

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

**District:** Cherwell

**Application No:** 18/00484/OUT

**Proposal:** Outline planning permission for up to 75 homes, pedestrian and cycle routes, creation of new access point from Charlotte Avenue, provision of open space, play space, allotments, orchard, parking and associated works.

**Location:** Land North and Adjoining Home Farm Banbury Road B4100 Caversfield

**Response date:** 2<sup>nd</sup> May 2018

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This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

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## Assessment Criteria

### Proposal overview and mix /population generation

OCC's response is based on a development as set out in the table below. The development is based on a SHMA mix

<b>Residential</b>	
1-bed dwellings	10
2-bed dwellings	19
3-bed dwellings	32
4-bed & larger dwellings	14
Extra Care Housing	
Affordable Housing %	%

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	195.55
Primary pupils	22.85
Secondary pupils	13.97

Sixth Form pupils	2.13
SEN pupils	0.47
Nursery children (number of 2 and 3 year olds entitled to funded places)	5.77
20 - 64 year olds	135.25
65+ year olds	14.57
0 – 4 year olds	20.60

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## **General Information and Advice**

### **Recommendations for approval contrary to OCC objection:**

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via [planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweighs OCC's objections, and given an opportunity to make further representations.

### **Outline applications and contributions**

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

### **Where a S106/Planning Obligation is required:**

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - £3750**  
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

### **CIL Regulation 123**

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

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## Transport Schedule

**(Note, this includes comments from OCC as Lead Local Flood Authority)**

### **Recommendation:**

#### **Objection for the following reasons:**

- The TA does not provide sufficient information to fully assess the traffic impact of the development
- The TA does not provide sufficient information to assess the safety of proposed accesses onto the B4100 – temporary construction access, and access to allotments via Home Farm access road.
- The site does not maximise opportunities for sustainable travel because it could provide more direct links with the adjacent parcels' residential streets.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed below.

### **S106 Contributions**

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Highway works 1	£6,146	1Q16	Baxter	Signalisation of the junction of Charlotte Avenue and B4100
Highway works 2	£36,174	1Q16	Baxter	Capacity improvements at roundabout junction of B4100 and A4095
Highway works 3	£4,298	1Q16	Baxter	Traffic calming of Bucknell Village
Highway works 4	£1,828	1Q16	Baxter	Improvements to the Caversfield junction on the B4100
Ped cycle infrastructure 1	£38,187	1Q16	Baxter	Route alongside railway towards town centre
Ped cycle infrastructure 2	£2,796	1Q16	Baxter	Improvements on Banbury Road linking the above route to the town centre

Public transport services	£86,252	1Q16	RPI-x	Bus services serving NW Bicester north of the railway.
Travel Plan Monitoring	£1,240	1Q16	RPI-x	Monitoring of the travel plan
Public Rights of Way	£2,418	1Q16	Baxter	Provision of links from the wider development north of the railway towards Bucknell and to the public footpath leading to Banbury Road.

Note that, at the time of writing, the above off-site infrastructure works are potentially planned to be delivered by another developer at NW Bicester. If this is the case, there will need to be a mechanism agreed for ensuring that appropriate contributions are made towards the provision of the works.

Additionally the site will need to make a proportionate contribution towards the cost of the strategic infrastructure at NW Bicester being provided by others, including the realignment of the A4095.

### **Key points**

- Some questionable assumptions regarding trip distribution
- Junction capacity has not been assessed
- Further details required of church car park/allotment access, and construction access
- More pedestrian connections to adjacent parcels needed to provide high level of permeability
- As this site is part of the eco town, it needs to make a proportionate contribution to the wider transport infrastructure needed to support the development north of the railway – this is not fully acknowledged in the TA
- The site would also need to be subject to a restriction on occupations prior to the opening of the NW Bicester Strategic Link Road (realignment of the A4095).

### **Comments:**

#### **Traffic impact**

##### Trip generation

A transport assessment has been provided which uses the same methodology to estimate trip generation as used in the Access and Travel Strategy document that was produced to support the North West Bicester SPD. It concludes that the site would generate 49 two-way vehicle movements in the am peak and 63 in the pm peak, which equates to 0.65 per dwelling in the am peak and 0.84 in the pm peak. I consider this to be robust for the purposes of the further assessment.

### Trip distribution and assignment

The assessment assumes that, other than education, trips are distributed onto the network in accordance with Census 2011 Travel to Work data (this is acceptable methodology). Education trip distribution assumes that all children go to the Gagle Brook primary school or the new secondary school on the NW Bicester allocation, south of the railway. The trip distribution takes into account that immediately north of the development on Charlotte Avenue, there will be a bus-only section of road, so northbound traffic will not be able to route this way. However, I would question the assumption that all southbound traffic (the majority of movements) will travel south through the central corridor of Bicester, rather than using the perimeter routes. This needs further justification (**reason for objection**).

### Assessment of impact

The development flows are added to flows taken from the 2026 future year forecast of the Bicester Transport Model, and the resultant percentage impact on turning movements at the junction of the B4100 and Charlotte Avenue, and the junction of the B4100 with the A4095, are shown in figure 6.5 and 6.6 of the TA. The TA then concludes that there would not be a significant impact, but the percentage increases are above the threshold where OCC would normally expect a further assessment of a junction to be carried out, using specialist assessment software. These assessments have not been done.

Improvements to both these junctions are required as part of the overall mitigation strategy for NW Bicester: the junction of Charlotte Avenue and the B4100 is to be signalised, and capacity improvements are required at the roundabout junction of the B4100 and A4095.

Signalisation of the Charlotte Avenue junction has been shown to be required by 1800 homes North of the railway and this development may bring this requirement forward due to its close proximity to the junction. A junction assessment of this junction assuming no signals are in place by 2026 should therefore have been undertaken to see if this development would trigger the need.

Contributions are sought from other developments at NW Bicester to both these schemes, and acknowledging that this site does have an impact, the developer should make a proportionate contribution towards them. The TA mentions other contributions but not these (**reason for objection**).

### Re-alignment of the A4095 Howes Lane/Lords Lane

As part of the transport modelling for the wider NW Bicester development, it has been identified that, in order to relieve severe congestion at the junction of Bucknell Road/Howes Lane/Lords Lane, the A4095 needs to be realigned and a new rail underbridge provided prior to the occupation of the 900<sup>th</sup> dwelling at NW Bicester. Any planning permission for this site would need to be subject to a Grampian condition preventing occupations beyond this amount.

### Vehicular access

The residential area of the site would have one vehicular access onto Charlotte Avenue. This junction is already built. The main access road is proposed to be 5.5m wide, which is acceptable.

There is proposed to be access to the allotments and a parking area for Caversfield Church, off the access road to Home Farm. This is an existing access and the proposal is acceptable in principle, however, further details of the exact position and layout of the access from the access road should be sought by condition. It is noted that the access road to Home Farm is not within the red line area, and the part of it required to gain access to the development should have been included. Please note that an additional access to the allotments directly from the B4100 would not be acceptable.

On no account must access to the dwellings be gained from the Home Farm access road – this may need a condition to prevent it.

### **Pedestrian and cycle access**

It is proposed that the main access road would have footways either side of 1.8m width. OCC would prefer to see these at 2m to prioritise sustainable travel. A 'leisure' footway/cycleway is proposed around the perimeter of the built up area of the site. OCC would prefer to see this designed as a functional route, connecting as directly as possible to the adjacent network.

Only two pedestrian connection points to adjacent parcels are proposed. This represents a missed opportunity for a level of permeability which is in keeping with the sustainable travel policy requirements of the Eco Town, and should be addressed by including additional connection points. Connection points towards the current bus stops are particularly important to look at, to ensure all properties are within a 400m walk of the bus stops. Such connection points should not be left to reserved matters stage but included on the access parameter plan in order to ensure that they are secured. **Reason for objection.**

Beyond the site, the Access and Travel Strategy for NW Bicester sets out a requirement for improvements to strategic cycle routes linking the site with the town centre. It is expected that this site would make a proportionate contribution to some of this infrastructure, but while other contributions are acknowledged in the TA, this is not. **Reason for objection.**

### **Crossing of the B4100 to Caversfield Church**

The TA says that an area will be safeguarded such that a crossing would be provided, and an appropriate proportionate contribution made towards a crossing. As this site would provide the pedestrian link towards the church, it seems more appropriate for it to be directly delivered under S278, by this site. It is also unclear what is meant by safeguarding, and it is recommended that the developer should carry out some initial feasibility assessment and provide indicative drawings.

### **Public transport**

The TA acknowledges the strategy for a bus service north of the railway and that a proportionate contribution towards public transport should be provided. The exemplar site currently has an interim bus service, and depending on how quickly this site comes forward in relation to other development north of the railway, it may be necessary to direct contribution from this site towards extending the duration of the interim bus service.



The new bus services serving NW Bicester will evolve over time and it is proposed that all the developers on NW Bicester would participate in a NW Bicester Bus Forum to plan services – the developer of this site would be required to participate in this.

### **Construction access and CEMP**

It is proposed to take a construction access directly off the B4100 via an existing field gate to the north of the site. No details are provided of the position of this access in order to assess its safety for the volume and type of traffic. It is likely to require works in the highway to improve it and make it suitable for the turning movements off this busy, 40mph stretch of road. It should not be assumed that this will be permitted, and further details are required. **Reason for objection.**

The TA says that the CEMP will cover construction transport matters. OCC's preference is for all transport matters to be covered in a standalone Construction Traffic Management Plan, which should be required by condition.

### **A Construction Traffic Management Plan (CTMP) will need to incorporate the following in detail:**

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.

- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

### **Parking**

Although parking provision and layout would be a matter for a reserved matters application, the TA suggests that some dwellings might have only one allocated parking space, which could be the garage. Given that only a very small percentage of people actually use their garage for parking, this would effectively mean no allocated parking for some dwellings, which I consider would be unacceptable. An open car port may be more appropriate as this is less likely to be taken up with storage. This should be a matter for further discussion.

It is also noted that the application form only suggests 10 parking spaces for the whole development, although the TA suggests otherwise

### **Travel Plan**

The travel plan that has been submitted with this application has been checked against our own guidance but also against the wider guidance for current developments which form part of Eco Bicester. It needs some further development. Our comments are as follows.

- Please include details of the housing mix that is being proposed for this site and the likely number of future occupiers.
- Delivering the overall travel plan target that 50% of all trips originating from the development will be made by non-car modes of transport following occupation is a challenging target. To help to put this into context it would be useful to set it against 2011 Census travel to work data.
- A copy of the travel survey template that will be used for the resident's travel surveys should be included in the travel plans appendices.
- Para 7.3.4 All residents will also need to be provided with, either electronically or in a paper format a travel information pack when they move into their new dwellings.
- Para 7.3.6 This reference to OCC's Travel Choices Team should be removed as it is no longer correct
- Para 8.2.1 Travel plan monitoring will need to continue for five years from full occupation of the site.
- Para 8.3.1 The Travel Choices team no longer exists, monitoring reports should be sent to the Travel Plan Team.
- Para 8.3 Residents travel surveys will also need to form part of the monitoring regime.
- Section 9 Travel Plan action table, it is not felt that this provides a credible mixture of short, medium and longer-term actions which help to deliver the targets identified within the travel plan. It is far too general and does not include specific time based actions. It is not acceptable to specify something like 'promotion of car sharing' details of what will actually happen are required with the dates that they will be implemented or reviewed. A more detailed range of actions is required within each group.

A contribution of £1240 will be required to cover the costs of monitoring the travel plan.

### **Drainage – LLFA comments**

The Applicant's Flood Risk Assessment outlines a drainage strategy to demonstrate compliance with the Defra Non-Statutory Technical Standards. The SuDS drainage proposals for this site include the use of a detention basin and permeable paving for private parking bays. However, the proposals are not confirmed as the potential for infiltration at the site has not been evaluated at this stage. Therefore OCC (drainage) require as a planning condition for infiltration testing to be undertaken at the site and the seasonal high ground water level to be confirmed. The presence of a Secondary A Aquifer per se below the site would not preclude the use of infiltration techniques provided that adequate separation is maintained between the base of the infiltration system and the top of the groundwater level and presence at the site of suitable geology.

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

#### **Highway works contributions as detailed above**

**Towards:** Off site highway works needed to provide capacity to support the wider development (including this site) north of the railway.

**Justification:** The works were identified as part of the transport assessment carried out to inform the NW Bicester Access and Travel Strategy, which supports the NW Bicester SPD. Although this site is relatively small, it is part of the NW Bicester development north of the railway, and would only be acceptable in the context of that development, and therefore must make a proportionate contribution to the cost of the works necessary to support this development

**Calculation:** The amounts of the contributions have been calculated on the basis of 75/2600 of the total contribution identified as being necessary for development north of the railway. This is based on the latest cost estimates for the schemes.

#### **Public Transport Service Contribution as detailed above**

**Towards:** the cost of serving development at NW Bicester north of the railway by bus.

**Justification:** The bus service was identified as part of NW Bicester Access and Travel Strategy, which supports the NW Bicester SPD. Although this site is relatively small, it is part of the NW Bicester development north of the railway, and would only be acceptable in the context of that development, and therefore must make a proportionate contribution to the cost of the public transport necessary to support this development.

**Calculation:** The amounts of the contributions have been calculated on the basis of 75/2600 of the total contribution identified as being necessary for development north of the railway. This is based on the cost of pump priming a new bus service linking the development with the town centre, to the point where it is expected to become commercially viable.

### **Public Rights of Way Contribution as detailed above**

**Towards:** Off site public rights of way improvements, towards Bucknell, and the footpath leading to the B4100.

**Justification:**

These are considered necessary to provide opportunities for leisure/health walking and connections to the nearby village of Bucknell, for residents of the wider NW Bicester development north of the railway. The routes will eventually be able to be accessed by residents of this site, through the internal pedestrian/road network of the adjacent parcels.

**Calculation:** The amount of the contribution has been calculated on the basis of 75/2600 of the total contribution identified as being necessary for development north of the railway. The improvements have been costed based on modest improvements to/provision of surfacing and gates.

### **Travel Plan Monitoring Fee as detailed above**

**Towards:** The cost of monitoring the travel plan over a 5-year period.

**Justification:** The travel plan requires surveys to be carried out and revisions to be made as appropriate over its life. To be effective, this requires monitoring by council staff.

**Calculation:** The fee is based on an at-cost estimate of the staff time required.

### **S278 Highway Works:**

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- Informal crossing of B4100 and linking footway to improve access to Caversfield Church – further details required.
- Possibly for works necessary to provide a safe construction access to the site – further details required.

**Notes:**

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

### **Planning Conditions:**

In the event that permission is to be given, the following planning conditions should be attached:

**Restriction on occupations such that no more than 900 dwellings at NW Bicester are occupied until the Strategic Link Road is open to traffic (exact wording of condition TBC). (See commentary above for reason.)**

#### **Access: Full Details**

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, to provide access to the allotments and the church car park only, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

[Reason DR1](#)

#### **Construction access: Full details**

Prior to the commencement of the development hereby approved, full details of the temporary construction access including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the temporary means of access shall be constructed and retained in accordance with the approved details for the duration of the construction of the site, and shall be closed and the highway verge reinstated immediately thereafter.

[Reason DR1](#)

#### **Estate Accesses, Driveways and Turning Areas**

Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

[Reason DR2](#)

#### **Pedestrian and cycle links**

Prior to the commencement of the development hereby approved, full details of the pedestrian and cycle connections including the off carriageway pedestrian/cycle route through the site and linkages to existing facilities on adjacent parcels, which shall include construction, layout, surfacing, drainage and lighting, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the pedestrian/cycle route and links shall be constructed in accordance with the approved details.

[Reason DR2](#)

#### **Travel Plan**

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Reason DR4

#### **Construction traffic management plan**

Prior to the commencement of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

**(NOTE:** the wording of this condition could be enhanced to include the matters set out in the commentary above, as being required to be covered within the Plan).

#### Drainage

Development shall not begin until 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, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features
- Infiltration in accordance with BRE365 (including seasonal monitoring and recording of groundwater levels)
- Detailed drainage layout with pipe numbers
- SUDS (Permeable Paving, Detention Pond )
- Network drainage calculations
- Phasing
- Flood Flow Routing in exceedance conditions

#### **Informative:**

Please note 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. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk)

**Officer's Name: Joy White**

**Officer's Title: Principal Transport Planner**

**Date: 19 April 2018**

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**Application no: 18/00484/OUT**

**Location:** Land North and Adjoining Home Farm Banbury Road B4100 Caversfield

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## Education Schedule

### Recommendation:

#### **No objection subject to:**

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

Contribution	Amount £	Price base	Index	Towards (details)
<b>Primary</b>	<b>£341,859</b>	<b>1Q17</b>	PUBSEC	The future expansion of Gagle Brook School
<b>Secondary</b>	<b>£316,183</b>	<b>1Q17</b>	PUBSEC	Contribution towards the new NW Bicester secondary school (phase 2).
<b>Total</b>	<b>£ 658,042</b>			

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

**£341,859 Primary School Contribution** indexed from 1Q2017 using PUBSEC Index

**Towards:** The future expansion of the new primary school, Gagle Brook Primary School.

**Justification:** The S106 agreement for Gagle Brook Primary School has already secured sufficient funding for the initial 1 form entry school that is required in Banbury due to local growth and other developments. The capacity of this new school is sufficient for the existing proposed developments but does not have the long-term capacity to accommodate the pupils generated from this development. The contributions sought from this development are towards the planned expansion of Gagle Brook Primary to ensure that the school can expand when necessary to accommodate pupils created by developments such as this within the designated catchment area.

### **Calculation:**

Pupils generated	22.85
Cost per pupil	£14,961
22.85 * £14,961	£341,859

**£316,179 Secondary School Contribution** indexed from 1Q2017 using PUBSEC Index

**Towards:** The second phase of development of the new secondary school on NW Bicester strategic allocation.

**Justification:** The contributions sought from this development are towards the building of the second phase of the new secondary school on the NW Bicester strategic allocation. The NW Bicester strategic allocation requires a new 1200 place secondary school to provide sufficient secondary school places. The school will be built in phases depending on the build out of the development.

**Calculation:**

Pupils generated	13.97
Cost per pupil	£22,633
13.97*£22,633	£316,183

**CIL Regulation 123**

OCC considers that the following education contributions meet the tests required by Regulation 122 (2) of the CIL Regulations but they are not sought due to Regulation 123.

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Towards (details)</b>
Special Education	<b>£19,161</b>	<b>1Q17</b>	Contribution towards ensuring sufficient accommodation at the Bardwell School.
Nursery/ Early Years Education	<b>£37,395</b>	<b>1Q17</b>	Contribution towards ensuring sufficient Nursery and Early Years places in the local area.

**Officer's Name: Lucy Mills**

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

**Date: 10 April 2018**

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## **Archaeology Schedule**

### **Recommendation:**

Objection for the following reason/s:

The submitted desk based assessment fails to appropriately assess the archaeological potential of the site in general and these earthworks in particular. This assessment therefore is not considered to be an appropriate desk based assessment as set out in the NPPF paragraph 128.

This development is therefore likely to have an impact on both known and previously unidentified archaeological features. There is currently insufficient information on significance of these impacts on these features and a programme of archaeological investigation will be required ahead of the determination of any planning application for the site.

### **Comments:**

The site is located in an area of archaeological interest immediately south west of the C10th/C11th Church of St. Lawrence. The church has been added to in the medieval period but retains some of its original pre- conquest features. The earthwork remains of a shrunken medieval village have been recorded to the north of this church. The proposed site itself contains a number of earthworks along the eastern side of the site, closest to the church, which may also relate to shrunken medieval settlement.

Without further information on the nature of these earthworks, which would be impacted by the proposed community orchard, the significance of this impact cannot be assessed. There is also a likelihood that the development could impact on previously unrecorded archaeological deposits.

We have previously provided advice on this application site as part of a pre- application consultation (17/00363/PREAPP) where we advised that a desk based assessment would need to be produced for the site.

We also advised that this assessment would need to be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for desk based assessments including the submission of an appropriate written scheme of investigation to agree the scope of the assessment.

A desk based assessment has been submitted with this application but this was not undertaken in line with these standards and there was no attempt to agree the scope of the assessment with us as set out in these standards. As a result important sources

of information has been omitted from this assessment and there is a lack of evidence within the assessment to support its conclusion.

The assessment does not include any appraisal of the aerial photographic collection held by Historic England and appears to rely solely on Google Earth. A number of cropmarks have been recorded within the vicinity of the site and the DBA should have included a full assessment of photographs for the area. Online images are not a suitable substitute for this archive and the low-resolution images held on Google Earth cannot be taken as a reliable source of information for the historic environment.

A hillshade visualisation of Lidar data has been included, presumably from the Environment Agency's 2011 1m survey although the source for the Lidar is not listed in the assessment. Hillshade images are a common computer visualisation where the Lidar data is virtually lit from a specified direction and angle to emphasise any earthworks. The direction of the virtual light is very important and different light directions (azimuth) will highlight different earthworks depending on their alignment.

It is considered best practice to include a range of hillshade images from different directions to ensure that the full range of earthwork data is considered. This has not been done for this statement and the Lidar image included does not even contain any information as to the angle and direction it has been taken from. This is not in line with best practice.

The assessment concludes that these earthworks relate to a filter bed system visible on the C19th OS maps. The filter bed is visible on the second edition OS map, dated 1899, but this occupies an area of 16m by 6m. The earthworks themselves however cover an area 170m long by 65m wide and are not directly aligned with this filter bed. This assessment therefore fails to demonstrate that these are indeed related to this filter system.

The assessment also concludes that the earthworks are not visible on a 1947 aerial photograph and therefore must post date this. There is no source for this aerial photograph listed but the included image does appear to be the very low-resolution image included on Google Maps. It is very unlikely that earthworks would be discernible on such an image and the earthworks of the deserted medieval village to the north of the site are also not visible.

Then assessment appears to confirm this as it also states that these earthworks are not discernible on the most recent Google Earth imagery. That the earthworks are visible on the 2011 1m Lidar data held by the Environment agency highlight that they certainly were in existence before the most recent, higher resolution, Google Earth images. That they are not discernible on either of these images cannot be argued to demonstrate that they post-date the image.

The assessment also adds that these earthworks also relate to modern features shown on recent images but no supporting images are included to support this statement. None of the features shown on any of the modern aerial photographs either included in this report or on Google Earth appear relate to the earthwork features identified for Lidar.

The desk based assessment then concludes that 'It is implausible that they represent vestiges of surviving earlier earthworks which have been consistently avoided by later ploughing.' This is totally unsupported in the assessment and both the County and the Country contain numerous examples of earthworks surviving as denuded earthworks in ploughed fields. This section of the site also appears to be under grass in all of the photographs included in the assessment including the earliest 1947 image.

This assessment therefore fails to appropriately assess the archaeological potential of the site in general and these earthworks in particular. This assessment therefore is not considered to be an appropriate desk based assessment as set out in the NPPF paragraph 128.

This development is therefore likely to have an impact on these earthworks and on any previously unidentified archaeological features. There is currently insufficient information on significance of these impacts on these features and a programme of archaeological investigation will be required ahead of the determination of any planning application for the site.

In accordance with the National Planning Policy Framework (NPPF), we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation. This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

**Planning Conditions:**

None at this stage as further information will be required prior to the determination of any planning application.

**Officer's Name: Richard Oram**

**Officer's Title: Planning Archaeologist**

**Date: 09 April 2018**

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