

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

District: Cherwell

Application no: 23/01503/OUT

Proposal: Erection of up to 230 dwellings, creation of new vehicular access from Camp Road and all associated works with all matters reserved apart from Access - re-submission of 21/04289/OUT

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of, Camp Road, Upper Heyford

Response Date: 09/08/2023

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	29
2-bed dwellings	59
3-bed dwellings	100
4-bed & larger dwellings	42

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	574.1
Nursery children (number of 2- and 3-year olds entitled to funded places)	15.49
Primary pupils	69.9
Secondary pupils including Sixth Form pupils	54.83
Special School pupils	1.44
65+ year olds	59.94

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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 - £17,197**
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:

No objection subject to conditions.

The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing:

-Flood Risk Assessment Reference No: UHO-BWB-ZZ-XX-RP-YE-0001_FRA

-Illustrative Drainage Strategy

Outline Surface Water Drainage (reference: UHO-BWB-ZZ-XX-DR-CD-0002, version P04)

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal.

Condition:

Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)

- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

Surface Water Management Scheme (Phases):

Prior to the approval of any related reserved matters, a detailed Surface Water Management Scheme for each phase or sub-phase of development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the details approved as part of the strategic scheme (Strategic Surface Water Management Scheme) and include all supporting information as listed in the Condition.

The scheme shall be implemented in accordance with the approved details and timetable.

Reason:

To ensure development does not increase the risk of flooding elsewhere; in accordance with Paragraph 155 of the National Planning Policy Framework (NPPF) and Local and National Standards.

Condition:

SuDS As Built and Maintenance Details

Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Officer's Name: Shada Hasan

Officer's Title: LLFA Engineer

Date: 11 July 2023

Application no: 23/01503/OUT

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of, Camp Road, Upper Heyford

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	£1,604,630	327	BCIS All-In TPI	Primary education capacity serving the development
Primary School Land Contribution	£151,640	Nov-20	RPIX	Contribution towards primary school land
Primary School Transport	£385,700	327	BCIS All-In TPI	Contribution towards primary school transport
Secondary education	£1,195,632	327	BCIS All-In TPI	Secondary education capacity serving the development
SEN	£125,637	327	BCIS All-In TPI	SEN capacity serving the development
Total	£ 3,463,239			

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

£1,604,630 Primary and Nursery School Contribution indexed from TPI = 327

Justification:

A 1.5 form entry school is planned to accommodate the pupils generated by the parcels of land in the Heyford Park masterplan. As this school is expected to be filled by these parcels, it would need to be expanded to 2 forms of entry in order to accommodate the pupils generated by this proposed development.

Calculation:

Number of primary and nursery pupils expected to be generated	85
Estimated cost of primary school expansion	£18,878
Pupils * cost =	£1,604,630

£151,640 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 2 form entry primary school, with 510 primary and nursery pupils, 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), equivalent to £1,784 per pupil.

This application is expected to generate 85 nursery and primary pupils. At £1,784 per pupil this equates to £151,640 land cost contribution.

£385,700 Primary School Transport Cost Contribution

Should this development implement prior to Reserved Matters being approved for the planned new primary school:

A recent tendering exercise identified the average cost of a school coach as £290 per day, and there are 190 school days in a year. Once a child starts at a primary school they are likely to stay there, even once a new school is opened closer to home, and therefore we require the contribution for the 7 years that a child is at primary school.

The additional contribution would therefore be £290 * 190 days * 7 years = £385,700.

£1,195,632 Secondary School Contribution indexed from TPI = 327

Justification:

As a result of permitted development at Heyford Park, it will be necessary to expand secondary capacity at Heyford Park School. This development would be expected to contribute to the expansion in a proportionate manner.

Calculation:

Number of secondary pupils expected to be generated	46
Estimated cost of secondary school expansion	£25,992
Pupils * cost =	£ 1,195,632

£125,637 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 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.

Calculation:

Number of pupils requiring education at a special school expected to be generated	1.4
Estimated per pupil cost of special school expansion,	£89,741
Pupils * cost =	£125,637

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

29 x 1 bed dwellings
59 x 2 bed dwellings
100 x 3 bed dwellings
42 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: School Place Planning Lead

Date: 10/07/2023

Application no: 23/01503/OUT

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of, Camp Road, Upper Heyford

Infrastructure Funding

Recommendation:

No objection subject to S106 contributions

Legal agreement required to secure:

No objection subject to:

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

Contribution	Amount	Price base	Index	Towards (details)
Library	£11,711	TPI 327	BCIS	Funding of Bicester library

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

Library Provision

£11,711 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 230 (number of dwellings proposed by this application) = £7,445

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 574 (number of people estimated to be generated by the development) = £4,266

Total Contribution (£7,445 + £4,266) = **£11,711** (BCIS All-in Tender Price Index Value 327)

Officer's Name: Richard Oliver

Officer's Title: Infrastructure Funding Negotiator

Date: 11/07/2023

Application no: 23/01503/OUT

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of, Camp Road, Upper Heyford

Archaeology

Recommendation:

Following the archaeological evaluation on the site, if planning permission is granted, a further phase of archaeological excavation should be carried out prior to development.

Key issues:

Legal agreement required to secure:

Conditions:

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

- 1 Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2021).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a programme of archaeological 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).

Informatives:

Detailed comments:

The site has been subject to an archaeological evaluation, and the approved report for this work has been submitted with the application (Oxford Archaeology 2022). The trenched evaluation recorded remains which partially correlated with anomalies recorded in the previous geophysical survey on the site. The archaeological activity was concentrated in the north western corner of the site, where several ditches and pits were located. One of the features dated to the mid-late Roman period. The recorded features likely represent a small enclosure or field system. Close to these features, a single unfurnished grave was identified, which also contained mid-late Roman pottery.

The northwest area of the development will need to be subject to a further phase of archaeological excavation prior to development in order for these features to be fully investigated.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 27/06/2023

Application no: 23/01503/OUT

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of, Camp Road, Upper Heyford

Minerals & Waste

Recommendation:

Objection

Key issues:

Legal agreement required to secure:

Conditions:

Informatives:

Detailed comments:

Thank you for consulting the Oxfordshire Minerals and Waste Policy Team on the application at the land north of Camp Road, Heyford Park. We have the following comments to make on mineral issues.

Mineral deposits are finite resources and can only be worked where they exist in the ground. Minerals Safeguarding Areas are included within Minerals Plans to ensure that mineral resources are not sterilised by non-mineral development.

This application is located in the Mineral consultation area and is approximately 10 meters west of a Mineral Safeguarded Area therefore policy M8 of the Oxfordshire Minerals and Waste Local Plan – Part 1 Core Strategy (OMWCS) applies. Policy M8 states:

Mineral resources in the Mineral Safeguarding Areas shown on the Policies Map are safeguarded for possible future use. Development that would prevent or otherwise hinder the possible future working of the mineral will not be permitted unless it can be shown that:

- **The site has been allocated for development in an adopted local plan or neighbourhood plan; or**
- **The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or**
- **The mineral will be extracted prior to the development taking place. Mineral**

Consultation Areas, based on the Mineral Safeguarding Areas, are shown on the Policies Map. Within these areas the District Councils will consult the County Council on planning applications for non-mineral development.

The development proposed, Class C (residential development), is considered to be development that would hinder possible future working of mineral to the east of the proposed site. The 'Land use and Parameter Plan' DRW PO1, indicates that the development will be located up to the eastern boundary of the site, approximately 20 metres west of a Safeguarded Minerals Area.

Upon reviewing the information provided for this application:

- The application site has not been allocated for development in the adopted Cherwell Local Plan 2031.
- The applicant, at this stage, has not provided evidence to suggest that need for the development outweighs the economic and sustainability considerations relating to the mineral resource.
- The application has not set out that the applicant proposes to extract the mineral prior to the development taking place

Currently, the planning statement does not reference the OMWCS or acknowledge the Mineral Safeguarded Area, therefore we ask the applicant to provide further information on the above points, specifically the last two before we can fully consider this application.

We expect the applicant to provide evidence that need for the development outweighs the economic and sustainability considerations relating to the mineral resource or that the applicant demonstrates the proposal intends to extract the mineral prior to the development. As this is not present, we object to this application on the grounds it is contrary to Policy M8.

Officer's Name: Enya Dale

Officer's Title: Planning Assistant

Date: 19/07/2023

Application no: 23/01503/OUT

Location: OS Parcel 1570 Adjoining And West Of Chilgrove Drive And Adjoining And North Of, Camp Road, Upper Heyford

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	£21,611	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):

£21,611 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 230 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 920 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 (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	230	
Total contributions requested	£21,611	

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: 11/07/2023