

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

**District:** West Oxfordshire

**Application no:** 22/03240/OUT

**Proposal:** Outline planning permission for the development of up to 140 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved.

**Location:** Land South Of Burford Road Minster Lovell

**Response Date:** 13th January 2023

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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 taken from the application form.

<b>Residential</b>	
1-bed dwellings	17
2-bed dwellings	48
3-bed dwellings	53
4-bed & larger dwellings	22

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	341.02
Nursery children (number of 2- and 3-year olds entitled to funded places)	9.36
Primary pupils	41.63
Secondary pupils including Sixth Form pupils	32.49
Special School pupils	0.85
65+ year olds	35.81

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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 outweigh OCC's objections, and to be given an opportunity to make further representations.

#### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

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

- **Index Linked** – in order to maintain the real value of S106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Administration and Monitoring Fee - £5,000**  
This is an estimate of the amount required to cover the monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether a S106 agreement is completed or not.

**Security of payment for deferred contributions** - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

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### **Transport Schedule**

**Recommendation:**

**Objection for the following reasons:**

- The Transport Assessment does not adequately assess the traffic impact of the development on key junctions in Witney, namely the B4047/A4095 roundabout and the A4095/High Street roundabout.
- The proposals do not provide a valid cycle link into Minster Lovell. The proposed pedestrian footpath should be made 3m wide to function as a shared pedestrian and cycle route.
- Clarity is required on the deliverability of the proposed pedestrian links into the Bovis Homes site. There doesn't appear to be adopted highway abutting the edge of the site, bringing these links into question.

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 and S38 agreement to mitigate the impact of the development plus planning conditions as detailed below.

**S106 Contributions**

<b>Contribution</b>	<b>Amount £</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Highway works			Baxter	
Public transport services	<b>£158,620</b>	<b>Dec 2021</b>	RPI-x	For maintenance and/or improvement of bus services in Minster Lovell, to ensure that a sustainable and effective level of public transport can be accessed from the development.
Public transport infrastructure ( <i>if not dealt with under <u>S278/S38</u> agreement</i> )	<b>£5000</b>	<b>Dec 2021</b>	Baxter	Committed sum for future management and maintenance of the bus shelter.

Traffic Reg Order ( <i>if not dealt with under S278/S38 agreement</i> )			<u>RPI</u> -x	
Travel Plan Monitoring	<b>£1558</b>	<b>Dec 2021</b>	RPI-x	To monitor the Travel Plan for a period of 5 years post occupation.
Public Rights of Way			Baxter	
<b>Total</b>	<b>£165,178</b>			

### **Comments:**

### **Introduction**

The proposals seek outline permission for 140 dwellings on the western boundary of Minster Lovell. Access is to be via a new bellmouth junction on Burford Road. Several pedestrian links are proposed to link the development with the Bovis Homes development east of the site and the wider village. A footpath is proposed along Burford Road linking the site to Minster Lovell.

### **Access arrangements**

The site will be accessed via a priority bellmouth junction on Burford Road. The applicant has demonstrated visibility splays measuring 2.4m x 180m. These splays are in excess of what is required based on 85th-percentile vehicle speeds observed at the site access of 59mph using MfS2 standards.

There is a 40mph speed limit posted at the western edge of the Bovis Homes site. This must be relocated to the western edge of the application site should planning permission be granted. This will require a TRO alteration and should be completed as part of the site access section 278 works.

### **Sustainable transport connectivity/transport sustainability**

The site isn't located in a sustainable location. Minster Lovell has limited bus services and a small range of key amenities. Improvements to the local bus network will be required to ensure the proposals are acceptable from a sustainability point of view, these will be outlined below.

Policy 2b of the LTCP states that “all new developments have safe and attractive walking and cycling connections to the site, include a connected attractive network for when people are walking and cycling within the development and that the internal

routes connect easily and conveniently to community facilities and the local cycle and walking network.”

The proposals do not provide a suitable cycle link into Minster Lovell. The applicant should widen the proposed pedestrian to 3m so it can serve as a shared use pedestrian and cycle path.

New pedestrian links are being provided to ensure the site is connected to the wider village area. These include connections into the Bovis Homes development east of the site and a 2.5m wide footpath along Burford road connecting the site to Minster Lovell

The Transport Assessment contains several errors with regard to bus provision in Minster Lovell:

- The nearest bus stops are at White Hall Cottages and the Horse & Radish on Burford Road – White Hall Cottages is less than 200m from the site access and the Horse & Radish is 500m (both stops are unmarked);
- Service 853 no longer exists and therefore there is no bus service to Gloucester, Cheltenham or Oxford; and
- Service 233 operates hourly from the above stops, but half-hourly from The White Hart bus stops referred to in the Transport Assessment, six days per week and there is an hourly service on Sundays.

The site is therefore closer to public transport services than stated in the Transport Assessment. The public transport services within walking distance of the proposals actually run at a lower frequency than stated.

Service 233 is financially supported by Oxfordshire County Council utilising developer contributions from several sites, including at Minster Lovell. Without additional contributions, the service would run approximately half as frequently during the day and there would be no Sunday service.

For this reason, OCC will request a fair and reasonable contribution towards enhanced public transport services in Minster Lovell.

To further support the 233 bus service, two new bus stops will be sought along Burford Road. A westbound stop along the length of the proposed new footpath and an eastbound stop supported by a shelter, hardstanding and dropped kerb crossing.

This new pair of bus stops would replace the unmarked pair at White Hall Cottages which would be inaccessible by footway from the development.

### **Public rights of way**

The proposals do not interact with the existing PRow network in a significant way.

## **Site layout**

The application is for all matters reserved except access and highway works. The site layout should conform to the standards set out in Oxfordshire County Council's Street Design Guide.

## **Car and cycle parking**

Any reserved matters application should provide car and cycle parking as laid out in Oxfordshire County Council's 2022 Parking Standards document.

## **Refuse collection**

The applicant has demonstrated vehicle tracking diagrams for a refuse vehicle entering and exiting the site. Should the proposals reach reserved matters stage, further vehicle tracking will be required for refuse vehicles and family cars to ensure an acceptable and safe internal layout.

## **Traffic impact**

The Transport Assessment has assessed three key junctions: the Burford Road site access, A40 / B4047 roundabout, B4047 / Brize Norton Road / Upper Crescent junction and Brize Norton/A40 sliproads.

The Decide and Provide approach was carefully considered when reviewing this Transport Assessment. Due to the size and location of the proposed site, additional traffic scenarios are unlikely to add value to the transport assessment process.

The Transport Assessment has adequately demonstrated that the proposals will not take any of these junctions over capacity.

According to the Transport Assessment, 52% of inbound and outbound trips will travel east into Witney. No junctions in this area have been assessed despite this considerable number of trips (30 and 29 respectively in the AM/PM peak).

The applicant must expand the assessment to the B4047/A4095 roundabout. Witney is known for having issues with traffic and it is highly likely that the proposals will worsen traffic conditions in Witney.

## **Travel Plan**

There are some issues with the Travel Plan that must be addressed, they are:

- The travel plan should be a 'Residential Travel Plan' not a 'Framework Travel Plan'. Please could this be amended.

- Information is required about the onsite infrastructure for pedestrians and cyclists.
- Paragraph 2.4.1 – What facilities are available at the closest bus stops? E.g., lighting, seating, shelter etc.
- Paragraph 2.5 – which part of the site were the distances recorded from?
- Paragraph 2.5.6 – if a new footpath is to be built for the journey to school, establishing a dialogue with the school to promote this would be beneficial.
- Are there any community transport services serving Minster Lovell that would be useful for residents?
- Paragraph 4.22 – please could a contact details for an interim TPC be provided. This is particularly useful for the Travel Plans Team to enable a monitoring dialogue to be established as soon as possible.
- What is the indicative budget for the TPC role?
- How long will the TPC role last and will the post be full or part time?
- Paragraph 6.3.2 – Year 1 targets are required.
- Will working from home targets be considered?
- Section 8 – The action plan is not substantial enough and does not include all the measures identified in section 5 e.g., establishment of a BUG.
- A sample residential survey is required.
- What are the barriers to the promotion of sustainable, active travel e.g., lack of a Sunday bus service?
- A commitment is required that the travel plan will be updated within 3 months of occupation of 50% of the site (70<sup>th</sup> dwelling) when adequate survey data is available.

**£158,620 Public Transport Service Contribution** indexed from Dec 2021 using RPI-x  
Towards:

These funds would be used for maintenance and/or improvement of bus services in Minster Lovell, to ensure that a sustainable and effective level of public transport can be accessed from the development.



**Justification:**

The development is in an unsustainable location with very limited public transport. For the development to be considered acceptable, public transport must be maintained at half hourly frequencies with Sunday service.

**Calculation:**

The County Council requests a standard contribution from developments along this bus corridor of £1,133 per dwelling for applications of this nature. For a development of 140 dwellings this would equate to **£158,620**, indexed to December 2021 and payable 50% on first occupation and 50% on first anniversary of first occupation.

**£5,000 Public Transport Infrastructure Contribution** indexed from Dec 2021 using Baxter Index

**Towards:**

A commuted sum for future management and maintenance of the bus shelter.

**Justification:**

The new bus shelter serving the eastbound bus service is necessary to provide a high-quality bus service that residents will be attracted to. The sum will be used to maintain the proposed bus shelter.

**Calculation:**

£5000 is our standard commuted sum request for new bus shelters and has been secured at many sites throughout the county.

**£1,558 Travel Plan Monitoring Fee** indexed from Dec 21 using RPI-x

**Justification:**

The travel plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car travel and so reducing the environmental impact and traffic congestion. A travel plan is required to make this development acceptable in planning terms.

A travel plan is a 'dynamic' document tailored to the needs of businesses and requires an iterative method of re-evaluation and amendment. The county council needs to carry out biennial monitoring over five years of the life of a Travel Plan which includes the following activities:

- review 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 in an updated actions or future targets in an updated travel plan.

Government guidance, 'Good Practice Guidance: Delivering Travel Plans through the Planning Process' states that: 'Monitoring and review are essential to ensure travel plan objectives are being achieved. Monitoring for individual sites should ensure that there is compliance with the plan, assess the effectiveness of the measures and provide opportunity for review.... Monitoring must be done over time – it requires action and resources.'

In accordance with this Guidance, it is the view of the county council that without monitoring the travel plan is likely to be ineffective. Therefore, monitoring of the travel plan is required to make the development acceptable in planning terms.

The government's Good Practice Guidance has been archived but has not been superseded with any other guidance on the practicalities of implementing travel plans. The county council's own published guidance: Transport for new developments; Transport Assessments and Travel Plans, also includes the requirement for monitoring.

Further, the Good Practice Guidance states that 'local authorities should consider charging for the monitoring process and publish any agreed fee scales'.

Section 93 of the Local Government Act 2003 gives the power to local authorities to charge for discretionary services. These are services that an authority has the power, but not a duty, to provide. The Travel Plan Monitoring fee is set to cover the estimated cost of carrying out the above activities and is published in the county council's guidance: 'Transport for new developments; Transport Assessments and Travel Plans'.

As with most non-statutory activities, councils seek to cover their costs as far as possible by way of fees. This is particularly required in the current climate of restricted budgets. Without the fees the council could not provide the resource to carry out the activity, as it is not possible to absorb the work into the general statutory workload. In the case of travel plan monitoring, the work is carried out by a small, dedicated Travel Plans team.

The travel plan monitoring fee is therefore required to make the development acceptable in planning terms, because it enables the monitoring to take place which is necessary to deliver an effective travel plan.

### **Calculation:**

The fee charged is for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site. They are based on an estimate of the officer time required to carry out the following activities:

- 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 in an updated actions or future targets in an updated travel plan.

Oxfordshire County Council guidance – ***Transport for new developments: Transport Assessments and Travel Plans*** sets out two levels of fees according to the size of the development. This development falls into the smaller category.

The figure for each travel plan is based on three monitoring and feedback stages (to be undertaken at years 1, 3 & 5 following first occupation), and assumes officer time at an hourly rate of £40. Please note that this is considered a fair rate, set to include staff salary and overheads alone.

### **S278 Highway Works:**

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

- The proposed 2.5m wide pedestrian footway linking the site access to Minster Lovell
- A westbound bus stop on Burford Road near the site access consisting of: Premium Route pole, flag and timetable case with clearway and SMS plates (details to be supplied by OCC at the appropriate time) and clearway bus stop markings on the road with a 13-metre cage.
- An eastbound bus stop on Burford Road near the site access consisting of: All items as per the westbound stop; plus Two bay shelter with seats (details to be supplied by OCC at the appropriate time) and a short section of hardstanding and footway with an informal dropped kerb crossing.
- The relocation of the existing 40mph speedlimit to the western boundary of the proposed site. This will require a TRO alteration and consultation.

### **Notes:**

This is to be 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.

### **Planning Conditions:**

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

**Access: Full Details**

Prior to first occupation of the development hereby approved, full details of the means of access between the land and the highway, the shared pedestrian & cycle path and bus stops, 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 - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

**Travel Plan and Travel Information Pack**

Prior to the first occupation of the development hereby approved, a Travel Plan and Travel Information Pack, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, 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 - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

**Construction Traffic Management Plan**

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include a commitment to deliveries only arriving at or leaving the site outside local peak traffic periods. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details;

- 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.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

**Officer's Name: Glenn Speakman**

**Officer's Title:** Area Liaison Officer

**Date:** 13/01/2023

**Application no: 22/03240/OUT**

**Location:** Land South Of Burford Road Minster Lovell

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- No drainage strategy report/drawing provided to demonstrate how the proposals will follow SuDS guidelines of discharging surface water.

### **Detailed comments:**

The [Sustainable Drainage Systems \(SuDS\) Policy](#), which came into force on the 6th April 2015 requires the use of sustainable drainage systems to manage runoff on all applications relating to major development. As well as dealing with surface water runoff, they are required to provide water quality, biodiversity and amenity benefits in line with National Guidance. The [Sustainable Drainage Systems \(SuDS\) Policy](#) also implemented changes to the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2010](#) to make the Lead Local Flood Authority (LLFA) a statutory Consultee for Major Applications in relation to surface water drainage. This was implemented in place of the SuDS Approval Bodies (SAB's) proposed in Schedule 3 of the Flood and Water Management Act 2010.

All full and outline planning applications for Major Development must be submitted with a Surface Water Management Strategy. A site-specific Flood Risk Assessment (FRA) is also required for developments of 1 hectare or greater in Flood Zone 1; all developments in Flood Zones 2 and 3 or in an area within Flood Zone 1 notified as having critical drainage problems; and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

Further information on flood risk in Oxfordshire, which includes access to view the existing fluvial and surface water flood maps, can be found on the [Oxfordshire flood tool kit](#) website. The site also includes specific flood risk information for developers and Planners.

The [National Planning Policy Framework \(NPPF\)](#), which was updated in July 2021 provides specific principles on flood risk (Section 14, from page 45). [National Planning Practice Guidance](#) (NPPG) provides further advice to ensure new development will come forward in line with the [NPPF](#).

Paragraph 159 states; *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”*

As stated in Paragraph 160 and 161 of the NPPF, we will expect a sequential approach to be used in areas known to be at risk now or in the future from any form of flooding.

The [Non-statutory technical Standards for sustainable drainage systems](#) were produced to provide initial principles to ensure developments provide SuDS in line with the NPPF and NPPG. Oxfordshire County Council have published the [“Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”](#) to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The SuDS philosophy and concepts within the Oxfordshire guidance are based upon and derived from the CIRIA [SuDS Manual \(C753\)](#), and we expect all development to come forward in line with these principles.

In line with the above guidance, surface water management must be considered from the beginning of the development planning process and throughout – influencing site layout and design. The proposed drainage solution should not be limited by the proposed site layout and design.

Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site. Therefore, we will expect existing drainage features on the site to be retained and they should be utilised and enhanced wherever possible.

Although we acknowledge it will be hard to determine all the detail of source control attenuation and conveyance features at an outline stage, we will expect the Surface Water Management Strategy to set parameters for each parcel/phase to ensure these are included when these parcels/phases come forward. Space must be made for shallow conveyance features throughout the site and by also retaining existing drainage features and flood flow routes, this will ensure that the existing drainage regime is maintained, and flood risk can be managed appropriately.

**Officer's Name: Kabier Salam**

**Officer's Title: LLFA Engineer**

**Date: 20/12/2022**

**Application no: 22/03240/OUT**

**Location:** Land South Of Burford Road Minster Lovell

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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 and nursery education</b>	<b>£ 792,876</b>	<b>327</b>	BCIS All-In TPI	Primary education capacity serving the development
<b>Secondary education</b>	<b>£ 831,744</b>	<b>327</b>	BCIS All-In TPI	Secondary education capacity serving the development
<b>Special education</b>	<b>£ 71,793</b>	<b>327</b>	BCIS All-In TPI	Special education capacity serving the development
<b>Total</b>	<b>£1,696,413</b>	<b>327</b>	BCIS All-In TPI	

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

**£792,876 Primary and Nursery School Contribution indexed from TPI = 327**

**Justification:**

The development falls within the designated area of St Kenelm's Church of England Primary School, which has a capacity of 140 pupils from Reception to Year 6. As of October 2022, there are 136 pupils on roll at the school, and by 2024 the school is forecast to be full. As a result there is not capacity at the school to accommodate the primary school age pupils that would be generated by this development. Expansion of primary capacity would therefore be required as a result of this development.



**Calculation:**

Number of primary pupils expected to be generated	42
Estimated per pupil cost of primary school (including nursery) expansion	£18,878
Pupils * cost = (42 * £18,878) =	<b>£ 792,876</b>

**£831,744 Secondary School Contribution indexed from TPI = 327****Justification:**

The Department for Education recently conducted a full assessment of the current accommodation of Burford School which identified its current capacity as sufficient for 1,434 pupils. As of the January 2022 pupil census the school had 1,470 pupils on roll, and is therefore already operating at above capacity.

The academy trust has a long-term site development plan for its accommodation and the county council seeks developer contributions towards capital investment to ensure the school has sufficient accommodation to meet the rising demand for secondary school places.

**Calculation:**

Number of secondary pupils expected to be generated	<b>32</b>
Estimated per pupil cost of secondary school expansion	<b>£25,992</b>
Pupils * cost =	<b>£831,744</b>

**£71,793 Special School Contribution indexed from TPI = 327****Justification:**

Government guidance is that local authorities should secure developer contributions for expansion to special education provision commensurate with the need arising from the development.

Approximately half of pupils with Education Needs & Disabilities (SEND) are educated in mainstream schools, in some cases supported by specialist resource bases, and approximately half attend special schools, some of which are run by the local authority and some of which are independent. Based on current pupil data, approximately 0.9% of primary pupil attend special school, 2.1% of secondary pupils and 1.5% of sixth form

pupils. These percentages are deducted from the mainstream pupil contributions referred to above, and generate the number of pupils expected to require education at a special school.

The county council's Special Educational Needs & Disability Sufficiency of Places Strategy is available at

<https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places> and sets out how Oxfordshire already needs more special school places.

This is being achieved through a mixture of new schools and expansions of existing schools.

The proposed development is expected to further increase demand for special education in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data. Analysis is underway into how the nearest special school to this development, Springfield School in Witney, could be expanded.

**Calculation:**

Number of pupils requiring education at a special school expected to be generated	0.8
Per pupil cost of expanding a special school	£89,741
Pupils * cost =	<b>£71,793</b>

The above contributions are based on a SHMA-compliant unit mix of:

17 x 1 bed dwellings  
48 x 2 bed dwellings  
53 x 3 bed dwellings  
22 x 4 bed dwellings

It is noted that the application is outline and therefore the above level of contributions would be subject to amendment, should the final unit mix result in an increase in pupil generation.

**Officer's Name: Louise Heavey**

**Officer's Title:** Access to Learning Information Analyst

**Date:** 20/12/2022

**Application no: 22/03240/OUT**

**Location:** Land South Of Burford Road Minster Lovell

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## **Archaeology**

### **Recommendation:**

Comments

### **Key issues:**

See below

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

### **Conditions:**

### **Informatives:**

### **Detailed comments:**

The site is located in an area of archaeological interest and in line with paragraph 194 of the National Planning Policy Framework (2021) and archaeological desk-based assessment will need to be submitted along with this application. The applicant has submitted a heritage and archaeological assessment, but this has omitted a range of resources that should have been included.

Whilst this has reproduced the HER data it has not attempted to include any further data. This assessment was also not undertaken in line with the Chartered Institute for Archaeology's standards and guidance and no attempt was made to agree a written scheme setting out the methodology and sources that would be consulted and included as required by this standard. Aerial photographs have not been appropriately assessed and seems to rely solely on online resources such as Google Earth. Such online datasets cannot be considered as a reliable source of information about the historic environment and the photographic collection held by Historic England should have been consulted. Archaeological sites identified from aerial photographs within the vicinity of the site, and within the study area of this assessment, have been identified from photographs held by this collection but have not been mentioned in this assessment.

This assessment also omits any consideration of Historic Landscape Characterisation data or Lidar data. Both of these sources are freely available online and the HLC data was provided to the applicant's archaeological consultant as part of the HER data they were supplied. This assessment therefore does not contain an appropriate archaeological assessment of the site or study area.

A geophysical survey has been undertaken which has identified a number of possible archaeological features on the site. Such survey alone however does not provide any information on the date and survival of such features which is essential in understanding their significance. Geophysical survey alone can also not be relied upon to have identified all archaeological deposits on a site and therefore the results of such surveys need to be tested through field evaluation. In this instance we are aware that a modern service run crosses the site which has not been identified by this survey. It is therefore possible that archaeological features may survive on the site which have also not been identified by this survey.

An archaeological desk-based assessment will therefore need to be submitted with this application site in line with the National Planning Policy Framework (NPPF 2021) paragraph 194. This assessment will 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 programme of archaeological field evaluation will be required ahead of the determination of any planning application for the site. This investigation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

**Officer's Name: Richard Oram**  
**Officer's Title: Archaeology Lead**  
**Date: 05/12/2022**

Application no: 22/03240/OUT

Location: Land South Of Burford Road Minster Lovell

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## **Waste Management**

### **Recommendation:**

No objection subject to S106 contributions

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

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

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

<b>Contribution</b>	<b>Amount</b>	<b>Price base</b>	<b>Index</b>	<b>Towards (details)</b>
Household Waste Recycling Centres	<b>£13,154</b>	327	BCIS All-In TPI	Expansion and efficiency of Household Waste Recycling Centres (HWRC)

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

**£13,154** Household Waste Recycling Centre Contribution indexed from Index Value 327 using BCIS All-in Tender Price Index

#### **Towards:**

The expansion and efficiency of Household Waste Recycling Centre (HWRC) capacity.

#### **Justification:**

1. Oxfordshire County Council, as a Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to arrange:

*“for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”;*

*and that*

*“(a) each place is situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;*

*(b) each place is available for the deposit of waste at all reasonable times (including at least one period on the Saturday or following day of each week except a week in which the Saturday is 25<sup>th</sup> December or 1<sup>st</sup> January);*

*(c) each place is available for the deposit of waste free of charge by persons resident in the area;”.*

2. Such places are known as Household Waste Recycling Centres (HWRCs) and Oxfordshire County Council provides seven HWRCs throughout the County. This network of sites is no longer fit for purpose and is over capacity.
3. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently ‘over capacity’ (meaning residents need to queue before they are able to deposit materials) at peak times, and many sites are nearing capacity during off peak times. The proposed development will provide 140 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 560 HWRC visits per year.
4. Congestion on site can reduce recycling as residents who have already queued to enter are less willing to take the time necessary to sort materials into the correct bin. Reduced recycling leads to higher costs and an adverse impact on the environment. As all sites are currently over capacity, population growth linked to new housing developments will increase the pressure on the sites.
5. The Waste Regulations (England and Wales) 2011 require that waste is dealt with according to the waste hierarchy. The County Council provides a large number of appropriate containers and storage areas at HWRCs to maximise the amount of waste reused or recycled that is delivered by local residents. However, to manage the waste appropriately this requires more space and infrastructure meaning the pressures of new developments are increasingly felt. Combined with the complex and varied nature of materials delivered to site it will become increasingly difficult over time to comply with the EU Waste Framework Directive 2008, enacted through the Waste Regulations (England and Wales) 2011 (as amended), maintain performance and a good level of service especially at busy and peak times.

**Calculation:**

Space at HWRC required per dwelling (m <sup>2</sup> )	0.18	Current land available 41,000m <sup>2</sup> , needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%. Therefore, total land required for current dwellings (300,090) is 55,350 m <sup>2</sup> , or 0.18m <sup>2</sup> per dwelling
Infrastructure cost per m <sup>2</sup>	£275	Kidlington build cost/m <sup>2</sup> indexed to 327 BCIS
Land cost per m <sup>2</sup>	£247	Senior Estates Surveyor valuation
Total land and infrastructure cost /m <sup>2</sup>	<b>£522</b>	
Cost/dwelling	£93.96	
No of dwellings in the development	<b>140</b>	
Total contributions requested	<b>£13,154</b>	

**Detailed comments:**

Oxfordshire councils have ambitious targets to reduce the amount of waste generated and increase the amount recycled as demonstrated in our Joint Municipal Waste Management Strategy 2018-2023. Enabling residents of new dwellings to fully participate in district council waste and recycling collections is vital to allow Oxfordshire's high recycling rates to be maintained and reduce the amount of non-recyclable waste generated.

Given the pressing urgency of climate change and the need to embed the principles of the circular economy into all areas of our society, we encourage the applicant to consider including community spaces that help reduce waste and build community cohesion through assets such as community fridges, space for the sharing economy (library of things), refill stations, space for local food growing etc.

At the detailed application stage, we expect to see plans for how the developer will design the development in accordance with waste management policies in West Oxfordshire District Council's waste planning guidance.

Bin storage areas must be able to accommodate the correct number of mixed recycling, refuse and food recycling bins; be safe and easy to use for residents and waste collection crews and meet the requirements of the waste collection authority.

The development will increase domestic waste arisings and the demand for all waste management services including Household Waste Recycling Centres (HWRCs).

**Conditions:**

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

N/A

**Officer's Name:** Mark Watson

**Officer's Title:** Waste Strategy Projects Officer

**Date:** 06/12/2022