

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

District: Cherwell

Application no: 21/03558/OUT

Proposal: OUTLINE - Residential development for up to 250 dwellings including affordable housing and ancillary uses including retained Local Wildlife Site, public open space, play areas, localised land remodelling, compensatory flood storage, structural planting and access.

Location: Land On The North East Side Of Gavray Drive Bicester

Date: 22 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.

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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.

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Strategic comments

This proposal is for a residential development of 250 homes and is located within an area of land allocated in the Cherwell Local Plan 2011-2031 Part 1, under Policy: Bicester 13 (Re-adopted Policy) for 300 residential dwellings and also supporting infrastructure. Other policies in the Adopted development plan may also apply to this application.

The County Council is raising a Lead Local Flood Authority objection. Also attached are detailed Transport, Education, Property, Archaeology, Waste Management, Ecology & Biodiversity, Climate Change and Energy comments.

Also included in this response are Local Member Views from Cllr Miller.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 17 December 2021

Application no: 21/03558/OUT

Location: Land on The North East Side of Gavray Drive Bicester

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.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Highway works	£22,150	December 2020	Baxter	Towards safety improvements at the junction of Peregrine Way and Wretchwick Way
Public transport services	£262,750	December 2020	RPI-x	Towards the improvement of local bus services in the vicinity of the site
Public transport infrastructure	£8,774	December 2020	Baxter	The provision of a bus shelter at the Peregrine Way bus stop in Langford Village
Strategic Transport contribution	£455,879	December 2020	Baxter	Policy BIC 1 scheme of accessibility improvements for the Eastern Perimeter Route – Charbridge Lane section
Travel Plan Monitoring	£1,446	December 2020	RPI-x	To enable the travel plan to be monitored for a period of five

				years following occupation
Public Rights of Way	£55,000	November 2021	Baxter	Towards improvements to the public rights of way in the vicinity of the development.
Total				

S278 Highway Works:

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

- Site access junctions with Gavray drive including;
 - tighter kerb radii in line with Manual for Streets standards
 - pedestrian and cycle priority over the access junctions
 - provision of informal crossing points at each site access junction
- Signalised pedestrian crossing on Wretchwick Way, north of the Gavray Drive / A4421 roundabout junction where the Public Right of Way exits the east of the development site onto Wretchwick Way
- Parallel crossing over the Gavray Drive arm of the Gavray Drive / A4421 roundabout junction
- Segregated pedestrian and cycle facilities on Gavray Drive in line with standards set out in the LTN 1/20.

Notes:

This is to be 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, including commuted sums, that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

Key Points

- Improvements to local walking and cycling routes are required as mitigation of the development and to meet latest national and local standards.
- Depending on the timing of the delivery of a mitigation scheme identified as required for the nearby Wretchwick Green development, a contribution toward

safety improvements at the junction of Peregrine Way and Wretchwick Way is required.

- Contributions towards enhancing local bus services and bus stop infrastructure is required.
- In order to mitigate the development's contribution toward cumulative traffic growth in this part of the town, a contribution towards the Bicester Area Strategy Policy BIC 1 scheme of accessibility improvements to the Eastern Peripheral Route is required.
- A Travel Plan monitoring fee is required.
- A Construction Traffic Management Plan will be required to minimise the impact of construction traffic on the local road network.

Comments:

Accessibility

The site is located adjacent to the Langford Village residential area of Bicester and is within the built-up area of the town. There are a range of local facilities in the Langford Village area, including a primary school, local shop, pub and medical practice that are within walking distance from the site.

As the crow flies, the site is also close to the town centre. However, the train lines at the northern and eastern extent of the site cause some severance between the site and the wider town. A footbridge is available at the north-eastern corner of the site which provides access, via a Public Right of Way, to the employment areas north of the site. A further ramped footbridge is available to the south-east of the development site which provides a connection onto Launton Road, for a fairly direct route between the development site and town centre (Market Square / Sheep Street).

The development will be required to provide a direct connection to the footbridge that is at the north-eastern corner of the site. Improvements to the route beyond this bridge are also sought (see Public Rights of Way comments), as are improved connections between the site and the footbridge to Launton Road.

Pedestrian and Cycle Access

Currently there is a shared use footway / cycleway on the southern side of Gavray Drive, this is separated by the use of a white line. National standards set out in the LTN 1/20 Cycle Infrastructure Design Guide (adopted in 2020) sets out that this type of facility should be avoided in locations such as this due to the potential for conflict between pedestrians and cyclists. This existing facility also does not meet the minimum width requirement for such a facility, even where they are permitted under the LTN 1/20, so are inadequate to serve the proposed new development.

The applicant has also proposed a short section of 3m wide shared use footway on the northern side of Gavray Drive between the access to the eastern development plot and the A4421 in order to provide a route towards future bus stops which are to be provided on the A4421 (see public transport comments on this) and also for those pedestrians and cyclists travelling north on the A4421. Again, this type of provision should be avoided under the LTN 1/20 standards.

In line with the national LTN 1/20 Cycle Infrastructure Design standards, segregated cycle facilities are required to serve the development on Gavray Drive. Given that the road is fairly wide and very straight it would not be suitable for most cyclists to share the carriageway with general traffic. The county council therefore requests that the shared use footway on Gavray Drive is upgraded to provide segregated cycle lanes with a buffer between the cycle lanes and carriageway to be retained.

I note that the access junctions into the site are to accommodate pedestrian / cycle priority measures. Such measures are required however these would need to be amended to take account of the type of pedestrian and cycle facilities to be provided on Gavray Drive. The junction radii at the two access junctions should be decreased so that they are more amenable for pedestrians and cyclists.

Crossings will be required at each of the site access junctions in order to provide connections through to Langford Village and the railway crossing. Informal crossings are likely to be sufficient at these locations.

An upgrade to the informal crossing on the Gavray Drive arm of the roundabout junction will be required given the increase in traffic on this arm as a result of the development and the increase in crossing demand that is also likely to occur here. A parallel crossing (similar to zebra crossings but with adjacent cycle crossings incorporated) is likely to be the most suitable and cost-effective form of crossings for this road and meets requirements of the LTN 1/20.

A signalised crossing is required on the A4421, just to the north of the Gavray Drive / A4421 roundabout junction, in order to provide safe access to the future pair of bus stops and for access to the PROW which exits the site in this location and continues eastwards, given that this PROW will see an increase in usage as a result of the development.

The required improvements to local walking and cycling routes in the vicinity of the development are supported by local plan policies (SLE 4 and BIC 13 which relates directly to this site), local transport plan policies (17 and 34) and the Bicester Local Cycling and Walking Infrastructure Plan (LCWIP).

The LCWIP was adopted in September 2020 and is a material consideration in the assessment of applications for new development. Policy BCW 1 of the LCWIP requires OCC to plan for at least a 200% increase in cycling and a 50% increase in walking trips within Bicester between 2020 and 2031.

Policy BCW 4 of the LCWIP sets out that the *'County Council in partnership with Cherwell Council will work with developers to improve the Bicester cycling and walking network including by S106 and S278 works. Bicester LCWIP Cycle and Walking Network will be a material consideration in the approval and network plans of new developments'*.

Transport Strategy

This application broadly identifies the main national and local policies that must be adhered to. The applicant must also incorporate the Oxfordshire Electric Vehicle Infrastructure Strategy Policy EVI 8: to *'meet or exceed the following standards...where parking is to be provided, planning permission will only be granted for developments if provision is made for EV charging points for each residential unit with an allocated parking space; and non-allocated spaces are provided at least 25% (with a minimum of 2) having electric charging points installed'*.

This development is situated in a sustainable location given its proximity to key trip generators and the established cycling, walking and public transport (bus and rail) network. Due to the ecological sensitivities of the area, it is imperative that sustainable connections are optimised so that an adverse impact is not had on the area.

Cherwell Local Plan Policy Bicester 13: Gavray Drive (re-adopted) states that 'new footpaths and cycleways should be provided that link with existing networks, the wider urban area and schools and community facilities. Access should be provided over the railway to the town centre'. Access over the railway by the existing bridge is also mentioned in the Infrastructure Delivery Plan (IDP) as the Tubbs Crossing. This bridge as identified in the IDP and Policy Bicester 13 was delivered in 2014. The bridge to the north of the site is currently only a footbridge. It would be beneficial to make this cycle accessible given it is the best access to the employment site.

In line with the most recent standards, high quality walking and cycling provision is required on Gavray Drive to serve the new development. Segregated cycle and walking provision should be provided on Gavray Drive, in line with the latest guidance as set out in LTN 1/20. This recommends 'light segregation' for roads of this nature. These facilities must be appropriately lit.

Finally, additional cycle stands should be provided at bus stops. These measures will further create a permeable cycling and walking network that meets the core design principles described in LTN 1/20, whilst also supporting bus travel, thereby further encouraging travel by sustainable means.

Strategic Transport contributions are sought towards the strategy to improve accessibility along the A4421 north of Gavray Drive in order to mitigate the developments contribution towards cumulative traffic growth in the area. A fair and proportionate contribution of **£455,879** is therefore required from this development. This

proportionate to the contributions toward the same scheme secured from a number of recent developments nearby.

Peregrine Way / Wretchwick Way junction

The Transport Assessment sets out that, since the Wretchwick Green development's package of mitigation includes a scheme at this junction which would improve road safety, no contribution towards safety improvements at this junction is required.

However, while it is true that the Wretchwick Green development be required to mitigate their impact at this junction and that that mitigation scheme will improve road safety here, the implementation of that scheme is dependent upon the delivery of the Wretchwick Green development site and, until it is there, it should not be relied upon for mitigation of this development.

While the most recent accident data for this junction does not indicate that there is a safety issue at this junction, it is well known that there have been a number of non-injury accidents and near misses at this junction over recent years, with a number of more serious accidents occurring here over the last 10 years.

Residents of the proposed development are likely to use Langford Village shops and facilities. Vehicular trips between the development and these facilities are expected to use this junction, intensifying its use. There would be a significant number of linked trips and, in the AM peak in particular, trips to the primary school. The proposed development will contribute towards cumulative traffic growth at this junction and therefore, the county council therefore requests a contribution towards a safety improvement scheme at the Peregrine Way / Wretchwick Way junction.

The requirement for this contribution would fall away should the Wretchwick Green development deliver its mitigation scheme prior to the need arising from this development.

Public transport

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

The Transport Assessment (TA) recognises the significant changes that have taken place to bus services in Bicester in recent years. The local bus services which operated to the Gavray Drive area are no longer in operation which has reduced the accessibility of the site.

However, the TA does not accurately reflect the location of the nearest bus stops to the site, nor the latest position in relation to bus services (which have been updated as of August 2021).

From the western development area, the nearest stops are on Launton Road at Clifton Close, 580m from the site entrance. These stops are served by Red Rose Travel route 17 between Bicester, Launton and Aylesbury, which operates approximately hourly on Mondays to Saturdays.

The eastern development parcel is 365m from the nearest stop, which is on Peregrine Way in Langford Village. This stop is served by Red Rose Travel route 27 between Bicester and Langford, again approximately hourly on Mondays to Saturdays.

The bus map indicated in Appendix B is now out of date. In addition, not all the services in Bicester are provided by Stagecoach and it is important that applicants recognise that maps provided by one operator do not necessarily reflect the actual provision of bus services in the area. The bus map provided does not show services 17, 18, 21, E1 or 250, all of which make important contributions to the bus service network.

Both services 17 and 27 are financially supported by Oxfordshire County Council utilising Section 106 funds from other local development sites. It is therefore important that additional funds are secured to maintain the existing level of service for as long as possible so as to give the maximum chance of longer-term commercial sustainability.

The County Council has set a standard rate for public transport contributions from residential development. Allowing for indexation over the past few years, the rate is now set at £1,051 per dwelling. Consequently, for a development of 250 dwellings the requested contribution equates to **£262,750**. This contribution would be utilised for the improvement of local bus services in the vicinity of the site and is requested in two instalments – 50% on first occupation of any part of the development, and 50% on the first anniversary of the same.

Neither of the two nearest bus stops are equipped with shelters. It is therefore requested that a Section 106 contribution of **£8,774** is provided for the provision of a new shelter at the Peregrine Way bus stop in Langford, as this is the nearest bus stop to the development site. This should be paid on first occupation of the eastern development parcel.

The site is within reasonable walking distance of Bicester Village rail station and Bicester Town centre, albeit these walking distances are in excess of national guidelines of 400 metres.

There are no bus services passing the site frontage on Gavray Drive. Likewise, there is no longer a bus service on Charbridge Lane and there is not likely to be any service here until the Wretchwick Green development is sufficiently progressed to support a new service. Once that new service is operational, which will depend on the

Wretchwick Green development, the Wretchwick Green development will be required to install a pair of bus stops to the north of the roundabout junction at the end of Gavray Drive. There is therefore no requirement on this development to deliver the pair of bus stops in this location as there would be no service to those stops until the service is required by Wretchwick Green. However, if and when such a service does become operational, this would clearly be of benefit to this development.

Since this proposed development cannot rely on a new service which dependent upon the delivery of another development, it is considered that future residents would be reliant upon the existing services outlined above and therefore contributions are sought towards improvements to these existing services.

Public Rights of Way

OCC priorities for working with development applications are to protect existing countryside access/PRoW, and where possible and reasonable, seek to mitigate the impacts of development to enhance the network for all users. These are set out in the adopted Rights of Way Management Plan 2015-2025 available at www.oxfordshire.gov.uk/rowip

As set out in the application documents, the development directly affects the line of two footpaths – Bicester Footpaths 129/3 and 129/4. Overall, it is important to retain and enhance these two paths' amenity and also provide a high-quality surfaced route that meets the needs of all residents and visitors to the area for all year-round use and that is appropriate to the local landscape and habitats. A condition of any permission should be imposed that requires the surface of these two footpaths to be improved, possible with lighting and widening, and for the specification to be agreed by OCC Countryside Access. Note that it may be desirable to enable cycling as well as walking on these routes within the site and a legal mechanism should accompany the physical improvements so that any use by cycles is lawful and does not interfere with the exercise of walking rights.

The proposed vehicle crossing of footpath 129/3 within the site is regrettable given that it is a continuous route at the moment and should be avoided if possible - and if essential then a controlled crossing should be provided.

Gavray Drive should be provided with at least one ped / cycle parallel crossing for each of the development parcels. In addition a signalised crossing of the A4421 near the footpath at the east of the south eastern development parcel should be provided in order to enable the connection of the site easily to the wider countryside to the east

The provision of internal and connected walk/cycle routes, accessible green spaces and trim trail/health trail is welcomed. These need to be designed to prevent harm to natural features and habitats and steer people and dogs from sensitive receptors. These routes should form part of the site's public open space, managed by a responsible and competent organisation. Provided their free use by the public is provided in perpetuity

there is normally no need for them to be dedicated as public rights of way unless they form a strategic connection.

The site will increase pressure on the PRoW on and off the site. The above measures should address the onsite and highways impacts and a contribution towards offsite mitigation measures for PRoW will be requested. This is estimated to be a sum of **£55,000**, index linked. This reasonable financial contribution will allow the OCC Countryside Access 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 – in the ‘impact’ area up to 3km from the site. Primarily this is to improve the surfaces of all routes giving access to the wider countryside and other areas 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 may also be included.

Standard measures for applications affecting public rights of way

- 1. Correct route of public rights of way:** Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap.
- 2. Temporary obstructions.** No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place.
- 1. Route alterations.** The development should be designed and implemented to fit in with the existing public rights of way network. No changes to the public right of way’s legally recorded direction or width must be made without first securing appropriate temporary or permanent diversion through separate legal process. Alterations to surface, signing or structures shall not be made without prior written permission by Oxfordshire County Council. Note that there are legal mechanisms to change PRoW when it is essential to enable a development to take place. But these mechanisms have their own process and timescales and should be initiated as early as possible – usually through the local planning authority.
- 1. Vehicle access (construction):** No construction / demolition vehicle access may be taken along or across a public right of way without prior

written permission and appropriate safety/mitigation measures approved by Oxfordshire County Council.

1. **Vehicle access (Occupation):** No vehicle access may be taken along or across a public right of way to residential or commercial sites without prior written permission and appropriate safety and surfacing measures approved by Oxfordshire County Council.
1. **Gates / right of way:** Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.
1. **Improvements to routes:** Public rights of way through the site should be integrated with the development and improved to meet the pressures caused by the development whilst retaining their character where appropriate. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. Proposed improvements should be discussed and agreed with Oxfordshire County Council.

Travel Plan

In line with OCC thresholds the proposed development triggers the requirement for a Travel Plan and an associated Monitoring Fee. It is too early in the process to submit the Travel Plan, this will need resubmitted in the future once information is known on specifics such as the car and cycle parking arrangements. For other necessary amendments please see the detailed comments below.

The residential development will also require a Travel Information Pack to be produced, setting out local transport options for new residents. This should be distributed prior to, or at occupation. Oxfordshire County Council Guidance is [available online](#) for this.

Comments on the submitted Travel Plan:

- Please add the planning application number;
- Please add a plan of the site;
- Please add the anticipated number of residents;
- Table 2.2 – add the first / last bus services;
- The targets are not very ambitious for all journeys;
- Extra measures could be included such as hosting bike mechanic sessions, offering PT taster tickets and promoting Liftshare
- Information should be provided to explain how the Travel Plan Co-ordinator will be identified / recruited, will they be provided within the organisation or through a consultancy?
- Table 5.1 – the year 1, 3 and 5 surveys should be done after full occupation: and
- Add commitments that:

- If targets are not met at the end of the initial period of monitoring, the Travel Plan should be reviewed, new measures introduced and monitoring extended for another two cycles; for example, where monitoring has taken place in Year 1, 3 and 5, if targets have not been met monitoring should continue in years 7 and 9.
- Once it has been approved, any changes to the Travel Plan, in particular the targets, must be made in agreement with the Travel Plans Team at Oxfordshire County Council.

The above list is not exhaustive and the [Oxfordshire County Council Guidance](#) should be consulted when updating the Travel Plan.

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

£22,150 Highway Works Contribution indexed from December 2020 using Baxter Index

Towards:

Safety improvements at the priority junction of Wretchwick Way and Peregrine Way.

Justification:

Residents are likely to use Langford Village shops and facilities. Vehicular trips between the development and these facilities are expected to use the Wretchwick Way/Peregrine Way Priority Junction, intensifying its use. There would be a significant number of linked trips and in the am peak, in particular trips to the primary school. Local residents report incidences of non-injury accidents at this junction, and the risk of injury accidents will increase with the increased volume of turning movements. To mitigate this risk, by protecting right turning traffic, a contribution of £22,150 is requested to enable OCC to carry out a cost-effective scheme of safety improvements to this junction.

The scheme would be in the immediate vicinity of the development, at a junction that would be well used by its residents.

Calculation:

The contribution is based on the cost to the county council of the design and implementation of a scheme of traffic islands/road markings and is therefore considered fair and reasonable.

£262,750 Public Transport Service Contribution indexed from December 2020 using RPI-x

Towards:

Towards the improvement of local bus services in the vicinity of the site

Justification:

National and local planning policy states that developments should be located where they have access to high quality public transport.

Oxfordshire County Council's Local Transport Plan 4 Bicester Area Strategy Policy BIC2 states that:

"We will work to reduce the proportion of journeys made by private car through implementing the Sustainable Transport Strategy by: ...

Improving Bicester's bus services along key routes and providing improved public transport infrastructure considering requirements for and integrating strategic development sites. Working with Bicester Town Council we will also enhance passenger information at strategic locations. The aim is to connect residential areas and transport hubs with existing and future employment centres...

Policy BIC 13 of the Cherwell Local Plan requires the following from the development:

'A legible hierarchy of routes to encourage sustainable modes of travel. Good accessibility to public transport services with local bus stops provided.... ...The developers will contribute to the cost of improving local bus services.'

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 policy BIC 12 of the Cherwell Local Plan.

The policies outlined above identify the requirement for the development to be served by a frequent, reliable and efficient public transport service. The contribution sought is required in order to improve local services to meet these policies.

Not all residents of the proposed development may have access to a car and all residents of the development must have the opportunity to travel by sustainable modes to a full range of employment, further education, medical, retail and other destinations.

A frequent service that operates throughout the day, will be vital in ensuring that residents are able to access local services and employment areas by sustainable transport modes at times convenient to them and in maximising opportunities for sustainable transport, as required under the NPPF.

An effective bus service is required to offer residents a realistic alternative to the car, particularly for longer distance journeys where walking or cycling may not be a realistic option.

Calculation:

The County Council has set a standard rate for public transport contributions from residential development. Allowing for indexation over the past few years, the rate is now set at £1,051 per dwelling. Consequently, for a development of 250 dwellings the requested contribution equates to **£262,750**. It is therefore considered that the contribution is fair and reasonably related in scale to the development.

£8,774 Public Transport Infrastructure Contribution indexed from December 2020 using Baxter Index

Towards:

The provision and installation of a bus shelter at the Peregrine Way bus stop in Langford Village

Justification:

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.

The provision of bus stop infrastructure is necessary to provide the development with a suitable public transport service, as required under policy.

Neither of the two nearest bus stops are equipped with shelters. It is therefore requested that a Section 106 contribution is provided for the provision of a new shelter at the Peregrine Way bus stop in Langford, as this is the nearest bus stop to the development site in order encourage the use of public transport.

Calculation:

The contribution is based solely on the cost to the county council of procuring and installing the infrastructure and is therefore considered fair and reasonable.

£455,879 Strategic Transport Contribution indexed from December 2020 using Baxter Index

Towards:

Strategic Transport Infrastructure improvements outlined under Policy BIC 1 of the Local Transport Plan 4 accessibility improvements to the Eastern Perimeter Route – Charbridge Lane section.

Justification:

Bicester Area Strategy Policy BIC 4 in the County Council's Local Transport Plan 4 states that:

"To mitigate the cumulative impact of development within Bicester and to implement the measures identified in the Bicester area transport strategy we will secure strategic transport infrastructure contributions from all new development"

Cherwell Local Plan Policy SLE 4: Improved Transport and Connections states:

"The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections... New development in the District will be required to provide financial and / or in-kind contributions to mitigate the transport impacts of development."

Local Transport Plan 4 Bicester Area Strategy Policy BIC1 identifies the scheme to:

"Improve access and connections between key employment and residential sites and the strategic transport system by:

“Upgrade the A4421 between the Buckingham Road and Gavray Drive to complement the transport solution at the railway level crossing at Charbridge Lane and facilitate development in the area. This scheme will improve the operation of this section of the eastern perimeter road, and enhance the integration of the North East Bicester Business Park site with the rest of the town.”

The need to provide strategic transport infrastructure for Bicester, is set out in the Cherwell Local Plan (2011-31) and Local Transport Plan 4. Without improvement of infrastructure the detrimental cumulative impacts of the local plan growth, including the Gavray Drive development, would be severe. It is therefore justified, and established in policy, that local plan allocated sites should contribute towards elements of this infrastructure package, where their individual impacts are not large enough to require them to provide the elements of the package in full.

The development at Gavray will contribute directly to the severe cumulative congestion on the south and east peripheral route around Bicester and therefore a contribution is required towards Local Transport Plan Bicester Area Strategy Policy BIC 1 scheme to provide accessibility enhancements to the eastern peripheral route.

Calculation:

The contribution sought from the development is directly proportionate to the contributions secured from a number of recent applications towards this same scheme, on a cost per peak-hour trip basis. It is therefore considered that the contribution sought is fair and reasonably related in scale to the development.

£55,000 Public Rights of Way Contribution indexed from November 2021 using Baxter Index

Towards:

Towards improvements to the public rights of way in the vicinity of the development.

Justification:

OCC priorities for working with development applications are to protect existing countryside access/PRoW, and where possible and reasonable, seek to mitigate the impacts of development to enhance the network for all users. These are set out in the adopted Rights of Way Management Plan 2015-2025 available at www.oxfordshire.gov.uk/rowip

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 semi-rural environment as the urban edge of Bicester shifts to include this development. These uses will create more use pressures on the rights of way network as well as traffic pressure on rights of way. In addition, the roads network is expected to see a significant increase in traffic volumes from residential, commercial and visitor trips. Measures proposed for the surrounding public rights of way network provide a

means to mitigate these additional impacts alongside the consented development's contribution.

The site will increase pressure on the PRow on and off the site and a contribution towards offsite mitigation measures for PRow is requested. This reasonable financial contribution will allow the OCC Countryside Access 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 – in the 'impact' area up to 3km from the site. Primarily this is to improve the surfaces of all routes giving access to the wider countryside and other areas 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 may also be included.

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 m2 tariff system. The proposed off-site measures are in the form of a reasonable financial contribution to allow OCC to plan and deliver improvements in a reasonable time period and under the Rights of Way Management Plan aims.

£1,446 Travel Plan Monitoring Fee indexed from December 2020 using RPI-x

Justification:

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.

The travel plan is a document which is bespoke to the individual 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.

Calculation:

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 an 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. Please note that this is considered a fair rate, set to include staff salary and overheads alone.

Planning Conditions:

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

Internal Public Footpath

Prior to the commencement of the development hereby approved, full details of improvements to the public footpath crossing the site and the pedestrian link to the rail footbridge to the north shall be submitted to and approved in writing by the LPA. Thereafter, and prior to first occupation, the link shall be constructed in accordance with the approved details.

Estate Accesses, Driveways and Turning Areas

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

Travel Plan

Prior to the first occupation of any new accommodation on this site, a full Travel Plan, as set out in the Oxfordshire County Council Guidance: Transport for new developments; Transport Assessments and Travel Plans (March 2014), should be submitted to the planning authority for approval.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework.

Construction Traffic Management Plan (CTMP)

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. The CTMP should follow Oxfordshire County Council's template if possible. This should identify;

- The routing of construction vehicles and management of their movement into and out of the site by a qualified and certificated banksman,
- Access arrangements and times of movement of construction vehicles (to minimise the impact on the surrounding highway network),
- Details of wheel cleaning / wash facilities to prevent mud, etc from migrating on to the adjacent highway,
- Contact details for the Site Supervisor responsible for on-site works,
- Travel initiatives for site related worker vehicles,
- Parking provision for site related worker vehicles,
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours,
- Engagement with local residents.

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

Car Parking

Prior to commencement of development, details of the on-site car parking provision and layout shall be submitted to and approved in writing by the local planning authority and shall be provided upon first occupation of the development.

Cycle Parking

Prior to commencement of development, details of the on-site residential and visitor cycle parking shall be submitted to and approved in writing by the local planning authority and shall be provided upon first occupation of the development.

Officer's Name: Timothy Peart

Officer's Title: Senior Transport Planner

Date: 26 November 2021

Application no: 21/03558/OUT

Location: Land On The North East Side Of Gavray Drive Bicester

Lead Local Flood Authority

Recommendation:

Objection

Detailed comments:

Document 15114-HYD-XX-XX-RP-D-5500 and 15114-HYD-XX-XX-RP-D-5600 show discrepancies in the "Legend" in section 2.1.

No evidence shown of areas used in the calculations. The calculations must also show evidence of urban creep inclusion. The following calculations must be submitted

1 in 1 year

1 in 30 year

1 in 100 year

1 in 100 year + 40% CC.

Each of these calculations must show their attributed impermeable area (including urban creep where necessary).

Full list of SuDS employed on site has not been provided. Source control and SuDS opportunities for the on the surface mitigation must be evaluated.

The preapp advice talks about swales and their slopes. Swales are nowhere to be found in the drainage drawings submitted.

Officer's Name: Sujeenthan Jeevarangan

Officer's Title: LLFA Planning Engineer

Date: 18 November 2021

Application no: 21/03558/OUT

Location: Land On The North East Side Of Gavray Drive Bicester

Education Schedule

Recommendation:

No objection subject to:

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

Contribution	Amount £	Price base	Index	Towards (details)
Primary and nursery education	£1,755,654	327	BCIS All-In TPI	Primary education capacity serving the development
Primary land contribution	£345,736	Sept-21	RPIX	Primary school land cost
Secondary education	£1,994,220	327	BCIS All-In TPI	Secondary education capacity serving the development
Secondary land contribution	£210,498	Sept-21	RPIX	Secondary school land cost
Special education	£113,270	327	BCIS All-In TPI	Special school education capacity serving the development
Total	£4,419,378			

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

£1,755,654 Primary and Nursery School Contribution indexed from TPI = 327

Justification:

The scale of housing growth in Bicester requires a number of new schools, the nearest of which to the proposed development will be that at Wretchwick Green (SE Bicester) and Graven Hill. In each case the host development will deliver a school sufficient to accommodate its own pupil generation, but not sufficient to also accommodate the estimated pupil generation from this proposed development. In both cases, options on

additional school land have been secured to enable the schools to be expanded if necessary, including to meet the needs of other developments.

The proposed development is not of a scale to require an on-site primary schools, but will have a significant impact on demand for school places and require additional school capacity to be provided. It is therefore required to contribute towards the financial cost of expanding capacity through expansion; it is also required to cover the cost the council will incur in exercising a land option to facilitate that expansion.

Calculation:

Number of primary and nursery pupils expected to be generated	93
Estimated per pupil cost of expanding a primary school	£18,878
Pupils * cost =	£ 1,755,654

£345,736 Primary Educational School Land Contribution indexed from September 2021

Justification:

The county council will incur a cost of £345,736 (uplifted to September 2021) to purchase additional primary school land within the SE Bicester development to enable the new primary school to be larger than required for the main SE Bicester development. This would serve this proposed development.

£1,994,220 Secondary School Contribution indexed from TPI = 327

Justification:

The scale of housing growth in Bicester requires another new secondary school, in addition to that recently opened at SW Bicester to meet the needs of already permitted development. Sufficient secondary school provision for this site will be provided through the new secondary school planned as part of the southern section of the North West Bicester development. The school will be delivered in phases depending on the build out of the development. The first phase of at least 600 places is forecast to be required by the mid/late 2020's, although this is subject to the speed of housing delivery.

Calculation:

Number of secondary pupils expected to be generated	60
Estimated per pupil cost of a new 600-place secondary school	£33,237

Pupils * cost =	£ 1,994,220
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£210,498 Secondary School Land Contribution indexed from September 2021

Justification:

The proposed secondary school site is on land that forms part of the planning application reference 14/01641/OUT. This development would be expected to contribute proportionately towards the cost of this land.

Calculation:

Number of secondary pupils expected to be generated	60
Estimated per pupil cost of land for the new secondary school (using Sept 21 prices)	£3,508
Pupils * land cost per pupil	£210,498

£113,270 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	1.5
Estimated per pupil cost of special school expansion, as advised by Government guidance "Securing developer contributions for education" (November 2019)	£75,513
Pupils * cost =	£ 113,270

The above contributions are based on a policy-compliant unit mix of:

- 32 x 1 bed dwellings
- 64 x 2 bed dwellings
- 108 x 3 bed dwellings
- 46 x 4 bed dwellings

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

Officer's Name: Louise Heavey

Officer's Title: Access to Learning Information Analyst

Date: 11 November 2021

Application no: 21/03558/OUT

Location: Land on The North East Side of Gavray Drive Bicester

Property

Recommendation:

No objection subject to:

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

Contribution	Amount £	Price base	Index	Towards (details)
Library	£13,709	TPI 327	BCIS	Towards the Bicester Library including book stock
Archaeological Storage	TBC			Extension of the archaeological storage facility at Standlake.
Children's Services	£1,838	TPI 327	BCIS	Increased provision at Childrens Homes.

Introduction

Below are the S106 contributions which OCC seeks to mitigate the impact of the proposed development on local infrastructure.

The proposed development will increase the demands placed on local infrastructure and services. To mitigate the impact of these demands on County Council related infrastructure, the funds below will be required through an S106 agreement.

Detailed Comments:

The County Council considers that the impacts of the development proposal (if permitted) will place additional strain on its existing community infrastructure.

Library Provision

£13,709 Library Contribution indexed from BCIS All-in Tender Price Index Value 327

Towards:

Towards the Bicester Library including book stock

A new library has been provided in the Franklins Yard development in Bicester. Part of the cost of the project was forward funded in advance of contributions being received from development. A contribution is required from this development toward repaying the cost of forward funding the delivery of Bicester library.

Calculation:

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

$£262,233 \div 8,100$ (housing growth remaining for Bicester area) = £32.37 (per dwelling)

$£32.37$ (per dwelling) x 250 (number of dwellings proposed by this application) = £8,093

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

$£9$ (per person) x 624 (number of people estimated to be generated by the development) = £5,616

Total Contribution (£8,093 + £5,616) = **£13,709** (BCIS All-in Tender Price Index Value 327)

Archaeological Storage

Existing storage facilities based in Standlake will not hold capacity to meet the needs of the development. The mechanism for addressing this need will be met through application of a charge set against the m² of archaeological finds generated by the development.

Work is in hand to assess the potential for extension of the existing building, the capacity that extension would have, and its capital costs. A mechanism for developer contributions would then be applied through the section 106 process. We will review our response to provide an update and request contributions when these are known.

Children's Home Provisions arising from Growth

£1,838 Children's Home Contribution to be indexed linked from BCIS All-in Tender Price Index Value 327

The number of children in Oxfordshire is set to increase from 152,476 in 2017 to a forecasted 192,983 in 2031.

There is a rise nationally and locally in the number of children becoming looked after. There is also an increase in the number of children living in residential children's homes. The growth in the use of residential care is led by societal factors including the increased awareness of child sexual exploitation, the increased complexity of need and entry into care occurring later in childhood.

Both the local and national policy is to keep children in county where at all possible. Placing children away from their locality makes placements hard to monitor and can put children at additional risk. Feedback from the Children in Care Council indicated children wanted to remain in county wherever possible. They were also more likely to go missing if placed further afield. Stable school placements were also shown to be critical for the positive future outcomes of LAC's.

There is a strong national driver for Local Authorities to avoid placing children out of county as there is growing evidence that they are more prone to going missing and to being vulnerable to issues such as child sexual exploitation. There are also considerable challenges around transitions for young people into adult services which are only exacerbated when young people are placed out of county. Care pathways are more effectively managed when there is integrated working between the Local Authority, schools, health and housing partners in one locality. There are frequent difficulties in accessing suitable education and mental health provision for children placed out of county. This has led OCC to increase its capacity to look after their own children who require residential provision

Residential care is targeted mainly at children whose needs are unable to be met, at that time, in a family home setting. This predominantly affects children over the age of 12.

The County Council currently place 101 children and young people in care homes within Oxfordshire. The Council's population forecasts estimate 66,631 people aged 10-17, giving a rate of 15.16 children in every 10,000 who require residential accommodation.

The capital costs of a children's home for 4 children has been estimated to cost £2.1m (BCIS All-in Tender Price Index Value 327)

345 children have left the cared for system since April 2018, who were aged between 10-17. They had been cared for on average for 864 days or 2 years 4 months.

A building delivered is anticipated to provide 60 years of use therefor it can accommodate 102.85 placements during its period of use ($60 / 2.333 \times 4$)

The capital costs per child are therefore $2.1\text{m} / 102.85 = \text{£}20,418$ per child

The number of children resulting from the housing development aged between 10 and 17 at any one time are forecast to be 60

15.16 in 10,000 children will demand residential care in Oxfordshire.

The number of children needing accommodation arising from this development will therefore be 0.09

The capital contribution required is therefore $20,418 \times 0.09 = \text{£}1,838$

Officer's Name: Nigel Cunning

Officer's Title: Corporate Landlord Manager

Date: 17 November 2021

Application no: 21/03558/OUT

Location: Land On The North East Side Of Gavray Drive Bicester

Archaeology

Recommendation:

Comments

Key issues:

Legal agreement required to secure:

Conditions:

1. Prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed and submitted Written Scheme of Investigation, ES Chapter 6 Cultural Heritage Appendix 6.2 Specification for Archaeological Mit), a programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021).

Detailed comments:

The site is located in an area of considerable archaeological interest and an archaeological evaluation has been undertaken on the site ahead of a previous planning application.

The archaeological geophysical survey and evaluation recorded aspects of an Iron Age and Roman settlement site and produced sherds of Saxon pottery. The Roman material was mostly found to the North of the site, close to an area of Roman settlement recorded North of the railway in 1996 which produced evidence of high status Roman occupation in the area in the form of a writing tablet, the only one from Oxfordshire, found in the backfill of a well (PRN 26122). An enclosure ditch was recorded along with a number of ditches or gullies. Further evaluation on the site, to the NW of the site recorded a pit, dated to the Iron Age, and two gullies. Some areas of the site could not be evaluated due to access restraints and so it is conceivable that further deposits exist on the site.

A programme of archaeological investigation will need to be undertaken ahead of any development of the site in order to record these features as set out in the NPPF. A written scheme of investigation for this investigation has been submitted with this planning application.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of this programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition as suggested above.

Officer's Name: Richard Oram
Officer's Title: Archaeology Lead
Date: 2 November 2021

Application no: 21/03558/OUT

Location: Land On The North East Side Of Gavray Drive Bicester

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	£23,490	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):

£23,490 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:

2. 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;”.

3. 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.
4. 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 250 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 1,000 HWRC visits per year.
5. 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.
6. 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
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		(300,090) is 55,350 m ² , or 0.18m ² per dwelling
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	250	
Total contributions requested	£23,490	

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 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 October 2021

Application no: 21/03558/OUT

Location: Land On The North East Side Of Gavray Drive Bicester

Ecology & Biodiversity

Recommendation: N/A

Comments:

The Gavray Drive Meadows Local Wildlife Site (LWS) and River Ray Conservation Target Area (CTA) form a large proportion of the application site and the fact that no development is now proposed within these areas is a welcome progression from previous applications.

Gavray Meadows LWS was designated on the basis of its lowland meadow habitats and species of principle importance and conservation concern. This mosaic of species-rich grassland, scrub, hedgerow, woodland and aquatic habitat supports a diverse invertebrate assemblage, red and amber list bird species, great crested newts, reptiles and bats.

A lack of management over the past 15 years has led to a decline in the quality of grassland and a dominance of blackthorn scrub. However, the overgrown hedgerows have meant that the site has remained good for black, brown and white-letter hairstreak butterflies, key species of conservation concern within the LWS.

It is proposed that as part of the development the LWS will be restored back to species rich wet and dry grassland, with some areas of scrub retained, existing ponds improved and new ponds and a small woodland created.

At least one new pond would be required in order to obtain an EPS licence from Natural England or District Licence, since one pond containing great crested newts will be lost in the proposed residential area.

There may be some indirect hydrological impact on LWS due to increased surface water run-off and altered groundwater flows. Modelling predicts no adverse impact on the wet meadow plant communities within the LWS from the proposed floodplain remodelling west of the Langford brook.

There is also the potential for damage and disturbance to habitats and species within the LWS due to increased recreational pressure. However, this can be managed to

some extent and increased public visibility should mean that the current camping, fires and fly-tipping/littering issues decline.

The proposed Ecological Restoration Zone (ERZ) comprises the LWS and areas of the CTA west of Langford brook that will be retained as public open space. The restoration, enhancement and ongoing management of these areas is proposed to be delivered by an Ecological Management Plan (EMP), the funding and implementation of which will need to be secured by a S106 agreement. This is also essential to ensure that the proposed 20% biodiversity net gain can be achieved.

An EMP has been submitted with this application, the management objectives and prescriptions within it being appropriate, but this document may need updating as things progress, hence the recommended Condition.

To minimise impacts on species within the development areas and retained habitats, as well to ensure compliance with legislation regarding protected species, the implementation of the Ecological Construction Method Statement (ECMS) will need to be overseen by an appointed Ecological Clerk of Works (ECoW).

Conditions:

Construction Environment Management Plan (CEMP)

Prior to the commencement of the development hereby permitted, including any works of site clearance, a Construction Environment Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.

Ecological Construction Method Statement (ECMS)

Prior to the commencement of the development hereby permitted, including any works of site clearance, an Ecological Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity; updated survey results for relevant protected species; appropriate mitigation measures and the duties of the Ecological Clerk of Works in this process.

Thereafter, the development shall be carried out in accordance with the approved CEMP.

Ecological Management Plan (EMP)

Prior to the commencement of the development hereby approved, including any works of site clearance, an Ecological Management Plan, covering the Ecological Restoration Zone, shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include:

- (i) Description of the features to be managed;
- (ii) Constraints on site that may influence management;

- (iii) Aims and objectives of management;
 - (iv) Appropriate management options for achieving aims and objectives;
 - (v) Prescriptions for management actions for a 20 year period;
 - (vi) Preparation of a work schedule
 - (vii) Personnel responsible for implementation of the plan;
 - (viii) Monitoring and remedial / contingencies measures triggered by monitoring.
- Thereafter, the development shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Officer's Name: Sarah Postlethwaite
Officer's Title: Protected Species Officer
Date: 18 November 2021

Application no: 21/03558/OUT

Location: Land On The North East Side Of Gavray Drive Bicester

Climate Change and Energy

Recommendation:

No objection

Key issues:

Cherwell District Council should satisfy itself that this proposed development meets all the national and local requirements in respect of carbon reduction, and that it is sufficiently ambitious in its approach to climate action.

Detailed comments:

We would like CDC to consider whether this development goes far enough to deliver the Climate Change Act 2008 target of at least a 100% reduction of greenhouse gas emissions by 2050.

The County Council welcomes the inclusion of a Sustainability Statement which sets out measures to reduce the primary energy use and carbon emissions. The County Council advocates that achieving net zero carbon should include embodied energy as well as operational and that minimising energy use through design and energy efficiency measures should be prioritised in line with the energy hierarchy. Developer guidance on how to achieve net zero can be found in LETI's Climate Emergency Design Guide.

It is noted that the County Council does not have a statutory role in setting design standards for new developments but is a co-signatory with South Oxfordshire District Council on the Oxfordshire Energy Strategy, which outlines a shared commitment 'to reduce countywide emissions by 50% compared with 2008 levels by 2030 and set a pathway to achieve zero carbon growth by 2050'. This target reflects the Climate Change Act 2008 and the County Council's Climate Action Framework approved in October 2020. Additionally, in response to declaring a climate emergency, the County Council's Climate Action for a Thriving Oxfordshire, dating from November 2019, sets out our commitment to be a zero carbon organisation by 2030 and play our part in creating a zero carbon Oxfordshire.

Officer's Name: Venina Bland

Officer's Title: Climate Action Policy Officer

Date: 17 December 2021

District: Cherwell

Application No: 21/03558/OUT

Proposal: OUTLINE - Residential development for up to 250 dwellings including affordable housing and ancillary uses including retained Local Wildlife Site, public open space, play areas, localised land remodelling, compensatory flood storage, structural planting and access.

Location: Land On The North East Side Of Gavray Drive Bicester

LOCAL MEMBER VIEWS

Cllr: Calum Miller

Division: Otmoor

Comments:

I have three concerns about the proposal which I hope officers will have due attention to in coming to a determination about this application. Unless these concerns can be shown to be fully addressed by the proposal in a manner consistent with the adopted policies of the planning authority, I object to the granting of outline planning permission for this site.

First, I am very concerned about the probability that building on this site will increase flood risk for homeowners and businesses further downstream on the Langford Brook and the River Ray. Part of the site is a flood plain, designated Flood Zones 3 and 2 by the Environment Agency. It appears the promoter intends to build on other areas of the site. Nevertheless, I think it is critical that the approach taken to flood management is precautionary. We know that the path of climate change will increase extreme weather events in the decades ahead. So it is particularly important that modelling assumptions about surface water and fluvial water are based on high central cases and taken out to 2080 at earliest and that those determining the application are satisfied that these water levels can be accommodated by the site without placing further pressure on downstream properties.

Second, I want to be convinced that the proposals for active travel and traffic management on the site are realistic and appropriate. The Cherwell Local Plan 2011-2031 noted in Policy 13 (Gavray Drive) that "New footpaths and cycleways should be provided that link with existing networks, the wider urban area and schools and community facilities. Access should be provided over the railway to the town centre." It is critical that this access over the railway is delivered yet there is not evidence of such

a scheme in the proposal. In addition, there is already a traffic danger spot on Wretchwick Way, travelling northeast at the second junction with Peregrine Way, before the roundabout to Gavray Drive. The road dips at this point and there is a risk that speeding vehicles only belatedly identify the upcoming roundabout. Traffic safety measures should be installed here, including for safe pedestrian crossing of Wretchwick Way and to facilitate safe turning southwest out of Peregrine Way and into Peregrine Way from the southwest-bound carriageway.

Third, it is essential that the proposal takes full account of the biodiversity of the site, takes due account of protected species and that credible and funded proposals for the future management of the Gavray Meadows Wildlife Site are included in the scheme.

Date: 04 November 2021
