

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

District: Cherwell

Application no: 22/02101/OUT

Proposal: Outline planning application for a residential development comprising up to 250 dwellings (with up to 30% affordable housing), public open space, landscaping and associated supporting infrastructure. Means of vehicular access to be determined via Edinburgh Way, with additional pedestrian and cycle connections via Dover Avenue and Balmoral Avenue. Emergency access provision also via Balmoral Avenue. All other matters reserved

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

Response Date: 23rd September 2022

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

Assessment Criteria

Proposal overview and mix /population generation

OCC's response is based on a development as set out in the table below. The development is based on a SHMA mix.

Residential	
1-bed dwellings	32
2-bed dwellings	64
3-bed dwellings	108
4-bed & larger dwellings	46

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

Average Population	623.6
Nursery children (number of 2- and 3-year olds entitled to funded places)	16.8
Primary pupils	75.8
Secondary pupils including Sixth Form pupils	59.5

Special School pupils	1.6
65+ year olds	65.1

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General Information and Advice

Recommendations for approval contrary to OCC objection:

If within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and 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 application relates to an outline application for residential development of up to 250 dwellings, 30% of which are to be affordable, with public open space, landscaping and associated supporting infrastructure.

The proposed site is on unallocated land and so development is expected to be in accordance with the Cherwell District Council adopted Local Plan 2011-2031 (Part 1).

There is no planning history for the site itself, but it is noted that the site is immediately adjacent to the allocated site West of Bretch Hill under Policy Banbury 3 for approximately 400 homes.

Detailed officer comments can be found below, which includes a Transport and LLFA objection, as well as comments from Education, Archaeology, Waste Management and Local Member Cllr Mark Cherry.

Officer's Name: Jacqui Cox

Officer's Title: Infrastructure Locality Lead, Cherwell and West

Date: 22/09/2022

Application no: 22/02101/OUT

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Transport Schedule

Recommendation: Objection for the following reasons:

- The TA has not provided a satisfactory assessment of the development impact on the network in two ways. 1) There are two possible accesses from the site which the application has only assessed one and 2) Future year assessments fail to include the entire trips from the consented Banbury Rise development. Such omissions mean that it is not possible to robustly assess development impact on the network in accordance with paragraphs 109 and 111 of the NPPF.
- The application has not demonstrated the suitability of the access route in the ability to accommodate the additional development traffic. The submitted vehicle tracking exercise has not convincingly accounted for two-way passage of vehicles along the route which shall be intensified by increased volume of traffic resulting from the development. The tracking exercise appears to mask issues of width constraints along the route.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a s106 agreement including an obligation to enter into a s278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Highway works	TBC	TBC	Baxter	
Public transport services	£262,750	October 2020	RPI-x	Increasing bus services around serving the development site and also potentially extend the service to employment areas in the east of Banbury
Travel Plan Monitoring	£1,558	Dec 2021	RPI-x	
Public Rights of Way	£60,000	July 2022	Baxter	Access mitigation measures on the footpaths in proximity of the site. This would fund surface improvement, signing and furniture along the routes
Total				

Other obligations:

- Proportionate contribution to infrastructure identified in Connecting Oxfordshire LTP4.
- Pedestrian/ cycle connections to adjacent sites including measures to ensure their delivery.

Key points:

- Grampian Condition limiting development until such a time that parking restrictions are implemented between Bailey Road and the site where the carriageway was designed as a secondary road.
- Revised swept path exercise showing the ability of the access route through Banbury Rise to accommodate two vehicles passing each other.

Comments:

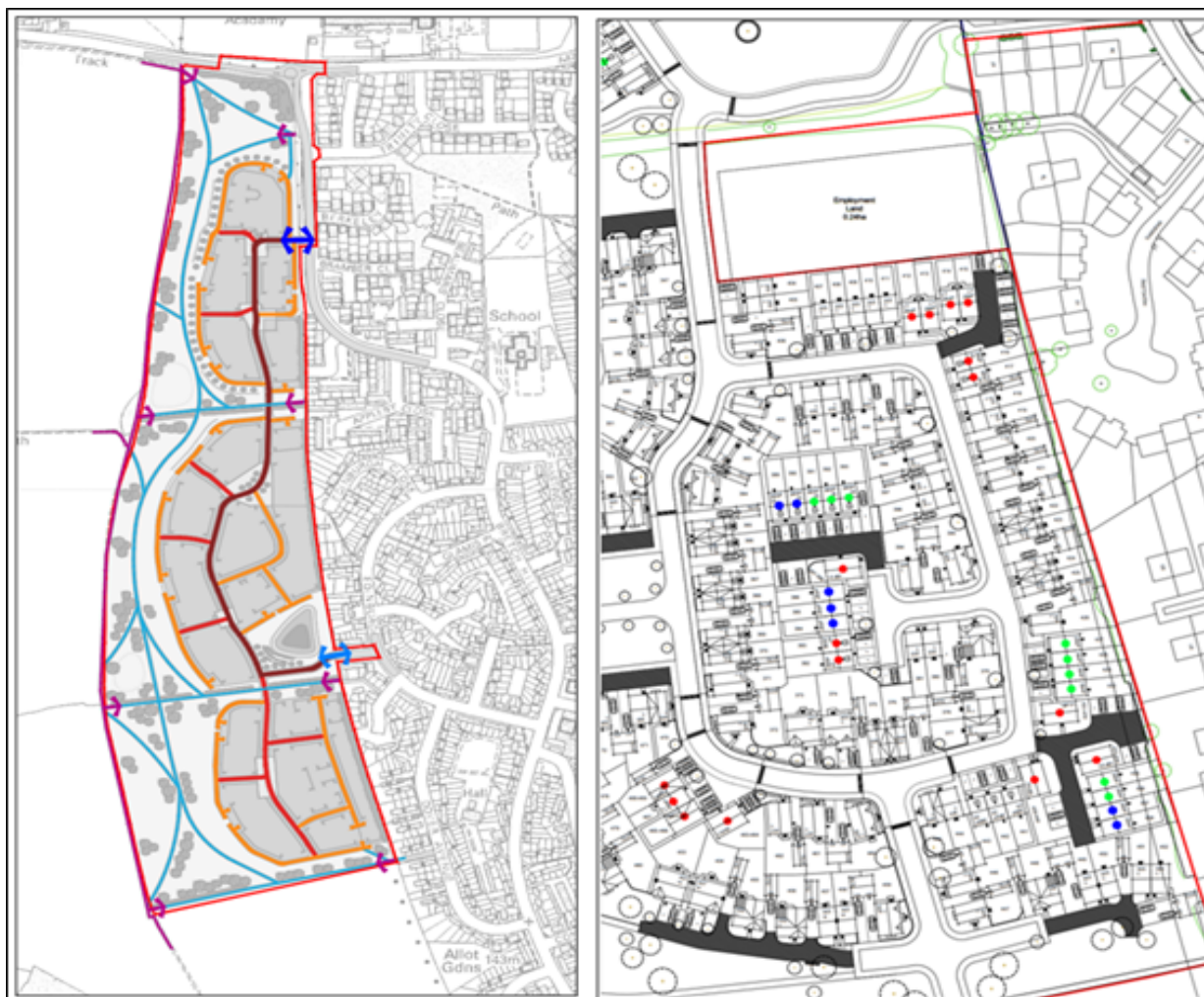
Introduction

The application is outline only seeking development of up to 250 residential properties with associated infrastructure on Land adjacent to Withycombe Farmhouse in the Bretch Hill area west of Banbury.

It is noted that this site is not allocated for development in the current Cherwell District Council (CDC) Local Plan. CDC has sufficient land allocated to fulfil its current 3-year land supply. It appears the site may have been proposed as part of the call for sites for the ongoing Local Plan review.

Access arrangements

The site is accessed through the consented Banbury Rise development (planning application ref: 13/00444/OUT) via two primary vehicular accesses; Bailey Road to the immediate north from the site and George Parish Road being the northern most access. George Parish Road in turn leads onto Bretch Hill while Bailey Road joins the highway at Edinburgh Way. Although the Highway Authority (HA) has technically approved for construction, the Banbury Rise internal roads including Bailey Road and George Parish Road, these may not yet be adopted highway.



The '*Parameter plan - Movement*' submitted for the outline planning application shows that the primary road (for Banbury Rise) runs between what is now Bailey Road and George Parish Road. Other estate roads were hence designed as secondary and tertiary roads. I note that development traffic shall be able to route through Wilson Road, Longley Crescent and Lunnun Road to connect onto Bailey Road. My concern therefore is borne from this aspect - the section of carriageway between the site and Bailey Road. How convenient is it for 137+250 properties to acquire access through this section that was initially designed as access only for 137?

The same concern was raised in OCC's pre-app advice below.

OCC are unsure the road layout of the Banbury Rise development can effectively accommodate an additional 250 homes using it as a through road. The proposals will involve significant additional traffic using residential roads to access the wider highway network. An example of this is the eastern side of the Longley Cres loop. Its width and tight bends make it unsuitable for use by an additional 250 homes. Works may be necessary to make the route acceptable. The proposals may result in a need for

additional elements of traffic calming along access roads like Edinburgh Way and Longley Crec. A full application will need to demonstrate that the existing road network of Banbury Rise is suitable for the additional traffic.

Section 4.4 of the TA attempts to address this concern which fail to convince that the measures therein go far enough to make it appropriate for the additional volume of traffic.

Appended to the TA is the vehicle tracking exercise plan (WE088-EN-102C). This has not been tracked with two cars passing each other. Also, it becomes apparent that the refuse vehicle would barely leave sufficient room for cars to pass even on the straight sections. The additional 250 properties will intensify the need for such occurrences, which would lead to vehicles mounting the kerbs - which is a safety risk to pedestrians and also damage to infrastructure. **(Reason for objection)**

In addition to the width constraints above, I note that a high proportion of properties (within the Banbury Rise development) along the access route are designed with tandem parking. Tandem parking is usually associated with increased amount of manoeuvres which often require momentarily parking on the adjacent carriageway if only the inner vehicle needs to be driven away. This would lead to on-street parking for longer periods than needed because residents over time find it exhausting to maintain the short durations. This street parking would create unwanted and unacceptable pressure on the route which has not been captured in the assessment.

This can only be addressed by an obligation to be secured via a s106 agreement or grampian condition to implement waiting restrictions in the form of double yellow lines along the access route. Should the access route identified be adopted highway, then a TRO shall be required in order to accomplish this.

Construction Access - The applicant has stated their intention to use a dedicated construction access immediately to the west of the site. This is the existing arrangement for construction vehicles accessing the Banbury Rise development. This arrangement is welcomed and will reduce disruption to the local highway network caused by construction vehicles. Further details shall need to be availed in the CTMP.

Sustainable transport connectivity/transport sustainability

With vehicular access proposed through Banbury Rise and onto Bretch Hill and Edinburgh Way to the east it is essential that the cumulative effect of the two developments (Banbury Rise and this development) on the local road network and on pedestrian and cycle movements is not overlooked. Improved pedestrian and cycle access will be vital to improving the accessibility of the site as a whole.

Traffic from the site will distribute eastwards onto/ along Bretch Hill towards key corridors and junctions such as the Stratford Road/ Warwick Road junction, the Woodgreen Avenue/ The Fairway/ Orchard Way junction or the Woodgreen Avenue/

Broughton Road/ Queensway junction. These junctions are currently shown to be over capacity by the end of the plan period. The Banbury Area Transport Strategy in Oxfordshire's Local Transport Plan outlines proposed improvements to these parts of the town's network under Policy BAN 1. Whilst the severe impact here cannot be solely attributed to this development, a strategic contribution is required to mitigate the cumulative impact of planned growth.

There are formative plans for works to Bretch Hill to improve traffic calming and bus service reliability. The removal of these chicanes will enhance the effectiveness of the existing bus service and improve its ability to serve the proposed development.

The emerging Banbury LCWIP (Local Cycling & Walking Infrastructure Plan) has identified Footpath 120/24 to the north of the site as a potential route linking the villages to the west of Banbury to the town. It will also be key for cycle facilities along Broughton Road itself to be improved to encourage more sustainable means of transport for residents of villages to the south-west and from this development.

Footpath 120/24 is also a key pedestrian route to Bretch Hill, where the nearest bus stops are located. As the footpath could provide a good option for east/west connectivity and provide easy access to the bus stops on Bretch Hill it is imperative that it be improved. The proposals demonstrate a footpath linking the development and Footpath 120/24 together so improvements to it would be a common sense approach to providing an effective east/west connection to the wider Banbury area.

OCC are likely to request a contribution for upgraded pedestrian and cycleways in line with the emerging Banbury LCWIP. A key route has been identified which will pass along the site and a contribution will be used towards the construction of this route. Any new pedestrian and cycleways will be built to LTN 1/20 standards. The contributions will be calculated based on amounts secured from similar sites for comparable schemes.

Public Transport

The County will require a public transport contribution at its standard rate of £1,051 per dwelling indexed from 2020 using RPI-x, as follows: $£1,051 \times 250 = £262,750$. This will contribute to the enhancement of the B5 bus service. This contribution rate has been updated since but is otherwise commensurate with that contribution. The TA has correctly identified that the nearest bus stop is about 210m away. Service provision at the nearest stop requires improvement and the contribution will go towards enhancing route B5 which serves these stops.

The contribution will also potentially extend the B5 service (or similar) to employment areas in the east of Banbury. The contribution is in keeping with OCC's aims to make bus travel a more attractive and relevant choice for Banbury residents. The contribution will allow the applicant to rely on bus travel mode share within their Travel Plan and Transport Assessment assumptions.

Site layout

As this is an 'Outline' application the internal layout of this site will therefore be finalised at the detailed design stage. The layout plans shall be required to demonstrate the ability of refuse vehicles and cars to manoeuvre within the site and back onto the highway in a forward gear particularly utilising turning heads.

Should the developer wish to have the internal roads of the proposed development to be offered for adoption to the Local Highway Authority, then a Section 38 Agreement under the Highways Act 1980 will be required. Alternatively should the roads remain private, then a Private Road Agreement will be required between the developer and Oxfordshire County Council.

It is expected that future details on any 'Reserved Matters' or 'Full' application shows a comprehensive pedestrian network throughout the site with footways provided on both sides of the carriageway.

Traffic impact

Accident Data

Analysis of collision data of the local area has been carried out to determine whether there are inherent safety issues on the network which issues are likely to be exacerbated by this development. The exercise has thus reviewed collision incidents obtained from Crashmap that have occurred within a five year period spanning January 2017 to December 2021.

The submitted data does not present clusters of accidents/collisions that would be exacerbated in light of the proposed development.

Trip generation, Distribution and Assignment

The TA accompanying this application seeks to estimate the amount of traffic that the development would generate and what impact this might have on the adjacent transport network. Trip rates have been determined using the TRICS database.

It is my view that the process and resultant trip rates proposed in the TA are reasonable for a site of this size in this type of location.

The anticipated distribution has utilised the 2011 Census Journey to Work data for the Middle Super Output Area of Cherwell 005, while trip assignment has been calculated using a GIS software whose details have not been shared for our review. **(Further detail required)**

The submission predicts that there will be about 125 and 127 two-way vehicular trip movements in the AM and PM peak periods respectively. This volume of trips is considered realistic from a residential development in such a location.

However, the TA fails to include a full account of trips from the consented Banbury Rise development, in the future years when both sites shall be fully occupational . The correlation of the two developments is such that residents/ visitors would be able to use either of the two existing site accesses without restriction. So it is not possible to definitely draw a distinction to what proportion of trips that would utilise a particular access. For this, the application needs to assess a full account of trips from both developments using both accesses.

Banbury Rise development was granted planning permission for 480 residential units. Although currently the development is partially occupied, I fail to see where the entire traffic flows from the original TA have been accounted for in this assessment - contrary to para 3.3.3 of the Technical Note supporting the application. The Banbury Rise TA which originally was based on 400 residential units presented (Table 4.3) a total trip generation of 66 and 189 AM peak hour arrivals and departures respectively. The PM peak hour in turn was forecasted to generate 184 and 110 vehicular arrival and departures respectively. Through a subsequent reserved matters application, the development was scaled up by an additional 80 units. This account of trips has not been included

Interrogation of the traffic flow diagrams and the demand input in the model future years only shows a small percentage of the full extent of these trips. As such, without this information, I am not in a position to conclude that a satisfactory assessment has been undertaken. **(Reason for objection)**

Junction Assessment

The applicant has undertaken operational assessment on various junctions in the vicinity of the proposed development site. I am however, concerned by the fact that the application had excluded the northern Banbury Rise access (George Parish Road) from the capacity assessment exercise whilst still acknowledging that a proportion of the development traffic shall route through that access. Routing via the George Parish Road could either be incidental or pertaining to preference for those residents destined to/from the north and eastern areas of Banbury. Without this assessment, I consider the application has not fully appraised its impact on the network. **(Reason for objection)**

To address this, the application needs to include the George Parish Road/ Bretch Hill junction under various scenarios (sensitivity tests) in the horizon year. Such scenarios must include the following assumptions.

- 50% George Parish Road and 50% Bailey Road accesses
- 30% George Parish Road and 70 % Bailey Road
- 90% George Parish Road and 10% Bailey Road

Travel Plan

A Travel Plan has been submitted with this application as required. However, it does not contain the level of detail required to meet OCC criteria. As the application site is

adjacent to other recently developed sites with monitored travel plans (produced and monitored by the same consultants), it would be beneficial for feedback and lessons learnt from existing residents to be used to inform the content of the travel plan for this site. It is advised that the applicant consults the guidance document to ensure all criteria has been met before revising and resubmitting for approval.

The Travel Plans Team can be contacted for further information
travelplan@oxfordshire.gov.uk

A travel plan monitoring fee of £1,558 (RPI Index linked) is required to enable the travel plan to be monitored for a period of five years.

A Residential Travel Plan shall be required for this number of dwellings. This should be produced prior to first occupation and then updated within 3 months of occupation of 50% of the site (125th dwelling).

A Residential Travel Information Pack should be produced prior to first occupation and then distributed to all residents at the point of occupation. Reason – to ensure all residents are aware of the travel choices available to them from the outset. Further information regarding the required criteria can be found within the attached OCC guidance document.

Cycle parking and EV Charging should be included within residential boundaries.

Public Rights of Way

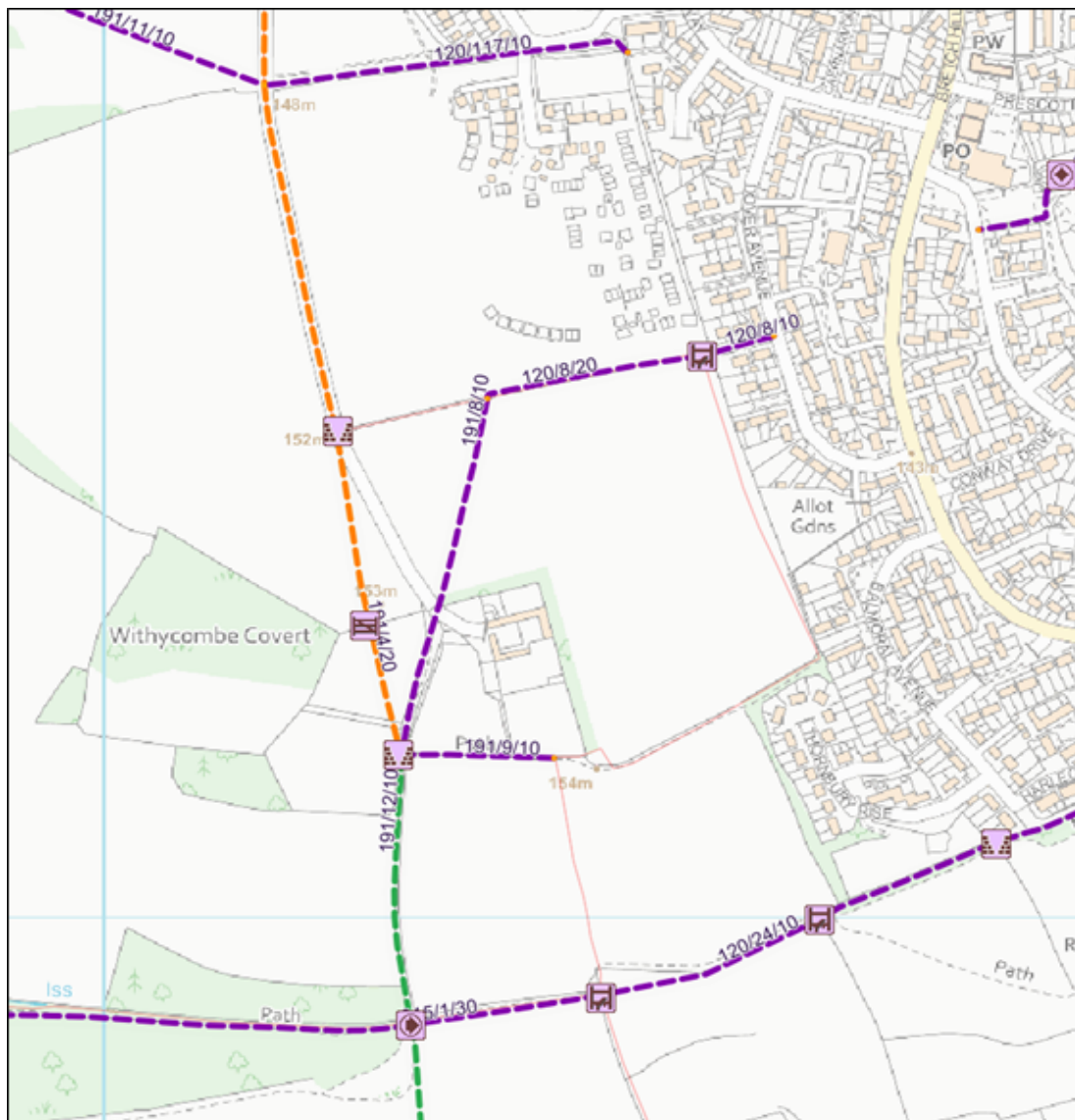
Oxfordshire County Council manages the legal record and access functions on the public rights of way and access land network. In addition to the statutory functions of recording, protecting and maintaining public rights of way, part of the authority's role includes securing mitigation measures from residential 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 (www.oxfordshire.gov.uk/rowip).

OCC will likely request a contribution for improvement works to the PRow network surrounding the site. Namely, public footpaths 120/810, 191/8/10, 19/8/20, 191/9/10, 120/24/10, 315/1/20, 191/11/10, 315/2/10, 315/2/20, and bridleways 191/4/10 and 191/12/10. This contribution is required to allow the Countryside Access Team to plan and deliver improvements with third party landowners prior to the occupation of the development under the aims of the Rights of Way Management Plan.

The contribution would be spent on improvements to the above routes which border the site on all sides. The routes are within the likely "impact area" of roughly 3 km from the site and connect the development to neighbouring settlements and the surrounding countryside. The improvements will mostly take the form of improved surfacing, and

new or replacement structures such as gates, bridges, seating, sub-surfacing, and drainage. This is necessary as usage of these routes will significantly increase should a full application be approved.

For this, OCC seek from this development as mitigation measures as part of a s106 scheme of **£60,000** given this development effectively extends the urban edge of Banbury through the connected roads and public open space. 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. :



Standard measures/conditions 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 and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap.
2. **Protection from breaks in public rights of way and vehicle crossings/use of public rights of way:** Many public rights of way are valuable as access corridors and as continuous wildlife and landscape corridors. As a matter of principle, PRoW should remain unbroken and continuous to maintain this amenity and natural value. Crossing PRoW with roads or sharing PRoW with traffic significantly affects wildlife movements and the function of the PRoW as a traffic free and landscape corridor. Road crossings of PRoW should be considered only as an exception and in all cases provision must be made for wildlife access and landscape, and with safe high quality crossing facilities for walkers, cyclists and equestrians according to the legal status of the PRoW. Vehicle access should not be taken along PRoW without appropriate assessment and speed, noise, dust and proximity controls agreed in advance with OCC Countryside Access
3. **Protection, Mitigation and Improvements of routes.** Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. Assessments of current condition need to be undertaken along with proposals for onsite mitigation and improvement measures. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All necessary PRoW mitigation and improvement measures onsite need to be undertaken prior to occupation to ensure public amenity is maintained.
4. **Protection of public rights of way and users.** Routes must remain useable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horse riders as vulnerable road users needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.

5.

- 5. Temporary obstructions and damage.** No materials, plant, vehicles, 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. Avoidable damage to PRow must be prevented. Where this takes place repairs to original or better standard should be completed within 24 hrs unless a longer repair period is authorised by OCC Countryside.
- 6. 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. 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. Any proposals for temporary closure/diversion need to have an accessible, level, safe and reasonably direct diversion route provided with necessary safety fencing and stand-off to ensure public amenity is maintained for the duration of the disturbance.
- 7. 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.
- 8. Hedges/screening:** Where hedges/natural vegetation is proposed eg on solar farms to shield the public from glint or glare, to coincide with new boundaries or to enhance existing boundaries, a lifetime management regime needs to be agreed with Oxfordshire County Council as local Highway Authority to ensure that public access is not impeded when the vegetation screen is established or during the development or hedge/screen's lifecycle.

Planning Conditions:

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

Travel Plan and Travel Information Pack

Prior to first occupation a Residential Travel Plan and Residential Travel Information Pack should be submitted to the Local Planning Authority. Thereafter, the approved Residential Travel Plan shall be implemented and operated in accordance with the approved details.

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

Construction Traffic Management Plan

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include a commitment to deliveries only arriving at or leaving the site outside local peak traffic periods. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details;

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

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

Officer's Name: Rashid Bbosa

Officer's Title: Senior Transport Planner

Date: 20/09/2022

Application no: 22/02101/OUT

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Clarify the phasing of the development

Detailed comments:

Clarify the phasing of the development, provide phasing plan should it consist of more than one phase. An explanation required of how the site will adequately consider flood risk at all stages of the development.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 02/09/2022

Application no: 22/02101/OUT

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

Education Schedule

Recommendation:

No objection subject to:

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

Contribution	Amount £	Price base	Index	Towards (details)
Secondary education	£1,994,220	327	BCIS All-In TPI	Secondary education capacity serving the development
Secondary Land Contribution	£199,980	Nov-20	RPIX	Secondary school land contribution serving the development
Special education	£134,611	327	BCIS All-In TPI	Special school education capacity serving the development
Total	£2,328,811			

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

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

Justification:

For secondary education provision, demand for places in the town has risen in recent years, such that in 2021 and 2022 there were more applicants than places available. The need for places is expected to continue to grow as a result of population growth from planned housing development in the area, resulting in a sustained shortage of secondary school places across the Banbury area unless additional capacity is provided. Therefore, there would be insufficient secondary capacity in the Banbury area to accommodate the expected pupil generation from the proposed development.

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

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

Calculation:

Number of secondary pupils expected to be generated	60
Estimated per pupil cost of building a new 600-place secondary school	£33,237
Pupils * cost =	£1,994,220

£199,980 Secondary School Land Contribution indexed from Nov-20

Justification:

The county council will incur a cost to purchase land for the planned secondary school within the Banbury 12 policy area, which would serve this proposed development. This will provide land for 600 pupils

The required site area for a 600-place secondary school is 4.88ha. Based on an educational land value of £409,761/ha @ November 20 this gives a total expected cost of £1,999,633

This equates to a cost per pupil of £3,333 ($£1,999,633 \div 600$)

Calculation:

This application is expected to generate 60 secondary pupils therefore the required contribution is towards school land costs is $£3,333 * 60 = £199,980$

£134,611 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	£89,741
Pupils * cost =	£134,611

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: 25/08/2022

Application no: 22/02101/OUT

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

Archaeology

Recommendation:

The site is in an area of archaeological interest and potential, as has been highlighted in the submitted archaeological desk based assessment. After discussions with the heritage consultant working on the project, an archaeological trenched evaluation will be carried out, likely in early September.

Key issues:

Legal agreement required to secure:

Conditions:

In accordance with the National Planning Policy Framework (NPPF 2021) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

Informatives:

Detailed comments:

The proposal site includes a potential Bronze Age barrow, which was identified via aerial photography (PRN 29631), this will need to be investigated prior to the determination of the planning application. The development site immediately north of the proposal area has been subject to an archaeological investigation which recorded a shallow ditch and other evidence suggesting the site was circumferential to a settlement (EOX 6391). Immediately to the south east of the proposal site further archaeological investigations have taken place (EOX7140), which recorded Mid - Late Iron Age occupation evidence. Ditches, a possible trackway or surface and pits (some of them

stone lined) were recorded, along with some post medieval ridge and furrow. In the wider area, Iron Age and Roman settlement activity has been recorded in a number of archaeological investigations, as discussed in the submitted desk based assessment. There is potential for Iron Age and Roman settlement activity to be present in the proposal area, as well as earlier remains relating to the possible barrow. The archaeological potential of the site will need to be investigated through a predetermination evaluation, which is currently proposed to take place in early September 2022.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 10th August 2022

Application no: 22/02101/OUT

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

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:

9. 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;”.

10. 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.
11. 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.
12. 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.
13. The Waste Regulations (England and Wales) 2011 require that waste is dealt with according to the waste hierarchy. The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt. Combined with the complex and varied nature of materials delivered to site it will become increasingly difficult over time to comply with the EU Waste Framework Directive 2008, enacted through the Waste Regulations (England and Wales) 2011 (as amended), maintain performance and a good level of service especially at busy and peak times.

Calculation:

Space at HWRC required per dwelling (m ²)	0.18	Current land available 41,000m ² , needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%. Therefore, total land required for current dwellings (300,090) is 55,350 m ² , or 0.18m ² per dwelling
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: 03 August 2022

Application no: 22/02101/OUT

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

Landscape / Green Infrastructure

Recommendation:

The District Council Landscape Officer should be consulted on the proposals.

Officer's Name: Haidrun Breith

Officer's Title: Landscape Specialist

Date: 22/08/2022

RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 22/02101/OUT

Proposal: Outline planning application for a residential development comprising up to 250 dwellings (with up to 30% affordable housing), public open space, landscaping and associated supporting infrastructure. Means of vehicular access to be determined via Edinburgh Way, with additional pedestrian and cycle connections via Dover Avenue and Balmoral Avenue. Emergency access provision also via Balmoral Avenue. All other matters reserved

Location: Land Adjoining Withycombe Farmhouse, Stratford Road A422, Drayton

LOCAL MEMBER VIEWS

Cllr: Mark Cherry

Division: Banbury

Comments: I would as local member for Banbury Ruscote support the application for 22/02101/OUT . 30% affordable housing (housing Association.

With following observation that pedestrian cycling provision (includes LCWhIPs) and emergency access is talking into consideration as mentioned Dover avenue and balmoral avenue are residential roads. Currently the bloor homes housing development from George parish road up to Bailey road has two ways in and out main entrance is via the A422 Stratford road the other off Bailey road into Edinburgh Way With the number of housing propose the infrastructure must be got right via due planning process all inline with National planning framework and Cherwell district local plans.

Also the usual section one 106 funding shouted taking into account with the B5 stagecoach route taken into account with the proposed development.

Date: 1st August 2022
