

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

District: Cherwell

Application no: 14/01932/OUT-2

Proposal: Outline - Development of up to 1,000 dwellings together with a mixed use local centre. [including A1 retail up to 1,000 m2, financial services (A2), restaurants, pubs and takeaways (A3, A4, A5), community uses (D1)]; primary school and safeguarded additional primary school land; secondary school playing field land; green infrastructure including formal (including playing fields) and informal open space, landscape and amenity space; changing and sports facilities (including D2); sustainable drainage systems; highway, cycle and pedestrian routes; car parking; infrastructure (including utilities); engineering works including ground remodelling; demolition, site reclamation and removal of structures. Formation of a new roundabout access from the A361 together with associated alterations to alignment of Bloxham Road and provision of a section of spine road through the site up to its eastern-most boundary

Location: OS Parcel 7400 Adjoining and South Of Salt Way Banbury

Purpose of document

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local member have responded these have been attached by OCCs Major Planning Applications Team (planningconsultations@oxfordshire.gov.uk).

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Strategic Comments

This response relates to the submission of additional information dated 23rd February 2016. All points raised in OCC's initial response to the application dated 5th February 2015 still apply, other than those addressed in the officer responses below.

OCC maintain an objection on the basis that no masterplan for the wider Banbury 17 site has been produced, contrary to the requirements of policy Banbury 17. This policy requirement should be fulfilled prior to the determination of the applications on the site in order to ensure that the necessary infrastructure to mitigate the allocation is deliverable.

Oxfordshire County Council objects to the latest submission for the following transport reasons:

- The application asserts that the development is not reliant on the delivery of the spine road connecting through to White Post Road: OCC consider that this is necessary to mitigate impact of the development; it is also a requirement of policy Banbury 17.
- The access arrangements and off site highway mitigation fall short of providing safe and suitable access for all road users. It is anticipated that this can be overcome through amendment of the design.

Officer's Name: David Flavin

Officer's Title: Senior Planning Officer

Date: 19 May 2016

District: Cherwell

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Transport

Recommendation:

Objection

1. The application concludes that the development is not reliant on the delivery of the spine road connecting through to White Post Road: OCC consider that it is necessary to mitigate impact of the development and is required by policy.
2. The access arrangements and off site highway mitigation fall short of providing safe and suitable access for all road users, though it is anticipated that the shortcomings could be overcome through amendment of the design.

Key issues:

- Justification of the spine road as mitigation for the development.
- Modifications needed to the roundabout junction and off site highway improvements
- Pedestrian and cycle access via Salt Way – more detail needed
- Bridleway around southern edge of site – crossings required

Legal agreement required to secure:

If the LPA is minded to grant permission the following would need to be secured via a S106 agreement:

- Delivery of the link road
- Delivery of access arrangement – roundabout junction with A361 and associated works
- Delivery of junction improvements at Bloxham Road/Springfield Ave (interim scheme), and Bloxham Rd/Queensway
- Works or contribution to provide long term arrangements on Springfield Ave once spine road is open
- Delivery of cycle route connecting the site to the town centre and footway links to existing footways on the A361
- Signalised crossing of the A361
- Strategic transport contribution towards Bridge Street/ Cherwell Street eastern corridor improvements, and A361 Southam Road junction with Castle Street and Warwick Road improvements.
- Contribution and onsite infrastructure to secure public transport strategy as set out in section 2.

- Delivery of pedestrian connections to the site including across Salt Way
- On site rights of way improvements (see detailed comments)
- Contribution of £175,000 to off-site rights of way improvements (see detailed comments) including improvements on Salt Way.
- Monitoring fees for Travel Plans

Highway works would be subject to a S278 agreement

Conditions:

If the LPA is minded to grant permission, conditions would be required as follows:

- Link Road details submission and approval
- Grampian condition preventing occupations beyond an agreed trigger unless link road road is completed between Bloxham Road and White Post Road
- Details of access arrangements to include dedication plan, with requirement for these to be constructed prior to first occupation
- Design code submission and approval – prior to first reserved matters submission
- Phasing plan submission and approval – prior to first reserved matters submission
- Details of pedestrian and cycle connections (including to Salt Way) prior to commencement – to be delivered prior to occupation within relevant phase
- Details of on-site footpath and bridleway improvements – to be delivered prior to an agreed trigger in each case
- Drainage strategy
- Travel Plans

Detailed comments:

1. Traffic impact, spine road and off-site mitigation

This section provides a detailed critique of the Addendum to the Transport Assessment and its conclusions. Of key concern is the developer's assertion that the spine road link between Bloxham Road and White Post Road is not required to make the development acceptable, yet the developer is prepared to deliver it. This is based on assumptions that bias distribution of trips in favour of Bloxham Road, rather than the spine road. **OCC do not accept the assertion that the spine road is not necessary.** A further sensitivity test is recommended.

This section also discusses proposed mitigation schemes in relation to the modelling, and comments on their suitability. Section 2 summarises the position on highway mitigation schemes and strategic highway contribution.

1.1 Banbury 17 Policy – requirement for the Spine Road

Following original submission of 14/01932/OUT OCC requested further transport assessment was conducted in order to adhere to the Local Plan Policy for Banbury 17 that a spine road is provided through the full Policy area.

The **spine road** is included in the Banbury 17 policy for the following reasons:

- a) To distribute traffic arising from the Banbury 17 policy area on to the network utilising both the A361 to the west and White Post Road leading to the A4260 to the east. Enabling traffic to distribute both east and west will reduce the number of trips arising from the development placing extra pressure on the already busy junction of A361 Bloxham Road/South Bar/Oxford Road, or the residential road of Springfield Avenue,

or on the narrow Wykham Lane. These are sensitive parts of the existing highway network and significant increases in traffic arising from the development are not acceptable on Springfield Avenue or Wykham Lane.

- b) To enable a full sized public service bus to route through the site, to ensure the Banbury 17 policy area is served with a high quality, frequent and attractive bus service. This is essential to provide access to public transport in order to justify the trip rate arising from the site. Much of the part of Banbury 17 policy area pertaining to 14/01932/out is more than a 400m walking distance to the A361 which is a distance routinely accepted as an attractive and acceptable walking distance to access a bus service. The Banbury 17 Policy area is on the southern edge of Banbury and routing a bus through the site is the most practical, sustainable and commercial way to serve the full development area with public transport. A looping bus would not serve the whole Banbury 17 Policy area, and may not be commercially attractive.
- c) The spine road is required for internal site layout purposes to ensure that residents on the eastern portion of the site have access to the community facilities including the Primary School.
- d) It is assumed that a spine road linking the A361 and the A4260 would attract trips not arising from the Banbury 17 policy area. Whilst this is accepted, it is not a primary drive of the need for a link road.

Oxfordshire County Council commissioned Atkins to build a Banbury Highway Model (BHM) using Saturn. The A361 to A4260 spine road was initially tested in October 2014 as evidence to support the Cherwell District Council Local Plan Examination in Public.

The paper Banbury Highway Model, Forecasting Report, OCC, 15th October 2014, provided evidence that the Spine Road was of benefit stating at 4.1.3

“northbound traffic flow in particular, utilises the link road instead of Wykham Lane and Springfield Avenue. Both of these roads are respectively considered unsuitable for large volumes of traffic and the introduction of the link road indicates that traffic would move to using this link to travel between the A361 Bloxham Road and Oxford Road.”

1.2 Traffic Modelling

It was agreed with Jubb acting on behalf of the Applicant that the BHM would be used to test 8 new scenarios for the Banbury 17 Policy area. These are summarised in the document: TN01 Banbury SATURN model Output Review (ver02) March 2016 (Jubb).

a) Site Access and Impact of Link Road

The development 14/01932/out is proposed to be accessed from a single roundabout junction where the eastern and southern arms enter the development, the western and northern arms of the junction are the re-aligned A361 Bloxham Road. The applicant has provided drawing B14129-A-003-Rev 1 to illustrate this junction.

The Appendix E of the original TA indicates that 84% of trips arising from the site will use the eastern access and 16% the southern access. However, upon further investigation of the modelling outputs, it is clear from the data for the roundabout junction (labelled as junction 16, Node: 9069) that 100% of the development traffic is accessing the development from the southern access, the secondary access. This coding will have some influence on how the model subsequently distributes traffic, and it can be seen that the spine road is lightly trafficked due to trips arising from the 14/01932/out application site are required to exit the

site by the southern, secondary access, and traverse the A361 roundabout to access the spine road. This is clearly an undesirable route for development traffic, and does not reflect the network conditions the development will be subject to.

As stated above, the coding of this junction does not reflect the proposal for the development traffic to load 86% to the eastern access and 16% to the southern access, as 100% if coded to the southern access.

The **TN01** states that the spine road would not have a material benefit on the highway network in terms of traffic being diverted from other routes. The County Council confirm it is not an objective of the spine road to divert non development traffic from other routes, however, it is to better distribute traffic arising from the Banbury 17 policy area.

b) Model Outputs A361 Bloxham Road/Wykham Lane (Junction 17, Node 4088)

The TN01 states that the spine road offers no material benefit in terms of reducing traffic flows on Wykham Lane, as the data shows the addition of the link road will make capacity issues worse at the junction in the AM peak.

When scenario “DS1noLR” is compared to “DS1withLR”, fewer trips travel from Bloxham Road North into Wykham Lane in the ‘with the link road’ scenario than without. This shows that some trips from Bloxham Road north are using the link road. This reduction in trips turning into Wykham Lane changes the capacity of the junction and sends it over capacity for the Wykham Lane arm in the with link road scenario. This is an acceptable impact, as the link road offers a different route choice for some of these journeys.

c) Wykham Lane and the Development Traffic

Interrogation of the modelling identifies that with 100% the development traffic accessing the highway network there is increased pressure from the development on Wykham Lane. This appears to be due to the logical vehicle routing that turning left toward Wykham lane is a simpler manoeuvre than turning right round the roundabout, in effect conducting a U-turn back into the development to use the Spine Road. Increased impact on Wykham Lane arising from the development is unacceptable.

Further investigation of the modelling has clarified that Wykham Lane is coded in the model as 60mph link. This is the legal speed limit for the road. However, it could be argued the character of the road, narrow country lane, with significant narrowing/pinch point for the bridge could justify coding to a lower speed limit.

OCC propose to use the model to run a sensitivity test which:

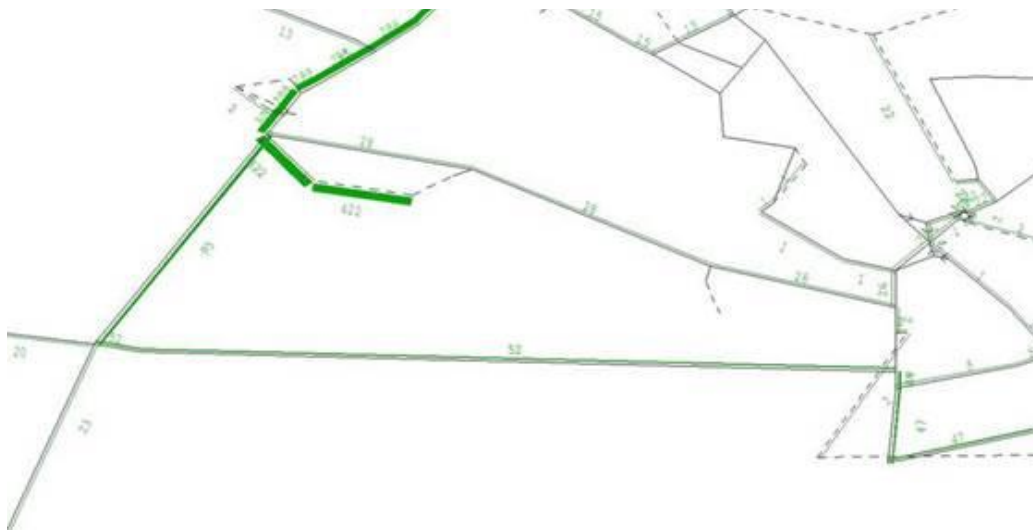
- **Addresses how the development site is coded to the spine road and new junction**
- **Lowers the speed limit of Wykham Lane to better reflect the character of the road.**

It is thought that if the development was loading directly on to the spine road in the model (as it would in practice) then the data would show a significantly greater use of the spine road and reduced use of Wykham Lane. OCC propose to test this through the sensitivity test.

OCC requested a Select Link Analysis from scenario DS3withLR for the site access/loading point. Plot 1 below shows the number of trips and routing of trips from the development site. The modelling shows that a development served from a single access point, as demonstrated by the coding of all the development traffic to the southern, secondary access, is unacceptable as it places greater pressure on Wykham Lane which is unacceptable and

need to be mitigated through the provision of the spine road, and use of the southern access point as a secondary access, rather than a primary access (as modelled).

Plot 1: Select Link Analysis of DS3withLR for Site Access/loading point



d) A361 Bloxham Road/Springfield Avenue

Scenario 'DS3noLR' includes junction capacity works which increase the capacity of Springfield Avenue (and the junction overall), in this scenario the junction operates within capacity. The capacity enhancement at Springfield Road in 'DS3noLR', means significantly more traffic exits Springfield Road (both northbound and southbound on to Bloxham Road) than in the 'DS3withLR' scenario with capacity unchanged.

The Council has been clear that increasing traffic on Springfield Road is an unacceptable impact. The modelling shows that Springfield Avenue has less traffic with the link road in place and the link road benefits and mitigates Springfield Avenue.

Without the capacity enhancement works, Springfield Avenue would see a reduction in traffic, and that traffic would not be prioritised by the junction and queuing would occur. Similarly, traffic travelling from Bloxham Road south arm into Springfield Avenue (as trips arising from the site may do) both scenarios have similar capacity levels for this manoeuvre, however there are fewer vehicles undertaking this manoeuvre in the 'DS3withLR' scenario.

The Council and the Developer need to consider if the capacity enhancement, as proposed at Springfield Avenue is of long term benefit to the highway network, given the residential nature of the street.

As an initial proposal the County Council suggests that the capacity enhancement to Springfield Avenue is conducted under a S278 at an early stage (enabling works) of the development, in order to mitigate the impact of the development before the spine road is open. The Council will seek S106 funding to reduce the capacity of Springfield Avenue once the spine road is open.

e) A361 Bloxham Road/Queensway

During the AM peak, “DSnoLR” + signalisation reduces the capacity of the movement from Bloxham Road south to Bloxham Road north by approximately 150 vehicles. This change in capacity is the greatest of the changes at the junction. The signalised scheme enables the junction to operate within capacity. Without the scheme the Queensway to Bloxham Road south movement is approaching capacity. The signalisation scheme provides greater control of the junction and allows time to be allocated so all roads operate within capacity.

The prominence of right turns from Queensway (to Bloxham Road south), and that signalisation can bring the junction to operate within capacity means that the Banbury highway network will benefit from signalisation of the junction and this will be sought from the development, at an early stage of development.

f) A361 Bloxham Road/South Bar/ Oxford Road (Site 11 Node 3013)

This junction has been coded with the Longford Park junction arrangement in all scenarios except ‘DS1noLR’ and ‘DS3noLR’ – those without the link road but with the 1000 units.

The junction is shown to operate overcapacity in all scenarios and under considerable strain.

The difference between the two schemes relates mainly to the capacity enhancement of Oxford Road arm which has significantly greater capacity in the with ‘DS3noLR’ scenario than the ‘DS3withLR’, due to the addition of a second lane on Oxford Road providing dedicated left-hand lane and dedicated ahead lane. The capacity of South Bar Street is also enhanced.

The objectives of the LTP4 Banbury Area Strategy are to:

‘Traffic management along A361 the South Bar Street/ Horsefair corridor. This is an historic corridor which has recently been declared an Air Quality Management Area (AQMA) primarily due to traffic impact. Measures to encourage alternative routing to reduce the number of vehicles using this route and improve traffic flow will be examined’.

The DS3withLR has lower demand and actual flow on the South Bar Street entry arm than the DS3noLR; and for the movement from Oxford Road to South Bar Street. The Bloxham Road to South Bar Street movement has greater demand in the DS3withLR scenario, which as we know the coding does not appear to effectively use the spine road to distribute traffic on the network. It is therefore my conclusion that the Longford Park design (DS3withLR) better fits the LTP4 aspirations (of the two junction types tested) for the junction and the capacity enhancement proposed is not required.

The routing from Banbury 17 in this case would be via Bankside which is shown to be operating well (site 27. Node 9074, Bankside Longford Park Site Access and site 26. Node 3052 – Swan Close Road/Bankside) and with spare capacity.

1.3 Comment on Addendum to Chapter 5 Transport paragraph 5.5.10

From Addendum to Chapter 5 Transport paragraph 5.5.10 OCC has been unable to replicate the calculation undertaken in the table, so we have concerns that they may not present a fair summary. The table does not state which time period, or the specific scenarios used for column A.

2 Mitigation

2.1 Proposed off-site highway mitigation schemes

Three off-site junction improvement mitigation measures are proposed to be delivered by the developer:

- a) Bloxham Road/Springfield Ave: OCC proposes that the capacity improvement would be required in the interim stage before the spine road is built, but further funding is required to develop a longer term solution once the spine road is available.
- b) Bloxham Road/Queensway signalisation: OCC considers this would be required early in the development. However, design tweaks are required to better cater for cyclists.
- c) Bloxham Road/South Bar improvements: OCC considers a scheme to be provided from the Longford Park development to be preferable, so this scheme would not be required from this development.

2.2 Additional off-site highway mitigation required

Currently no mitigation is proposed for cyclists heading towards the town centre. This is required both for safe access and to encourage sustainable travel. The developer should provide details of a scheme to connect the site with the town centre alongside the A361.

A signalised crossing of the A361 is required to facilitate this route, as well as connecting up the new public right of way to the existing one on the west of the A361.

Additional footway connections are required on the east side of the A361 to connect up to existing footways.

2.3 Strategic contribution

It is recognised that the all peak hour trips add to the Banbury transport network. A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure and services which cannot be attributed to a single development, but which will benefit trips from this proposed development.

The Cherwell Planning Obligations Draft Supplementary Planning Document (July 2011) provides a contribution rate towards general transport and access impacts.

Once a housing mix is provided the following will be used to calculate the contribution toward the Banbury Area Transport Strategy:

The Transport Infrastructure means the formula Matrix"

$$\pounds(Ax 442) + (B X 638) + (C X 994) + (D X 1 ,336)$$

When

A means the number of 1 Bedroomed Units

B means the number of 2 Bedroomed Units

C means the number of 3 Bedroomed Units

D means the number of 4 Bedroomed Units

Direct mitigation schemes, including public transport, are additional to the contribution to the Banbury Area Transport Strategy.

Contributions will be specified towards a specific scheme/s within the Banbury Area Strategy of Connecting Oxfordshire: Local Transport Plan 2031. It is proposed that the contributions are allocated towards the following LTP4 Banbury Area schemes as listed in Policy BAN1:

- Bridge Street/ Cherwell Street eastern corridor improvements.
- A361 Southam Road junction with Castle Street and Warwick Road improvements.

2.4 Public Transport

As stated in our previous response, the developers will be expected to contribute towards a funding strategy to deliver a credible level of bus service to this development. This strategy would probably be in four phases

- i. Access to bus services for new residents to the existing 488 service, in the form of bus stops on or near to the existing route along Bloxham Road
- ii. Funding an enhancement of the 488 route to provide a credible level of service for residents living within 400 metres of bus stops on this route
- iii. Funding an additional bus service, operating two times per hour from Banbury Town Centre to a turning point along the Spine Road.
- iv. Extension of this additional bus service along the Spine Road to White Post Road, Bankside and beyond.

2.5 Rights of Way

On site improvements, and contributions of £175,000 for off-site improvements : - please see section below for details.

2.6 Travel Plan

A travel plan was supplied with the original application as an appendix to the environmental statement – I have been unable to find OCC's comments on this – comments will follow. A framework travel plan covering the main land use for the site is to be submitted prior and agreed with the Oxfordshire County Councils Travel Plans Team prior to work starting on the site and supplementary travel plans (with monitoring fees if over the thresholds) required for each of the different land uses on the site as set out in the Oxfordshire County Council adopted Guidance document Transport for New Developments: Transport Assessments and Travel Plans (March 2014).

3 Access arrangements

While the principle of the roundabout access is accepted, as this involves a diversion of the A361 and significant change to the approach to Banbury from Bloxham, more work needs to be done to refine the design, ensuring the best outcome for all road users, particularly cyclists and pedestrians. It needs to take into account the roundabout junction access to new development immediately to the north of the site and south of Salt Way.

The applicant should provide a drawing showing the proposed roundabout in conjunction with the roundabout to the north, showing how bus stops can be safely incorporated in the section between the roundabouts as well as the signalised crossing required for the bridleway (see below), as well as how pedestrian and cycle facilities are provided alongside this stretch of the road.

The original alignment of the A361 is proposed to be kept open (with diversions at each end to link to the new alignment) with traffic calming speed cushions. I do not consider that this is sufficient deterrence for northbound drivers to use this section of road to bypass the roundabout when there are queues approaching the roundabout. The original alignment should be retained to provide a route for cyclists, but an alternative arrangement should be considered whereby the section to the north of the cottages is closed to vehicular traffic and reserved for pedestrians and cyclists only, with the access to the cottages only from the south of the roundabout. If this change is not made, I additionally have concerns about forward visibility to traffic waiting to turn right into the northern end of the original road.

Based on the submitted layout, I have the following safety concerns:

- The departures from the minimum desirable radius on the A361 are a concern as traffic leaving Banbury will be tending to speed up (even with the 30mph limit being extended to the Bloxham side of the roundabout) so could be a risk of loss of control accidents.
- The entry path radius from the A361 is slightly too large for safety and the design should be tweaked to adjust this.
- In addition to lighting on the roundabout, lighting would be required on the old alignment for the safety/personal security of users as well as being a requirement with traffic cushions.

For the safety of cyclists and pedestrians, and to encourage sustainable travel to the site:

- Off carriageway cycle provision to town along A361 must be provided. See comments regarding the bridleway. Signalised crossing required, which would then link up to a 3m footway cycleway being provided along the frontage of the site opposite.
- Footway needs to be provided to link with existing footways on the east side of the A361.

The proposed bridleway involves crossing the site access roads – this will require signalised crossings for safety, and widening of the route around the roundabout – see below.

Finally, no drainage information has been provided for the junction (or the development as a whole).

These design considerations are fundamental due to their strategic impact on the A361 approach to Banbury, and in my opinion cannot be left to condition or reserved matters.

4 Public Transport

The TA Addendum reports on the basis of discussions with the current operator of the 488 Banbury to Chipping Norton service, that it is considered acceptable for the bus to divert into the site. I would question the assumptions used regarding walking times (which will be dependent on layout rather than simple ‘as the crow flies’ distances) as well as the time taken for the diversion. Certainly, the situation shown as Phase 3 temporary arrangement, where the bus diverts into the site and makes two stops within the site, is likely to result in more significantly increased journey time for this important inter-urban bus route: this is considered unacceptable and further discussion is required.

Further, I would stress that, although not proposed as a permanent solution, it would not be acceptable as a permanent solution, and the full development could only be successfully served by a commercially viable bus service once the spine road is provided, linking Bloxham Rd and White Post Rd.

See section 2.4 above for required public transport mitigation.

5 Rights of way and pedestrian access

In order to provide healthy leisure opportunities and connectivity for the new residents, as well as mitigate the impact for existing local residents, a range of mitigation measures are required, including the creation of new links required by Banbury 17 policy.

New bridleway to south of site: The surface needs to be agreed and in accordance with DMRB and British Horse Society guidance: minimum 3m surfaced appropriately in overall 5m+ corridor with wooden fencing, and with signalised (Pegasus) crossings over roads.

Pedestrian access to Salt Way: The acceptability of the development depends heavily on the ability for pedestrian links across and along Salt Way, to achieve connectivity and reduce reliance on the car. **The applicant must demonstrate that the proposed links can be achieved across any third party land and boundaries, and that routes across the Salt Way can be improved where necessary – this work needs to be done ‘up front’ because the links are so critical to the development.** Salt Way is wide in places, with trees to remove and ditches to bridge. This is particularly important where the additional secondary school playing fields are proposed within the site – there must be a suitable crossing to the existing secondary school.

Further, the impact on Salt Way itself must be mitigated through contributions to improving it (see below).

The following on & off-site mitigation measures are required: numbering relates to attached sketch plan:

On site measures

1 - A safe [signalised] crossing facility of the A361

1 -A safe [signalised] user-controlled crossing facility(ies) of the development’s proposed access road(s)

2 – Banbury footpath 47. At the moment the path heads south across an arable field before continuing south to Wykham Lane as Bodicote footpath 16, and east and north as Banbury footpath 46 to the Salt Way. The developers should protect the existing width & route of this path but it may be appropriate to integrate path 47 and 46 within the footways on the development’s estate roads and dwellings. A connection to Bodicot bridleway 11 should be provided by the developers to reflect current ‘desire line’ use, including the provision of a small footbridge.

8 – Bodicote bridleway 1. Improvement of existing route with appropriate drainage and surfacing works to this route between Wykham Lane and the Salt Way to enable more use by walkers, cyclists and equestrians.

Off-site measures

3 – Banbury bridleway 45 heads for 650m to the A4260 and the Sainsbury’s supermarket. The route is currently a mixture of grass and stone. The development should provide a contribution for this route to be subsurfaced and asphalted, together with a spray and chip finish as used for the Salt Way. This will enable year round use by more people, including cyclists and equestrians. Contribution of £45,000

4 – Bodicote bridleway 11 – contribution of £25,000 towards the creation of an additional off-road footpath link to give access from the site to the Bodicote cemetery and the permissive path to Bodicote village, as well as enable Bodicote residents to access the development site from the cemetery.

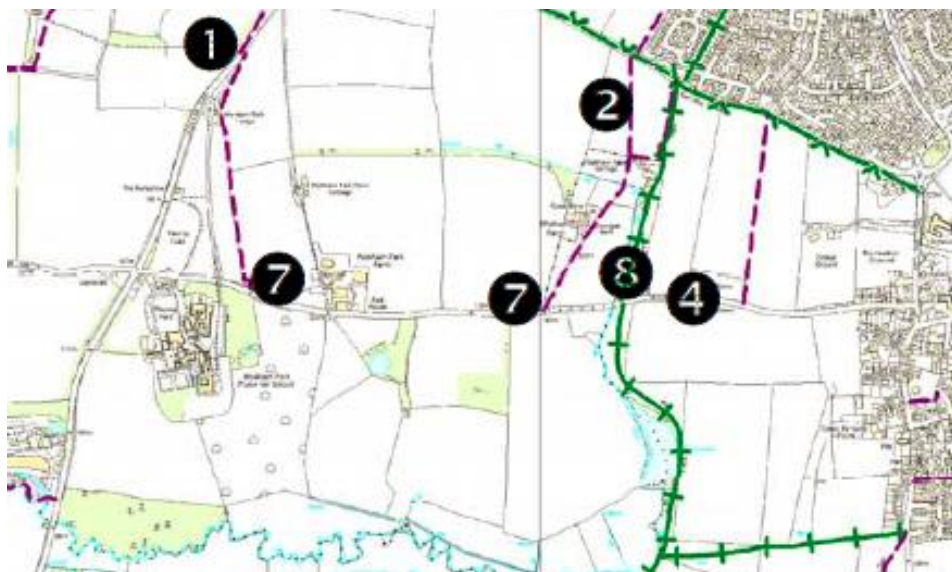
5 – Banbury Restricted Byway 41 (Saltway) – without prejudice to the proposed accesses onto the route, the route will be significantly impacted by this proposal and will need improvement to its surface condition, overall width and general amenity. A contribution of £40,000 is requested to contribute to the necessary works. Footpath 40 is a 500m perimeter route around the school grounds – contribution of £30,000 towards this route to be asphalted to enable year round use by school children and residents.

6 – Broughton bridleway 11 (Salt Way) meets the B4035 and there is a disjunction between it and North Newington bridleway 14 and the minor road that gives access to Broughton Park. Contribution of £20,000 towards the creation of a link through the Bretch picnic area and the verge of the B4035 to the minor road.

7 – Banbury footpath 37 and Bodicote footpath 16. Both of these paths exit on to the Wykham Road which is known have fast moving traffic. Additional links could be negotiated to link to the A361 and footway from path 37, and to the Bodicote bridleway 11. Contribution of £15,000.

The s106 contribution payment trigger should be set at full payment before the occupation of the first 50 dwellings as this will enable the works to be undertaken to benefit the main development.

We would expect the on-site works to be undertaken as one phase at the same time as any contiguous phase's groundworks.



As a suggestion, it would be good to see a large central park type area able to be used for quiet recreation linked by walk and cycle routes radiating through the development to green spaces around the boundary and outside of the development site. There is a great opportunity to develop trim and exercise trail including outdoor exercise stations (such as at Didcot Ladygrove). Green space close to the A361 will be less attractive due to traffic noise.

Drainage

Drainage information has not been supplied. We will require a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The scheme will need to include

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features

- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 19 May 2016

District: Cherwell

Application no: 14/01932/OUT-2

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Location: OS Parcel 7400 Adjoining and South Of Salt Way Banbury

Education

Recommendation:

No objection subject to conditions

Key issues:

The amended application addresses the reasons for objection previously reported by the county council on education grounds.

£6,222,734 primary education contribution required towards a new on site primary school (to include nursery provision for 2- and 3-year olds), plus land.

£4,505,062 secondary education contribution required towards expansion of Blessed George Napier (secondary) School, plus land to enable the school to expand.

£210,804 SEN contribution required to expand SEN provision serving the area, at Frank Wise School.

Legal agreement required to secure:

£6,222,734 Section 106 developer contributions towards the cost of the new primary school planned for the South of Salt way development, based on 293 pupil places directly related to this development. This is based on the pro rata cost of building a new 2.5 form entry primary school, which the county council's property consultants have calculated as £21,238 per pupil, or £11,150,000 in total. This is to be index linked from 4th Quarter 2014 using PUBSEC Tender Price Index.

A primary school site of 2.22 hectares (ha) would be initially required, with options to allow the site to expand to 3.01ha. The site should be fully serviced. The County requires this development to provide 1.81ha (part of the 2.22ha) free of charge.

£4,505,062 Section 106 developer contributions towards the expansion of permanent secondary school capacity serving the area by a total of 233 pupil places (including 32x 6th form places). This is based on Department for Education (DfE) advice for secondary school extension weighted for Oxfordshire and including an allowance for ICT and sprinklers at

£19,158 per pupil place and £20,447 per Sixth Form pupil place. This is to be index linked from 4th Quarter 2014 using PUBSEC Tender Price Index.

1.855 ha of land for secondary education purposes, to facilitate the extension of Blessed George Napier Secondary School is required. The land should be fully serviced. This development is required to provide 1.22 ha free of charge.

£210,804 Section 106 developer contributions towards the expansion of permanent Special Educational Needs school capacity at Frank Wise School by a total of 6.0 pupil places. This is to be index linked from 4th Quarter 2014 using PUBSEC Tender Price Index. The cost of expanding SEN schools has been assessed as £35,134 per pupil place.

A requirement that the planned community building will be suitable for nursery/pre-school early years provision, providing sufficient space for a minimum of 24 children. The building must meet the requirements of [Early Years Foundation Stage Statutory Framework](#) (pages 27 & 28 cover the safety and suitability of premises, environment and equipment) and provide sole use of the early years space at an affordable rent.

Conditions:

Planning permission to be dependent on a satisfactory agreement to secure the resources required for the necessary expansion of education provision. This is in order for Oxfordshire County Council to meet its statutory duty to ensure sufficient pupil places for all children of statutory school age.

Informatives:

This response deals only with pupil place planning issues; the physical suitability of the proposed schools sites is addressed in the Property section.

Detailed comments:

Primary education

For primary education, it has previously been advised to the applicant that the scale of this proposed development, and the lack of surplus places in existing primary schools in the area, require that it provide a new primary school of an appropriate size.

Gallagher Estates have agreed an indicative housing mix with OCC, on the basis of which 293 primary school pupils will be generated by the proposed development. In isolation from other proposed developments, for such a development the county council would require as a minimum provision a 1.5 form entry school, which would require a 1.81ha site. However, to also meet the needs of other development parcels south of Salt Way, the county council requires that the school be capable of being at least 2.5 form entry and up to 3 forms of entry, for which a 3.01 ha site is needed.

The amended application provides a 1.81ha primary school site, which will need to be provided free of charge to the county council. It further safeguards an additional 1.2 ha of land, to be secured through a S106 legal agreement, on which the county council will take an option to expand the primary school site to a total of 3.01 hectares to allow a larger school to be provided to meet the needs generated by the wider allocations Banbury 16 and Banbury 17.

The county council requires 2.22ha to be transferred initially to allow the school to be delivered as a 2 form entry school, with an option on a further 0.79ha of land which would allow the primary school to expand up to a 3FE school. The County requires this development to provide 1.81ha (part of the 2.22ha) free of charge. The County considers the

appropriate land value of the additional primary school land above the 1.81ha required by this development alone to be £375,000 per ha.

Such a provision meets the requirements set out in the Cherwell Local Plan. In addition to a financial contribution in line with pupil generation towards the cost of building a new 2.5 form entry primary school, the county council considers this is a fair and reasonable contribution towards the necessary primary school infrastructure directly related to this proposed development.

Secondary education

For secondary education, it has previously been advised to the applicant that the existing schools in Banbury will need to expand to meet the rising pupil numbers already in the town's primary schools, and further expand to meet the needs of housing growth, such as this proposal. Secondary school expansions are proposed for Blessed George Napier School, The Warriner School, and North Oxfordshire Academy. Of these the nearest is Blessed George Napier School, which adjoins the development site, and whose own existing site area does not support the school's expansion. To enable the school to expand, the county council requires 1.855 hectares of land within this proposed development to provide compensatory playing fields to allow the school to expand within their current site.

The amended application provides 1.22 hectares of land, which will need to be provided free of charge to the county council. It further safeguards an additional 0.635 ha of land. The County considers the appropriate land value of the additional secondary school land above the 1.22ha required by this development alone to be £375,000 per ha.

Such a provision meets the requirements set out in the Cherwell Local Plan. In addition to a financial contribution towards the cost of expanding the nearest secondary school building, the county council considers this is a fair and reasonable contribution towards the necessary secondary school infrastructure directly related to this proposed development.

Special Educational Needs provision

There is an insufficiency of capacity for SEN provision across Oxfordshire and within Banbury itself to meet the needs of the growing population. Demands arising from further residential development will need to be addressed. SEN contributions will be used on establishments serving, and thus directly related to, the area of the development. For Banbury developments, the nearest such establishment is Frank Wise School (in Banbury).

Section 106 developer contributions towards the expansion of permanent Special Educational Needs school capacity are calculated in line with the expected increase in SEN pupil numbers, based on 1.11% of school pupils attending SEN schools. The figure of 1.11% is derived from pupil census data on pupils attending Oxfordshire mainstream and SEN schools.

Early Years education

Since September 2013, under the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2012 (SI 2012/2488), made under Section 7 of the Childcare Act 2006 (as amended by Section 1 of the Education Act 2011), local authorities have been under a statutory duty to secure sufficient nursery education provision for eligible two-year olds, where such eligibility is targeted at 40% of the age group. This is in addition to the statutory duty since September 2012 to secure sufficient nursery education provision for all three year olds. The Childcare Act 2016 extends the Local Authority's responsibility to ensure that there is sufficient provision, as the entitlement to free early education will double to 1,140 hours for children, aged 3 and 4, of eligible working parents from September 2017.

Delivery of early years education and childcare provision in Oxfordshire is through a mixed market of private and voluntary providers, including pre-schools, day nurseries and childminders, and through schools, including academies and free schools.

The proposed development has been assessed as likely to generate 168 * 0-3 year olds, i.e. an average of 42 children per year of age across this four-year age band. Of these children, the following would be expected to be eligible for free nursery education:

- Of the estimated 42 two-year-olds, 40% would be expected to be eligible = 16.8 children
- All of the estimated 42 three-year-olds = 42 children

This brings the total need for nursery provision to 58.8 places.

Provision for these children will be partly through the nursery class included within the new primary school. However the extended statutory sufficiency duty, resulting from the Childcare Act 2016, means this will not meet the full needs of this age group, and additional pre-school/nursery provision within the site would be expected.

It is noted that the proposed development includes a local centre to provide a central location for community uses and retail/business. This should include accommodation suitable for a pre-school setting operated by a private, voluntary or independent provider.

Any building will need to meet the requirements of the [Early Years Foundation Stage Statutory Framework](#) (pages 27 & 28 cover the safety and suitability of premises, environment and equipment). In order to provide sustainable high quality provision a provider will require sole use of the early years space at an affordable rent. The viable minimum number of places for a pre-school is around 24 places.

Officer's Name: Barbara Chillman

Officer's Title: Pupil Place Planning Manager

Date: 04 May 2016

District: Cherwell

Application no: 14/01932/OUT-2

Proposal: Outline - Development of up to 1,000 dwellings together with a mixed use local centre. [including A1 retail up to 1,000 m2, financial services (A2), restaurants, pubs and takeaways (A3, A4, A5), community uses (D1)]; primary school and safeguarded additional primary school land; secondary school playing field land; green infrastructure including formal (including playing fields) and informal open space, landscape and amenity space; changing and sports facilities (including D2); sustainable drainage systems; highway, cycle and pedestrian routes; car parking; infrastructure (including utilities); engineering works including ground remodelling; demolition, site reclamation and removal of structures. Formation of a new roundabout access from the A361 together with associated alterations to alignment of Bloxham Road and provision of a section of spine road through the site up to its eastern-most boundary

Location: OS Parcel 7400 Adjoining and South Of Salt Way Banbury

Property

Recommendation:

No objection subject to conditions

Key issues:

- The County Council considers that the impacts of the development proposal (if permitted) will place additional strain on its existing community infrastructure.
- The following housing development mix has been used in the following contribution calculations
 - 115 no. x One Bed Dwellings
 - 229 no. x Two Bed Dwellings
 - 391 no. x Three Bed Dwellings
 - 164 no. x Four Bed Dwellings

It is calculated that this development would generate a net increase of:

- **2,413 additional residents including:**
- 1,714 residents aged 20 +
- 205 residents aged 65+
- 199 residents aged 13-19

Legal agreement required to secure:

- | | |
|-------------------------------------|-----------------|
| • Banbury Library | £ 229,235 |
| • Adult Health & Wellbeing Day Care | £ 25,830 |
| • Total* | £255,065 |

Contributions are to be index-linked to the relevant price bases (detailed below).

- | | |
|-------------------------------|---------|
| • Administration & Monitoring | £12,000 |
|-------------------------------|---------|

The County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured.

The original County Council response to this application (dated 5th February 2015) requested contributions towards waste management, museum resource centre, integrated youth and the central library. We are no longer pursuing these contributions due to regulation 123 of the Community Infrastructure Levy.

Conditions:

- The County Council as Fire Authority has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There will probably be a requirement to affix fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highway, water main layout and size. We would therefore ask you to add the requirement for provision of hydrants in accordance with the requirements of the Fire & Rescue Service as a condition to the grant of any planning permission

Informatives:

- Fire & Rescue Service recommends that new dwellings should be constructed with sprinkler systems

Detailed comments:

Detailed Comments relating to school sites as presented:

Education site requirements: Guidance Provided by County Council Property Consultant Jane Farrow, Principal Strategy Officer

Further information: 'Key design criteria for Primary, Special and Secondary school sites' is attached.

Primary school site.

The layout on the Illustrative Masterplan and the amended Development Framework Plan shows a site area of around 1.8ha presumably for the pupils generated by the Salt Way development. The requirement is for a 2.22ha (2 Forms of Entry) site with residual land of 0.79ha to bring it to 3.01ha (3 Forms of Entry), the 0.79ha to transfer under an option - see sketched proving layout below for proposed boundaries.

The current access to the school shown on the Masterplan is unacceptable. No dead end roads shall be situated adjacent to schools and the road layout should allow for circular routes to prevent the need to reverse in the road. The primary school also requires a full road frontage of 110m to facilitate the appropriate site layout, coach drop off, vehicular and pedestrian access, passive supervision from the street etc - see sketched proving layout below.

No turning area or drop off will take place on the primary school site.

Full consideration will be required to ensure that pupil drop off parking for a 3FE primary school is fully thought through, justified through traffic assessment and agreed with OCC highways.

The exact location of the boundary in relation to the hedges is difficult to estimate. The location of any proposed boundary needs to be established to ensure that it isn't on the hedge line, ditch line, tree line or in a location to enable trees to be used to scale the fence and compromise security.

Overhead cables cross the south end of the site and will need to be removed

Secondary school site

The layout on the Illustrative Masterplan and the amended Development Framework Plan shows a site area of around 1.855ha. However this is divided up, with housing shown on 0.635ha of the total area. The requirement is for a minimum area of 1.855ha with further potential for shared use of District playing fields to give the future possibility of additional secondary school expansion, should it be required.

The exact location of the boundary in relation to the hedges is difficult to estimate. The location of any proposed boundary needs to be established to ensure that it isn't on the hedge line, ditch line, tree line or in a location to enable trees to be used to scale the fence and compromise security.

Defined access routes will be required to link the new site with the adjacent Blessed George Napier School. These should be appropriate for safe, level, clean (tarmac) access from the pupil drop off area, across the ditch, Salt Way, any further ditch and into the existing school site.

Whilst the location of the secondary school playing field site is fine, the dispersed locations of the District's playing fields doesn't allow the three playing fields to work to their optimum benefit.

Ideally the school playing field site would be next to the two district playing field sites. The current layout shows the 3 playing fields situated apart with a residential area between. This means that if the drop off and parking provision for the secondary school was going to be shared with the district and a pavilion was to be provided for the district playing fields they would all be situated separately with the need to cross a primary road. Ideally all three playing field areas should be situated along the Northern boundary to avoid the need to cross a primary road and to enable any Pavilion to be located adjacent to the drop off and parking provision.

NB the current location of the District's Southern playing field has a public footpath crossing the centre of the pitch.

Overhead cables cross the south end of the secondary school site and will need to be removed.

Local Library

This development is served by Banbury Library.

This provision is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library service.

Costs for service improvements are based upon the costs of extending a library.

The costs of extending a library is £2,716 per m² at 4th Quarter 2014 price base; this equates to £75 (£2,716 x 27.5 / 1,000) per resident.

This calculation is based on Oxfordshire County Council adopted standard for publicly available library floor space of 23 m² per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5 m² per 1,000 head of population.

The development proposal would also generate the need to increase the core book stock held by 2 volumes per additional resident. The price per volume is £10.00; this equates to £20 per resident.

- The contribution for the provision of library infrastructure and supplementary core book stock in respect of this application would therefore be based on the following formula:

$$\mathbf{£95 \times 2,413 \text{ (the forecast number of new residents)} = £229,235}$$

Health & Wellbeing Resource including Day Care Facilities

To meet the additional pressures on Health & Wellbeing provision the County Council is planning to expand day care facilities at Banbury Health & Wellbeing Resource Centre to adapt to forecast population and housing in the locality. The forecast growth is above and beyond the current service capacity provision of 40 places per day at the current site accounting for ward-based catchment areas. This proposal will increase pressures on the current service.

Contributions are based upon a new Day Care centre offering 40 places per day (optimum) and open 5 days per week; leading to an equivalent costing of £12,607 per place at 4th Quarter 2014 price base (this in non-revenue). Based on current and predicted usage figures we estimate that 1% of the over 65 population use day care facilities. Therefore the cost per person aged 65 years or older is £126.

The contribution for the provision of adult day care infrastructure in respect of this application would therefore be based on the following formula:

$$\mathbf{£126 \times 205 \text{ (the forecast number of new residents aged 65+)} = £25,830}$$

Administration

Oxfordshire County Council requires an administrative payment of £12,000 for the purposes of administration and monitoring of the proposed S106 agreement, including elements relating to Education.

Indexation

Financial contributions have to be indexed-linked to maintain the real values of the contributions (so that they can in future years deliver the same level of infrastructure provision currently envisaged). The price bases of the various contributions are covered in the relevant sections above.

Security/Bonds

Given the scale of the contributions, where the triggering of payment of financial contributions is deferred to post implementation of the development, it will be necessary for the S106 agreement to include provisions for appropriate security by the landowner/developer for such payments.

General

The contributions requested have been calculated where possible using details of the development mix from the application submitted or if no details are available then the County Council has used the best information available. Should the application be amended or the development mixed changed at a later date, the Council reserves the right to seek a higher contribution according to the nature of the amendment.

The contributions which are being sought are necessary to protect the existing levels of infrastructure for local residents. They are relevant to planning the incorporation of this major development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal.

Officer's Name: Will Madgwick

Officer's Title: Planning Liaison Officer

Date: 13 May 2016

District: Cherwell

Application no: 14/01932/OUT-2

Proposal: Outline - Development of up to 1,000 dwellings together with a mixed use local centre. [including A1 retail up to 1,000 m2, financial services (A2), restaurants, pubs and takeaways (A3, A4, A5), community uses (D1)]; primary school and safeguarded additional primary school land; secondary school playing field land; green infrastructure including formal (including playing fields) and informal open space, landscape and amenity space; changing and sports facilities (including D2); sustainable drainage systems; highway, cycle and pedestrian routes; car parking; infrastructure (including utilities); engineering works including ground remodelling; demolition, site reclamation and removal of structures. Formation of a new roundabout access from the A361 together with associated alterations to alignment of Bloxham Road and provision of a section of spine road through the site up to its eastern-most boundary

Location: OS Parcel 7400 Adjoining and South Of Salt Way Banbury

Ecology

Recommendation:

Comments

Key issues:

The District Council should be seeking their own ecological advice.

The site adjoins Salt Way Proposed Local Wildlife Site (pLWS) to the north and there are records of UK Priority Species (also known as species of principal importance for biodiversity) along the Salt Way. For planning purposes, Proposed Local Wildlife Sites should be considered in the same way as Local Wildlife Sites.

The District Council should ensure that a net gain in biodiversity can be delivered on the site and that the proposed development avoids harm (both direct and indirect) to the pLWS, in line with Cherwell District Council's Draft Local Plan policy ESD 10 and NPPF paragraphs 9, 109 and 118.

[If minded to permit, the District Council should also seek contributions to the nearest Conservation Target Area \(Northern Valleys CTA\).](#)

[In addition,](#) the following guidance document on Biodiversity & Planning in Oxfordshire combines planning policy with information about wildlife sites, habitats and species to help identify where biodiversity should be protected. The guidance also gives advice on opportunities for enhancing biodiversity:

<https://www.oxfordshire.gov.uk/cms/content/planning-and-biodiversity>

Legal Agreement required to secure:

N/A - For the District Council to comment

Conditions:

N/A - For the District Council to comment

Informatives:

N/A - For the District Council to comment

Detailed Comments:

Officer's Name: Tamsin Atley
Officer's Title: Ecologist Planner
Date: 12 May 2016
