

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

**District:** Cherwell

**Application no:** 16/02446/F

**Proposal:** Erection of 297 residential dwellings (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of new and amended vehicular and pedestrian accesses, public open space, landscaping, utilities and infrastructure, and demolition of existing built structures and site clearance works.

**Location:** Heyford Park Camp Road Upper Heyford Bicester OX25 5HD.

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## **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](mailto:planningconsultations@oxfordshire.gov.uk)).

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## Strategic Comments

OCC object to this application as, contrary to the requirement of the policy, no masterplan or comprehensive approach for the mitigation and delivery of Cherwell Local Plan Policy Villages 5: Former Upper Heyford has been agreed. It is essential that a masterplan and comprehensive mitigation package is produced for the whole Policy Villages 5 allocation in order to ensure provision of the necessary infrastructure.

### Transport

Specifically, there is a transport objection because:

- Strategic transport mitigation for the Policy Villages 5 allocation as a whole has not been addressed through this application or a masterplan to date
- Insufficient Transport Assessment
- Substantial further drainage information is required.

### Education

Piecemeal applications for housing growth in Heyford are a barrier to appropriate strategic planning and funding of the necessary infrastructure. As this is the first housing application for the allocated 1600 site and in the absence of the master plan, this development will need to provide a Primary contribution towards a 1 Form of Entry (FE) school. As further applications are submitted there should be total contributions and land made available across the 1600 master plan site to deliver a 2FE school so that there is no cost to the County Council.

A secondary contribution will be towards the expansion of the new Bicester school which has been built to with capacity to expand. However, because of the existence of the Heyford park Free School on the Heyford Park site, more local secondary expansion needs to be explored instead of the expansion of a remote school.

Once the masterplan has been developed an equalisation of contributions can be discussed so that each development pays appropriate and proportionate costs towards the education provision.

### Property

It is essential that the community infrastructure is assessed on a comprehensive basis to ensure that the facilities needed to support the emerging population are sufficient and appropriate. In the absence of this, an isolated application approach has been taken to a local library and strategic waste management contribution.

## Ecology

There is also an ecology objection due to the absence of a masterplan/comprehensive approach to landscape, restoration and enhancement of biodiversity across the whole of the wider site allocation which is a requirement of Policy Villages 5.

**Officer's Name: David Flavin**

**Officer's Title: Senior Planning Officer**

**Date: 06 March 2017**

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## **Transport**

### **Recommendation**

Objection

### **Key issues**

- Strategic transport mitigation for the Policy Villages 5 allocation as a whole has not been addressed through this application or a masterplan to date.
- The Transport Assessment contains a number of shortcomings that render it inadequate.
- A Travel Plan and Travel Information Pack will be required.
- Further consideration of rights of way issues is required.
- A Road Safety Audit will be required.
- There are a number of road layout amendments and considerations.
- Substantial further drainage information is required.

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

Section 106 contributions and Section 278 arrangements relating to transport infrastructure and service improvements can only be determined in the context of a transport assessment of the Policy Villages 5 allocation as a whole, and in the light of a suitable masterplan.

Section 106 contribution of £1,240 to cover the cost of Travel Plan monitoring.

### **Conditions**

If the local planning authority is minded to grant planning permission then transport and highway related conditions would apply. These can be supplied as appropriate.

### **Informatives**

The Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. Alternatively the developer may wish to consider adoption of the estate road under Section 38 of the Highways Act.

Prior to commencement of development, a separate consent must be obtained from OCC Road Agreements Team for the new highway vehicular accesses under S278 of the Highway Act. Contact: 01865 815700; RoadAgreements@oxfordshire.gov.uk.

## **Detailed comments**

### **Transport Strategy and Public Transport**

This application is to be assessed by the planning authority against Policy Villages 5, as it is within the “areas with potential for additional development identified under Policy Villages 5”.

Under Policy Villages 5, the total growth of the allocation at Upper Heyford requires strategic mitigation due to the rural nature of the site. There are a number of principles to be agreed and challenges to be understood and overcome prior to an application for all or part of the 1600 dwellings and 1500 jobs being considered.

It has been agreed that a masterplan is required for the allocation and this is supported by the Cherwell Local Plan. Through this process, questions will be answered such as the most appropriate locations for different land uses within the allocation and the scale of development. Indeed, taking into account detailed assessment from all stakeholders (including Transport, Heritage, Archaeology and Ecology), the capacity of the allocation for development may be less than initial assessments suggest and discussions as to where employment on the allocation should be located are in the early stages. The outcome of both of these challenges will have an impact on the local highway network and the appropriate level of mitigation that will be required.

The allocation received no objection from the Oxfordshire County Council Transport Strategy team at the Local Plan Examination in Public in December 2014, subject to an appropriate level of strategic transport mitigation being delivered at the earliest opportunity, as there are existing traffic pressures on junctions and villages in the area, such as Middleton Stoney. As a result, any application would need to consider not only the local mitigation required, but also the strategic mitigation associated with the allocation as a whole that would be necessary for the impact on the surrounding rural area.

Clause 14 in the legal agreement for 10/01642/OUT dated 22/12/11 sets a ceiling of 1075 dwellings (or 1,135 as varied by the agreement for 13/01811/OUT). Any development over and above this ceiling will be expected to contribute to the transport mitigation package for allocation covered by Policy Villages 5.

If there are multiple sites that come forward within the allocation, they will all be expected to contribute towards this strategic mitigation. If there are more than 5, consideration will need to be given to splitting up infrastructure between sites to comply with CIL regulations. It is therefore imperative that a strategic mitigation package is developed, subsequent to agreement on solutions to the challenges mentioned above, and the cost can then be split appropriately between the sites agreed for further development under the allocation.

The Policy Villages 5 policy box states “Proposals should demonstrate an overall management approach for the whole site”. This is supported by Paragraph C.259 relating to Policy Villages 5: Former RAF Upper Heyford, which states the following regarding to the land allocation:

“C.259 A comprehensive approach will be required and it will be necessary to demonstrate how the additional land identified can be satisfactorily integrated with the approved development. The additional land will not be permitted to be developed independently of the main development and infrastructure contributions will be expected for the wider scheme.”

C.259 makes clear that the proposals for the Former RAF Upper Heyford allocation must be considered as a whole, including mitigation, prior to proposals for parcels within the allocation being considered for permission. The additional 1600 homes and 1500 jobs will need to be considered in addition to the existing permission on the site for homes and employment under 10/01642/OUT and as varied under 13/01811/OUT, in any Transport Assessment undertaken for sites within the allocation.

The policy box detailing key site specific design and place shaping principles states:

“Measures to minimise the impact of traffic generated by the development on the surrounding road network will be required through funding and/or physical works, including to any necessary capacity improvements around Junction 10 of the M40, and to the rural road network to the west of the site and around Middleton Stoney including traffic calming and management measures”

and

“Development will provide for good accessibility to public transport services and a plan for public transport provision will accompany any planning application”

The Cherwell Infrastructure Development Plan includes the following strategic items relating to Upper Heyford:

14d supports “Highways Improvements and Traffic Management Measures (including to the rural road network to the west and at Middleton Stoney) - Former RAF Upper Heyford” with the aim of “Improvements to the highways network as required by the Highways Authority in addition to the approved scheme. Including capacity improvements and village traffic calming subject to Transport Assessment. It has been given a “Critical” priority in the Short to Long Term to be delivered through Developer Contributions in addition to approved scheme by implementation of policy Villages 5 in liaison with the County Council.

14e also supports Junction 10 capacity improvements - Former RAF Upper Heyford through contributions to capacity improvements as required by the Highways England to be secured through implementation of policy Villages 5 in liaison with the Highways England and County Council.

14b supports Local and Area Bus Services - Former RAF Upper Heyford by new or improved bus services with connections to other transport nodes, improved accessibility and provision of sustainable travel options. It has been given a “Necessary” priority in the Short to Long Term through developer contributions in addition to approved scheme. It is to be secured through implementation of policy Villages 5 in liaison with the Highways Authority.

Oxfordshire County Council’s Local Transport Plan 4 makes reference to Upper Heyford in its Bicester Area strategy stating:

“BIC1 – Improve access and connections between key employment and residential sites and the strategic transport system by...Reviewing key county road links out of Bicester, including

those that cross the county boundary... Upper Heyford has been allocated for significant growth and a Development Framework is currently being produced that will consider improved connectivity with Bicester, whilst reducing impact on sensitive locations such as Middleton Stoney.”

“BIC2 – We will work to reduce the proportion of journeys made by private car through implementing the Sustainable Transport Strategy by...Improving Bicester’s bus services along key routes and providing improved public transport infrastructure...Growth at Upper Heyford will also need to be considered in terms of improved public transport frequency and connectivity with Bicester...This will be supported by using funding from development to enhance the quality and frequency of existing services, with the aim of services reaching full commercial viability.”

It is also important to understand that as an agreed masterplan with strategic transport mitigation package has not been included within this application’s future year scenario, in addition to this not demonstrating agreed local development assumptions, the ‘development with mitigation scenario’ does not demonstrate any level of certainty for the level of impact on the highway network in this future year, due to the absence of this package.

Mitigation required for the Policy Villages 5 allocation is likely to be more substantial than the sum of that required by the sites within the allocation individually due to the cumulative impact. It is clear that an exercise to establish the strategic transport mitigation for the allocation as a whole will require detailed transport modelling and public transport viability work and development of a contribution/delivery strategy, that will be implemented as sites come forward within the allocation, towards an agreed transport mitigation package. This exercise has not been undertaken and so the application cannot be assessed from a transport strategy perspective at this stage. The application only considers the local mitigation required and not the strategic mitigation that would be necessary for the wider cumulative impact of the allocation.

As strategic transport mitigation for the Policy Villages 5 allocation as a whole has not been addressed through this application or a masterplan to date, it is recommended that the application is refused on the policy grounds stated above. **Reason for objection.**

The bus strategy for the wider Upper Heyford site has not been developed and may need to account other land uses such as the Southern Bombs Stores as a potential employment site (currently proposed by the applicant) if this land use were deemed appropriate, for example. This would likely require creation of some form of terminal loops around the various Heyford residential and employment areas. A Banbury service could be added to this arrangement, which is likely to be more costly to provide than a continuation of the current Bicester-Upper Heyford-Oxford pattern of service.

The application proposes that a bus route will run along the principle streets from Camp Road allowing a walking catchment of 400m for the majority of the development. The Public Transport officer should be contacted regarding the appropriateness of this principle. The Public Transport officer should also be contacted to discuss what appropriate level of Public Transport contribution would be required, should this site be approved prior to any agreement for the wider allocation.

Contact: David Taylor; david.taylor@oxfordshire.gov.uk.

## **Transport Development Control**

The planning application is accompanied by a Transport Assessment (TA). The TA has not been the subject of any pre-application scoping discussions with Oxfordshire County Council. However, a pre-application scoping meetings for the transport planning requirement for the Policy Villages 5 allocation were held between the developer and the County in September 2016 and February 2017. Since this application is asserted to be part of the Policy Villages 5 allocation it is expected that the methodology and assumptions used in this TA should remain faithful to those agreed for the Policy Villages 5 transport masterplan.

As noted under Transport Strategy above the TA addresses only the development quantum that is proposed under this planning application and does not embrace the whole Policy Villages 5 allocation in the Cherwell District Local Plan. For this reason the TA is inadequate.

### **Reason for objection.**

The TA also contains a number of other shortcomings that render it inadequate. These are set out below.

Section 1.3.10 lists three planning applications which it asserts form part of the Policy Villages 5 allocation to the Heyford Park area in the Cherwell District Local Plan in July 2015. The County disputes this, and has always taken planning applications 13/01811/OUT and 16/00263/F to be variations of the original consented scheme. It is not clear whether 16/1000/F has been prepared to cater to the additional Heyford Park development. **Reason for objection.**

In relation public transport, Section 4.3.2 of the TA states that “*It is proposed that the waiting areas associated with these stops are enhanced as part of the Development. This could include clearer signage (such as a pole and flag) and timetable information.*” This would be acceptable but must be seen as being without prejudice to the development of a transport mitigation strategy for the whole Policy Villages 5 allocation, of which this application forms a part.

The Vehicular Parking Strategy presented in Section 4.5 is broadly in compliance with the Heyford Park Design Code. However, provision for flats and smaller dwellings is minimal, and likely to lead to on-street parking in these areas of the development site.

Section 5 of the TA presents estimates of trip generation and distribution. The person trip generation estimates have been derived from the TRICS database and are acceptable. However, insufficient information is provided regarding the mode split used. It has not been possible to locate the source of the census data noted in paragraph 5.3.8 and the source data, together with calculations showing how the material presented in Tables 5.3 and 5.4 is determined, are not included in the TA. This information is required in order to make an informed assessment of the acceptability of the trip generation and distribution assumptions. **Reason for objection.**

Section 6 of the TA presents traffic impact assumptions.

Paragraph 6.3.1 assumes a base year for assessment of 2016 and a future year of 2021. However, at the pre-application scoping meeting for the Policy Villages 5 allocation transport masterplan future years of 2026 and 2031 were also agreed. The TA should therefore include these years. **Reason for objection.**



Paragraph 6.3.2 states that “...*local growth factors have been extracted from the TEMPRO dataset.*” However, the methodology for this has not been set out and the following information is not forthcoming. **Reasons for objection.**

- TEMPRO time periods used.
- Whether origins and destinations or productions and attractions have been used.
- Whether the growth factors have been NTEM adjusted.
- If NTEM adjusted, what area type and road type have been used.
- If not NTEM adjusted, why not.

Examination of the TEMPRO database by the County suggests that NTEM adjusted growth rates should be higher than those presented in the TA.

Paragraph 6.3.3 states: “*From a review of housing and job numbers within the TEMPRO database (version 7) it appears that the consented development of 1,075 dwelling units and employment uses are included in the database for 2013/2014-2016 and 2016-2021.*” This claim is not substantiated, and recent liaison between the County and the operator of TEMPRO suggests that this may not be the case. The County would expect to see confirmation from the operator of TEMPRO that this is the case, or at least a presentation of the “review of housing and job numbers” to demonstrate why this appears to be the case.

**Reason for objection.**

Paragraph 6.3.4 states: “*To better reflect the impact of the consented development on the local highway network the number of consented residential units built out, and jobs occupied, or forecast to be built out/occupied, since the 2013/2014 traffic surveys have been removed from TEMPRO and manually added on the local highway network. Thus, the local growth factors have been adjusted within the TEMPRO software.*” However, no supporting calculations and methodology are presented and this therefore remains unverifiable.

**Reason for objection.**

Paragraph 6.3.9 states that: “*The traffic associated with the consented residential development has been distributed to and from the development based on the 2011 Census Travel to work data (resident based) for E02005930: Cherwell 010 (2011 super output area - middle layer, MSOA).*” This dataset is not presented and the trip distribution is therefore not verifiable. **Reason for objection.**

Paragraph 6.6.1 states: “*As with the consented employment uses, Census 2011 Travel to work data for Middle Layer Super Output Area (MSOA) E02005931: Cherwell 011, was used to derive the distribution of development trips.*” This dataset is not presented and the trip distribution is therefore not verifiable. **Reason for objection.**

Section 6.7 presents the assumed traffic impact study area. This area is limited and does not include all of the junctions that the County would expect to see assessed and which were detailed in its meeting with the developer in 2016.

Paragraph 6.7.2 specifically excludes two junctions on the grounds that no development traffic passes through them. However since the trip distribution is not verifiable it is not certain that these junctions would carry no development traffic. It is also counter intuitive that these junctions would carry no development traffic given their proximity to the development site.

For the avoidance of doubt the County would expect to see the following junctions also included in the traffic impact study area **Reason for objection.**

- A4260 Oxford Road / Somerton Road / Aston Road;
- A4260 Oxford Road / B4030 Signalised Junction (Hopscroft Holt);
- B4030 / Station Road / Freehold Street;
- B4030 Lower Heyford Road / Port Way Staggered Crossroads;
- B4030 Lower Heyford Road / Camp Road.

Assessment of these junctions need not necessarily be detailed if initial assessment implies a minimal impact.

Section 7 of the TA a traffic impact assessment of the study area. As noted above the study area considered is limited and does not include all of the junctions that the County would expect to see assessed, and which were detailed in its meeting with the developer in 2016.

**Reason for objection.**

The traffic impact identified at the junctions examined in this section cannot be verified due to the numerous shortcomings in the traffic impact assessment methodology identified above. This is especially the case for the signalised junction at Middleton Stoney and Junction 10 of the M40 where mitigation has been put forward in response to identified capacity issues. A robust traffic impact assessment is required taking into account the shortcomings identified in this response. **Reason for objection.**

### **Travel Plans**

A residential travel plan will be required in support of this application. The development will also require a Travel Information Pack to be issued to the first residents of each dwelling.

### **Rights of Way**

The Countryside Access Team (CAT) acts as the highway authority for most public rights of way (PRoW) – footpaths, bridleways, restricted byways and byways. The CAT has the statutory duty to assert and protect public rights and keep PRoW reasonably convenient for public users. It is the responsibility of the applicant to ensure that their development takes account of the legal route and width of any recorded public rights of way and registered common land as recorded in the Definitive Map and Statement and the Commons Register. The Definitive Map and Statement is available online at [www.oxfordshire.gov.uk/definitivemap](http://www.oxfordshire.gov.uk/definitivemap)

Note that this application has no public right of way within its boundary- but the extant s106 agreement for RAF Upper Heyford includes 'Portway Works' clause in schedule 22 – *"Creation of new bridleway link adjoining the route of Portway by providing a bridleway route to the east of the eastern hedge and removal of part of this hedge and fencing as appropriate in order to connect to the existing highway and the route as shown indicatively between points 6 - 16 on the Bridleway Plan"*. It is expected that this application meets the requirement to provide that bridleway and that that includes an access point at the south west corner of the site onto the minor road to Kirtlington. The continuation of the Portway route is a bridleway immediately north of the site over Camp Road and it is another clause in the s106 that this route is reopened through the Flying Field.

CAT has **no objection** to this application, **subject to the planning authority considering the following three points.**

- **Provision of Portway Works as a continuous bridleway route. As per the S106 requirement The Portway link inside the application site should be a suitable width and surface for all non-motorised users including equestrians. Its width should be a minimum of 3m unfenced and users should not have to move onto estate road to pass north to south. There should be suitable and safe access points to Camp Road and Kirtlington Road entrances. Detail of provision should be agreed with CAT in advance if it is intended to dedicate this route as a public bridleway. This route may not have to be designated as public rights of way and can be provided as part of public open space and maintained/managed through any landscape or site management plan. Consideration should also be given to a user controlled crossing point of Camp Road to give access for all users to the Portway link.**
- **On site access and access from the south eastern 'nib'. The development should ensure an access point is created at the south-eastern point of the site to enable onward connection to other parts of the Heyford Park development site, in order to prevent inappropriate informal access being created. Within the site the interconnected walking and cycling network is welcomed. These routes do not have to be designated as public rights of way and can be provided as part of public open space and maintained/managed through any landscape or site management plan.**
- **Reopening of Portway bridleway through the flying field. Although not within this application's red line, the development of this site directly increases the pressure and need for this overdue planning condition to be fulfilled. CAT has recently cleared vegetation from Portway each side of the airfield and so the full Portway route across the flying field needs to be reopened without further delay.**

#### **Traffic Safety and Accident Prevention**

If a 20mph speed limit is being considered for this section of Camp Road this could potentially be done as one order together with other sections of Camp Road.

#### **Road Agreements**

The areas of adoption will be decided once the County has been provided with a full technical submission.

Safety and enforcement of the one-way system associated with the central boulevard and the shared surface squares is an issue. A Road Safety Audit will be required. **Reason for objection.**

Other comments are as follows and can be addressed as part of the Section 38 and Section 278 process.

- Having a one-way system connecting two shared surface squares where angles of approach may vary and signage further obscured by trees is of particular concern.
- A one-way system would require a Traffic Regulation Order and signage.
- Using trees to funnel traffic into the boulevard one-way system is not acceptable.
- Trees in shared surface squares should not annex part of the area for or from one type of user.
- Parking spaces should not obstruct visibility splays.
- Trees, hedges and shrubs should not obstruct visibility splays. The County will accept 2m stemmed trees in visibility splays in some instances.

- Pedestrians should not be forced to cross rumble strips. At transitions from roads with footways into shared surfaces, the footways should continue around the radii and drop down into the shared surface behind the rumble strip. Full width rumble strips should not separate one section shared surface from another section of shared surface.
- There should be pedestrian facilities for crossing the central verge of the boulevard. Particularly from the visitor parking bays.
- An adoptable 800mm maintenance margin is required around all shared surfaces, and where there is no footway. This strip is required for kerb maintenance and provides a safe area in which to locate street lighting columns.
- All adoptable roads and footpaths will require street lighting.
- A strip of hard-standing is required around the outside edge of all visitor parking bays to assist access.
- If parking bays are in verged areas, paths through the verge to the footway should be provided to assist access.
- All roads proposed for adoption will need to be tracked by an 11.4 refuse vehicle. This may include turning areas.
- Trees should not be located within 10m of street lighting columns.
- Footpaths into shared surfaces will require warning tactiles.

### **Drainage**

The application drawing No.0521/PH9/320 includes a wide range of SuDs techniques proposed to be used for this development. OCC considers that more technical detail needs to be provided as the above referenced drawing is outline in nature. Examples where extra detail is required are: the sizing of swales; the type of permeable paving to be used; cross sections and long section drawings of the pond swales and permeable paving. **Reason for objection.**

Para 6.2.4 of the Flood Risk Assessment (FRA) clarifies that the site, based on ground information, is likely to have some infiltration potential and makes reference to the need to establish the potential for the site. The above referenced drawing in the notes section states that this is not yet established. This needs to be investigated by conducting soakage tests on site to a BRE 365 standard. For a full planning application it is typically expected that infiltration potential for a site would be proven by this stage, thereby adding confidence to the drainage strategy. It appears the site drainage design is still based on there being no infiltration. **Reason for objection.**

There are no micro-drainage calculations supporting the sizing of the surface water piped network and therefore it cannot be clarified whether site service level standards for no flooding from the drainage system are met by the design. There are no micro-drainage calculations for the SUDS elements such as Swales and Permeable Paving provided. **Reason for objection.**

There appears to be no information supplied with regard to overland flood routing when exceedance of the capacity of the site drainage system occurs. For example, the provision of a flood routing plan. **Reason for objection.**

There were is no management / maintenance of SuDS plan provided with the application. Paragraph 6 of the FRA states that further discussion with the local authority will be required to discuss the approach for adoption and future maintenance. With regard to maintenance of the proposed pond, it is not clear whether the proposed slope range will be suitable for maintenance using a mower. **Reason for objection.**

**Officer's Name: Chris Nichols**

**Officer's Title:** Transport Development Control

**Date:** 03 March 2017

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## Education

### Key issues:

- **Contrary to the site policy requirements, this application does not consider education provision comprehensively for whole of the Local Plan Policy Villages 5 allocation of 1600 homes.**
- **Without the strategic view of the education need there is a risk that the individual development sites coming forward will not provide the appropriate or proportionate funding or land towards the education provision.**
- **The Heyford Park Free School has current capacity, it is foreseen that this capacity will be filled with housing already permitted in the near future.**
- **Masterplanning will need to establish the school provision needed for the whole Former RAF Upper Heyford. The whole education provision needs to be modelled and options assessed.**
- **The Early years and nursery provision for the whole area need to be considered with the closing of the Park Keepers Preschool and within the Upper Heyford master plan a nursery provision allocated.**

### Legal Agreement required to secure:

Contribution towards a new 1FE primary school provision: £6,147,000\* Equalisation needed across the 1600 master plan site as stated in detail comments

Contribution towards expansion of secondary provision: £1,245,270

Contribution toward a nursery provision: £106,428

Due to pooling CIL regulation there is no SEN contribution being sought.

### Informatives:

- Contribution calculations are based on the notified numbers and mix of dwellings.

<b>Total Dwellings</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 + Bed</b>	<b>Total</b>
Policy Compliant Mix of New Dwellings	0	0	0	0	<b>0</b>
Notified Mix of New Dwellings	27	57	109	104	<b>297</b>
Dwellings to be Demolished					<b>0</b>
<b>Net Dwellings</b>	<b>27</b>	<b>57</b>	<b>109</b>	<b>104</b>	<b>297</b>

Age group	Pupils generated			
	1 bed	2 bed	3 bed	4+ bed
0 to 4 year olds (EY&C)	0.03	0.16	0.36	0.41
Primary	0.00	0.17	0.39	0.51
Secondary	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07
SEN – Across Oxfordshire 1.11% of pupils are taught in special schools				

Any contributions sought should be Index-linked from 4th Quarter 2014 using PUBSEC Tender Price Index.

Pupil generation, and consequently developer contributions amounts required towards education, will need to be revised when there is a confirmed mix of dwellings.

### **Detailed Comments:**

#### **Primary and Secondary:**

This application is within the Local Plan Policy Villages 5 allocation of 1600 homes. The Heyford Park Free School has recently opened to provide a provision for the permitted 1075+ Houses and provides all-through educational provision for the Heyford Park development site area.

Based on the unit mix stated in the application, this proposed development has been estimated to generate 19.4 Nursery Pupils, 97 primary pupils, 74 secondary pupils (including 9 sixth formers) and 1.9 pupils requiring education at an SEN school.

As this is the first of the applications for the allocated 1600 site and in the absence of the master plan, this development will need to provide a Primary contribution towards a 1 Form of Entry (FE) school. As further applications are submitted there should be total contributions and land made available across the 1600 master plan site to deliver a 2FE school so that there is no cost to the County Council.

A secondary contribution will be towards the expansion of the new Bicester school which has been built to with capacity to expand. However, because of the existence of the Heyford park Free School on the Heyford Park site, more local secondary expansion needs to be explored instead of the expansion of a remote school.

\*Once the master plan has been developed an equalisation of contributions can be discussed so that each development pays appropriate and proportionate costs towards the education provision. Piecemeal applications for housing growth in Heyford are a barrier to appropriate strategic planning and funding of the necessary infrastructure.

#### **Special:**

Bardwell School admits from Bicester, Kidlington and surrounding villages. A recent £1m capital project has expanded permanent accommodation. Given the scale of planned housing growth in this area, further additional SEN capacity is likely to be needed in due course. Across Oxfordshire 1.11% of pupils are taught in special schools. OCC is not seeking Education contributions to mitigate the impact of this development on SEN infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), and the need to reserve our ability to seek contributions for larger developments than this in the area in future.

### **Early Years:**

The existing Park Keepers preschool is closing, due to the needs of the Heyford Park housing development, and no new site has been offered to it. It is essential that the proposed development does include the community centre facilities referred to in the promotional literature, which includes a private nursery, to enable the council to meet its statutory duty for sufficient childcare provision.

Under Sections 6 and 7 (as substituted by section 1 of the Education Act 2011) of the Childcare Act 2006 the council has a responsibility to ensure that there is sufficient childcare to enable families:-

- a) to access the free early education entitlement for their child.
- b) to take up, or remain in work, or
- c) to undertake education or training, which could reasonably lead to work.

Free early education is a statutory entitlement to 570 hours per year for eligible two-year old children, where such eligibility is targeted at circa 40% of this age group, and for all three year old children.

The Childcare Act 2016 extends the Council'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 the free early 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.

Currently early years provision in Upper Heyford is provided by Park Keepers preschool and this meets the needs of the current population. Park Keepers has been operating with short term leases, as it is required to move in order to facilitate the development of Heyford Park. However a new site for Park Keepers has not been identified. Park Keepers has informed us that it will be closing in summer 2017. We believe this is at least partially due to the on-going uncertainty around its future.

Provision for those children entitled to free early education will be partly through the nursery class that is expected to open at Heyford Park Free School in September 2017. However this alone will not meet the full needs of families with children in the 0 - 4 year age group and additional early years provision within the development will be required. This will particularly support parents being able to access the employment opportunities that will be created at Heyford Park.

It is noted that the proposed development includes community centre facilities that includes a private nursery. This should include accommodation suitable for a day nursery setting operated by a private, voluntary or independent provider.

The 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.

**Officer's Name: Diane Cameron**

**Officer's Title:** School Organisation Officer

**Date:** 27 February 2017



**District:** Cherwell

**Application no:** 16/02446/F

**Proposal:** Erection of 297 residential dwellings (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of new and amended vehicular and pedestrian accesses, public open space, landscaping, utilities and infrastructure, and demolition of existing built structures and site clearance works.

**Location:** Heyford Park Camp Road Upper Heyford Bicester OX25 5HD.

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## Property

### Key issues:

- **As this application is part of the Local Plan Village 5 allocation of 1600, it is essential that the community infrastructure is assessed on a comprehensive basis to ensure that the facilities needed to support the emerging population are sufficient and appropriate.**
  - **Until we have a comprehensive plan for libraries the costs outlined are based on a single approach. These costs may be subject to change depending on the community infrastructure needed for the master plan and the CIL restrictions on pooling.**
  - **Strategic waste management needs to be considered with the emerging pressure on household waste sites and need for extra capacity.**
  - **Although, OCC will not be collecting contributions for adult day care, across the master plan there will need to be consideration for the provision of Extra Care Housing specialist housing for older people to rent or purchase.**
- 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:
- 27 x One Bed Dwellings
  - 57 x Two Bed Dwellings
  - 109 x Three Bed Dwellings
  - 104 x Four Bed Dwellings
- It is calculated that this development would generate a net increase of:

### **787 additional residents including:**

- 49 resident/s aged 65+
- 540 residents aged 20+
- 57 resident/s ages 13-19
- 68 resident/s ages 0-4

### **Legal Agreement required to secure:**

• Library	£74,765.00
• Waste Management	£57,451.00
<b>Total*</b>	<b>£132,216.00</b>

\*Total to be Index-linked from 4th Quarter 2014 Using PUBSEC Tender Price Index

• Administration & Monitoring	£10,493.75
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The County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured.

## **Administration**

Oxfordshire County Council requires an administrative payment of £10493.75 for the purposes of administration and monitoring of the proposed S106 agreement, including elements relating to Education. The admin fee may increase depending on the value of any Transport related contributions.

## **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:**

### **Local Library**

This development is served by Bicester 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 improvements are based upon the costs of extending a library.

The costs of extending a library is £2,716 per m<sup>2</sup> 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 m<sup>2</sup> per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5 m<sup>2</sup> 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:

$$\mathbf{\pounds 95 \times 787 \text{ (the forecast number of new residents)} = \pounds 74,765.00}$$

### **Strategic Waste Management**

Under Section 51 of the Environmental Protection Act 1990, county councils, as waste disposal authorities, have a duty to arrange for places to be provided at which persons resident in their area may deposit their household waste and for the disposal of that waste.

To meet the additional pressures on the various Household Waste and Recycling Centre provision in Oxfordshire enhancements to these centres are either already taking place or are planned, and, to this end, contributions are now required from developers towards their redesign and redevelopment.

A new site serving 20,000 households costs in the region of £3,438,202 at 4th Quarter 2014 price base; this equates to £73 per resident.

- The contribution for the provision of strategic waste management infrastructure in respect of this application would therefore be based on the following formula:

**£73 x 787 (the forecast number of new residents) = £57,451.00**

## **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.

## **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 mix 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.

Oxfordshire County Council is **not** seeking a contribution towards central library, museum resource centre or adult day care infrastructure from this application due to the pooling restrictions contained within Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) which took effect from the 6<sup>th</sup> April 2015. The property response '*No objection subject to conditions*' relies upon funding for infrastructure as critical mitigation being delivered through CIL where there is no opportunity to gain contributions through Section 106 due to current legislation. OCC hold a statutory obligation to deliver services such as education through schools.

Details of these contribution rates for sustainable capital development are set out below.

### **Contributions required to mitigate the impact of the development on infrastructure but which due to Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) OCC does not require a s106 obligation in respect of:**

• Central Library	£13,497.05
• Museum Resource Centre	£4,722.00
• Adult Day Care	£6,174.00
<b>Total*</b>	<b>£24,393.05</b>

### **Detailed comments for contributions not sought solely due to S106 pooling restrictions**

#### **Central Library**

Central Library in Oxford serves the whole county and requires remodelling to support service delivery that includes provision of library resources across the county.

Remodelling of the library at 4th Quarter 2014 base prices leaves a funding requirement still to be secured of £4,698,900. 60% of this funding is collected from development in the Oxford area. The remainder 40% is spread across the four other districts. 40% of 4.7M = £1,838,300.

Population across Oxfordshire outside of Oxford City district is forecast to grow by 93,529 to year 2026. £1,838,300 ÷ 93,529 people = £19.65 per person

- The contribution for the provision of central library infrastructure in respect of this application would therefore be based on the following formula:

$$\mathbf{\pounds 19.65 \times 787 \text{ (the forecast number of new residents)} = \pounds 13,497.05}$$

### **County Museum Resource Centre**

Oxfordshire County Council's museum service provides a central Museum Resource Centre (MRC). The MRC is the principal store for the Oxfordshire Museum, Cogges Manor Farm Museum, Abingdon Museum, Banbury Museum, the Museum of Oxford and the Vale and Downland Museum. It provides support to these museums and schools throughout the county for educational, research and leisure activities.

The MRC is operating at capacity and needs an extension to meet the demands arising from further development throughout the county. An extended facility will provide additional storage space and allow for increased public access to the facility.

An extension to the MRC to mitigate the impact of new development up to 2026 has been costed at £527,191 at 4th Quarter 2014 price base; this equates to £6 per person

- The contribution for the extension of the Museum Resource Centre in respect of this application would therefore be based on the following formula:

$$\mathbf{\pounds 6 \times 787 \text{ (the forecast number of new residents)} = \pounds 4,722.00}$$

### **Social & Health Care - Day Care Facilities**

This development is served by Bicester Day Centre and this development will place additional pressures on this adult day care facility. To meet the additional pressures on day care provision the County Council is looking to expand and improve the adult day care facility in Bicester Day Centre

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 is 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:

$$\mathbf{\pounds 126 \times 49 \text{ (the forecast number of new residents aged 65+)} = \pounds 6,174.00}$$

**Officer's Name:** Will Madgwick

**Officer's Title:** Planning Liaison Officer

**Date:** 06/03/2016

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**District:** Cherwell

**Application no:** 16/02446/F

**Proposal:** Erection of 297 residential dwellings (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of new and amended vehicular and pedestrian accesses, public open space, landscaping, utilities and infrastructure, and demolition of existing built structures and site clearance works.

**Location:** Heyford Park Camp Road Upper Heyford Bicester OX25 5HD.

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## Ecology

### Recommendation:

Objection

### Key issues:

- Lack of masterplan/comprehensive approach to landscape, restoration and enhancement of biodiversity across the whole of the wider site allocation
- The District Council should be seeking the advice of their in-house ecologist who can advise them on this application.

### Detailed comments:

Policy Villages 5: Former RAF Upper Heyford requires that: *Proposals must demonstrate that the conservation of heritage resources, landscape, restoration, enhancement of biodiversity and other environmental improvements will be achieved across the whole site identifies in Policy Villages 5.* This has not been demonstrated.

**Officer's Name:** Sarah Postlethwaite

**Officer's Title:** Protected Species Officer

**Date:** 01 March 2017

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