

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

District: Cherwell

Application no: 19/00446/F

Proposal: Erection of up to 57 residential units (Use Class C3) comprising a mix of open market and affordable housing, together with associated works including provision of vehicular and pedestrian accesses, public open space, landscaping, infrastructure and site clearance.

Location: Heyford Park Camp Road Upper Heyford Bicester

Response date: 15th July 2019

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

Assessment Criteria **Proposal overview and mix/population generation**

OCC's response is based on a development as set out in the table below. The development is taken from the application form.

| Residential | No. |
|--------------------------|------------|
| 1-bed dwellings | 12 |
| 2-bed dwellings | 3 |
| 3-bed dwellings | 35 |
| 4-bed & larger dwellings | 7 |

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 | 149.43 |
| Primary pupils | 17.73 |
| Secondary pupils | 10.77 |
| Sixth Form pupils | 1.57 |
| SEN pupils | 0.35 |
| Nursery children (number of 2 and 3 year olds entitled to funded places) | 4.57 |
| 20 - 64 year olds | 102.56 |
| 65+ year olds | 11.41 |
| 0 – 4 year olds | 16.31 |

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Strategic Comments

OCC support the delivery of Local Plan Policy Villages 5: Former RAF Upper Heyford, and recognise that this application in particular facilitates the delivery of additional affordable housing. OCC does however have a number of technical objections relating to highways and drainage; these could be overcome with amendments and further detail.

The application will need to contribute to the overall mitigation package for Policy Villages 5.

Detailed officer comments are set out below (NB the Education response is included for completeness but remains unchanged from that submitted 5th July 2019).

Officer's Name: David Flavin

Officer's Title: Senior Planner

Date: 12th July 2019

Application no: 19/00446/F

Location: Heyford Park Camp Road Upper Heyford Bicester

Transport Schedule

Recommendation

Objection for the following reasons.

- Phase 8C car park layout requires amendment.
- Trenchard refuse vehicle tracking requires clarification.

If despite the County's objection permission is proposed to be granted, then the County 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.

Section 106 Contributions

| Contribution | Amount £ | Price base | Index | Towards (details) |
|---|------------------------|------------------------|--------------|---|
| Highway works | To be confirmed | To be confirmed | Baxter | Mitigation package will include improvements to a number of off-site junctions, and traffic calming in surrounding villages. Other measures are also under investigation. |
| Public transport services | To be confirmed | To be confirmed | RPI-x | Provision of new bus services linking the site to Oxford and Bicester, in accordance with the public transport strategy. |
| Provision of mini-bus link to Heyford station | To be confirmed | To be confirmed | RPI-x | Towards cost of minibus service to Heyford station and/or around the flying field |
| Public transport infrastructure | To be confirmed | To be confirmed | Baxter | Enhanced and new bus stops around the site. |
| Travel Plan Monitoring | To be confirmed | To be confirmed | RPI-x | For residential and commercial Travel Plans. |
| Public Rights of Way | To be confirmed | To be confirmed | Baxter | Mitigation works to Oxford Canal towpath |
| Total | N/a | | | |

Key points

- A Section 106 contribution will be required in line with that being determined for the PV5 allocation.
- The County reserves the right to request a comprehensive transport impact assessment of the cumulative effects of additional development.
- For units that do not have garages the County would expect to see the provision of sheds suitable to accommodate cycles.
- The full site wide Residential Travel Plan must be completed and approved prior to the occupation of this development.
- A Travel Plan Statement is required for this development and should be linked to the objectives in the main travel plan.
- Travel Information Packs are required for all new residents in this phase of the development.
- Phase 8C car park layout requires amendment.
- Trenchard refuse vehicle tracking requires clarification.

Comments

Transport Development Control.

The planning application is accompanied by a Transport Statement (TS) which notes that of the 57 dwellings that are the subject of the application “...*there are 41 new units to be developed across three phases within previously consented plots.*” It is not clear from the application documents whether these new units are intended as an intensification of the consented scheme, part of the Policy Villages 5 (PV5) allocation in the Local Plan, or additional to both.

A transport strategy is being developed to mitigate the impact of additional development at Heyford. The transport impact of these units in isolation will be small but it will form part of the cumulative impact of the further development. The units that are the subject of this planning application will therefore be expected to make a proportionate contribution to the cost of the transport strategy, according to the rate per dwelling currently being determined for the PV5 allocation, regardless of whether they are within the PV5 allocation or additional to it. That rate of contribution is currently being determined by the County in consultation with Cherwell District Council and the developers bringing forward sites under PV5.

The TS presents trip generation estimates for the additional 41 units based on previously applied methodologies. The TS asserts that the resultant level of trip generation will have a minimal impact at junctions within the study area. This assertion is accepted. However, the County reserves the right to request a comprehensive transport impact assessment of the cumulative effects of additional development should further planning applications of this nature be forthcoming.

Paragraphs 4.5.2 and 4.5.3 state that for Trenchard and Phase 5D respectively “*Cycle parking will be provided within the curtilage of individual dwellings, either within garages or rear gardens.*” For units that do not have garages the County would expect to see the provision of sheds suitable to accommodate cycles, although no such provision is shown on the planning layouts. This provision can be made in discharge of a condition of planning permission.

Travel Plans

At 57 residential dwellings this application falls below the threshold requiring its own Travel Plan. However, this application is part of the wider housing allocation on the site and it should come under the jurisdiction of the full site wide Residential Travel Plan.

Section 6 of the Transport Statement sets out current position of the full site wide Residential Travel Plan. However, given the length of time it has taken for the developer to produce the full site wide Residential Travel Plan a condition is required that does not allow occupation of this phase prior to the approval of the full site wide Residential Travel Plan.

Road Agreements

Phase 5D layout is acceptable as long as the refuse strategy assumes bins will be taken to the front of the plots for collection. The internal areas are not adequate for turning a refuse vehicle.

Phase 8C car park layout to the south of plots 410-427 is inadequate as there is no turning area for vehicles should the carpark be full. Vehicle tracking into and out of parking spaces is acceptable. However, it is not possible to see if the car park is full without entering it and if it is found to be full, there is no area for the vehicle to then turn and exit the car park in forward gear. **Reason for objection.**

Trenchard refuse vehicle tracking does not demonstrate how a refuse vehicle outside plot 31 will exit the site. It is not clear whether the vehicle will exit via the eastern section of Trenchard Circle which is not within the application boundary, or whether it will turn and exit via the western section of Trenchard Circle. The exit strategy needs to be demonstrated. **Reason for objection.**

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

£to be confirmed: Highway Works Contribution indexed from to be confirmed using Baxter Index

Towards

Mitigation of off-site highway impacts as identified in Transport Assessment of PV5 allocation and in ongoing analysis.

Justification

Mitigation of off-site highway impacts as identified in Transport Assessment of PV5 allocation and in ongoing analysis.

Calculation

Detailed costings from scaled drawings presented in Transport Assessment of PV5 allocation and resulting from ongoing analysis.

£to be confirmed: Public Transport Service Contribution indexed from July 2017 using RPI-x

Towards

Provision of new bus services linking the site to Oxford and Bicester, in accordance with the public transport strategy.

Cost of minibus service to Heyford station and/or around the flying field

Justification

To provide an acceptable public transport level of service to and from the site, offering a credible alternative choice of mode to the private car.

Calculation

Provision of new bus services is calculated on the cost of pump-priming five buses on a declining pump-priming basis over eight years, with the ninth year operating without financial support. This calculation is based on the current observation that one of the two buses currently operating on route 25 could be considered to be commercially viable, thus the net cost to the developer is calculated on this basis. See table below.

£to be confirmed: Public Transport Infrastructure Contribution indexed from July using Baxter Index.

Towards

Enhanced and new bus stops around the site.

Justification

To provide safe, comfortable and informed access to the public transport system serving the site.

Calculation

20 x Premium Route pole and flag units at £1052.80 each = £21,056;
12 x bus shelters at £8942.64 each = £107,311.68;
6 x bus shelter mounted realtime information signs at £4095.67 each = £24,574.02.
Total = £152,941.70.

£to be confirmed: Public Rights of Way Contribution indexed from to be confirmed using Baxter Index

Towards mitigation works to Oxford Canal towpath.

Justification

(a) necessary to make the proposed development acceptable in planning terms;
There is expected to be an increase in numbers of residents and visitors using the rights of way network around the site – simply due to the size of the development in a rural environment. These uses will create more use pressures on the rights of way network as well as traffic pressure on rights of way. In addition, the roads network is expected to see a significant increase in traffic volumes and speed for service traffic as well as residential, commercial and visitors. Measures proposed for the Oxford Canal

Towpath provides a means to mitigate these additional impacts alongside the consented development's contribution.

(b) directly related to the development;

The site has had a desk assessment to both assess the current situation and look at how public use could be protected and enhanced. With the development site at the centre, the logical and realistic public rights of way network likely to be affected is considered along with the range of measures needed to provide mitigation against the impacts of the development. In this case it is access to the surrounding countryside and key access roads serving the development that are the key drivers.

c) fairly and reasonably related in scale and kind to the development

The proposed measures are based on the desk assessment of likely costs for the measures. They are not based on a standard formula or any other kind of per-dwelling orer-m² tariff system. The proposed off-site measures are in the form of a reasonable financial contribution to allow the Canal and River Trust to plan and deliver improvements along with OCC in a reasonable time period and under the Rights of Way Management Plan aims. The contribution would be spent on repair and improvements to the Oxford Canal Towpath and connecting routes that give access to the development and Upper Heyford.

Calculation

Canal towpath works required to provide footway/cycleway link. This would take the form of a financial contribution towards mitigation measures on the towpath and access points from Bridge 204 (Allens Bridge) to Bridge 206a (Station Road Bridge). The towpath is coincidental with public footpath numbers 388/8, 364/10 and 289/12.

Works would cover approximately 2,150 metres of towpath and associated bank protection works based upon a 1.5m - 2.0m wide tar spray and chip towpath surface. Bank protection works will be included where necessary to address health and safety issues for increased usage of footway/cycleway between station and Upper Heyford.

Aggregated project costs of approximately **£400,000**. Estimated contribution breakdown by activity is as follows.

- site surveys, design & assessments 15%
- habitat survey & mitigation 5%
- Legal processes e.g. temporary works closures 5%
- Project/contract preparation & supervision 5%
- Materials, plant & equipment 60%
- Contingency/Follow-up repair works 10%

This is subject to further detailed costings assessment by Canal & River Trust and the County.

£ to be confirmed Travel Plan Monitoring Fee indexed from to be confirmed using RPI-x

Justification

To cover the cost to the County of monitoring progress of the various Travel Plans against their mode share targets to ensure that Travel Plans are either meeting targets or being adjusted to meet targets.

Calculation

The fees charged are for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site.

The work to be carried out by the monitoring officer is as follows.

- Review the survey data produced by the developer.
- Compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets.
- Agree any changes, updated actions, and future targets in an updated travel plan.

Three biennial monitoring and feedback procedures to be undertaken at years 1, 3 & 5 following first occupation would require an expected 51 hours of officer time at £40 per hour. Total £2,040.

S278 Highway Works

An obligation to enter into a S278 Agreement will be required to secure highway works as specified on the following drawings.

- Phase 5D: drawing No.0521-PH5C-5D-5(R)-107
- Phase 8C: no relevant drawing supplied with planning application documents
- Trenchard: drawing No.0521-TR-1007.

This is secured by means of S106 restriction not to implement development 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 planning permission is to be granted, the following transport related planning conditions should be attached.

D9 New estate roads.

D15 Parking and manoeuvring areas retained.

D19 Cycle parking provision.

The full site wide Residential Travel Plan is produced and approved by the local planning authority, and that a Travel Plan Statement setting out how this phase will contribute to the overall site wide Residential Travel Plan is approved by the local planning authority prior to the first occupation of any dwellings that are the subject of this planning application.

Informative

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.

Officer's Name: Chris Nichols

Officer's Title: Transport Development Control

Date: 12 July 2019

Application no: 19/00446/F

Location: Heyford Park Camp Road Upper Heyford Bicester

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Not demonstrated that proposals are in line with local and national SuDS Standards.
- Refers to an outdated Flood Risk Assessment.
- Overland surface water flood risk to Trenchard development area from northern carpark not investigated or addressed.

Detailed comments:

The proposals are based on a 2010 FRA for a previous application which is out of date. We require an updated drainage strategy in line with current standards.

The current proposals are not a sustainable drainage solution and do not comply with our published guidance the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”

There is identified surface water flood risk to the Trenchard development area from overland flow from the car park to the north of the development area. This risk needs to be understood and mitigated against if required to ensure flood risk isn't increased elsewhere as well as to the proposed dwellings.

Officer's Name: Richard Bennett

Officer's Title: Flood Risk Engineer

Date: 12 July 2019

Application no: 19/00446/F

Location: Heyford Park Camp Road Upper Heyford Bicester

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) |
|------------------------------|-----------------|-------------|--------|---|
| Primary & Nursery | £552,728 | 2Q17 | PUBSEC | A new 1.5 form entry primary school, including a 75 place nursery, within Heyford Park. |
| Secondary | £248,636 | 2Q17 | PUBSEC | Expansion of Heyford Park Free School's secondary phase, subject to the approval of the Regional Schools Commissioner; otherwise expansion of a secondary school in Bicester. |
| Land | £47,611 | 2Q17 | RPIX | 2.22 ha of land is required for a new primary school. A proportionate share of the cost of a 2.22ha site for the new primary school. |
| Total | £848,975 | 2Q17 | | |

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

£552,728 Primary and Nursery School Contribution indexed from 2Q2017 using PUBSEC Index

Towards:

A new 1.5 form entry primary school, including a 75 place nursery, within Heyford Park.

Justification:

The nearest primary school to the proposed development is Heyford Park Free School (an all-through school). Comparing current nursery and primary capacity at Heyford Park Free School with the total generation expected from all parcels of the Heyford Park development already shows a significant future deficit of provision. The increase in housing proposed in this application will further increase the deficit.

The necessary scale of additional provision for development at Heyford requires a new school. A new 1.5 form entry primary school is planned which will provide 75 nursery places and 315 primary places. This proposed development should contribute in a proportional manner towards the new school.

Paragraph 94 of the National Planning Policy Framework (NPPF), updated in February 2019, emphasises the importance of a sufficiency of choice of school places being available to meet the needs of existing and new communities, and also notes that this should include giving great weight to the need to create, expand or alter schools. The provision of a new school at Heyford Park would ensure that sufficient parental choice is available in the Upper Heyford area in relation to primary school places, in accordance with Paragraph 94 of the NPPF.

Calculation:

| | |
|---|-----------------|
| Estimated cost of a new 1.5 form entry primary school (315 pupils + 75 nursery pupils = 390 pupils in total) – excluding land costs | £9,666,414 |
| Estimated cost per pupil = £9,666,414 / 390 | £24,786 |
| Number of primary and nursery pupils expected to be generated | 22.3 |
| Required contribution = 22.3 * £24,786 | £552,728 |

£47,611 Primary Educational School Land Contribution indexed from March 2017 using RPIX Index

Towards:

Land purchase costs for the new primary school, including nursery, within the Heyford Park strategic development, which will serve this proposed development.

Justification:

As set out above, a new 1.5 form entry school is required to provide sufficient primary and nursery capacity for the Heyford area, including the needs generated by this proposed parcel of development. A 2.22ha site has been required from the site covered by 18/00825/HYBRID. All developments benefitting from this new site should pay proportionately towards the cost of the land required.

Calculation:

| | |
|---|----------------|
| Value of school land = 2.22ha * £375,000 per ha | £832,500 |
| Land value per pupil = £832,500 / 390 pupils | £2,135 |
| Number of primary and nursery pupils expected to be generated | 22.3 |
| Required contribution = 22.3 * £2,135 | £47,611 |

£248,636 Secondary School Contribution indexed from 2Q2017 using PUBSEC Index

Towards:

The creation of additional secondary school capacity through expansion of Heyford Park Free School

Justification:

The proposed development is served by Heyford Park Free School for secondary education, which is already close to full capacity for the 11-16 age range. As with primary provision, demand is expected to grow due to the large-scale development planned in Upper Heyford, resulting in the need for additional places. Comparing current secondary capacity at Heyford Park with the total generation expected from all parcels shows a deficit of provision, which would be exacerbated by this proposed increase in housing. It is therefore expected that Heyford Park Free School will need to expand in the long term in line with local population growth, and the proposed development would contribute towards the need for the expansion of secondary school capacity at this school.

Heyford Park Free School currently offers 60 Year 7 places each year, and is full or close to full across the year groups from Year 7 to Year 11, as demonstrated by the January 2019 pupil census.

| 7 | 8 | 9 | 10 | 11 |
|----------|----------|----------|-----------|-----------|
| 59 | 61 | 60 | 59 | 54 |

The Mid-Cherwell Neighbourhood Plan 2018-2031 recognises the need for expansion of Heyford Park Free School to provide sufficient places for children living both at Heyford Park and in the wider Neighbourhood area for which it is the closest school.

The need for developer contributions towards secondary school place provision at the Upper Heyford site is also noted in the Cherwell Local Plan 2011-2031.

Calculation:

| | |
|--|-----------------|
| Number of secondary pupils expected to be generated | 10.77 |
| Estimated cost per pupil of expanding a secondary school | £23,086 |
| Required contribution = 10.77 * £23,086 | £248,636 |

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.

| Contribution | Amount £ | Price base | Towards (details) |
|---------------------|-----------------|-------------------|--|
| SEN | £12,140 | 4Q14 | Projects to expand Bardwell School and increase SEN capacity |

Officer's Name: Joanne Booker

Officer's Title: School Organisation Officer

Date: 04 July 2019
