

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: 16th February 2023

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 mix.

Residential	
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+ ear 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) 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 - TBC**
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:

OCC have been reconsulted on these proposals. There have been no material alterations that would affect the local highway network. OCC therefore confirm our previous objection to these proposals. Refer to our previous response for a detailed explanation.

Officer's Name: Glenn Speakman

Officer's Title: Area Liaison Officer

Date: 27/01/2023

Application no: 22/03240/OUT

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Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Provide catchment areas which has been used to calculate the attenuation volumes.
- Clarify the phasing of the development.
- Provide attenuation volumes and discharge rates on the drainage plan.

Detailed comments:

Provide catchment areas, demonstrating the percentage build up that has been assumed for the impermeable areas and also state the final area with additional 10% urban creep.

Should the site consist of more than one phase, then a phasing plan needs to be provided. Each phase should have adequate SuDS features to discharge surface water to mitigate flood risk.

Provide attenuation volumes and discharge rates on the drainage plan.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 02/02/2023

Application no: 22/03240/OUT

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Education Schedule

There are no changes to contributions as a result of the amendment; data has been restated for clarity and updated where relevant.

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

£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 October 2022 pupil census the school had 1,494 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	32
Estimated per pupil cost of secondary school expansion	£25,992
Pupils * cost =	£831,744

£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 =	£71,793

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: 30/01/2023