

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

**District:** Cherwell

**Application no:** 22/03063/F

**Proposal:** Erection of 126 dwellings with access from Camp Road, provision of public open space and associated infrastructure

**Location:** Land East Of Larsen Road, Heyford Park

**Response Date:** 14/12/2022

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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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## Assessment Criteria Proposal overview and mix /population generation

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

<b>Residential</b>	
1-bed dwellings	10
2-bed dwellings	25
3-bed dwellings	54
4-bed & larger dwellings	37

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	332.78
Nursery children (number of 2- and 3-year olds entitled to funded places)	9.03
Primary pupils	41.41
Secondary pupils including Sixth Form pupils	32.75
Special School pupils	0.84
65+ year olds	34.41

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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](mailto: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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## Transport Schedule

### Recommendation

**No objection** subject to the following.

- S106 Contributions as summarised in the table below.
- An obligation to enter into a S278 S38 agreement as detailed below.
- Planning Conditions as detailed below.
- Note should be taken of the informatives stated below.

### S106 Contributions

It is noted that this planning application covers the combined sites of the existing two planning applications in this location under reference numbers 15/01357/F and 21/03523/OUT for which S106 contributions are already determined. This application is for 126 dwellings which equates to 6 additional dwellings over and above the two existing applications combined. Section 106 contributions are determined pro-rata from those required for the two existing planning applications, and are set out below.

<b>Public transport service</b> £257,557 towards the provision of enhanced bus services linking Heyford with Bicester payable in two instalments as follows: <ul style="list-style-type: none"><li>• Bus Improvement Instalment 1 being 50% of the Bus Improvement Contribution.</li><li>• Bus Improvement Instalment 2 being the remaining 50% of the Bus Improvement Contribution [</li></ul>	Index: Price Base:	RPIx August 2021
<b>Highway works</b> £997,413 towards agreed policy Villages 5 highway mitigation package	Index: Price Base:	Baxter August 2021
<b>Cycle route</b> £49,345 towards an off-carriageway cycle route between the site and Bicester.	Index: Price Base:	Baxter August 2021
<b>Middleton Stoney</b> £58,884 towards the promotion, consultation and if appropriate the making of a traffic regulation order to close to general traffic part of the B4030 west of Middleton Stoney and any works to the highway required to bring that into effect or an alternative scheme of similar benefit.	Index: Price Base:	Baxter August 2021

<b>Village Traffic Calming</b> £290,013 towards basic traffic calming schemes for the villages of Upper and Lower Heyford, Middleton Stoney, Ardley, Fritwell, Somerton, North Aston, Bucknell, Chesterton and Kirtlington.	Index: Price Base:	Baxter August 2021
<b>M40, Junction 10</b> £196,264 towards a scheme of capacity improvements entailing signalisation at Padbury Roundabout.	Index: Price Base:	Baxter August 2021
<b>Safety Improvements</b> £3,924 towards safety measures at the junction of North Aston Road and the A4260 arising from the impact of the Development.	Index: Price Base:	Baxter August 2021
<b>Safety Improvements</b> £4,226 towards a scheme to improve safety at the staggered junction of the A4260 and B4027 by the construction of a roundabout.	Index: Price Base:	Baxter August 2021
<b>Local weight restriction</b> £3,488 towards the cost of consultation and implementation of the necessary traffic regulation order(s) to implement weight restriction on the B4030 at Middleton Stoney or other local weight restriction schemes together with any signage and other works necessary for the order(s) to take effect	Index: Price Base:	Baxter August 2021

## Comments

### **Transport Strategy**

Provision for cycling/walking, space for cycling within highways, transitions between carriageways, cycle lanes and cycle tracks, junctions and crossings, cycle parking and other equipment design within the development site should follow the LTN 1/20 guidance.

Cycle parking provision needs to be in line with the County's adopted cycle parking standards.

Electric vehicle charging provision must align with the 2020 Oxfordshire Electric Vehicle Infrastructure Strategy ensuring that sufficient spaces are both dedicated to electric vehicles, the minimum number of charging points are provided, but more importantly the infrastructure is prepared to allow for future increased demand without significant interruption.

All completed works need to be in line with applicable guidance & policy at the time of completion. It is therefore the responsibility of the developer to liaise with Oxfordshire County Council officers throughout to ensure that the scheme aligns with the relevant guidance & policy.

## Transport Development Control

The planning application is accompanied by a Transport Assessment (TA). This is considered to be an appropriate level of submission. The County's comments on the TA are set out below.

- Paragraph 1.1.5. The full list of contributions that will be required by this planning application is as set out above.
- Section 4.2. Access proposals are reviewed in comparison to the approved proposals under **Road Agreements** below.
- Section 4.6. Car and cycle parking provision has been reviewed for each dwelling and meets standards.
- Section 5 references the Transport Assessment submitted in support of the Policy Villages 5 planning application under 18/00825/HYBRID and notes that both the sites that combine to form the site area for this application are included in the capacity analysis. It also notes that: *"It is anticipated that a contribution to the mitigation package would be made proportionate to the impact resulting from the proposed development."* The required contributions are set out above.
- Section 6 addresses Travel Plan requirements. However, it is unclear what is being proposed. Paragraph 6.1.2 states: *"It is envisaged that the RTP for the proposed development would be in line with the FTP produced for Heyford Park."*, whilst paragraph 6.1.3 states: *"It is anticipated that, as indicated in **Section 1.0**, DWH would contribute to the TP measures and monitoring of the Heyford Park RTP."* It is not therefore clear whether the Applicant will submit its own Travel Plan or place the application site under the Heyford Park RTP.

The application plans do not show any electric vehicle (EV) charging points. Policy EV18 of the County's Oxfordshire Electric Vehicle Infrastructure Strategy states that:

- *"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 with at least 25% (with a minimum of 2) having electric charging points installed."*

A scheme for the provision of EV charging for each residential dwelling can be submitted in discharge of a condition of planning permission.

Given the location and scale of the development proposals a Construction Traffic Management Plan will be required. This should be developed using the County's guidance checklist and can be submitted in discharge of a condition of planning permission.

## **Travel Plans**

The development will need to come under the influence of a Travel Plan. This could be achieved in one of two ways, as follows.

- The site could be included in the emerging Heyford Park Travel Plan currently being developed by the Dorchester Group, to which it would be required to make a proportionate contribution to the cost of delivery.
- A stand alone Travel Plan for this site together with the adjacent Phase 1 site (15/01357/F) could be developed. This would need to align closely with the emerging Heyford Park Travel Plan.

To support active travel for the new residents a Travel Information Pack should be produced. Guidance on the requirements for this document can be obtained from the Travel Plans team at Oxfordshire County Council.

These requirements can be met in discharge of conditions of planning permission.

## **Rights of Way**

There is concern as to how this development sits in terms of accessibility to wider countryside and public rights of way network. The development needs non-motorised user access alongside Camp Road, either inside the development or along the road to give safe access east to west. Internal access routes also need to connect to the neighbouring development parcels.

## **Road Agreements**

There have been some issues along this stretch of road where there have been land boundary issues. It would be important for the developer to thoroughly check their title with the actual highway boundary for any Section 278 applications to check if there are any gaps.

It is not clear what and for whom the 6.0m easement is for.

The County would want full highway adoption for the vision splays for the main junction.

It looks like there would be some S278 works necessary to amend the current Camp Road island which currently would hinder traffic turning right from the new development.

A footway link should be proposed between site and existing highway.

General adoptability notes are set out below.

- Where there is not a footway adjacent to the carriageway i.e. a shared surface carriageway, a minimum 800mm maintenance margin is required.
- Adoptable visitor parking bays must be 2.5m x 6.0m
- If roads are to be proposed for adoption they will require a turning head.

- A long section indicating the vertical alignment will be required to determine appropriate carriageway and footway gradients. They will need to be DDA compliant i.e. maximum 1:20 or 5%.
- The Service corridor will need to be a minimum 2.0m wide under the footway or verge.
- There are no visibility splays indicated. Junction and Forward Visibility Splays must be in accordance with the County's Residential Design Guide Second Edition (2015) and dedicated to the County if they fall out of the existing highway boundary.
- Shared surfaces width will be a minimum of 6.0m and a minimum of 800mm maintenance margin is required either side of the shared surface. A blocked paved surface or similar will be required for shared surfaces.
- Provide a Stage 1 Road Safety Audit in accordance with GG119 (5.46.1) including a designers response.
- No private drainage is to discharge onto any area of existing or proposed adoptable highway. The drainage proposals will be agreed at the Section 38 Agreement stage once the drainage calculations and detailed design are presented.
- Foul and surface water manholes should not be placed within the middle of the carriageway, at junctions, tyre tracks and where informal crossing points are located.
- Trees must not conflict with streetlights and must be a minimum 10 metres away and a minimum 1.5m from the carriageway. Trees that are within 5m of the carriageway or footway will require root protection. Given the number of trees indicated it would be helpful that the proposed street lighting is provided as trees will have to be located at least 10 metres away to ensure the streetlights can perform effectively.
- Trees within the highway will need to be approved by the County and will carry a commuted sum. No private planting to overhang or encroach the proposed adoptable areas.

### **S278 Highway Works**

An obligation to enter into a S278 Agreement will be required to secure the site access as shown on Odyssey Drawing No.22-192-003, Rev D included in the Transport Assessment.

#### **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.



### **S38 Highway Works**

An obligation to provide on site roads as shown on the Adoption Plan, Focus Drawing No. 0778-107.

The S106 agreement will secure delivery via future completion of a S38 agreement.

### **Planning Conditions**

Should the local planning authority be minded to grant planning permission then the following conditions should apply. Where appropriate these conditions can be applied at the Reserved Matters stage.

The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access, parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

No dwelling shall be occupied until space has been laid out within the site in accordance with the Planning Layot for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.

Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve, and retained as such thereafter.

Prior to the commencement of the development a Construction Traffic Management Plan must be prepared in accordance with Oxfordshire County Council guidelines and submitted to and approved in writing by the District Planning Authority. The construction works must be carried out in accordance with the details approved in the construction traffic management plan.

The developer shall submit a Residential Travel Plan for this development and this will need to be approved by the Travel Plan Team at Oxfordshire County Council before first occupation of the site.

The developer shall submit a Travel Information Pack for this development and this should be sent to the Travel Plan Team at Oxfordshire County Council for approval before first occupation.

### **Informatives**

The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force

in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular access under S278 of the Highway Act. Contact: [RoadAgreements@oxfordshire.gov.uk](mailto:RoadAgreements@oxfordshire.gov.uk).

**Officer's Name: Chris Nichols**

**Officer's Title: Transport Development Control**

**Date: 13 December 2022**