

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

District: Cherwell

Application no: 24/01261/OBL

Proposal: Discharge/discussion of Schedule 3 (Sports Pitches); Schedule 4 (Community Buildings); Schedule 6 (Community Development); Schedule 7 (Non-Residential Uses including location of health facility site); Schedule 14 (Open Space, Allotments and Drainage); Schedule 17 (County Council Contributions); and Schedule 20 (Strategic Infrastructure) of the S106 Agreement attached to the outline permission 14/02121/OUT

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester

Response Date: 05/07/2024

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.

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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 - 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 comment as the transport matters in the letter are for information only.

Officer Name: Joy White

Officer's Title: Transport Development Management (North)

Date: 25 June 2024

Application no: 24/01261/OBL

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester

Lead Local Flood Authority

Recommendation:

No comment

Schedule 14 Open Space, Allotments and Drainage We confirm that the open space in Phase 2A will be transferred to a Management Company

Officer's Name: Shada Hasan

Officer's Title: LLFA Engineer

Date: 28/06/2024

Application no: 24/01261/OBL

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road,
Bicester

Archaeology

Detailed comments:

This application does not appear to require a response from the Archaeology Service.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 13 June 2024

Application no: 24/01261/OBL

Location: Proposed Himley Village North West Bicester, Middleton Stoney Road, Bicester

Infrastructure Funding

Comment:

The application documents contain the following comment:

“Schedule 17 – County Council Contributions

It is our understanding that the primary school land is not to be transferred any earlier than 290 occupations, so we would like to discuss the pre-commencement primary school contributions and whether the trigger for this should also be later to coincide with the land transfer?”

The first Instalment of the primary education contribution is required in advance of the land transfer, it will be used to appoint external consultants to begin design development of the school and obtain planning permission.

Oxfordshire County Council would not support a revision to this trigger.

Officer’s Name: Richard Oliver

Officer’s Title: Senior Infrastructure Funding Negotiator

Date: 03/07/2024