also provide an interchange to active modes of travel. The mobility hub will help to encourage active and sustainable travel by linking up the existing walking

cycling and public transport routes, creating a point where private cars would be left to embark on sustainable travel modes. It will create a seamless and attractive interchange to sustainable travel. The hub would remove traffic from the local network as car drivers switch to sustainable transport modes for onward journeys. This reduction in through traffic is required in order to accommodate development traffic along key corridor routes north of Oxford. The provision for active travel as well as public transport interchange aligns with the transport strategy for the PR sites and the County Council's strategy within the LTCP.

The road network around north Oxford suffers from high levels of traffic congestion and delay exacerbated by major road and rail intersections.

There is significant development planned along the A44 corridor between Woodstock and Oxford, this site being one of a number of allocated developments sites along the corridor within Cherwell District Council and West Oxfordshire geographical areas. Without suitable mitigation the impact of cumulative traffic growth as a result of development along the A44 and local road network would be severe. Large-scale road capacity improvements along this route are neither feasible nor would such schemes align with the transport policies above. The necessary approach is therefore that, in order to accommodate growth along the A44 corridor, a modal shift from car use towards the use of sustainable and active travel is required.

The modelling and cumulative assessment included within the 'Application Comments Response Note' dated 5 December 2022 by Vectos and submitted in support of this application, clearly demonstrate that a significant reduction in background traffic is required to enable these developments to come forward. Alongside the package of mitigation measures identified, that have all been included in the modelling assessments for the development, the Mobility Hub enables a reduction in background traffic on the North of Oxford corridors (A44 and A4260) and connecting network by intercepting vehicle trips toward Oxford and enabling onward journeys to Oxford and the local area to be completed by sustainable transport. This released capacity is critical to enabling and accommodating the development site on the A44 corridor, without which the cumulative impacts across the network would unquestionably be severe. Policy 20 of the LTCP states, 'We will continue to support the development of Park and Ride and future bus rapid transit in the county, on a case-by-case basis and subject to careful consideration...'

Policy 23 of the LTCP states, 'Support the development of mobility hubs in a range of locations and sizes in order to improve interchange opportunities, connectivity and accessibility. Appendix 4 summarises the type of facilities and services that could be provided at different scales and locations within Oxfordshire'.

Policy PR11 of the Local Plan Partial Review states that 'All sites are required to contribute to the delivery of Local Plan Infrastructure...'

Policy PR4a: states that 'the strategic developments provided for under Policies PR6 to PR9 will be expected to provide proportionate financial contributions directly related to the development in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport. Where necessary, the provision of

land will be required to support the implementation of relevant schemes set out in the Local Transport Plan 4 (including the Oxford Transport Strategy), the A44/A4260 Corridor Study and Local Plan Partial Review Transport Mitigation Assessment.'

(b) Directly related to the development

The Mobility Hub has a direct relationship to the development site, as it will relieve congestion on the A44 and local road network north of Oxford, where the site is located.

The Mobility Hub would be located just over 2km from the proposed site on the A44 Corridor – which is best suited to take the onward trips off the Oxford bound route. Along with other associated highway improvement schemes that would ensure a faster and more reliable public transport service, residents stand to directly benefit from this scheme.

The Mobility Hub is identified as a key piece of infrastructure in delivering the transport strategy for the Local Plan Partial Review developments.

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

The latest estimate for delivery of a Mobility Hub near Oxford Airport is £21,610,829 (index linked to June 2022) including land costs, design, planning and construction.

As identified in the modelling assessment referred to above, the Mobility Hub is key to delivering the Partial Review development sites as well as those sites allocated in Woodstock. Without which the impact of these developments would be severe. It is therefore considered appropriate that all Partial Review allocated sites, and the two sites allocated by West Oxfordshire District Council in Woodstock contribute toward the delivery of the Airport Mobility Hub.

In order to apportion contributions towards the development sites fairly, an assessment of the external peak period trip generation, and so proportionate traffic impact, of each development has been undertaken. This takes account of all uses proposed on each site, for instance the large expansion to Begbroke Science Park on PR8, so not only housing numbers. The external peak period vehicle trips for each PR development site and the two allocated Woodstock sites are set out in the 'Forecasting Report (prepared jointly by the group of transport consultants working on the PR sites and included in Appendix G of the 'Application Comments Response Note' dated 5 December 2022 from Vectos) which underpins the assumptions on the modelling work that has been jointly undertaken by the group of transport consultants working on the PR sites, and is as follows:

Combined peak period vehicle trips

PR6a = 1,019

PR6b = 768

PR7a = 549

PR7b = 221

PR8 OUD = 5477

PR8 Hallam Land = 177

PR9= 713

Hill Rise Woodstock = 302

Banbury Road Woodstock = 611

Total = 9837 peak period trips

$£21,610,829 / 9837 = £2196.89$ per peak period trip

$£2196.89 * 713$ (PR9 peak period trips) = £1,566,384 index linked to June 2022 using Baxter Index.

Since the transport modelling assessment demonstrates that the Mobility Hub is required in full in order to release capacity and accommodate the development of the Partial Review development sites, it is considered fair that these sites, which benefit directly from the mitigation it provides, contribute proportionately to the delivery of the Mobility Hub.

The County Council has been actively seeking appropriate opportunities to bid for government funding to help to deliver the scheme. However, to date there have been no government funds available against which a bid for the Mobility Hub scheme could be made. The County Council will continue to seek opportunities to bid for additional funding and, should this result in an overpayment, the S106 Agreement will include a standard return of unspent contribution clause under which the applicant could request the return of unspent contributions.

5.2.2. - £2,116,660 A44 Highway Works Package – Bladon to Begbroke Hill Contribution index-linked from June 2022 using Baxter**(a) Necessary to make the development acceptable in planning terms**

The A44 corridor improvement schemes shall include.

- Dedicated bus priority measures along the A44 corridor, between Bladon roundabout to Peartree interchange.
- Segregated pedestrian and cycle infrastructure alongside the A44 between the Bladon Roundabout junction and Peartree interchange.

Appendix 4 of CDC's Local Plan Partial Review 2011 -2031 identifies the corridor works as 'critical' for development to 'reduce the proportion and overall number of car journeys and help deliver the transport changes provided for by the Oxford Transport Strategy. Appendix 4 also identifies this scheme as being relevant for the PR8 and PR9 development sites.

There is significant development planned along the A44 corridor between Woodstock and Oxford, this site being one of a number of allocated developments sites along the corridor within the West Oxfordshire and Cherwell District Council geographical areas. Without suitable mitigation the impact of cumulative traffic growth as a result of development along the A44 would be severe. Large-scale road capacity improvements along this route are neither feasible, due to physical constraints, nor would such schemes align with the transport policies above. The necessary approach is therefore

that, in order to accommodate growth along the A44 corridor, a modal shift away from private car use towards the use of sustainable and active travel is required.

Significant planned growth means that the role of public transport across the central Oxfordshire area will become increasingly important as a facilitator in moving large numbers of people efficiently around the transport network. Significant existing commuting into Oxford largely by car, combined with planned development sites on the edge of the area, increases the need for further bus priority measures on these corridors.

The County Council's strategy for the A44 corridor is to extend the bus priority and walking and cycling measures up to the Bladon Roundabout, to the location of a new 'mobility hub' in order that private vehicle trips into Oxford can be intercepted at that point and that onward journeys into Oxford can be made sustainably. The bus priority works would enable buses to efficiently bypass traffic congestion on the A44, making that modal shift away from private car more attractive, efficient and convenient, while the walking and cycling improvements will make active travel to nearby locations such as Langford Lane, Kidlington, Begbroke Science Park etc. more attractive.

These works are required in order to accommodate the proposed development in this area by enhancing the sustainable transport offer in the area and enabling the modal shift to sustainable transport required. This is in support of Policies 1, 2, 3 and 4 of the newly adopted LTCP that aims to ensure the transport user hierarchy gives priority to walking, cycling, public transport before private car users.

Action 12 of the Central Oxfordshire Travel Plan (COTP) sets out that the County Council will 'deliver bus priority measures along key inter-urban bus routes and on key orbital routes in the Oxford area.' The A44 is identified as being part of the Core Bus Network within the COTP.

Policy PR4a of the Local Plan Partial Review states that:

The strategic developments provided for under Policies PR6 to PR9 will be expected to provide proportionate financial contributions directly related to the development in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport. Where necessary, the provision of land will be required to support the implementation of relevant schemes set out in the Local Transport Plan 4 (including the Oxford Transport Strategy), the A44/A4260 Corridor Study and Local Plan Partial Review Transport Mitigation Assessment.

Action 12 of the Central Oxfordshire Travel Plan (COTP) sets out that the County Council will 'deliver bus priority measures along key inter-urban bus routes and on key orbital routes in the Oxford area.' The A44 is identified as being part of the Core Bus Network within the COTP.

(b) Directly related to the development

The scheme has a direct relationship to the development site, as it will aim on relieving congestion on the A44 to Oxford. The A44 corridor improvements are key to supporting the delivery of developments along the key northern key corridor routes of

Oxford such as around Woodstock and Kidlington. This scheme is therefore considered directly related to the Local Plan sites (Cherwell District Partial Review sites, and the WODC two sites allocated in Woodstock) from which contributions are proportionately sought.

The transport modelling assessment included in support of the application also demonstrates the need for such schemes in that they enable a modal shift of background traffic to an extent that enables the addition of development generated trips.

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

The OCC has commissioned a cost estimate from Faithful and Gould for the A44 corridor works as set out in the North of Oxford Corridor Strategy. The total cost estimate to deliver the bus priority measures and pedestrian and cycle facilities between the proposed Mobility Hub at Bladon Roundabout and the Begbroke Hill signalised junction is £21,611,905 (at June 2022 prices), inclusive of works to the Bladon Roundabout and Langford Lane junction.

As identified in Appendix 4 of the Local Plan Partial Review, the A44 corridor works are related and relevant to the PR8 and PR9 development sites. Oxfordshire County Council also considers that the A44 scheme is directly related to the two WODC allocated sites in Woodstock: Land East of Hill Rise and Land North of Banbury Road.

It is considered fair that the cost for delivery of this necessary infrastructure be met proportionately from these developments according to the development's traffic impact.

Combined peak period vehicle trips

PR8 OUD = 5477

PR8 Hallam Land = 177

PR9= 713

Hill Rise Woodstock = 302

Banbury Road Woodstock = 611

Total = 7,280 peak period trips

$£21,611,905 / 7,280 = £2,968.67$ per peak period trip

$£2968.67 * 713$ (PR9 peak period trips) = **£2,116,660** (index linked to June 2022 using Baxter index).

5.2.3 - £1,762,912 A44 Highway Works Package – Cassington Road to Pear Tree Interchange Contribution index-linked from January 2023 using Baxter

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

As per 5.2.2 above

(b) Directly related to the development

Bus priority and improvements to walking and cycling facilities are currently being implemented along the A44 between north of the Pear Tree interchange and the A44 / Cassington Road junction. The bus priority measures enable services to bypass traffic congestion and enhance the reliability and journey times of bus services. This section is being funded with funds secured under the Oxfordshire Housing and Growth Deal. The purpose of this scheme is to allow for the delivery of allocated housing sites on the A44 corridor. Proportionate claw-back contributions are sought from developments that would directly benefit from this scheme, this site being one such development.

The scheme therefore has a direct relationship to the development site, as it will relieve congestion on the A44 to Oxford. The A44 corridor improvements are key to supporting the delivery of developments along the key northern key corridor routes of Oxford such as around Woodstock and Kidlington. This scheme is therefore considered directly related to the Local Plan sites (Cherwell District Partial Review sites, and the WODC two sites allocated in Woodstock) from which contributions are proportionately sought.

The transport modelling assessment included in support of the application also demonstrates the need for such schemes in that they enable a modal shift of background traffic to an extent that enables the addition of development generated trips.

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

Oxfordshire County Council is currently implementing a scheme for bus priority and enhanced pedestrian and cycle facilities on the A44 between Cassington Road and Pear Tree interchange. Alongside the package of mitigation measures sought, the scheme is being delivered to enable the delivery of allocated housing sites along the A44 corridor. The scheme is being forward funded using funds secured through the Oxfordshire Housing and Growth Deal. Policy PR11 sets out that Growth Deal funding should be recovered from the development sites that directly benefit from the schemes.

The latest cost for the scheme, which is currently in progress, is £18,000,000.

This figure has been divided amongst the PR8, PR9 and two allocated Woodstock sites as set out above based on each site's proportionate impact.

The proportionate contribution sought from the PR9 development is therefore £1,762,912 index linked to January 2023 using Baxter index.

5.2.4 - £529,123 Public Transport Services Contribution index-linked from December 2021 using RPI-x

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

Paragraph 3.18 of the Transport Assessment acknowledges that the County Council has identified potential public transport improvements on the A44 corridor, including a

Mobility Hub in the vicinity of Oxford Airport and enhanced bus services. These will complement proposed bus priority measures which will promote sustainable travel on the corridor and reduce the impact of development on the road network.

A financial contribution towards public transport services is required to ensure a credible and attractive bus service exists to provide access to the development to enable:

- private car journeys to be minimised to an acceptable level; and
- those without access to a car to be able to reach local services.

Furthermore, the Council has a strategy of ensuring that residents of new residential developments have access to a credible level of public transport, to provide a choice of mode of travel and make the site acceptable in planning terms. Promoting development without ensuring financial contributions for the maintenance and improvement of public transport services is therefore unacceptable to the Council.

The proposals consist of:

- improvement of the existing bus service between Woodstock and Oxford city centre from two buses per hour to four buses per hour; and
- a new route between the PR8 development site, Yarnton, Oxford Parkway and Oxford City centre or the Eastern Arc operating at up to two buses per hour.

Combined, these services will provide attractive journey options to Oxford, Oxford Parkway station and Woodstock, as well as facilitating the operation of a Mobility Hub site in the vicinity of Oxford Airport.

Appendix 4 for of the Local Plan Partial Review identifies enhancements to public transport services as 'critical'.

Policy PR4a of the Local Plan Partial Review states that:

The strategic developments provided for under Policies PR6 to PR9 will be expected to provide proportionate financial contributions directly related to the development in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport. Where necessary, the provision of land will be required to support the implementation of relevant schemes set out in the Local Transport Plan 4 (including the Oxford Transport Strategy), the A44/A4260 Corridor Study and Local Plan Partial Review Transport Mitigation Assessment.

Paragraph 110 of the NPPF states that developments should be located and designed where practical to give priority to pedestrian and cycle movements and have access to high quality public transport facilities.

Connecting Oxfordshire: Oxfordshire County Council's Fourth Local Transport Plan 2015-2031 (LTP4) [adopted in September 2015] includes the following policies:

Policy 3

Oxfordshire County Council will support measures and innovation that make more efficient use of transport network capacity by reducing the proportion of single occupancy car journeys and encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport.

Policy 17

Oxfordshire County Council will seek to ensure through cooperation with the districts and city councils, that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport.

Policy 34

Oxfordshire County Council requires the layout and design of new developments to proactively encourage walking and cycling, especially for local trips, and allow developments to be served by frequent, reliable and efficient public transport. To do this, we will:

- secure transport improvements to mitigate the cumulative adverse transport impacts from new developments in the locality and/or wider area, through effective travel plans, financial contributions from developers or direct works carried out by developers;*
- identify the requirement for passenger transport services to serve the development, seek developer funding for these to be provided until they become commercially viable and provide standing advice for developers on the level of Section 106 contributions towards public transport expected for different locations and scales of development.*

The bus service contribution is therefore essential to adhere to the principle of 'presumption in favour of sustainable development' at the heart of the National Planning Policy Framework and is a requirement under the Local Plan Partial Review.

(d) Directly related to the development

The services outlined above will be easily accessible for all new future residents of the proposed development with bus stops located adjacent to the site on the A44. The services would provide an attractive level of service from the development towards Oxford city, Oxford Parkway station, the Oxford North Innovation District and, potentially the Eastern Arc employment areas of Oxford.

The Transport Modelling submitted in support of the application outlines that improved bus services would both help to reduce the number of car trips generated from the development site, and so the site's traffic impact, as well as enable a shift towards public traffic and away from car travel for existing trips on the network, releasing capacity on the road network and enabling development to come forward.

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

The upgrade and new service requires an additional six vehicles in order to deliver the required frequency of buses. The County Council uses a declining subsidy model to calculate the costs of such services, with the aim of the service being financially viable at the end of the period. The subsidy is equivalent to £787,500 per vehicle (£175,000 in the first year, then declining at a linear rate to zero over 8 years). The total cost of providing these services is therefore £4.725 million (at October 2021 prices).

As these new services are to serve the PR8 and PR9 development and are a requirement for those sites to come forward, the costs have been apportioned between development sites PR8 and PR9 using the proportionate traffic impact methodology outlined above.

Combined Peak Period Vehicle Trips

PR8 OUD = 5477

PR8 Hallam Land = 177

PR9= 713

Total = 6367

$£4,725,000 / 6,367 = 742.11$ per peak period trip

$£742.11 * 713 = £529,123$ indexed to December 2021 using RPI-x

The County Council therefore considers that the contribution is fairly and reasonably related in scale and kind to the development.

5.2.5 - £28,068 Public Transport Infrastructure Contribution index-linked from March 2022 using Baxter

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

The provision of suitable bus stop infrastructure is required in order to meet the policy requirements set out under the justification statement for the 'Public Transport Service Contribution' set out above.

(b) Directly related to the development

The contribution is required to provide suitable bus stop infrastructure at the bus stops which will serve the development.

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

The proposed development will be providing an additional pair of bus stops on the A44 at the northern site access junction, as well as an additional bus stop on Rutten Lane, near to the southern site access junction through a S278 agreement.

The contribution is required to provide Real Time Information (RTI) displays at these new bus stops. RTI displays provide live information for passengers on the status of bus services.

The figure is directly related to the infrastructure and maintenance costs for the provision of 3 x RTI displays at a cost of £9,356 per unit (inclusive of maintenance). As such it is fairly and reasonably related in scale and kind to the development.

5.2.6 - £6,640 Traffic Regulation Order Contribution index-linked from March 2022 using RPI-x

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

The contribution is sought towards the promotion, consultation and implementation of two Traffic Regulation Orders which are directly related to the site. These are:

- A 40mph speed restriction on the A44 along the site's frontage
- A Controlled Parking Zone for the development site, once the on-site streets are adopted.

The 40mph speed restriction is required in order to provide safe and suitable access to the development site, as required under the NPPF. The new site access arrangements incorporate pedestrian and cycle crossings over the A44, while there is a need to encourage the use of more sustainable modes of transport. In the interest of both highway safety and of providing a more attractive walking and cycling environment, it is considered necessary to reduce the current speed restriction on the A44 to 40mph. This requirement is set out in Appendix 4 of the Cherwell Local Plan Partial Review.

The Highway Authority intends to implement a site wide CPZ upon adoption of the internal streets. Controlled Parking Zone (CPZ) is required for all Partial Review development sites in order to prevent the developments from becoming informal 'Park and Rides' as well as to enforce the lower car parking levels set out in the adopted Parking Standards document. This measure is supported in OCC's Parking Standards document and the county council considers this is the only effective method of controlling overspill and undesirable ad-hoc parking within the site which would otherwise occur, ensuring safe and suitable access for all.

(b) Directly related to the development

The promotion of the two Traffic Regulation Orders are directly related to the site and the requirement to provide safe and suitable access for all users.

The TRO for the proposed 40mph speed reduction on the A44 would benefit future residents of the site, including school children crossing the A44 to access schools on the PR8 development site opposite, as well as providing for a safe and more amenable environment for pedestrians and cyclists, thereby prioritising and encouraging active travel as required under policy.

The TRO for the proposed CPZ applies directly to the streets within the development site and so is directly related to the development.

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

The contribution is calculated on a standard charge which applies for administrative costs for the promotion, consultation and, if approved, the implementation of TROs

throughout Oxfordshire. This charge also includes the costs for public consultation required for the proposed TRO.

The County Council's costs for new or amended TROs is £3,320 for each instance.

The County Council considers that its TRO fee is fairly and reasonably related in scale and kind to the development.

5.2.7 - £6,684 Travel Plan Monitoring Fee Contribution index-linked from December 2021 using RPI-x

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

The travel plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car travel and so reducing the environmental impact and traffic congestion. A travel plan is required to make this development acceptable in planning terms.

A travel plan is a 'dynamic' document tailored to the needs of businesses and requires an iterative method of re-evaluation and amendment. The county council needs to carry out biennial monitoring over five years of the life of a Travel Plan which includes the following activities:

- review survey data produced by the developer
- compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets
- agree any changes in an updated actions or future targets in an updated travel plan.

Government guidance, 'Good Practice Guidance: Delivering Travel Plans through the Planning Process' states that: 'Monitoring and review are essential to ensure travel plan objectives are being achieved. Monitoring for individual sites should ensure that there is compliance with the plan, assess the effectiveness of the measures and provide opportunity for review.... Monitoring must be done over time – it requires action and resources.'

In accordance with this Guidance, it is the view of the county council that without monitoring the travel plan is likely to be ineffective. Therefore, monitoring of the travel plan is required to make the development acceptable in planning terms.

The government's Good Practice Guidance has been archived but has not been superseded with any other guidance on the practicalities of implementing travel plans. The county council's own published guidance: Transport for new developments; Transport Assessments and Travel Plans, also includes the requirement for monitoring.

Further, the Good Practice Guidance states that 'local authorities should consider charging for the monitoring process and publish any agreed fee scales'.

Section 93 of the Local Government Act 2003 gives the power to local authorities to charge for discretionary services. These are services that an authority has the power,

but not a duty, to provide. The Travel Plan Monitoring fee is set to cover the estimated cost of carrying out the above activities and is published in the county council's guidance: 'Transport for new developments; Transport Assessments and Travel Plans'.

As with most non-statutory activities, councils seek to cover their costs as far as possible by way of fees. This is particularly required in the current climate of restricted budgets. Without the fees the council could not provide the resource to carry out the activity, as it is not possible to absorb the work into the general statutory workload. In the case of travel plan monitoring, the work is carried out by a small, dedicated Travel Plans team.

The travel plan monitoring fee is therefore required to make the development acceptable in planning terms, because it enables the monitoring to take place which is necessary to deliver an effective travel plan

(b) Directly related to the development

The travel plan is a document that is bespoke to this development, reflecting the site's current and predicted travel patterns, opportunities for sustainable travel, and targets for improving the proportion of sustainable travel associated with the site. Therefore, the monitoring that will be charged for will be specific and relevant to this site alone.

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

The fee charged is for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site. They are based on an estimate of the officer time required to carry out the following activities:

- review the survey data produced by the developer
- compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets
- agree any changes in updated actions or future targets in an updated travel plan.

Oxfordshire County Council guidance –***Transport for new developments: Transport Assessments and Travel Plans*** sets out two levels of fees according to the size of the development. This development falls into the smaller category.

The figure for each travel plan is based on three monitoring and feedback stages (to be undertaken at years 1, 3 & 5 following first occupation), and assumes officer time at an hourly rate and overheads. Please note that this is considered a fair rate, set to include staff salary and overheads alone.

The fee is required to cover the monitoring requirements of the Framework Travel Plan (£2,563), Residential Travel Plan (£2,563) and Care Home Travel Plan (£1,558).

5.2.8 - £250,000 Public Rights of Way Contribution index-linked from March 2022 using Baxter

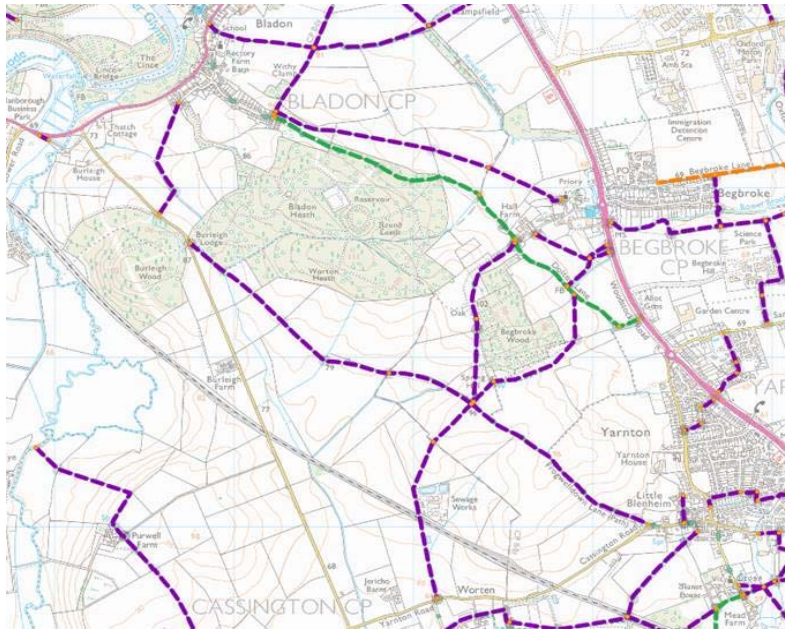
- (a) Necessary to make the development acceptable in planning terms

Oxfordshire County Council (OCC) manages the legal record and access functions on the public rights of way and access land network. In addition to the statutory functions of recording, protecting and maintaining public rights of way, part of the authority's role includes securing mitigation measures from residential and commercial developments that will have an impact on the public rights of way and access land network in order to make those developments acceptable. The proposed measures also meet the aims and outcomes of the adopted Oxfordshire Rights of Way Management Plan 2015-2025

There is expected to be an increase in numbers of residents and visitors using the rights of way network around the site – simply due to the size of the development in a rural environment. These uses will create more use pressures on the rights of way network. In addition the roads network is expected to see a significant increase in traffic volumes and speed for service traffic as well as residential, commercial and visitors-especially during special events. OCC is proposing a range of mitigation measures that will help address the impact of this traffic on users through the improvement of traffic-free routes and safer road crossings and facilities. It is acknowledged that the development at Rutten Lane makes some provision for onsite and offsite greenspace and active travel - and this is welcomed. It is however, considered necessary to extend mitigation measures outside of the site to provide better connectivity and useability for more people, especially equestrians.

(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 along with the range of measures needed to provide mitigation against the impacts of the development. In this case it is the size and location of the development, access to the surrounding countryside and key access roads serving the development that are the key drivers. The rights of way in the vicinity of the site considered to be affected by the development are shown on the attached map extract:



(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. They are not based on a standard formula or any other kind of per dwelling or per m2 tariff system. The proposed off-site measures are in the form of a reasonable financial contribution to allow the Countryside Access Strategy 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 index-linked and subject to a 10-year longstop.

The contribution would be spent on improvements to the public rights of way in the vicinity of the development – in the ‘impact’ area up to 3km 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 and protection measures such as anti-motorcycle barriers. New short links between existing rights of way would also be included. This request assumes the public footpath will be made cyclable up to Burleigh Road and that all onsite PRow will have proposed spec for upgrade submitted as part of Reserved Matters.

The key works anticipated are*

- Improvement on the continuation of Dolton lane bridleway to the north west 50%
- Negotiation and construction of a bridleway link between the two bridleways to the west side of Bladon Heath 30%
- Priory path to Bladon 10%
- Paths to the west and south of the site as covered by above map 10%

Estimated contribution breakdown*

- Site and habitat surveys & assessments 5%
- Landowner negotiations and agreement payments 5-10%

Outline/high-level design allowance 5%
Admin processes e.g. consultation, project management <5%
Legal processes e.g. temporary works closures, creation agreements and contracts 5%
Detailed design/ Walk&Talk/ Early Contractor Involvement 5%
Materials, plant & equipment, works to provide 2.5m/3m wide 'Flexipave' shared use route 60%+
Contingency/Risk and Ongoing cycle route quality standard retention 10-20%

*All allocations are estimates. Any contribution would be aggregated across routes and activities and a longstop of 10 years will be requested.

6. ADMINISTRATION AND MONITORING FEE £26,010

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.