

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

District: Cherwell

Application no: 23/03073/HYBRID

Proposal: In FULL, the construction of an 82-apartment affordable extra care home (C2 use class) with associated openspace / green infrastructure, landscaping, car / cycle parking, service infrastructure (drainage, highways, lighting), engineering operations, creation of new vehicular access and re-instatement of existing access to footpath, and in OUTLINE, the construction of up to 14 residential (C3 use class) dwellings with associated landscaping, service infrastructure (highways, drainage, lighting)

Location: Phase 2 SW Bicester Kingsmere Parcel R East Of, Ludlow Road, Bicester

Response Date: 12th January 2024

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	2
2-bed dwellings	5
3-bed dwellings	5
4-bed & larger dwellings	2
Extra Care Housing	
Affordable Housing %	%
Commercial – use class	<u>m²</u>
C2	7708

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	33.48
Nursery children (number of 2- and 3-year olds entitled to funded places)	0.91
Primary pupils	4.03
Secondary pupils including Sixth Form pupils	3.14
Special School pupils	0.08
65+ year olds	3.53

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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 - £130**
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: Objection

The Oxfordshire County Council's (OCC) Transport Development Management (TDM) team have reviewed the supporting information in relation to the above. The TDM team are not able to support the above application until further clarification / information is provided in accordance with the following comments:

- For clarification and to understand the net change in development scale we require a breakdown and direct comparison between the extant permission and the proposed scheme for the development as a whole (i.e. Parcel R at Kingsmere Phase 2 - Planning Permission 13/00847/OUT).
- The proposed cycle parking levels do not comply with policy. Policy requirements for cycle parking provision are required to be met.
- Car Parking Management Plan should be conditioned.
- Delivery and Servicing Management Plan should be conditioned.
- Details of cycle parking facilities can be suitably conditioned and should be provided in accordance with current policy and LTN 1/20 standards.
- As set out within OCC's 'Parking Standards for New Development,' active charging points for electric vehicles should be provided at a minimum level of 25% of all parking spaces with passive provision for all remaining spaces. In relation to parking for people with impaired mobility this should be provide at a 6% of total spaces.
- To assist with the review process, submitted site layout plans should be fully dimensioned, annotated and compliant with current design standards (e.g. parking bays, aisle widths and servicing facilities).
- Although the required safe visibility splays appear to be contained within the public highway there appears to be possible obstructions within it (e.g. shrubs / wall). The visibility splay should be free of obstructions 2m high down to a point 600mm above the carriageway.

OCC Transport Strategy North & City Team:

As the application is seeking permission for 14 extra dwellings in the R parcel, OCC requires a contribution of £1000 per dwelling (14), a total of £14000 towards the Middleton

Stoney Cycle Network Improvements. This is a core route in the Bicester LCWIP - <https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/BicesterLCWIPTownVillagesmapUpdate2023.pdf>

OCC Travel Plan Team:

Recommendation:

No objection subject to conditions

Key issues:

The site wide Kingsmere Framework Travel Plan will need to be updated and resubmitted to include details of the proposed development.

Care home element of the site:

An 82 bed (C2) care home triggers the requirement for a full travel plan to be produced prior to occupation. Further information regarding the required criteria can be found within appendix 5 of the OCC guidance document 'Transport for New Developments – Transport Assessments and Travel Plans March 2014'. A copy of this has been attached with this response for ease of reference.

A travel plan has been submitted with this application, but further information is required before it will meet OCC criteria. It is therefore advised that the applicant consults the criteria within the guidance document before revising and resubmitting.

A travel plan monitoring fee of £3,110 (RPI index linked) will be required to enable the travel plan to be monitored for a period of five years.

Cycle parking, a cycle maintenance station, mobility scooter parking and EV charging should be provided for residents, visitors, and staff within the site boundary.

Residential element of the site:

A Residential Travel Information Pack should be produced prior to first occupation and then distributed to all households 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 OCC guidance document, also attached with this response.

Cycle parking and EV charging should be provided within residential boundaries.

Further information or advice can also be sought from the Travel Plans Team travelplan@oxfordshire.gov.uk

Legal Agreement required to secure:

Travel plan monitoring fee £3,110 (RPI index linked).

Conditions:

Prior to first occupation a Full Travel Plan for the care home and a Residential Travel Information Pack for the housing development should be submitted to the Local Planning Authority

Detailed Comments:

Further information is required before the travel plan will meet OCC criteria. It is advised that the applicant consults appendix 5 of the OCC guidance document alongside the points below to ensure all criteria has been met.

- What is the expected date of occupation?
- Paragraph 1.1.3. The Travel Plan should be a standalone document. Whilst it is fairly easy to refer to additional document during the planning process, accessing this information can be problematic for the Travel Plan Co-ordinator at a later date.
- Paragraph 2.2.2 – discusses ‘good quality pedestrian infrastructure’. What pedestrian infrastructure is available on site? Dropped Kerbs, crossing points, tactiles etc?
- Paragraph 2.4.1 – what facilities are available at the closest bus stop? Seating, RTI, lighting, cycle parking, shelter etc?
- Paragraph 2.4.5 – Can you get to the railway station from the site by bus?
- Are there any barriers which may affect travel by certain modes?
- The use of Community transport/ Taxis has not been discussed – are there any services operating in the local area that would be useful for residents.
- Reducing the need to travel has not been discussed. How will the development support this e.g., Broad band provision to enable virtual visits by friends and family. Virtual meetings for staff. Online shopping opportunities. Visiting professionals (such as hairdressers) so residents do not have to leave the site etc.
- How many staff are expected to work on the site. What are the likely shift patterns?
- In the absence of a TPC, who will be acting as the interim contact until the role is filled? (This is useful for the Travel Plans Team to know in order for a monitoring related dialogue to start as soon as possible.)
- Will the TPC role be full or part time?
- What budget will the TPC have to undertake the identified actions?
- The action plan should contain a mixture of hard and soft measures and should refer to which target/objective they relate to.

- Targets are required for each mode for a period of five years, at baseline and in years 1,3 and 5.
- Monitoring is required at baseline (within 3 months of occupation) and in years 1, 3 and 5. If targets are not met monitoring may also be required in years 7 and 9. Survey results should be forwarded to the TP Team at OCC within one month of collection.

OCC Highways Agreements Team:

- A long section has not been provided and will be required to ensure compliance with the Equalities Act 2010. This must include details of the vertical alignment to determine appropriate carriageway and footway gradients. They will need to be DDA compliant i.e. maximum 1:21 or 5%.
- Provide a Stage 1 Road Safety Audit (RSA1) in accordance with GG119 (5.46.1). A Designers Response should accompany the RSA1 with the Overseeing Organisation agreeing and signing off the RSA Recommendations. This will be required in advance of planning permission being granted as the findings may result in the red line boundary having to change due to road safety remedial measures being required.

NOTE The highway scheme can be designed by an organisation working for the third-party organisation rather than an organisation working for the Overseeing Organisation.

5.46.1 A stage 1 RSA report should be undertaken before planning consent is applied for as this demonstrates that the potential for road user safety issues has been addressed.

NOTE The third party organisation-led scheme is submitted for planning approval to the local planning authority and, where there are highway implications, the highway or Overseeing Organisation is consulted.

- 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. Oxfordshire County Council have published the "[Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)" to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements. Please liaise with the Drainage Team for review.

- 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. Where tree canopies extend over the footways the minimum crown height should be 2.5 metres. Where tree canopies extend over the carriageway the minimum crown height should be 5.2m.
- Trees within the highway will need to be approved by OCC and will carry a commuted sum. No private planting is to overhang or encroach the proposed adoptable areas.
- Trees should not be positioned within visibility splays or forward visibility.
- The visitor parking bays parallel to the carriageway, can be adopted but accrue a commuted sum. Please ensure there is a minimum 1-metre-wide hardstanding surrounding the layby to enable passengers to safely exit and enter the vehicle. Any other bays (echelon or perpendicular) or private bays will not be considered for adoption.
- No property including balconies should be within 500mm to the proposed highway. No doors, gates, windows, garage doors or gas/electric cupboards must open over the proposed highway.
- The Highway boundary needs to be checked with OCC Highway Records (highway.records@oxfordshire.gov.uk) to determine whether or not it coincides with the site boundary at the proposed access junction. The highway boundary is usually identified along the roadside edge of the ditch.
- No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design and acceptable adoption standards will be subject to a full technical audit.
- OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site but the location of the samples must relate to the proposed location of the carriageway/footway.

Officer's Name: Devinda Kumarasinghe

Officer's Title: Senior Transport Development Officer

Date: 07/12/23

Application no: 23/03073/HYBRID

Location: Phase 2 SW Bicester Kingsmere Parcel R East Of, Ludlow Road, Bicester

Lead Local Flood Authority

Recommendation:

No Objection Subject to Conditions

SuDS:

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

Reference:

LAND PARCEL R - DRAINAGE LAYOUT Reference 02/801 Rev E
23047-ARC-XX-XX-DR-C-5000-P5 - DRAINAGE GA
Impermeable Area Plan 5500-P4
SECTION 104 ADOPTED DRAINAGE GA 5200-P4
Appendix E: - Surface Water Design Calculations

Reason:

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

Conditions

Surface Water Drainage

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.

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: 12/12/2023

Application no: 23/03073/HYBRID

Location: Phase 2 SW Bicester Kingsmere Parcel R East Of, Ludlow Road, Bicester

Education Schedule

This site would be covered by the extant S106 agreement relating to the wider South West Bicester development (13/00847/OUT).

If the 14 proposed (C3) dwellings are additional to those covered by the extant S106 then additional contributions towards education will be required.

Officer's Name: Louise Heavey

Officer's Title: School Place Planning Lead Officer

Date: 07/12/2023

Application no: 23/03073/HYBRID

Location: Phase 2 SW Bicester Kingsmere Parcel R East Of, Ludlow Road, Bicester

Archaeology

Recommendation:

The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme.

Key issues:

Legal agreement required to secure:

Conditions:

Informatives:

Detailed comments:

Thank you for consulting us on this application. The site lies in an area of archaeological interest, and has been subject to an archaeological evaluation. The evaluation recorded no archaeological features in the proposal area, and so, there are no archaeological constraints to this scheme.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 08/12/2023

Application no: 23/03073/HYBRID

Location: Phase 2 SW Bicester Kingsmere Parcel R East Of, Ludlow Road, Bicester

Waste Management

Recommendation:

No objection subject to S106 contributions

Legal agreement required to secure:

No objection subject to:

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

Contribution	Amount	Price base	Index	Towards (details)
Household Waste Recycling Centres	£1,315	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):

£1,315 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 25th December or 1st 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 14 C3 use class dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 56 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 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	14	Contributions are not sought for the C2 use class apartments within the extra care home
Total contributions requested	£1,315	

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.

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: 01/12/2023