

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

**District:** Cherwell

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

**Proposal:** Erection of 123 dwellings with access from Camp Road, provision of public open space and associated infrastructure.

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

**Response Date:** 28/03/2024

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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 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 -£7,871**  
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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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- Detailed drainage drawing required.
- Provide ownership details of existing ditch/watercourse.
- Clarification required on party that will conduct the maintenance.

### **Detailed comments:**

Previous LLFA comments has not been addressed. Please refer to the below comments which are still outstanding.

Drainage strategy drawing (DRG NO.22-192-100, Rev C) provided and does not address the comments below. Drainage connections around the plots from and to the permeable needs to be shown.

All the drainage infrastructure around the private plots needs to be shown. Provide invert and cover levels of all SuDS/drainage infrastructure. Include pipe gradients and pipe numbering which should read in line with the calculations.

Surface water from the development can't be discharged into a highway system, highways systems will only take run off from highways only. Provide correspondence from the highway authority.

Provide the contact details of the party that will conduct the maintenance during the life span of the development and include this in the maintenance regime.

**Officer's Name: Kabier Salam**

**Officer's Title:** LLFA Engineer

**Date:** 20/03/2024

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

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

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### Education Schedule

*Contributions have been updated as per the mix received in the amendment cover letter dated 4/03/2024*

**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)                                    |
|---|--------------------|---------------|--------------------|--|
| <b>Primary and nursery education</b>    | <b>£949,375</b>    | <b>327</b>    | BCIS<br>All-In TPI | Primary education capacity serving the development   |
| <b>Primary School Land Contribution</b> | <b>£90,967</b>     | <b>Nov-20</b> | RPIX               | Contribution towards primary school land             |
| <b>Secondary education</b>              | <b>£447,660</b>    | <b>327</b>    | BCIS<br>All-In TPI | Secondary education capacity serving the development |
| <b>SEN</b>                              | <b>£71,793</b>     | <b>327</b>    | BCIS<br>All-In TPI | SEN capacity serving the development                 |
| <b>Total</b>                            | <b>£ 1,559,795</b> |               |                    |  |

The total development proposed and underway within the Heyford Park masterplan area, including the developments outside this application, have been assessed to estimate the total pupil generation which is expected for each age range.

Part of this provision is already delivered through the existing Heyford Park School and, for early years education, the Old Station Nursery. The balance of provision required has been calculated and the cost equalised across the different developments on a pro rata basis.

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

**£949,375 Primary and Nursery School Contribution indexed from TPI = 327**

**Justification:**

Comparing current nursery and primary capacity at Heyford Park with the total generation expected from all masterplan parcels shows a deficit of provision equating to 103 nursery places and 300 primary places.

This scale of provision requires a new school. A new 1.5 form entry primary school will provide 75 nursery places and 315 primary places.

The cost has been calculated pro-rata, taking into account the current surplus places at Heyford Park School.

**Calculation:**

Estimated cost of a new 1.5 form entry primary school = £9,668,000 (TPI = 327)

Total pupil generation expected from new/future applications: 499 (some of whom will benefit from surplus places previously provided at the existing school)

Cost per pupil (based on 499 pupils) = £9,668,000 / 499 = £19,375

|   |                  |
|---|------------------|
| Number of primary and nursery pupils expected to be generated | 49               |
| Estimated cost of a new 1.5 form entry primary school         | £19,375          |
| Pupils * cost =   | <b>£ 949,375</b> |

**£90,967 Primary School Land Cost Contribution**

This development should contribute in a fair and proportionate manner to the land required for the primary school.

Oxfordshire County Council's standard land requirement for a 1.5 FE primary school is 2.22 ha, and standard education land value per ha = £409,761 (Nov-20). The total school land value is £909,669 (£409,761 x 2.22).

This application is expected to generate 49 nursery and primary pupils. This equates to 10% of the expected pupil generation from current and expected future applications.

10% of £909,669 is £90,967.

**£447,660 Secondary School Contribution indexed from TPI = 327**

**Justification:**

Comparing current secondary and sixth form capacity at Heyford Park with the total generation expected from all parcels shows a deficit of provision equating to 192 secondary places. There is no deficit in sixth form places, and therefore no sixth form contribution is required.

The cost has been calculated pro-rata across all proposed developments, taking into account the current surplus places at Heyford Park School.

### **Calculation:**

Cost per place of expanding a secondary school: £25,992 (TPI=327)

Additional number of places required to meet the needs of all parcels of Heyford Park: 192

Total cost of expansion for 192 places =  $192 * £25,992 = £4,990,485$

Total pupil generation expected from new/future applications: 301 (some of whom will benefit from surplus places previously provided at the existing school)

Cost per pupil (based on 301 pupils) =  $£4,990,485 / 301 = £16,580$

Secondary pupil generation from this development: 27

Secondary contribution required from this development =  $27 * £16,580 = £447,660$

**£71,793 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 pupil attend special school, 2.1% of secondary pupils and 1.5% of sixth form pupils. These percentages are deducted from the mainstream pupil contributions referred to above, and generate the number of pupils expected to require education at a special school.

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 special schools in the area, and a contribution towards expansion of special school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data.

**Calculation:**

|   |                |
|---|----------------|
| Number of pupils requiring education at a special school expected to be generated       | 0.8            |
| Estimated per pupil cost of special school expansion, as advised by Government guidance | £89,741        |
| Pupils * cost =   | <b>£71,793</b> |

The above contributions are based on a unit mix of:

- 12 x 1 bed dwellings
- 20 x 2 bed dwellings
- 55 x 3 bed dwellings
- 36 x 4 bed dwellings

(This mix was received in the amendment cover letter dated 4/3/2024)

**Officer's Name: Louise Heavey**

**Officer's Title:** School Place Planning Lead

**Date:** 22/03/2024



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

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## **Infrastructure Funding**

### **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.

| <b>Contribution</b> | <b>Amount</b>  | <b>Price base</b> | <b>Index</b>       | <b>Towards (details)</b>    |
|---------------------|----------------|-------------------|--------------------|-----------------------------|
| Library             | <b>£14,316</b> | 327               | BCIS All-In<br>TPI | Funding of Bicester library |

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

**£14,316 Library Contribution** to be indexed linked from TPI – 327 using the BCIS index

**Towards:** Repaying the cost of forward funding the new Bicester library

**Justification:** 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:**

There is £487,205 still to be secured from the total £1.2 M capital cost of the project at a BCIS TPI-327 price base.

Population forecasts show a population increase of 20,257 to 2026 for the Bicester Library Service catchment area.

Current contribution requirement is  $£487,205 \div 20,257 = £24.05$

The development proposal would also generate the need to increase the core book stock held by the local library by 2 volumes per additional resident. The price per volume is £10.00 = £20 per person.

The full requirement for the provision of library infrastructure and supplementary core book stock in respect of this application is: £ 44.05 x 325 (the forecast number of new residents)  
**= £14,316**

**Officer's Name: Richard Oliver**

**Officer's Title: Infrastructure Funding Negotiator**

**Date: 21 March 2024**

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

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

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## **Waste Management**

### **Recommendation:**

No objection subject to S106 contributions - amended to reflect the change in dwelling numbers to 123

### **Legal agreement required to secure:**

#### **No objection subject to:**

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

| <b>Contribution</b>               | <b>Amount</b>  | <b>Price base</b> | <b>Index</b>    | <b>Towards (details)</b>   |
|-----------------------------------|----------------|-------------------|-----------------|--|
| Household Waste Recycling Centres | <b>£11,557</b> | 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):**

**£11,557** Household Waste Recycling Centre Contribution indexed from Index Value 327 using BCIS All-in Tender Price Index

#### **Towards:**

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

#### **Justification:**

1. Oxfordshire County Council, as a Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to arrange:

*“for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”;*

*and that*

*“(a) each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;*

*(b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25<sup>th</sup> December or 1<sup>st</sup> January);*

*(c) each place is available for the deposit of waste free of charge by persons resident in the area;”*

2. Such places are known as Household Waste Recycling Centres (HWRCs) and Oxfordshire County Council provides seven HWRCs throughout the County. This network of sites is no longer fit for purpose and is over capacity.
3. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently ‘over capacity’ (meaning residents need to queue before they are able to deposit materials) at peak times, and many sites are nearing capacity during off peak times. The proposed development will provide 123 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 492 HWRC visits per year.
4. Congestion on site can reduce recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin. Reduced recycling leads to higher costs and an adverse impact on the environment. As all sites are currently over capacity, population growth linked to new housing developments will increase the pressure on the sites.
5. The Waste Regulations (England and Wales) 2011 require that waste is dealt with according to the waste hierarchy. The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt. Combined with the complex and varied nature of materials delivered to site it will become increasingly difficult over time to comply with the EU Waste Framework Directive 2008, enacted through the Waste Regulations (England and Wales) 2011 (as amended), maintain performance and a good level of service especially at busy and peak times.

**Calculation:**

|   |                |   |
|---|----------------|---|
| Space at HWRC required per dwelling (m <sup>2</sup> ) | 0.18           | Current land available 41,000m <sup>2</sup> , needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%.<br>Therefore, total land required for current dwellings (300,090) is 55,350 m <sup>2</sup> , or 0.18m <sup>2</sup> per dwelling |
| Infrastructure cost per m <sup>2</sup>                | £275           | Kidlington build cost/m <sup>2</sup> indexed to 327 BCIS  |
| Land cost per m <sup>2</sup>                          | £247           | Senior Estates Surveyor valuation   |
| Total land and infrastructure cost /m <sup>2</sup>    | <b>£522</b>    |   |
| Cost/dwelling   | £93.96         |   |
| No of dwellings in the development                    | <b>123</b>     |   |
| Total contributions requested                         | <b>£11,557</b> |   |

**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.

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: 15 March 2024**