

Committee: Executive
Date: Monday 6 November 2017
Time: 6.30 pm
Venue: Bodicote House, Bodicote, Banbury, OX15 4AA

Membership

Councillor Barry Wood (Chairman)	Councillor G A Reynolds (Vice-Chairman)
Councillor Colin Clarke	Councillor John Donaldson
Councillor Tony Ilott	Councillor Mike Kerford-Byrnes
Councillor Kieron Mallon	Councillor Richard Mould
Councillor D M Pickford	Councillor Lynn Pratt

AGENDA

1. **Apologies for Absence**

2. **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. **Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

4. **Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. **Minutes** (Pages 1 - 8)

To confirm as a correct record the Minutes of the meeting held on 2 October 2017.

6. Chairman's Announcements

To receive communications from the Chairman.

7. Local Development Scheme (Pages 9 - 26)

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek approval of an updated Local Development Scheme (LDS) for the production of the Council's planning policy documents.

Recommendations

The Executive is recommended:

- 1.1 To approve the updated Local Development Scheme (LDS) presented at Appendix 1.

8. Developer Contributions: Supplementary Planning Document (SPD) (Pages 27 - 168)

Report of Head of Strategic Planning and the Economy

Purpose of report

To seek Member endorsement for a four week public consultation on a Draft Developer Contributions Supplementary Planning Document (SPD).

Recommendations

The Executive is recommended:

- 1.1 To approve the Draft Developer Contributions SPD (Appendices 1 and 2) for a four week public consultation.
- 1.2 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the Draft Developer Contributions SPD (Appendices 1 and 2) before formal consultation commences.

9. Cherwell Design Guide: Supplementary Planning Document (Pages 169 - 176)

** Due to the size of the document, the appendix to this report will be published as a supplement to the main agenda **

Report of Head of Development Management

Purpose of report

To seek Member endorsement to consult the public for four weeks on the Cherwell Design Guide, Supplementary Planning Document (SPD), Masterplanning and architectural guidance for residential development (Design Guide)

The Cherwell Design Guide SPD forms part of the Council's Local Development Framework and its content will be subject to one formal consultation.

Recommendations

The Executive is recommended:

- 1.1 To approve the Draft Cherwell Design Guide SPD (Design Guide), for a four week public consultation.
- 1.2 To authorise the Head of Development Management to make any necessary minor and presentational changes to the Design Guide before formal consultation commences.

10. Amendments to Graven Hill Phase 1 Local Development Order (Revision) 2017 (Pages 177 - 202)

Report of Head of Development Management

Purpose of report

To inform Executive of the proposed revisions to the adopted Graven Hill Phase 1 Local Development Order (Revision) 2017 and;

To seek authority from Executive to adopt the draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017 as set out in this report, in agreement with the Lead Member, following the expiry of the required consultation period and subject to no new material objections being received after the date of Executive and up to the end of the consultation period.

Recommendations

The Executive is recommended:

- 1.1 To note the proposed revisions to the Graven Hill Phase 1 Local Development Order (Revision) 2017.
- 1.2 To note the draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017 (Appendix A).
- 1.3 To note the consultation process currently being undertaken in respect of the draft LDO (Second Revision) 2017 and comments raised to date.
- 1.4 To note the requirement to notify the Secretary of State of a decision to adopt a LDO as soon as practicable, and no later than 28 days after the Local Planning Authority has adopted the Order.

- 1.5 To agree to adopt the draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017 following the expiry of the consultation period and subject to no new material objections being received.

11. Approval of Delegation - Management Restructure (Pages 203 - 206)

Report of Chief Executive

Purpose of report

To delegate the approval of the financial implications of management restructure business cases to the Joint Commissioning Committee.

Recommendations

The meeting is recommended:

- 1.1 To agree to delegate the approval of the financial implications of management restructure business cases to the Joint Commissioning Committee, subject to a similar decision being made by South Northamptonshire Council.

12. Fleet and Vehicle Replacement Strategy (Pages 207 - 224)

Report of Head of Environmental Services

Purpose of report

To update the Executive on the operation of the Council vehicle fleet and to consider a vehicle replacement strategy to reduce whole life costs, develop income and minimise environmental impact through the introduction of telematics to reduce fuel usage and a move away from a purely diesel powered vehicle fleet.

Recommendations

The Executive is recommended to:

- 1.1 To approve the Fleet and Vehicle Replacement Strategy as attached at Appendix 1.
- 1.2 To support the introduction of telematics to reduce fuel usage.
- 1.3 To support the move away from a purely diesel powered vehicle fleet.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This agenda constitutes the 5 day notice required by Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the intention to consider an item of business in private.

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Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

Yvonne Rees
Chief Executive

Published on Friday 27 October 2017

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Cherwell District Council

Executive

Minutes of a meeting of the Executive held at Bodicote House, Bodicote, Banbury, OX15 4AA, on 2 October 2017 at 6.30 pm

Present: Councillor Barry Wood (Chairman), Leader of the Council
Councillor G A Reynolds (Vice-Chairman), Deputy Leader of the Council

Councillor Colin Clarke, Lead Member for Planning
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Financial Management
Councillor Mike Kerford-Byrnes, Lead Member for Change Management, Joint Working and IT
Councillor Richard Mould, Lead Member for Performance
Councillor Lynn Pratt, Lead Member for Estates and the Economy

Also Present: Councillor Sean Woodcock, Leader of the Labour Group
Councillor Maurice Billington, Ward Member for Kidlington East, for agenda item 9

Apologies for absence: Councillor Kieron Mallon, Lead Member for Public Protection and Community Services
Councillor D M Pickford, Lead Member for Clean and Green

Officers: Yvonne Rees, Chief Executive
Scott Barnes, Director of Strategy and Commissioning
Ian Davies, Director of Operational Delivery
Paul Sutton, Chief Finance Officer / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy
James Doble, Interim Assistant Director Transformational Governance / Monitoring Officer
Natasha Clark, Interim Democratic and Elections Manager

52 **Declarations of Interest**

There were no declarations of interest.

53 **Petitions and Requests to Address the Meeting**

There were no petitions. The Chairman advised that he had agreed to a request from Councillor Maurice Billington, ward member for Kidlington East, to address the meeting in relation to agenda item 9: Loan for a Replacement

Kidlington Girl Guides Building. Councillor Billington would be called upon to speak at the agenda item.

54 **Urgent Business**

There were no items of urgent business.

55 **Minutes**

The minutes of the meeting held on 4 September 2017 were agreed as a correct record and signed by the Chairman.

56 **Chairman's Announcements**

There were no Chairman's announcements.

57 **Formal Notification of Banbury Business Improvement District (BID) Business Plan and Related Decisions**

The Head of Strategic Planning and the Economy submitted a report to provide an update on progress to establish the creation of Banbury Business Improvement District (BID) and to delegate authority to the Director – Strategy and Commissioning to cast a positive vote in favour of creating a BID for Banbury in the ballot in relation to the Council's eligible property (hereditaments)

The report also sought the endorsement of the Executive for a recommendation to Council to approve, subject to a positive ballot, the council subsidising part of the annual costs of collecting the Levy on behalf of the BID within a budget ceiling for a maximum five year period, to provide a bridging loan to the BID to support its establishment and for repayment within a three year period .

Resolved

- (1) That authority be delegated to the Director – Strategy & Commissioning to vote in favour of the BID at the Ballot on behalf of all Council-owned hereditaments.
- (2) That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to meet the actual one-off capital cost, estimated to be £20,000 to create the necessary collection system.
- (3) That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to subsidise a

proportion of the annual revenue costs to collect the BID levy for a maximum period of five years of £9,000 a year.

- (4) That, subject to a positive 'yes' ballot of businesses and approval of budgets by Full Council, authority be delegated to the Chief Finance Officer in consultation with the relevant Lead Member to provide a bridging loan of up to £50,000 to the Banbury BID to cover the set-up, operational and project costs in its start-up phase to be entirely repaid to the Council within three years. The loan would be subject to an appropriate legal agreement being entered into to govern the drawdown loan facility and all financial requirements being satisfied.

Reasons

The BID proposal for Banbury has progressed to timetable and has published its five year business plan as a basis for a ballot to be held on 14 November 2017.

Subject to a positive 'yes' vote, the BID will become operational from April 2018. Following the recommendations set out in the report, the Council will prepare its systems to collect the Levy and work with the BID to establish itself to contribute to the mutual objective of adding economic 'vitality' to central Banbury.

The recommendations of the report concern the amount of financial support to provide in the forms of a loan and annual subsidy. The recommendations also seek delegation of decisions within previously approved budgets and approval for officers to cast a positive 'yes' vote on behalf of the Council to support the establishment of the Banbury BID for each of its hereditaments with the BID area.

Alternative options

Alternative Options:

- To reduce or remove financial support in providing the bridging loan and/or subsidising the levy collection.
- To vote against the creation of a BID in the ballot via the Council's 15 eligible hereditaments

The above options are not recommended because:

- The development of the Banbury BID and its draft business plan reflect the support and guidance provided by Cherwell District Council to date.
- The establishment of the Banbury BID and the implementation of the business plan have been designed to strengthen the 'economic vitality' of the town centre.
- The draft business plan is sensitive to the costs of levy collection and aims to be set at the level set in other BIDs to reduce the risk of a 'no' vote.
- Without the proposed bridging loan the BID would be delayed in its creation and therefore in its delivery of action to strengthen the 'economic vitality' of the town centre.

- It would forgo the opportunity to support a project that has been led by the businesses of Banbury which has the potential to draw additional resources to actions to promote the town to the benefit of the town and its business community.

58

Results of the Residents' Satisfaction Survey 2017

The Director – Strategy and Commissioning submitted a report which provided a summary of the key messages from the Annual Residents' Satisfaction Survey which was undertaken between 8 May and 16 June 2017. The report also outlined recommended actions to further develop the Annual Residents' Satisfaction Survey as an integral part of CDC's consultation with residents.

Resolved

- (1) That the contents of the report and appendices be noted.
- (2) That the appropriate results be used as part of the annual Business Planning objectives and targets setting for 2018/19.
- (3) That it be agreed that the 2017 results be used for future target setting and benchmarking.

Reasons

The annual residents' satisfaction survey is a core method of getting feedback from our residents. By reviewing the question base to align it with key service requirements for customer opinion and also the aims and priorities of the Corporate Business Plan, the Council will improve the quality of information received and the decisions that are made based on feedback and satisfaction data. A more concise survey may also improve response rates.

The service specific deep dives, coordinated by the Strategic Insight and Intelligence team, will enrich the council with more detailed customer feedback and insight enabling evidence-based decision making within the business planning process.

Alternative options

Not linking into the approved Consultation strategy and not following the actions would result in less information/feedback about our customers.

The improved respondent base has illustrated improvement in some areas and areas that require further delving into which is part of the Strategic Insight and Intelligence team remit. Reverting to a more select group of respondents could potentially mask issues.

59

Loan for a Replacement Kidlington Girl Guides Building

The Director of Operational Delivery submitted a report to consider a loan to Kidlington Girl Guides to enable them to replace their current old and poor quality building.

Councillor Billington, local ward member for Kidlington East, addressed the Executive and thanked the Executive for their consideration and support of this matter on behalf of Kidlington Girl Guides.

Resolved

- (1) That, subject to the approval of budgets by Full Council, a low interest loan of up to £100,000 to Kidlington Girl Guides for a replacement guide building be approved.

Reasons

The Council does not have a grant scheme or budget which it can apply in these circumstances and therefore a loan is an appropriate means of funding consideration. Officers have adopted a number of criteria to apply in such circumstances which have been met by the Kidlington Girl Guides and hence it is recommended that a loan of up to £100,000 be offered to allow them to complete their new building.

Alternative options

Option 1: To offer a grant to KGG instead of the requested loan. This is not proposed as the Council does not have a grant scheme for this initiative.

Option 2: To offer only the £80k loan requested. This is not proposed as officers feel that the project does not have sufficient construction contingency.

60 Exclusion of the Press and Public

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the ground that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part 1, Paragraph 3 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

61 The Hill Youth and Community Centre

The Chief Finance Officer submitted an exempt report which provided an update on The Hill Youth and Community Centre.

Resolved

- (1) That the contents of the report and the financial implications for the Council be noted.
- (2) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes

Alternative options

As set out in the exempt minutes

62

Budget Strategy 2018/19 and Beyond

The Chief Executive submitted an exempt report to inform Executive of the service and financial planning process for 2018/19, the 2018/19 budget strategy and the budget guidelines for service managers to enable the production of the 2018/19 budget.

Resolved

- (1) That the contents of the report be noted.
- (2) That the overall 2018/19 budget strategy and service and financial planning process be agreed.
- (3) That, having given due consideration, the proposed budget guidelines and timetable for the 2018/19 budget process (exempt annexes to the Minutes as set out in the Minute Book) be agreed.

Reasons

The Council needs to set guidelines and a timetable for the preparation of draft estimates for 2018/19. These guidelines should support the objectives contained in the Council's Business Plan, Service Plans and enable an update to the medium term revenue plan.

The focus of the budget process has always been the forthcoming financial year, with subsequent years covered in less detail in the Medium Term Financial Plan.

Alternative options

Option 1: To disagree with the recommendations. This option has been rejected as it will lead to a delay in the formulation of a detailed budget for 2018/19.

Chairman:

Date:

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Cherwell District Council

Executive

6 November 2017

Local Development Scheme

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek approval of an updated Local Development Scheme (LDS) for the production of the Council's planning policy documents.

1.0 Recommendations

The Executive is recommended:

- 1.1 To approve the updated Local Development Scheme (LDS) presented at Appendix 1.

2.0 Introduction

2.1 The Local Development Scheme (LDS) is a rolling business plan for the Local Planning Authority that sets out the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that the Council prepares and maintains an LDS.

2.2 The LDS must specify:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

- 2.3 Development Plan Documents must be prepared in accordance with the LDS and this must be demonstrated at public examinations. The LDS will be used by officers, consultees, developers, agents and the public in determining when planning policy documents are likely to be produced by the Council and when key stages of consultation can be expected. Implementation of the LDS is monitored through the Annual Monitoring Report process and the LDS is periodically reviewed if there are significant changes in circumstances.
- 2.4 A new LDS is presented at Appendix 1 for approval. It revises that approved by the Executive on 3 April 2017. The LDS has been updated to take account of: progress in preparing both a Partial Review of Local Plan Part 1 (to contribute in meeting Oxford's unmet housing needs); consequential delay to the preparation of a Local Plan Part 2 (Development Management policies and non-strategic sites); a review of the work required to complete those projects; the updated position in completing and preparing Supplementary Planning Documents; and, the Government's on-going review of the operation of the Community Infrastructure Levy.
- 2.5 Implementation of the LDS is led by the Planning Policy and Growth Strategy team which is responsible for meeting statutory obligations and ensuring consistency of the programme and the planning documents with national obligations and, where relevant, conformity with the adopted Local Plan Part 1.
- 2.6 Potential changes to plan-making legislation and national planning policy have been highlighted in the housing White Paper '*Fixing our Broken Housing Market*' (February 2017) and the consultation paper '*Planning for the right homes in the right places*' (September 2017). The Government has also stated that it will publish revisions to the National Planning Policy Framework in Spring 2018. Consequently, the LDS will need to be kept under review and a further update may be required in Spring/Summer 2018.

3.0 Report Details

- 3.1 An updated Local Development Scheme (LDS) is presented at Appendix 1.
- 3.2 The LDS highlights that the Council's key planning policy documents will be as follows:
- Cherwell Local Plan 2011-2031 (Part 1) – complete and adopted by the Council on 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016). This comprises the main strategy document containing strategic development sites and policies and forms part of the statutory Development Plan.
 - Partial Review of Cherwell Local Plan 2011-2031 (Part 1) - under preparation. Consultation took place on an Issues Paper from 29 January 2016 to 11 March 2016, on an Options Paper from 14 November 2016 to 9 January 2017 and on a Proposed Submission Document from 17 July to 10 October 2017. The Partial Review will contain a supplemental planning strategy and strategic development sites in order for the district to contribute in meeting the identified unmet housing needs of Oxford City. Upon adoption by the Council it will become part of the statutory Development Plan.

- Cherwell Local Plan 2011 – 2031 (Part 2): Development Management Policies and Sites – under preparation. A preliminary scoping consultation was undertaken in May 2015. Consultation took place on an Issues Paper from 29 January 2016 to 11 March 2016. Local Plan Part 2 will contain detailed planning policies for considering planning applications and non-strategic site allocations. Upon adoption by the Council it will become part of the statutory Development Plan.
- Adopted Policies Map – a map of Cherwell which illustrates geographically the application of the policies in the adopted Development Plan. An Interactive Adopted Policies Map is available on-line.
- Supplementary Planning Documents (SPDs) – some have been completed and some are in preparation or awaiting preparation. SPDs build upon and provide further detail to policies in Development Plan Documents. They are statutory documents but do not form part of the Development Plan. The content of SPDs must follow and not conflict with the adopted Local Plan. The following SPDs have been, are being, or will be prepared:
 - North West Bicester SPD – adopted on 22 February 2016
 - Banbury Masterplan SPD – adopted on 19 December 2016
 - Kidlington Masterplan SPD – adopted on 19 December 2016
 - Developer Contributions SPD – under preparation
 - Bicester Masterplan SPD – under preparation
 - Banbury Canalside SPD - under preparation
 - Cherwell Design Guide – under preparation
 - Bolton Road Development Area, Banbury SPD – on hold
 - Sustainable Buildings in Cherwell SPD – to be prepared

3.3 Additionally, Annual (or Authorities) Monitoring Reports (AMRs) are produced each year to monitor progress in producing Local Development Documents and the implementation of policies. The 2016 AMR was approved by the Executive on 6 March 2017. The 2017 AMR is in preparation.

3.4 A Statement of Community Involvement (SCI) is also produced to set out how communities and stakeholders can expect to be engaged in the preparation of planning documents and in the consideration of planning applications. The latest SCI was adopted by the Council on 18 July 2016.

3.5 The main changes in the proposed LDS (Appendix 1), compared to that approved by the Executive in April 2017, are as follows:

- i. A review of the timetable for completion of the Partial Review of Local Plan Part 1 (Oxford's unmet housing needs). The Partial Review is being prepared to meet the commitment in the adopted Cherwell Local Plan 2011-2031 to complete the review within two years of adoption of Local Plan Part 1 (from July 2015). The April 2017 LDS provided for consultation on a Proposed Submission document in April/May 2017 thereby enabling submission to the Secretary of State for examination in June 2017.

However, due to unforeseen workloads and delay resulting from the General Election, consultation did not commence until July 2017. The consultation period was also extended by an additional 6 weeks to 10 October 2017.

Representations received are now being considered and a report will be presented to Members early in February 2018. The LDS has been updated to reflect this and the earliest possible submission date for Examination - March 2018. If major changes were necessary which required further consultation, a further updating of the LDS would be required.

- ii. A review of the timetable for the completion of Local Plan Part 2 (Development Management Policies and Sites). The last LDS provided for a consultation on options in September/October 2017. It was not possible to do this while work continued on the Partial Review of the Local Plan. Consequently, the updated LDS now provides for work continuing as soon as possible in 2018 with the intention of consulting on options from July to August 2018. This allows for the expectation that the public hearings for the Partial Review of the Local Plan will take place in June and July 2018.
- iii. The advanced stage of work on a potential Community Infrastructure Levy (CIL) Charging Schedule remains on hold. CIL comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. Work commenced in February 2015 and consultation on a preliminary charging schedule was undertaken from 12 February to 25 March 2016. A draft charging schedule was consulted upon from 14 November 2016 to 9 January 2017.

On 7 February 2017, the Government published the housing White Paper '*Fixing our Broken Housing Market*' in which it was announced, "*The Government will examine the options for reforming the system of developer contributions including ensuring direct benefit for communities, and will respond to the independent review and make an announcement at Autumn Budget 2017*" (para. 2.29).

The independent review '*A New Approach to Developer Contributions*' (October 2016) has been published and includes a recommendation that the Government should replace the Community Infrastructure Levy with a twin-track system of a new low level tariff (a Local Infrastructure Tariff), combined with Section 106 agreements for larger sites, that "*...captures the best of both worlds, optimises the contributions from those smaller sites which may not otherwise be contributing in a Section 106 system and also ensures the more substantial infrastructure needs of larger developments are met in a timely manner by those best placed to do so*" (CIL Review Report, para. 4.3.1).

This recommendation and other potential changes mean work on a potential CIL remains on hold until there is more certainty about future changes to legislation and Government policy. It also means that a further round of consultation on the draft Developer Contributions Supplementary Planning Document is required.

- iv. updating to reflect progress by the Head of Development Management's Design and Conservation Team in preparing the Cherwell Design Guide Supplementary Planning Document.
- v. updating of the programmes for other Supplementary Planning Documents, particularly the timetable for the completion of the Bicester Masterplan and the Banbury Canalside and Bolton Road SPDs.

- 3.6 The LDS provides a programme schedule for each project providing the geographical area affected by the document, the status of the document, the timetable for production, a brief summary of the management arrangements and service resource and the monitoring and review mechanism. Each project sits within the growth framework set by the adopted Local Plan Part 1.
- 3.7 The Government has highlighted potential changes to the planning system in the housing White Paper '*Fixing our Broken Housing Market*' (February 2017) and in the consultation paper '*Planning for the right homes in the right places*' (September 2017). The Government has also stated that it will publish revisions to the National Planning Policy Framework in Spring 2018. Consequently, the LDS will need to be kept under review and a further update may be required in Spring/Summer 2018.

4.0 Conclusion and Reasons for Recommendations

- 4.1 An updated Local Development Scheme (LDS) has been prepared. It provides a programme for the preparation of the Council's key planning policy documents that will be relevant to future planning decisions and, where applicable, the public examination of those documents. The Council has a statutory responsibility to prepare and maintain an LDS. The LDS will be used by officers, the public, partners, developers and other stakeholders to monitor the production of documents to plan for associated consultations. Approval of the LDS is needed to assist project management and ensure that the Council meets its statutory responsibilities for plan-making.

5.0 Consultation

Internal briefing: Councillor Colin Clarke, Lead Member for Planning

6.0 Alternative Options and Reasons for Rejection

- 6.1 Not to approve the LDS

The Council has a statutory responsibility to maintain an LDS. Not to approve the LDS could undermine the confidence of the public and stakeholders about the Council's plan-making programme. The LDS would need to be re-presented to the Executive at a future meeting or to the Lead Member for Planning.

- 6.2 To reconsider the content of the LDS

The LDS has been prepared having regard to the Council's statutory responsibilities and current resources. It is considered by officers to be appropriate for the present and foreseeable circumstances.

7.0 Implications

Financial and Resource Implications

- 7.1 The work arising from the LDS is to be met within existing budgets.

Comments checked by: Paul Sutton, Chief Finance Officer, 03000 030106
Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 The preparation of the LDS is a statutory requirement.

Comments checked by: Nigel Bell, Interim Legal Services Manager, 01295 221687
Nigel.Bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision:

Financial Threshold Met: No
Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

Accessible, Value for Money Council
District of Opportunity
Safe and Healthy
Cleaner Greener

Lead Councillor

Councillor, Colin Clarke, Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Local Development Scheme, November 2017
Background Papers	
None	
Report Author	Adrian Colwell, Head of Strategic Planning and the Economy David Peckford, Deputy Manager – Planning Policy and Growth Strategy
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**CHERWELL DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
November 2017**

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1. Introduction

The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended by s.111 of the Localism Act (2011)) that the Council prepares and maintains an LDS.

The LDS must specify:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

Development Plan Documents must be prepared in accordance with the LDS.

This LDS revises that approved by the Council's Executive on 3 April 2017.

It updates the programme for the production of the Council's key planning policy documents following adoption of the Cherwell Local Plan 2011-2031 (Part 1) on 20 July 2015. Policy Bicester 13 (Gavray Drive) of the Local Plan was re-adopted on 19 December 2016 in accordance with a Court Order dated 19 February 2016 and an addendum to the Local Plan Inspector's report received on 18 May 2016.

Potential changes to plan-making legislation and national planning policy have been highlighted in the housing White Paper 'Fixing our Broken Housing Market' (February 2017) and in the consultation paper 'Planning for the right homes in the right places' (September 2017). The Government has also stated that it will publish revisions to the National Planning Policy Framework in Spring 2018. Consequently, the LDS will need to be kept under review and a further update may be required.

2. Existing Development Plan

As at 4 January 2016, the existing statutory Development Plan comprises the Cherwell Local Plan 2011-2031 (Part 1) adopted in July 2015 (incorporating the re-adopted Policy Bicester 13) and the saved policies of the adopted Cherwell Local Plan 1996 that have not been replaced by the new Local Plan Part 1 (see Appendix 7 of the adopted Local Plan). The Cherwell Local Plan 1996 was adopted in November 1996 and policies were saved from 27 September 2007. The Development Plan also includes the Hook Norton Neighbourhood Plan which was formally 'made' by the Council on 19 October 2015 and the Bloxham Neighbourhood Plan which was 'made' on 19 December 2016.

3. Non-Statutory Local Plan

The Council also has a Non-Statutory Cherwell Local Plan 2011. Originally produced as a replacement for the adopted Local Plan, the Plan was subject to first and second draft deposit stages and pre-inquiry changes were incorporated. However, the decision was taken by the Council to

discontinue work on the plan on the 13 December 2004 and withdraw it from the statutory local plan process before the Public Inquiry. To avoid a policy void the Non-Statutory Cherwell Local Plan 2011 was approved by the Council as interim planning policy for development control purposes on the 13 December 2004. Over time, its policies are being superseded by new planning documents.

4. Cherwell Local Plan Development Framework

The Council's key planning policy documents will be as follows:

- **Cherwell Local Plan 2011-2031 (Part 1)** – complete and adopted by the Council on 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016). Comprises the main strategy document containing strategic development sites and policies and forms part of the statutory Development Plan.
- **Partial Review of Cherwell Local Plan 2011-2031 (Part 1)** - under preparation. Consultation took place on an Issues Paper from 29 January 2016 – 11 March 2016, on an Options Paper from 14 November 2016 – 9 January 2017 and on a Proposed Submission Document from 17 July 2017 to 10 October 2017. The Partial Review will contain a supplemental planning strategy and strategic development sites in order for the district to contribute in meeting the identified unmet housing needs of Oxford City. Upon adoption by the Council it will become part of the statutory Development Plan.
- **Cherwell Local Plan 2011 – 2031 (Part 2): Development Management Policies and Sites** – under preparation. A preliminary scoping consultation was undertaken in May 2015. Consultation took place on an Issues Paper from 29 January 2016 – 11 March 2016. Local Plan Part 2 will contain detailed planning policies for considering planning applications and non-strategic site allocations. Upon adoption by the Council it will become part of the statutory Development Plan.
- **Adopted Policies Map** – a map of Cherwell which illustrates geographically the application of the policies in the adopted Development Plan. An Interactive Adopted Policies Map is available on-line at www.cherwell.gov.uk.
- **Supplementary Planning Documents (SPDs)** – some complete and some in preparation or awaiting preparation. SPDs expand upon and provide further detail to policies in Development Plan Documents. They are statutory documents but do not form part of the Development Plan. The following SPDs have been, are being, or will be prepared:
 - North West Bicester SPD – adopted on 22 February 2016
 - Banbury Masterplan SPD – adopted on 19 December 2016
 - Kidlington Masterplan SPD – adopted on 19 December 2016
 - Developer Contributions SPD – under preparation
 - Bicester Masterplan SPD – under preparation
 - Banbury Canalside SPD - under preparation
 - Cherwell Design Guide – under preparation
 - Bolton Road Development Area, Banbury SPD – on hold
 - Sustainable Buildings in Cherwell SPD – to be prepared
- **Annual (or Authorities) Monitoring Reports (AMRs)** – produced each year to monitor progress in producing Local Development Documents and implementation of policies.

- **Statement of Community Involvement (SCI)** – sets out how communities and stakeholders can expect to be engaged in the preparation of planning documents and in the consideration of planning applications. A new SCI was consulted upon from 29 January to 11 March 2016 and adopted by the Council on 18 July 2016.
- **Community Infrastructure Levy (CIL) Charging Schedule** – work on a potential Levy commenced in February 2015. It comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. Consultation on a preliminary charging schedule was undertaken from 12 February to 25 March 2016. A draft charging schedule was consulted upon from 14 November 2016 to 9 January 2017. On 7 February 2017, the Government published the housing white paper *Fixing our Broken Housing Market* in which it was announced, “*The Government will examine the options for reforming the system of developer contributions including ensuring direct benefit for communities, and will respond to the independent review and make an announcement at Autumn Budget 2017*” (para. 2.29). The independent review *A New Approach to Developer Contributions* (October 2016) has been published. Work on a potential CIL has been put on hold until there is more certainty about future changes to legislation and Government policy.

5. Neighbourhood Development Plans

Neighbourhood Plans can be produced by Town or Parish Councils or other relevant bodies to set out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular, specified neighbourhood area. They are not prepared by Cherwell District Council but are submitted to it ahead of independent examination and a referendum. They are not legally defined as Development Plan Documents but do become part of the statutory Development Plan upon their adoption.

In addition to the ‘made’ Hook Norton and Bloxham Neighbourhood Plans (see Section 2), the following Parishes presently either have designated Neighbourhood Areas, have made applications for an area to be designated or are actively preparing plans:

- Adderbury
- Deddington
- Mid-Cherwell (11 Parishes)
- Weston-on-the-Green
- Bodicote
- Stratton Audley
- Merton

6. Programme for Local Development Documents & Future National Reforms

The programme for preparing individual documents is set out in the schedules below. The Council is expected to produce documents in accordance with the schedules. If significant changes in circumstances occur, the LDS will be reviewed.

The Government has highlighted potential changes to the planning system in the recent housing White Paper ‘Fixing our Broken Housing Market’ (February 2017) and the consultation paper ‘Planning for the right homes in the right places’ (September 2017). Changes to the National Planning Policy Framework (NPPF) are expected in Spring 2018 which may affect plan-making and

how plans are programmed. The Oxfordshire Growth Board is considering how a Joint Spatial Plan might be prepared for the county and the work of the National Infrastructure Commission (NIC) (particularly in relation to the Oxford-Cambridge corridor) may also have implications for Local Authorities in this area. Consequently, a further update of the LDS may be needed early in 2018.

Schedule 6.1	Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Needs	
Subject Matter	Partial review of Part 1 of the adopted Cherwell Local Plan 2011-2031 to help meet the identified unmet housing needs from elsewhere in the Oxfordshire Housing Market Area and arising infrastructure requirements. Builds upon countywide joint working and follows the 'Post SHMA Strategic Work Programme' agreed by the [Shadow] Oxfordshire Growth Board on 20 November 2014. On 26 September 2016, the Oxfordshire Growth Board approved an apportionment of Oxford's unmet housing need (approximately 15,000 homes) to the Oxfordshire District Councils. Cherwell has been asked to accommodate an additional 4,400 homes (2011-2031).	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Countywide working on identifying the unmet need and apportionment	Completed 26 September 2016
	Formal Commencement (adoption of Local Plan Part 1)	20 July 2015
	District Wide Issues Consultation (Regulation 18)	29 January 2016 – 11 March 2016
	District Wide Options Consultation (Regulation 18)	14 November 2016 – 9 January 2017
	Preparation of Proposed Submission DPD	January 2017 to July 2017
	Consultation on Proposed Submission DPD	17 July – 10 October 2017
	Submission (Regulation 22)	March 2018
	Examination (Regulation 24) (TBC)	March 2018 – October 2018
	Examination Hearings (Regulation 24) (TBC)	June – July 2018
	Receipt and Publication of the Inspector's Report (Regulation 25) (TBC)	October 2018
	Adoption (Regulation 26) (TBC)	November 2018
		Notes: Hearing dates and subsequent programme subject to confirmation from the Planning Inspectorate.
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.2	Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites	
Subject Matter	Detailed planning policies to assist implementation of strategic policies and the development management process. Identification and delivery of non-strategic development sites for housing, employment, open space and recreation, travelling communities and other land uses.	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Initial District Wide Public Notification (Regulation 18)	May 2015
	District Wide Review of Previous Issues and Options Work and Preparation	April – December 2015
	District Wide Issues Consultation (Regulation 18)	January - March 2016
	District Wide Options Consultation (Regulation 18)	July - August 2018
	Preparation of Proposed Submission Plan	September 2018 – December 2018
	Consultation on Proposed Submission Plan	January – February 2019
	Submission (Regulation 22)	June 2019
	Examination (Regulation 24) (TBC)	June 2019 – January 2020
	Examination Hearings (Regulation 24) (TBC)	September - October 2019
	Receipt and Publication of the Inspector's Report (Regulation 25) (TBC)	January 2020
	Adoption (Regulation 26)	February 2020
		Notes: Hearing dates and subsequent programme subject to confirmation from the Planning Inspectorate
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.3	Developer Contributions SPD	
Subject Matter	Reviews and updates the current draft Planning Obligations SPD in the light of the policies set out in the Local Plan (Part 1)	
Geographical Area	Cherwell District	
Status	SPD & Local Development Document (LDD)	
Timetable	Commencement / Preparation	February 2016 onwards
	Initial Consultation (Regulation 12)	On-going to July 2016

	Preparation of Draft SPD	June 2016 – October 2016
	Consultation on Draft SPD (Regulation 12/13)	14 November 2016 - 9 January 2017
	Further Consultation on Draft SPD (Regulation 12/13)	November/December 2017
	Preparation of Final SPD	January 2018
	Adoption (Regulation 14)	February 2018
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; Development Management Team; input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.4	Bicester Masterplan Supplementary Planning Document (SPD)	
Subject Matter	Builds upon and provides further detail to Local Plan policies for the town of Bicester.	
Geographical Area	Bicester	
Status	SPD & Local Development Document (LDD)	
	Re-commencement and preparation (Bicester Garden Town)	January 2016 onwards
	Initial Consultation (Regulation 12)	September & November 2016 January/February 2018
	Preparation of Draft SPD	November 2016 – December 2017
	Consultation (Regulation 12/13)	April/May 2018
	Preparation of Final SPD	May 2018 - July 2018
	Adoption (Regulation 14)	July 2018
	Notes: Masterplan re-commenced in view of Bicester Garden Town announcement.	
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy in conjunction with the Bicester Delivery Team. Regular reports to CDC Executive.	
Resources Required	Bicester Delivery Team, Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.5	Cherwell Design Guide SPD	
Subject Matter	Expands upon and provides further detail to Local Plan policies for the town of Bicester	
Geographical Area	Cherwell District	
Status	SPD & Local Development Document (LDD)	
Timetable	Commencement / Preparation	June 2016 onwards

	Initial Consultation (Regulation 12)	July & November 2016 February - March 2017 June 2017
	Preparation of Draft SPD	June 2016 – September 2017
	Consultation (Regulation 12/13)	November / December 2017
	Preparation of Final SPD	December 2017 – January 2018
	Adoption (Regulation 14)	February 2018
Management Arrangements	Overseen by Head of Development Management in conjunction with Head of Strategic Planning and the Economy	
Resources Required	Design and Conservation Team with support from Development Management & Planning Policy and Growth Strategy teams; input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.6	Banbury Canalside Development Area Supplementary Planning Document (SPD)	
Subject Matter	Expands upon and provides further detail to Local Plan policies for the development area of Canalside, Banbury.	
Geographical Area	Canalside and Banbury town centre	
Status	SPD & Local Development Document (LDD)	
	Re-commencement & Preparation of 2nd Draft SPD (Following Local Plan adoption in July 2015)	July 2015 onwards
	Initial Consultation (Regulation 12)	December 2017
	Preparation of Draft SPD	January – March 2018
	Consultation (Regulation 12/13)	April/May 2018
	Preparation of Final SPD	May-June 2018
	Adoption (Regulation 14)	July 2018
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.7	Bolton Road Development Area Supplementary Planning Document (SPD)	
Subject Matter	Expands upon and provides further detail to Local Plan policies for the Development Area at Bolton Road, Banbury.	
Geographical Area	Bolton Road and Banbury town centre	

Status	SPD & Local Development Document (LDD)	
Timetable	Re-commencement & Preparation of 2nd Draft SPD	August 2018 onwards
	Initial Consultation (Regulation 12)	November/December 2018
	Preparation of Draft SPD	December 2018 – March 2018
	Consultation (Regulation 12/13)	April 2019
	Preparation of Final SPD	April-May 2019
	Adoption (Regulation 14)	June 2019
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Planning Policy and Growth Strategy team; input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 6.8	Sustainable Buildings in Cherwell Supplementary Planning Document	
Subject Matter	Expands upon and provides further detail to Local Plan (Part 1) policies for the environment and design.	
Geographical Area	Cherwell District	
Status	SPD & Local Development Document (LDD)	
Timetable	Commencement & Preparation	August 2018 onwards
	Initial Consultation (Regulation 12)	November/December 2018
	Preparation of Draft SPD	December 2018 – March 2018
	Consultation (Regulation 12/13)	April 2019
	Preparation of Final SPD	April-May 2019
	Adoption (Regulation 14)	June 2019
Management Arrangements	Overseen by Head of Service for Strategic Planning and the Economy. Regular reports to CDC Executive.	
Resources Required	Jointly produced by Planning Policy and Growth Strategy team; Design and Conservation team and Bicester Delivery Team, input from other Council services, neighbouring authorities and consultees.	
Monitoring and review mechanisms	Annual Monitoring Report	

Cherwell District Council

Executive

6 November 2017

<p>Developer Contributions Supplementary Planning Document (SPD)</p>

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To seek Member endorsement for a four week public consultation on a Draft Developer Contributions Supplementary Planning Document (SPD).

1.0 Recommendations

The Executive is recommended:

- 1.1 To approve the Draft Developer Contributions SPD (Appendices 1 and 2) for a four week public consultation.
- 1.2 To authorise the Head of Strategic Planning and the Economy to make any necessary minor and presentational changes to the Draft Developer Contributions SPD (Appendices 1 and 2) before formal consultation commences.

2.0 Introduction

- 2.1 The purpose of the Developer Contributions SPD is to set out the Council's approach to seeking Section 106 planning obligations from new developments for the provision of infrastructure, community facilities and services. It will enable developers to understand the Council's planning obligation requirements and costs from an early stage in the development process and to make appropriate provision when formulating costs and undertaking financial appraisals.
- 2.2 Since the introduction of the Community Infrastructure Levy (CIL) Regulations in 2010, the Government has expected developers to contribute towards the provision of infrastructure through a combination of mechanisms: paying a levy through CIL (if adopted at local level), S106 obligations, planning conditions and S278 highway contributions.
- 2.3 The CIL Regulations have recently been the subject of review by Central Government. The CIL Review Group was established by the former Communities Secretary and former Minister for Housing and Planning in November 2015. The

purpose of the review was to *'Assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government's wider housing and growth objectives'*. The report was submitted to Government in October 2016, and published in March 2017. It is anticipated that an announcement on the Government's response to this Review will be made in the 2017 Autumn Statement.

- 2.4 The timing and scope of the Government's review is outside the control of the Council but there is a pressing need to provide up to date guidance on developer contributions within the parameters of existing regulations and adopted local plan policies.
- 2.5 In November 2016 the Council published a draft Developer Contributions SPD and undertook a six week formal public consultation. That document was drafted to complement, and operate alongside an emerging CIL Charging Schedule. However, following the publication of the CIL Review which recommended significant reforms to CIL, work towards its introduction was 'paused' to await the Government's announcement.
- 2.6 The Council's developer contribution requirements are presently guided by a Draft Supplementary Planning Document (July 2011) approved by the Executive in May 2011 as informal guidance for development management purposes. The document does not carry statutory weight and new legislation, national policy and guidance have been introduced since it was prepared. The Council has also adopted its Cherwell Local Plan Part 1 (2011-2031) since it was prepared. The draft SPD therefore carries limited weight in decision making but remains the Council's most recent guidance.
- 2.7 A revised draft Developer Contributions SPD has now been prepared for public consultation subject to approval by Members. The decision to 'pause' the introduction of CIL has necessitated a substantial redrafting of the SPD. Given the extent and nature of these changes it is necessary to undertake a further public consultation prior to the adoption of the SPD. Further refinement may be necessary following the Autumn Statement.
- 2.8 The Developer Contributions SPD does not create new policy. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development.
- 2.9 When completed it is intended that the document be adopted by the Council as a formal Supplementary Planning Document (SPD) which would then have statutory status as planning guidance.
- 2.10 The Developer Contributions SPD will help deliver Local Plan objectives of ensuring the local economy, communities and development in CDC are sustainable and support, in particular the aims of Local Plan Policy INF1: Infrastructure, and its associated Infrastructure Delivery Plan (IDP).

3.0 Report Details

- 3.1 Planning obligations, secured under Section 106 of the Town and Country Planning Act 1990 (as amended), are known as Section 106 agreements. They can either be a multi-party deed of agreement, or a unilateral undertaking made under planning legislation in association with a planning permission for new development. They are normally applied to aspects of development that cannot be controlled by imposing a planning condition or by the use of other statutory controls. Planning obligations are legally binding and enforceable if planning permission is granted. They can cover almost any relevant issue such as types of infrastructure or services and future maintenance.
- 3.2 The legal tests for the use of Section 106 agreements are set out in Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). Regulation 122(2) states that the use of planning obligations should only be sought where they meet all of the following tests:
- They are necessary to make a development acceptable in planning terms;
 - They are directly related to a development;
 - They are fairly and reasonably related in scale and kind to the development.
- 3.3 The obligation is a formal document, a deed which becomes a land charge. If the Section 106 agreement is not complied with, it is enforceable against the person that entered in to the obligation and any subsequent owner.

Draft Developer Contributions SPD

- 3.4 The introduction to the SPD provides an overview of the document and describes the relationship between S106 agreements and CIL. The next section sets out the policy framework at both national and local level. There is then detailed general guidance on the procedures to be used by the Council in assessing the need and type of S106 agreement required for developments. The topics covered include pre-application discussions, fees, viability, monitoring and enforcement.
- 3.5 Section 4 of the SPD gives specific guidance for different types of infrastructure. The types of infrastructure covered include affordable housing, education, transport and access, open space, play facilities, indoor and outdoor sport and recreation, community facilities, nature conservation and biodiversity, apprenticeship and skills, and public realm and public art.
- 3.6 Detailed technical advice, including the Council's standards for indoor and outdoor recreation provision, and capital contributions and commuted sums for maintenance are set out in the appendices to the document. The draft SPD also includes new standards for community hall developments and community development workers. These standards have been informed by a revised draft Cherwell Community Spaces and Development Study.
- 3.7 The draft SPD is supported by a Statement of Consultation (Appendix 3). It explains the stakeholder engagement that took place in preparing the document. The Statement also details the public consultation undertaken on the November 2016 Draft SPD and provides a summary of all the representations received.

- 3.8 A Screening Statement (Appendix 4) was prepared for the November 2016 version of the SPD. It concluded that a Strategic Environmental Assessment (SEA) was not required. Statutory consultees had the opportunity to review that Screening Statement and agreed that an SEA was not required. The statutory consultees will be requested to review their conclusions on the need for an SEA during this proposed consultation.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A Draft Developer Contributions SPD (Appendices 1 and 2) is presented for approval to proceed to a further formal consultation.
- 4.2 Once adopted and subject to consultation the Developer Contributions SPD will set out the package of contributions or obligations expected to come forward from development proposals to mitigate the impact of development and help fund infrastructure needed to support growth. It is not intended to provide all the funding needed but could help maximise resource income which would otherwise not be available.

5.0 Consultation

Internal briefing: Councillor Colin Clarke, Lead Member for Planning

The Regulation 12 Statement of Consultation (Appendix 3) details the consultation undertaken in preparing the Draft Developer Contributions SPD.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not consulting on the proposed document

The current Draft Planning Obligations SPD (July 2011) is now out of date, it carries little weight in decision making and its continued use will potentially make it more difficult for the Council to secure S106 developer contributions in the future. Not progressing the new SPD will create uncertainty about the Council's requirements for developer contributions.

Option 2: Amending the proposed documents

The document proposed for consultation has been prepared having regard to national policy and guidance, the responses received to previous public consultation, informal engagement with key stakeholders, and updated development evidence. It is considered by officers that it presents an appropriate balance between ensuring that 'as a whole' the economic viability of development proposals is not detrimentally affected and the desire to fund infrastructure.

Proceeding to consultation will provide a further opportunity for stakeholders and members of the public to address matters formally and inform the preparation of document.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications at this stage of the Developer Contributions SPD preparation. The cost of preparing the document is met from existing resources.

Comments checked by:

Paul Sutton, Chief Finance Officer, Tel. 03000 030106

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The SPD is being prepared as statutory planning guidance in accordance with the relevant legislation. Once adopted, the SPD will be a material consideration in the determination of planning applications and provide a firm basis from which to seek planning obligations.

Comments checked by:

Nigel Bell, Interim Legal Services Manager, Tel 01295 221687

Nigel.Bell@Cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2017-18 as follows:

- Sound budgets and a customer focused council
- Thriving communities
- District of opportunity
- Safe, clean and green

Lead Councillor

Councillor Colin Clarke – Lead Member for Planning

Document Information

Appendix No	Title
Appendix 1	Draft Developer Contributions SPD
Appendix 2	Appendices to Draft Developer Contributions SPD
Appendix 3	Regulation 12 Consultation Statement
Appendix 4	Draft Developer Contributions SPD – SEA Screening Statement
Background Papers	
None	
Published Supporting Documents	
Report to Executive 7 November 2016: Community Infrastructure Levy (CIL) Draft Charging Schedule and Developer Contributions Supplementary Planning Document (SPD)	
Report Author	Christina Cherry, Senior Planning Policy Officer
Contact Information	01295 221851 Christina.cherry@cherwellandsouthnorthants.gov.uk

Developer Contributions Supplementary Planning Document (SPD)

2nd Consultation Draft November 2017

Cherwell District Council

2ND CONSULTATION DRAFT

NOVEMBER 2017

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1. INTRODUCTION

Purpose of this Document

- 1.1. The purpose of this Developer Contributions Supplementary Planning Document (SPD) is to set out Cherwell District Council's approach to seeking Section 106 planning obligations.
- 1.2. This guidance does not cover every possible circumstance and/or obligation that may need to be taken into account, but it provides a clear indication of the Council's essential requirements from new development in respect of the provision of infrastructure, community facilities and services. It will enable developers to understand planning obligation requirements and costs from an early stage in the development process and to make appropriate provision when formulating costs and undertaking financial appraisals.
- 1.3. Since the introduction of the Community Infrastructure Levy Regulations 2010 (as amended) ('CIL Regulations'), developers are expected to contribute towards the provision of infrastructure through a combination of mechanisms: paying a levy through CIL (if adopted at local level), S106 obligations, planning conditions and S278 highway contributions.
- 1.4. The CIL Regulations mean that since 6 April 2015 the use of Section 106 obligations has become more restricted, with the Council only able to pool a maximum of five separate obligations (entered into on or after 6 April 2010) for a specific infrastructure project or a type of infrastructure.
- 1.5. The CIL Regulations have recently been the subject of review by Central Government. The CIL Review Group was established by the former Communities Secretary and former Minister for Housing and Planning in November 2015. The purpose of the review was to *'Assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government's wider housing and growth objectives.'* The report was submitted to Government in October 2016 and published in March 2017. It is anticipated that an announcement on the Government's response to this review will be made in the 2017 Autumn Statement.
- 1.6. The timing and scope of the Government's review is outside the control of the Council. The guidance in this document is provided within the parameters of existing regulations and adopted local plan policies.

- 1.7. Appendix 15 details the types of infrastructure that will be covered by S106 planning obligations and what will be covered by CIL if a CIL charging schedule is adopted by the Council in the future. The position on CIL will be reviewed in the light of the Government's Autumn Statement 2017 and the responses to consultation on the draft SPD.

What are Planning Obligations?

- 1.8. A planning obligation is secured by either a deed of agreement or a unilateral undertaking made under planning legislation (Section 106 of the Town and Country Planning Act 1990 (as amended)) in association with a planning permission for new development. It is normally applied to aspects of development that cannot be controlled by imposing a planning condition or by the use of other statutory controls. Planning obligations are legally binding and enforceable if planning permission is granted. They also run with the land. They can cover almost any relevant issue such as types of infrastructure or services and future maintenance.
- 1.9. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition (NPPF¹, para. 203).
- 1.10. In addition, CIL Regulation 122 states that the use of planning obligations should only be sought where they meet all of the following three tests:
- They are necessary to make a development acceptable in planning terms
 - They are directly related to a development
 - They are fairly and reasonably related in scale and kind to the development.

What is CIL?

- 1.11. CIL is a tariff charged on new development that the Council can choose to adopt to support the provision of infrastructure. Once adopted CIL is fixed, non-negotiable and enforceable.
- 1.12. To introduce CIL the Council must set a CIL rate or rates in a Charging Schedule, and follow two stages of consultation and an Examination in Public prior to adoption and implementation of CIL. The Council has consulted on both a Preliminary Draft and Draft CIL Charging Schedule. Work has however since been 'paused' on CIL pending the outcome of the Government's review of CIL. Further guidance from the Government is awaited.

¹ National Planning Policy Framework

Relationship between CIL and Planning Obligations

- 1.13. The Government currently intends CIL to provide for infrastructure to support development rather than specifically to make individual development proposals acceptable in planning terms. Government guidance indicates that site specific mitigation will still be sought through the use of planning obligations.
- 1.14. CIL Regulations 122 and 123 place limits on the use of planning obligations and makes the planning obligations policy tests (para. 1.10 above) a statutory requirement. These two regulations seek to avoid overlaps between CIL and planning obligations and to limit the pooling of planning obligations towards infrastructure provision that could be funded by CIL. The Government's intention is for local authorities to operate CIL and planning obligations in a complementary way.
- 1.15. The Council will ensure, in accordance with the advice in the National Planning Policy Guidance (NPPG) when seeking contributions that, their combined total impact does not threaten the viability of the sites and scale of development identified in the Development Plan.
- 1.16. The NPPG states that in making decisions, the local planning authority will need to understand the impact of planning obligations on a proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. This is particularly relevant for affordable housing contributions which are often the largest item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered.
- 1.17. The NPPG goes on to state that assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the NPPF is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.

Planning Conditions

- 1.18. Planning conditions cannot require the transfer of land ownership or the payment of monies. They are attached to a planning permission and set out details or required standards, timeframes, and works which must be carried out at prescribed stages in

the development process. They may also require further details to be submitted in order to make a proposal acceptable.

- 1.19. NPPF paragraph 206 states that planning conditions should only be attached to a planning permission where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Section 278 Agreements

- 1.20. Section 278 Agreements allow developers to enter in to a legal agreement with the Highway Authority (usually Oxfordshire County Council) to fund alterations or improvements to the public highway where these are of benefit to the public.
- 1.21. The pooling restriction on planning obligations does not apply to S278 agreements. However, the CIL regulations prohibit CIL being spent on a highway scheme where a S278 agreement has been made.

2. POLICY FRAMEWORK

National Level

- 2.1. The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended); Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). The Council will also treat the government's guidance contained in the National Planning Policy Framework (NPPF) as a material consideration, particularly paragraphs 203 to 205.

Local Level

- 2.2. The statutory Development Plan for the District currently comprises:
- The adopted Cherwell Local Plan 2011-2031 (Part1)(adopted July 2015 & incorporating Policy Bicester 13 re-adopted in December 2016)
 - The retained saved policies of the adopted Cherwell Local Plan 1996
 - The adopted Minerals and Waste Local Plan (Part 1 – Core Strategy) (adopted September 2017)
 - The saved policies of the Oxfordshire Minerals and Waste Local Plan 1996
 - 'Made' Neighbourhood Plans (Hook Norton Neighbourhood Plan 2014-2031 & Bloxham Neighbourhood Plan 2015-2031 and any others 'made' during the lifetime of this SPD).

- 2.3. The adopted Cherwell Local Plan Part 1 contains the strategic policies covering the District and includes land allocated for housing and employment development at Bicester, Banbury and the former RAF Upper Heyford.
- 2.4. A Partial Review of the Cherwell Local Plan Part 1 is in preparation which seeks to contribute to addressing the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City. A proposed submission plan was published for public consultation on 17 July 2017 with comments invited until 10 October 2017. Work has also commenced on the production of Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites.
- 2.5. Other key planning policy documents include:
- Supplementary Planning Documents (SPDs). SPDs expand upon and provide further detail to policies in Development Plan Documents.
 - The Infrastructure Delivery Plan (IDP). The IDP is a live document adjusted over time and contains the infrastructure required to support **Policy INF 1: Infrastructure** of the adopted Cherwell Local Plan Part 1. An IDP was appended to the adopted Local Plan. IDP updates can be found on the Council's website.
- 2.6. The Council's Local Development Scheme sets out the programme for the preparation of the key planning policy documents.

Bicester Garden Town

- 2.7. In 2014 the Government announced that Bicester had achieved Garden Town status after the Council had successfully demonstrated plans to meet the necessary criteria of providing affordable homes, schools and jobs while preserving the countryside.
- 2.8. Since then an initial grant has been awarded to fund the necessary feasibility studies for the implementation of the Garden Town as set out in the adopted Cherwell Local Plan Part 1.

Healthy New Towns

- 2.9. In 2015 the Government launched its Healthy New Towns Programme. This programme offers to radically re-think how we live, and takes an ambitious look at improving health through the built environment.

- 2.10. In 2016 Bicester was successful in being selected as one of the 10 exemplar healthy new towns. The Bicester Healthy New Town Programme aims to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future. The two key priorities for the programme are:
- To reduce the number of people who are overweight or obese because it is the cause of so many health problems.
 - To reduce the number of people who feel socially isolated because that has an important impact on mental well-being.
- 2.11. The built environment has a role to play in supporting health and well-being of communities in the whole of Cherwell District and it is a Council priority to ensure new developments supports this aim.

3. PROCEDURES

General Approach

- 3.1 The Developer Contributions SPD once adopted will comprise the Council's current approach to planning contributions.
- 3.2 Although the scope for securing S106 planning obligations has been reduced since April 2015 due to the pooling restrictions, it is expected that planning obligations will still be sought for:
- Affordable housing; and
 - Infrastructure which is required to mitigate the direct impact of a development. It should, however, be noted that this is a general guide and development proposals will continue to be assessed on a case by case basis with the individual circumstances of each site being taken in to consideration when identifying infrastructure requirements.

Planning Obligations

- 3.3 The Local Planning Authority (LPA) will assess each application to determine if a planning obligation is needed and if so what it should address. It will do this in consultation with other public bodies responsible for infrastructure provision. Oxfordshire County Council, for example, is a major provider of services and infrastructure.
- 3.4 The LPA, and other key agencies, will use planning obligations to:
- Secure general planning requirements that are necessary to allow the development to be permitted and where this cannot be achieved by way of planning conditions;

- Ensure that there is a satisfactory infrastructure to allow the development to proceed and that the infrastructure provided will be maintained; and
- Offset relevant adverse impacts, for example, on the environment, education, social, recreational and community facilities and transport that arise from the development where the development might otherwise have been refused because of those adverse impacts.

Pre-Application Discussions

- 3.5 As part of any pre-application discussions the LPA will seek to agree the requirements and Heads of Terms for any planning obligation.
- 3.6 It is the Council's strong preference, where applications and associated planning obligations are more complex, that negotiations occur, and agreement on Heads of Terms is achieved, prior to the submission of a planning application. Pre-application discussions can help to resolve potential problems and issues which may otherwise delay the determination of a planning application.
- 3.7 It is a local validation requirement that draft Heads of Terms accompany any application that requires a planning obligation.
- 3.8 A planning performance agreement can be a useful tool to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

Unilateral Undertakings

- 3.9 In cases where a planning obligation is only dealing with financial contributions the LPA will encourage developers to make a unilateral undertaking and to make the relevant contributions on the granting of planning permission and/or at different stages of development.
- 3.10 This approach allows applicants for small schemes to reduce the legal costs and avoid potential delays often associated with legal agreements. The Council provides a standard form for a unilateral undertaking and this can be found on its website.

Cross Boundary Applications

- 3.11 Where an application site falls partly in another local planning authority area the Council will, as far as possible, work to coordinate proportionate planning obligation

requirements with that authority. If however, agreement cannot be reached, the Council will seek obligations for the portion of the site that falls within the District.

Viability

- 3.12 A key objective of this SPD is to alert applicants of the likely level of planning obligations that can be expected from proposed developments well in advance of any planning application being submitted. The developer can then factor these requirements in to any potential land transaction and/or scheme as early as possible in the development process and certainly prior to any grant of planning permission.
- 3.13 The LPA recognises that financial viability is a material consideration. In exceptional circumstances it may be necessary for the Council to prioritise the securing of particular developer contributions having regard to the Development Plan, the needs of the locality and the particular characteristics of the site and its locality. However, there may be circumstances in which the material Development Plan policies and/or the needs arising from proposed development are such that contributions will be sought even if a viability assessment accepted by the Council demonstrates that the development would not be viable with the required contributions.
- 3.14 Where a disagreement arises about financial viability and the planning obligations sought, the applicant will be expected to provide the Council with clear and transparent evidence to support their case. In most instances this will involve the Council reaching an understanding based on a detailed open book financial appraisal, undertaken by an independent assessor. Where there are significant financial issues arising for other public bodies responsible for providing infrastructure (including Oxfordshire County Council), the LPA will expect that body to be actively involved in this assessment process and conclusions. The Council will require this evidence prior to the granting of planning permission.
- 3.15 Section 106 Agreements can deal with issues of viability. For example, a developer may set out their 'predicted profitability levels'. It will be a requirement of the S106 Agreement for there to be a second viability appraisal at some point during the course of the development. If the results of this second viability appraisal show, for example:
- That the predicted profitability levels have increased then the Council will have a right to an overage, i.e. a further payment/provision of infrastructure or affordable housing to that already secured in the S106 Agreement;
 - That the predicted profitability levels have stayed the same, then there will be nothing further to do with the S106 Agreement;

- That the predicted profitability levels have decreased, then the Council will negotiate further with the applicant concerning planning obligations.

3.16 All costs incurred by the Council in financial appraisal and viability assessment are to be met by the applicant.

Security and Timing of Payments

3.17 Financial contributions (apart from legal costs, which are usually paid prior to the completion of the agreement, and standard administration charges) will need to be paid prior to the implementation of planning permission or in accordance with a programme of agreed staged payments.

3.18 Prior to the making of a Planning Obligation, the developer should identify the financial contributions payable and the corresponding triggers or payment dates as specified in the agreement.

3.19 Approximately 21 days prior to reaching a trigger or payment date, the developer should notify the Council of their intention to pay the financial contribution. If the developer notifies the Council of their intention to pay the financial contribution after the trigger or payment date has elapsed then late payment interest will be charged at a rate of 4% above the standard base rate or as otherwise stated in the Planning Obligation. In such circumstances, the applicant may also become liable for additional monitoring and enforcement costs.

3.20 The Council will then calculate the total financial contribution payable including any interest and/or indexation due and will provide a copy of this calculation to the developer. This calculation will be valid for a period of 14 days from the date of issue unless otherwise agreed in writing. If the calculation has not been agreed within 14 days and is shown to be arithmetically correct following the resolution of any dispute, then late payment interest will be charged as per paragraph 3.19 above.

3.21 Once the developer has agreed the calculation, the Council will issue an invoice to the developer for the agreed sum. The invoice issued will be subject to the Council's standard payment terms.

3.22 The Council will not accept payment of any financial contribution unless accompanied by a valid invoice.

- 3.23 Upon receipt, financial contributions will be held in a specific account before being transferred to the relevant internal departments or third parties (e.g. other public sector body, parish council etc.) responsible for spending the contribution.
- 3.24 The S106 agreement will include a clause detailing how and when any unspent funds will be refunded. Given that a unilateral undertaking, necessarily, does not have the Council as a party, there cannot be any obligations on the Council to return any unspent monies.
- 3.25 All receipts and spending of financial contributions will be recorded and monitored by the Council's Head of Development Management.
- 3.26 Please note that financial contributions payable to Oxfordshire County Council (i.e. those relating to highways and education and relevant administrative and monitoring fees) will be subject to a different process and developers are advised to contact the Oxfordshire County Council Developer Funding Team (developer.funding@oxfordshire.gov.uk) for further information.

Fees

- 3.27 The Council's legal costs of preparing the Planning Obligation will be borne by the developer. These costs will be based on an hourly rate and will depend upon the complexity of the agreement and the length of time taken to settle the draft and proceed to completion. The Council will therefore require developers to provide a 'cost undertaking' to pay for the Council's reasonable fees.
- 3.28 The Council's reasonable legal fees will need to be met even if the planning obligation is not completed.
- 3.29 Standard unilateral undertakings will be subject to an administration charge covering legal costs and if necessary the transfer of money to third parties.

Monitoring and Enforcement

- 3.30 The Council monitors all Planning Obligations and will work with developers to ensure that financial contributions and non-financial obligations are delivered on-time. Monitoring fees may be charged in order to undertake such work, given that S106 Agreements/Unilateral Undertakings are made pursuant not just to section 106 of the Town and Country Planning Act 1990 (as amended) but also to section 111 of the Local Government Act 1972 and section 1 of the Localism Act 2011.

- 3.31 Where there is evidence of non-compliance with a Planning Obligation (such as the non-payment of financial contributions, failure to comply with an obligation, or failure to notify the Council of a due payment or event as required), the Council will seek to recover all reasonable administration costs incurred. This could include, for example, site visits, the recovery of any unpaid monies and/or correspondence.
- 3.32 If it is clear that matters within the planning obligation are not being complied with, the Head of Development Management will instruct the Council's Legal Service to take appropriate action to secure compliance. This could include for example, seeking a court injunction.
- 3.33 Where a formula has been set for the calculation of contribution levels, any cost figures used will be updated regularly to take account of inflation and are the sums required at the time of negotiation.
- 3.34 All payment levels will be subject to an inflation factor (often RPI or CPI) adjusted according to the fluctuations between the date of the obligation and the quarter period in which payment is due to the District Council. The County Council will also adjust payments to it but these might be subject to different measures of inflation.

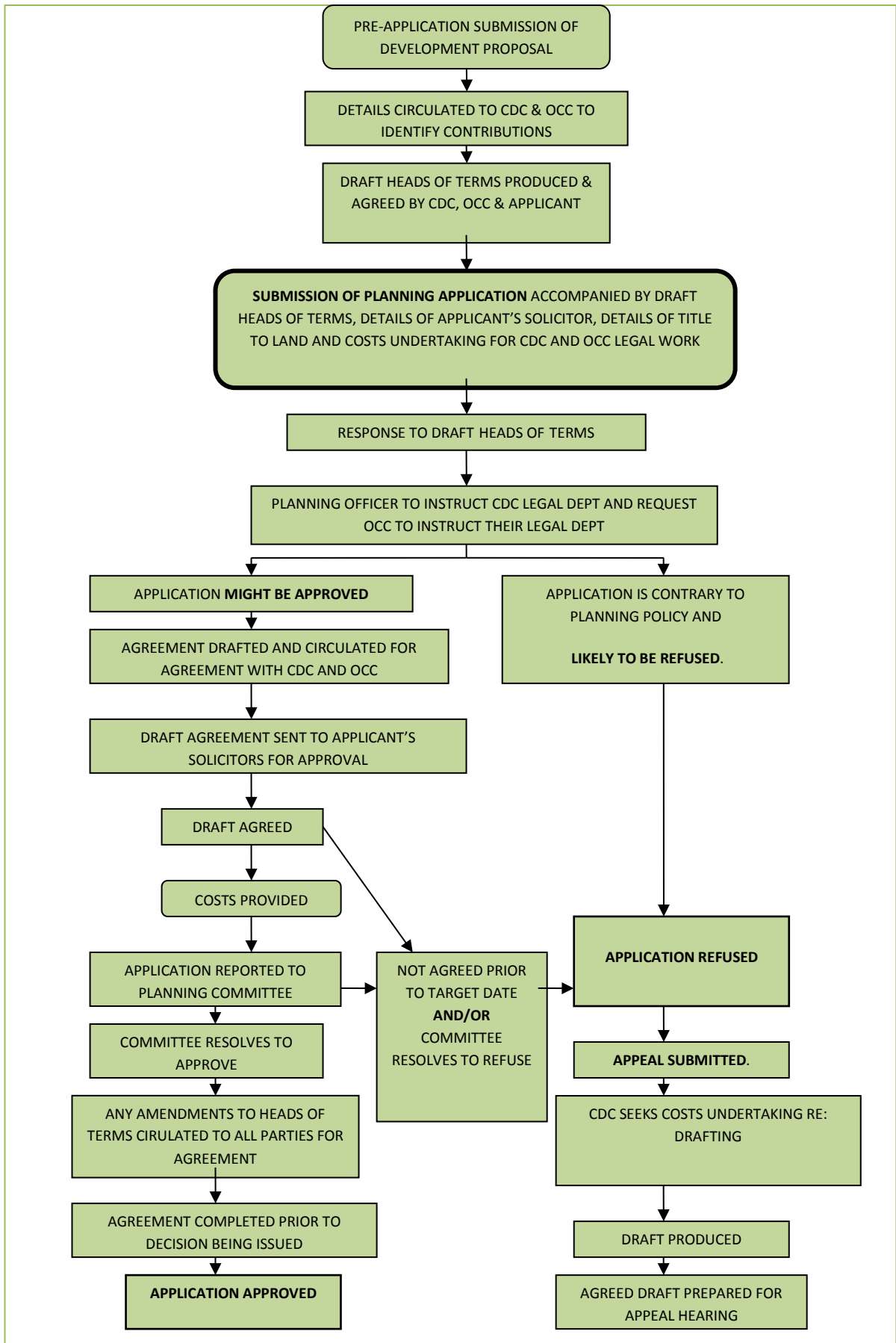
Indexation

- 3.35 Financial contributions are based upon the costs of infrastructure. Financial contributions will therefore be indexed (i.e. index-linked to inflation) to ensure that they retain their original 'real value'. The base date and appropriate index to be applied will be set out in the legal agreement.

Dispute Resolution

- 3.36 Schedule 13 of the Housing and Planning Act 2016 introduced amendments to the Town and Country Planning Act 1990 by the insertion of a new Schedule 9A which will give the Secretary of State the power to appoint someone to resolve issues that are holding up the completion of a planning obligation. Please note that, at the time of publication of this SPD, this provision is not yet in force.
- 3.37 Figure 1 overleaf provides an overview of the Planning Obligation process

Figure 1: Planning Obligation Process



4. SPECIFIC PLANNING OBLIGATION GUIDANCE BY TYPE

- 4.1. This section gives specific advice for various types of infrastructure commonly required by the Council to support development. However, as stated previously, it does not cover every circumstance and/or obligation that may be needed to make a development acceptable in planning terms. In all cases the LPA will ensure that the infrastructure sought complies with the three tests in CIL Regulation 122.
- 4.2. Appendix 15 offers a guide to the types of infrastructure to be covered by S106 planning obligations and what will be covered by CIL (or a similar replacement infrastructure levy) if it is introduced by the Council in the future.

Affordable Housing

- 4.3. Cherwell District has a high level of need for affordable housing. The Council's Housing Strategy 2012-17 recognises the need for affordable homes, and aims to ensure that Cherwell is well-placed to maximise investment by registered providers and to respond to opportunities as they arise.
- 4.4. The NPPF defines affordable housing as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.
- 4.5. The various types of affordable housing can be described as follows:

Social Rented Housing

- 4.6. Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

Affordable Rented Housing

- 4.7. Rented housing provided by a registered provider of social housing, that has the same characteristics as social rented housing except that it is outside the national rent regime, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80% of local market rents.

Intermediate Housing

- 4.8. Housing at prices and rents above those of social rent, but below market price or rents and which meet the criteria set out above but does not include affordable rented housing. These can include shared equity products or other low cost homes for sale such as;
- Shared Equity
 - Shared Ownership
 - Discount Sale

Requirements & Thresholds

- 4.9. Policy BSC 3 of the adopted Cherwell Local Plan Part 1 requires the following provision:
- At Banbury and Bicester all proposed developments that include 11 or more dwellings (gross), will be expected to provide at least 30% of new homes as affordable homes on site.
 - At Kidlington and elsewhere, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as affordable homes on site.
 - Financial contributions in lieu of on – site provision will only be acceptable in exceptional circumstances.
 - Where there is a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances.
- 4.10. The adopted Cherwell Local Plan requires all qualifying developments to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate housing. Social rented housing will be particularly supported in the form of extra care or other supported housing. It is expected that these requirements will be met without the use of social housing grant or other grant.
- 4.11. In calculating any affordable housing contribution the Council will apply ‘vacant building credit’ to qualifying developments. Guidance on qualifying developments will be provided by the Council’s Strategic Housing Team.

Housing Mix

- 4.12. Adopted Local Plan policy BSC4 sets out the Council’s housing mix requirements. In general there is a need to provide a mix of housing to reflect the needs of an ageing population, a growth in smaller households and the demand for family housing.

- 4.13. In all qualifying developments the mix of housing will be negotiated having regard to the Council's most recent evidence and evidence from developers on local market conditions.
- 4.14. Extra Care Dwellings will be important in meeting the needs of an older population. They comprises self-contained accommodation for older and disabled people which enables independent living by providing a range of support facilities on the premises and 24 hour care services. Housing sites of at least 400 dwellings will be expected to provide a minimum of 45 self-contained extra care dwellings as part of the overall mix. However, if the Council agrees that extra care housing would not be desirable in a particular location an equivalent amount of alternative specialist housing (use class C3) for older people will be required. All proposals will be expected to provide affordable housing in accordance with policy BSC3.
- 4.15. In some cases the Council may also seek to secure a small number of more specialist housing units which will provide accommodation for those with support needs. These will be sought in areas which are deemed to be appropriate and in discussions with applicants at an early stage.

Affordable Housing Standards

- 4.16. Any registered provider will normally request that 50% of the affordable rented housing required will be built to Building Regulations Requirements M4(2) Category 2: accessible and adaptable dwellings. In addition, 1% of the affordable housing should be built to Building Regulation Requirement M4(2) Category 3: Wheelchair User Dwelling. This requirement will be assessed on a site by site basis in discussion with the developer.
- 4.17. It is expected that all affordable housing provided under a rented tenure will be built to the nationally described space standards. Intermediate housing which is deemed to be low cost home ownership should be built to the same or better space standards including garden sizes as the equivalent market housing on the site.
- 4.18. It is expected that where appropriate affordable housing should not be clustered in any more than 10 units of one tenure and 15 units of multiple affordable tenures with no contiguous boundary of the clusters. This is expected in the first instance and schemes should be developed with this in mind. However the Council will be flexible and pragmatic on this clustering approach when considering certain site constraints or scheme densities.

Viability

- 4.19. The Council will seek the provision of affordable housing on all qualifying developments in accordance with Policy BSC 3. However, if developers consider that the Council's policy requirements on affordable housing give rise to development viability issues they will need to fully justify their reasons. A detail of how the Council will assess viability issues is set out in Section 3 above.

Commuted Sum Calculations

- 4.20. Local Plan policy BSC3 states that only in exceptional circumstances will the Council accept commuted sums in lieu of on-site provision.
- 4.21. In the event that the Council accepts a commuted sum in lieu of on-site provision it will be calculated on the basis of the mix of tenures and sizes that the Council considers would have been appropriate for the site. The sum should be of a 'broadly equivalent value' of the developer/landowner contribution if the affordable housing was provided on site. The commuted payment will be based on a sum equal to the difference between an Open market Value (OMV) and Affordable Housing Value (AHV).
- 4.22. Calculations are made as follows:
Residual value with 100% market housing minus residual value with the affordable housing requirement based on current policy = equivalent commuted sum.

Cherwell Local Plan 2011-2031: Partial Review – Oxford's Unmet Housing Need

- 4.23. In July 2017 the Council published its Proposed Submission Partial Review Plan. This is a focused Plan to provide Cherwell's share of the unmet housing needs of Oxford to 2031. It identifies a number of development sites with specific affordable housing requirements. Supported by a viability assessment the emerging policies in the Plan seek to meet Oxford City's requirements for 50% of its housing to be provided as affordable homes.
- 4.24. Oxford's Local Plan, its Housing Strategy and the Oxfordshire Housing Market Assessment (2014) describe the city's housing needs in detail. As Oxford's affordable housing need is so high the emerging Partial Review prescribes the mix of housing sizes needed for the defined 'affordable' element of the new housing supply. It also requires a higher level of affordable rent/social rented accommodation (80% of the total affordable housing requirement) than Cherwell's 70% requirement.

- 4.25. The affordable housing standards required by the policies in the Partial Review will be applied to section 106 negotiations once they have been adopted.

Further Advice

- 4.26. Detailed advice on the provision of affordable housing is available by contacting the Council's Strategic Housing Team.

Air Quality

- 4.27. Promoting sustainable development is a key focus of the adopted Cherwell Local Plan. The need to consider the effects of development on air quality, and how they can contribute towards improvements, is identified as a key challenge to ensuring sustainable development. Commuters in Cherwell travel relatively long distances and reducing travel by car and managing traffic congestion is a major challenge. Maximising the opportunity to shift from dependency on cars to sustainable modes of transport is also identified.
- 4.28. Policy SLE 4 includes a requirement for new developments to provide financial and/or in-kind contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 4.29. In March 2017 the Council approved an Air Quality Action Plan (AQAP) as part of its statutory duties required by the Local Air Quality framework. It outlines the actions to be taken to improve air quality in the District between 2017 and 2020.
- 4.30. There are four Air Quality Management Areas (AQMAs) in the District where air quality does not meet national air quality objectives for nitrogen dioxide. These concentrations are largely related to road traffic emissions.

Requirements and Thresholds

- 4.31. All new development within or immediately adjacent to Local AQMAs may be subject to section 106 agreements which require the implementation of measures to offset increases in local pollutant emissions, and /or make an appropriate financial contribution towards improvement measures or air quality monitoring.

- 4.32. The following mitigation measures may be required
- Measures during the construction of new development including dust control, site monitoring and plant emissions;
 - Improved access to public transport;
 - The provision of on and off site facilities for cycling and walking;
 - The management of car parking;
 - Traffic management;
 - Road infrastructure;
 - Green Travel Plans;
 - Monitoring of air pollution.
- 4.33. Financial contributions may also be appropriate for cumulative developments, particularly where further study is required to assess potential cumulative air quality impacts arising from a number of developments in close vicinity.
- 4.34. The Council will calculate the contribution sought based on the scale of the development and the trip generation for different uses.
- 4.35. The list of the current Local AQMAs and the actions required are set out in the Council's Air Quality Action Plan which can be viewed on its website.

Apprenticeships and Skills

- 4.36. Securing the economic future of the District is the main priority of the adopted Cherwell Local Plan Part 1. The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities. In particular, the Plan notes that as relatively large numbers of people in Cherwell are without qualifications and basic skills the level of education and training needs to improve. The Plan contains five strategic objectives for developing a sustainable economy. Strategic Objective 3 (SO3) aims, amongst other things, to support an increase in skills and innovation. Furthermore, paragraph B14 states that the Council will support proposals to strengthen the skills base of the local economy which will include the promotion of local training providers.
- 4.37. The need to increase the number of apprenticeships locally is picked up by both the Oxfordshire Local Economic Partnership (OxLEP) and the South East Midlands Economic Partnership (SEMLEP). OxLEP's Strategic Economic Plan 2016 is committed to delivering 1150 more apprenticeships to 2020 within Oxfordshire. The SEMLEP Strategic Economic Plan 2015-2020 is seeking just over 94,000 apprenticeship starts within the SEMLEP area. Of these, it is anticipating that 7017 will be created within the

Cherwell District. It notes in particular that there is a shortage of skills and an aging workforce in the construction sector across the SEMLEP area and that there are significant opportunities for jobs growth in these sectors.

- 4.38. The Council approved an Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills in April 2016. This document provides detailed advice and guidance on the Council's approach to securing construction apprenticeships and skills through the planning system. For ease of reference this document is reproduced at Appendix 13.
- 4.39. It states that the Council will seek the provision of a stated target number of new construction apprenticeships (or apprenticeship starts) as part of a required Employment, Skills and Training Plan (ESTP) for each proposal for new development. The ESTP will be secured by S106 agreement.
- 4.40. A second key area of employment, skills and training for which S106 agreements will be sought is the 'end user phase' of large commercial development. S106 agreements will be used by the Council to support/provide the training and skills needed by local people to access the new job opportunities created by the development's end user. The ESTP, referred to above, will therefore also be required to address this end user phase.
- 4.41. Appendix 13 sets out the type of development and the thresholds on development that will trigger this requirement. However, if proposed developments fall below these thresholds and developers still wish to provide new construction apprenticeships, the Council will support them in doing so.

Cemeteries

- 4.42. The adopted Cherwell Local Plan Part 1 highlights a key community challenge for both Banbury and Bicester as being the need to provide additional burial site provision. Policy Bicester 9 and Policy Banbury 13 both make provision for additional burial site provision in their respective settlements. Both policies also state that developer contributions will be sought from new developments in the towns towards the establishment of such a facility.
- 4.43. In terms of need, the Local Plan Inspector appointed to examine the submission Cherwell Local Plan observed in relation to Policy Banbury 13, that: *'This policy confirms the local requirement for new burial site provision in Banbury with contributions from major new housing schemes to provide funding to facilitate an extension to the existing cemetery, subject to suitable ground conditions being*

demonstrated. The evidence of need is unquestioned and therefore the policy is soundly based and requires no modification.'

- 4.44. In relation to Policy Bicester 9 the Inspector stated *'This policy confirms the urgent local requirement for a new burial site of around 4has in Bicester. It is consistent with the current expectation that it can be provided as part of the Policy BIC 1 scheme, with funding contributions from other housing developments in the locality to help secure delivery. The evidence of need is clear and unquestioned and therefore policy is soundly based and requires no modifications.'*
- 4.45. At Bicester it is anticipated that a site will be provided within the North West Bicester development area (Policy Bicester 1). At Banbury an extension to the north of the existing cemetery at Southam Road was granted planning permission in 2015 (planning application reference 15/01194/F).
- 4.46. Requirements for additional cemetery space will also be identified in the emerging Partial Review of the adopted Cherwell Local Plan, and the Cherwell Local Plan Part 2.

Thresholds and Contributions

- 4.47. All major new residential developments will be expected to contribute to the provision of new, or the expansion of existing, cemeteries and their maintenance where the need generated by the development cannot be met by existing provision and a scheme has been identified to meet that need.
- 4.48. At Banbury and Bicester the Town Councils in association with the District Council are pursuing schemes for new /extended provision. Specific costs will therefore be available for individual schemes.
- 4.49. Financial contributions will be sought for land acquisition and maintenance on a site by site basis where there is an identified need and the contributions sought will be dependent upon site circumstances (eg ground conditions) and commensurate to the need generated by the development.
- 4.50. In those limited cases where a development is of a scale that necessitates a new cemetery, developers will need to carry out consultation with the local population, and consider national guidance and best practice prior to design and implementation of cemeteries.
- 4.51. The methodology to be used in the calculation of contributions is as follows:

- a) Number of burial plots required to 2031 divided by the average number of plots per hectare = area of land required.
- b) Cost (including land purchase cost (unless land given free of charge), drainage, paths, fencing and storage facilities) of cemetery provision multiplied by % attributable to population growth.
- c) Divided by population growth = cost per person
- d) Multiplied by the average occupancy per dwelling type (2.49) = per dwelling cost (1 bed, 2 bed, 3 bed, 4+ bed)

Community Hall Facilities

- 4.52. Policy BSC 12 of the adopted Cherwell Local Plan sets out the Council's overall approach to the provision of new or extended community hall facilities.
- 4.53. In 2016/2017 the Council commissioned a 'Cherwell Community Spaces and Development Study (CCSDS) to provide evidence and policy proposals to inform community development and community indoor space provision in relation to new housing developments. An interim CCSDS was published in January 2016 and the study was completed in 2017.
- 4.54. The CCSDS Study recommends a local minimum standard of provision for community hall facilities required to meet the needs of the residents generated by new development. This minimum standard is 0.185m² per person.

Thresholds and Contributions

- 4.55. The local planning authority will expect all major residential developments to contribute towards the provision of new community facilities or the improvement/expansion of existing facilities where there is not enough spare capacity in existing appropriate facilities to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new community facilities to be provided, or for existing facilities to be extended or improved.
- 4.56. Where on site provision is required, the LPA will expect the developer to design and gain the necessary planning consents to a specification agreed by the LPA. The developer will then be expected to build the facility in accordance with the approved scheme. A commuted sum for the future maintenance of the facility will also be sought.

- 4.57. The threshold for provision of community facilities on site is normally a population that supports a minimum community facility of 345m² to include a main hall, kitchen, toilets and adequate storage. Where new development is taking place that demands a larger space then the opportunity should be taken to provide a range of spaces for a wider range of activities.
- 4.58. The Council's accessibility standard is 800m walking distance for facilities in urban areas, and a 15 minute drive time for residents in rural areas. On-site provision may therefore be sought for smaller developments depending upon the proximity of existing community centres. The size of the on-site provision will be commensurate with the scale of the development. This will be assessed on a case by case basis.
- 4.59. Where new development gives rise to a need for additional indoor community provision (but not a new freestanding facility) financial contributions will be sought for either off-site provision or the improvement/upgrading of existing facilities where appropriate schemes have been identified. Those needs will be assessed on a pro-rata basis using the standards set out in Appendix 11
- 4.60. The appropriate contribution is calculated by reference to the expected population in the development and the facilities required to support the population, multiplied by a standardised cost for the provision of the facility. Where contributions are sought for the expansion or improvement of existing facilities then the costs applying to the proposed improvements will apply.

Community Development

- 4.61. Community development is a key objective of the adopted Cherwell Local Plan. Strategic Objective SO10 seeks to provide sufficient accessible, good quality services, facilities and infrastructure, to meet health, education, transport, open space, sport, recreation, cultural, social and other community needs, reducing social exclusion and poverty, addressing inequalities in health, and maximising well-being.
- 4.62. Strategic Objective SO14 seeks to create more sustainable communities by providing high quality, locally distinctive and well-designed environments which increase the attractiveness of Cherwell's towns and villages as places to live and work and which contribute to the well-being of residents.
- 4.63. These objectives are further supported by the statement in paragraph B.86 that the Council wishes to ensure that new development fully integrates with existing settlements to forge one community, rather than separate communities.

- 4.64. Evidence gathered in preparing the 2017 Cherwell Community Spaces Development Study (CCSDS) strongly endorses the value of having a community development worker available at an early stage in a new development to 'kick start' the process of bringing people together, developing new activities and putting in place the building blocks of a strong community.
- 4.65. The Council will therefore seek financial contributions towards the provision of community development workers for major residential developments.

Thresholds

- 4.66. The threshold for contributions will generally be where a new community building is required to meet the needs of the new development, where the development is likely to give rise to a large new community, or where there may be issues of integration with existing communities.
- 4.67. Contributions will therefore not be sought from developments of less than 100 new dwellings.

Contributions

- 4.68. Contributions will be sought on a case by case basis to fund support from a community development worker. The levels of contributions sought are set out in Appendix 12
- 4.69. In addition to contributions towards a staffing resource, contributions will be sought towards a community development fund.

Community Safety & Policing

- 4.70. The supporting text to the adopted Cherwell Local Plan Part 1 states that the Council will ensure that new developments, area renewal and town centre expansions are safe places to live, work and visit by using tools such as 'secured by design' and by requiring provision of appropriate community safety and police infrastructure where required.
- 4.71. Thames Valley Police (TVP) is the police force that covers the Cherwell area. TVP operate a police model based upon the creation of Local Police Areas (LPAs). At present the Cherwell Local Police Area has a population of approximately 141,900 made up of 56,700 households (source: 2011 Census). This population generates an annual total of circa 32,500 incidents that require Police action. These are not

necessarily all 'crimes' but are calls to the 999 handling centre which require a police response.

4.72. TVP have advised that the anticipated planned growth in the District will place a significant extra demand on existing resources. The Council will therefore require all major residential and commercial developments, where required and where appropriate, to contribute towards the delivery of the following items of infrastructure to serve new developments and mitigate against their impact upon existing policing resources.

- Staff Set Up Costs – the cost of equipping and setting up new officers required to police new communities and neighbourhoods (not salary).
- Provision of New Vehicles and Bikes – the purchase of new fleet vehicles and bicycles.
- Premises – contributions towards the adaption/alterations or extension of existing premises for new officers to base themselves or work out of.
- Mobile IT – provision of suitable kit and equipment to enhance the mobility and flexibility of officers when working.
- Radio Capacity – additional demand will lead to an additional impact upon existing capacity of infrastructure.
- ANPR Cameras – Automatic Number Plate Recognition Cameras aid in detection but also prevent crime. Funding for the strategic placement of these cameras either in or close to new housing development will be sought where appropriate.
- Control Room and PND Capacity – At present police control room handling is at capacity at peak times. Contributions towards improving the capacity of the existing infrastructure may be required.

4.73. Requirements and contributions will be assessed on a site by site basis when a specific need or item of infrastructure that is directly related to the development is identified.

4.74. The costs relating to the proposed infrastructure items or area-based initiatives will be applied proportionately to the size or the potential occupancy of the development.

4.75. Further advice on the level of contributions sought for community safety/CCTV provision by development type can be found in Appendix 14.

Education

(Including primary, secondary, pre-school, further education and special needs education)

- 4.76. The NPPF (para' 72) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. This approach is further developed in the adopted Cherwell Local Plan Part 1 (Policy BSC 7) which seeks the provision of educational facilities throughout the District to accommodate population growth.
- 4.77. Oxfordshire County Council (OCC) has a statutory responsibility to ensure there are sufficient school and childcare places available for local children and young people living within the county of school age and whose parents wish their children to be educated by the state. It is important that these places are available within a reasonable travel distance for all those of school age occupying new residential development. The County Council produces an annual Pupil Place Plan² which sets out how school provision is expected to change over the next few years including anticipated requirements for new schools and school extensions linked to planned housing growth.

Planning Obligation Requirements

- 4.78. The LPA will expect all residential developments to contribute towards the provision of education infrastructure where there is not enough spare capacity in existing appropriate schools to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new schools to be provided or for existing schools to be extended. A list of planned projects is set out in the Council's IDP which is updated on a yearly basis.
- 4.79. Developments which are of such a scale as to require the provision of a new school will be expected to fully fund the smallest feasible scale of school which would be sufficient to accommodate the projected pupil generation. Where a new school is serving the needs of multiple developments, the cost of the school will be shared proportionately across the relevant developments, subject to the constraints of the CIL regulations.
- 4.80. In some cases the most appropriate scale of new school may be less than the projected pupil generation, in which case the development may also be required to fund expansion of existing schools, where this is necessary.

² Oxfordshire Pupil Place plan 2016-2020

- 4.81. Subject to approval by the Council and Oxfordshire County Council the direct delivery of schools by developers may also be considered acceptable.
- 4.82. Decisions as to whether or not there is sufficient spare capacity in a school are made with reference to current and forecast numbers on the roll and school capacity. Empty places at a school do not necessarily equate to there being excess capacity at that school. Any assessment of adequate and appropriate capacity will not normally include temporary accommodation.
- 4.83. In circumstances where it is not possible to provide school places within a reasonable walking distance an additional contribution towards the cost of providing transport for children to school may be required. The contribution will reflect the cost of providing the transport for a defined period of time.
- 4.84. This requirement will apply to all urban and rural residential developments which are likely to generate demand for school places. Contributions will not be sought towards educational infrastructure from developments of studio or one bed dwellings, institutional accommodation exclusively for undergraduate students or from sheltered/elderly housing and other specialist housing developments where children will not live.
- 4.85. Further advice on the method of calculations and the expected costs are set out in Appendix 2 and Appendix 3 respectively.

Flood Risk

- 4.86. There are extensive areas in the District that have been identified as being at risk of flooding. Flood risk arises from rivers, canals, sewers, surface water and ground water.
- 4.87. Policies ESD 6 and ESD 7 of the adopted Cherwell Local Plan seek to manage and reduce flood risk by using a sequential approach to development. Developers will therefore need to demonstrate that account has been taken of flood risk from all sources, and that the proposed development incorporates mitigation and management measures appropriate to the use and location. The Council also requires developers to improve water efficiency and reduce surface water run-off through the use of a range of Sustainable Drainage Systems (SUDs).
- 4.88. Flood defence measures that are deemed necessary to a development to mitigate specific impacts of that development, (including SUDs) will normally be sought through a planning condition. However, in certain circumstances a section 106 agreement may be required.

Health & Wellbeing

- 4.89. Policy BSC 8 of the adopted Cherwell Local Plan Part 1 sets out the Council's approach to securing health and well-being throughout the District. In addition, the Bicester Healthy New Town Programme aims to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future.
- 4.90. Improving public health, safety and individual wellbeing is also an overarching transport goal of Oxfordshire County Council's LTP4. This will be achieved by increasing levels of walking and cycling, reducing transport emissions, reducing casualties, and enabling inclusive access to jobs, education, training and services.
- 4.91. New residential development will be expected to contribute towards the provision of additional health care infrastructure generated by its population growth where there is insufficient existing capacity, well located to serve the development. This may include financial contributions and/or the provision of land and buildings to enable the provision of doctor's surgeries and other health facilities to serve the local population, or the upgrading or extension of existing facilities in some locations.
- 4.92. An on-site new facility would not normally be required unless a need is generated by a patient population of 8,000 or more and only then if other nearby practices lack the capacity to expand. On smaller residential sites and where the new development increases demand on existing facilities, the need for new provision is likely to be replaced by extending existing facilities.

Contributions

- 4.93. The LPA will seek a financial contribution towards the improvement and/or extension of existing facilities where appropriate schemes are identified on a site by site basis.
- 4.94. Guidance has been developed on the appropriate sizes for general medical services accommodation. These sizes are based on the number of GPs expected to practice from the premises and therefore, using the average list sizes per GP for Oxfordshire, the number of new patients provided for can be calculated.
- 4.95. Using this information and known development costs it is possible to estimate the cost of provision of the additional floorspace made necessary by new development. The additional floorspace required at an existing surgery per additional GP is approximately 118m².
- 4.96. The calculation of the cost per patient is as follows:

Floorspace per GP X Cost of floorspace per m² = Cost of GP
Cost of GP/GP average list size = Cost per patient

- 4.97. As primary care practices are run as independent businesses an appropriate mechanism is needed to ensure that any facilities paid by developer contributions remain in community use for at least 15 years. As such any funds secured towards the provision of extensions/improvements or new facilities will be the subject of an agreement with the individual practices.
- 4.98. Any practice that benefits in this manner will be required to repay the funds if the practice does not continue for 15 years after the facilities have been provided.

Indoor Sport and Recreation

- 4.99. Policy BSC12 of the adopted Cherwell Local Plan Part 1 sets out the Council's overall approach to provision and enhancement of indoor sport and recreation.
- 4.100. The Council's PPG17 Indoor Sports and Recreational Facilities Assessment 2006 identified the current and future deficiencies in provision and contain recommendations as to how these deficiencies can be met.
- 4.101. The Council is currently undertaking a review of the District's indoor sport and recreation provision. If this additional analysis work results in amendments to the Council's standards, they will be updated in the Cherwell Local Plan Part 2. Once in place, Local Plan Part 2 standards will replace Appendix 9.
- 4.102. The PPG17 Assessment recommended local minimum standards of provision and these are set out in Appendix 9.
- 4.103. New development that generates a need for sport and recreation facilities that cannot be met by existing provision will be expected to contribute towards the provision of new facilities or the improvement/expansion of existing facilities.
- 4.104. Where on site provision is required, the LPA will expect the developer to design and gain the necessary planning consents to a specification, in accordance with Sport England requirements, and agreed by the LPA. The developer will then be expected to build the facility in accordance with the approved scheme. A commuted sum for the future maintenance of the facility will also be sought in the event that the facility is transferred to the Council.

Thresholds

- 4.105. The threshold for provision of indoor sport and recreation facilities on-site is a population that supports a 4 court facility or 683m² of floor space. i.e. 12648 people or 5080 dwellings if the average occupancy is 2.49 per dwelling. (based on the adopted standard of 0.315 badminton courts per 1000 population)

Contributions

- 4.106. If on-site provision is not possible, or appropriate, or where the development falls below the threshold, financial contributions will be sought for either off-site provision or the improvement/upgrading of existing facilities where appropriate schemes have been identified.
- 4.107. Costs relating to the proposed improvements will be proportionate to the size or potential occupancy of the development. The levels of contributions will be reduced where the developer makes appropriate provision on-site of particular services or facilities.
- 4.108. The appropriate contribution is calculated by reference to the expected population in the development and the facilities required to support the population, multiplied by a standardised cost for the provision of the facility. Where contributions are sought for the expansion or improvement of existing facilities then the costs applying to the proposed improvements will apply.
- 4.109. Further detailed advice can be found in Appendix 9.

Nature Conservation & Biodiversity

- 4.110. Policies ESD10 and ESD11 of the adopted Cherwell Local Plan Part 1 sets out the Council's approach to the protection and enhancement of biodiversity and the natural environment, including Conservation Target Areas.
- 4.111. Relevant habitat and species surveys and their associated reports will be required to measure the biodiversity impact following the locally adopted Defra Offsetting Metrics and submitted to accompany planning applications which may affect a site of known, or potential, biodiversity value or the biodiversity/natural environment of the local area.
- 4.112. In addition to identifying biodiversity impacts, biodiversity surveys and reports should identify opportunities to deliver biodiversity enhancements.

- 4.113. Detailed advice for preparing a biodiversity survey can be found in Oxfordshire County Council’s guidance entitled ‘Biodiversity and Planning in Oxfordshire’ which is available on its website.
- 4.114. Where mitigation for the ecological impacts of a development can be achieved on-site, the LPA would normally secure this through a planning condition. Arrangements for the long term management and maintenance of this mitigation will normally be secured by a S106 agreement. In certain circumstances the LPA may seek a Local Ecological Management Plan, or equivalent, through a planning condition.
- 4.115. Thames Valley Environmental Records Centre has identified ten Conservation Target Areas (CTAs) in the District. They have been identified to focus work to restore biodiversity at a landscape scale through the maintenance, restoration and creation of UK Biodiversity Action Plan (BAP) priority habitats.
- 4.116. General targets for maintenance, restoration and creation of habitats have been set for each area. These will be achieved through a combination of biodiversity project work undertaken by a range of organisations, agri-environment schemes and biodiversity enhancements secured in association with development. These targets are in the process of being made more specific in terms of the amount of each habitat type to be secured within each CTA.
- 4.117. Where on-site mitigation or compensation cannot be achieved contributions may be sought towards a scheme that closely offsets the impact of the development, and which also meets the aims of the Council’s BAP.
- 4.118. The Council will generally seek to fund biodiversity enhancements via a section 106 agreement. This is based on the Council’s position that biodiversity offsets should not be classified as infrastructure³ because they do not enable the development to function, nor do they provide any facility to those living within or using the new development. This means that the pooling of more than 5 contributions towards one project or plan is possible.

Open Space, Play Facilities, Outdoor Sport & Recreation

- 4.119. Proposals for new development will be expected to contribute to open space, sport and recreation provision in accordance with Policies BSC10, BSC11 and BSC12 of the adopted Cherwell Local Plan Part 1.

³ Defra communication to Warwickshire County Council (02/11/2015)

- 4.120. The evidence base for these policies is the District's PPG17 Open Space, Sport and Recreational Facilities Needs Assessment, Audit and Strategy 2006, the subsequent Green Spaces and Playing Pitch Strategies 2008 and the Open Space Update 2011. The Council has now commissioned studies to update this information. Should these studies result in amendments to the open space standards, these standards will be updated in the Cherwell Local Plan Part 2.

Local Standards and Thresholds

- 4.121. The Council's strategies referred to above establish the current and future deficiencies in open space, sport and recreation provision together with recommendations as to how these deficiencies should be met. The Strategies recommend local minimum standards of provision and these are embodied in the adopted Cherwell Local Plan Part 1. They are set out in Appendix 4 for ease of reference. The Local Plan also includes qualitative standards of provision.
- 4.122. Obligations will only be sought in cases where the proposed development will result in a net increase in demand for recreational facilities. If the development is for a purpose which is unlikely to generate demand then no contribution will be sought. The LPA may, however, seek contributions from applicants for commercial development as working population increases as a result of commercial development can add to demand for facilities. People travelling in to the District for work will often use facilities close to their place of work.
- 4.123. On-site provision will be sought, in the first instance, in accordance with the minimum standards set out in Appendix 4. Detailed guidance on the Council's specification and design requirements for different types of open space/facility can be requested from the Council's Street Scene and Landscape Services Section. Agreement will be sought with the relevant town or parish council on the equipment to be purchased.
- 4.124. If the proposed development results in an increase in demand for recreational facilities, and the developer is unable to provide open space as part of the development, and there are identified shortfalls in the area, the LPA will seek a financial contribution towards off-site provision. This may include contributions to the improvement/enhancement of existing areas/facilities where appropriate schemes have been identified.
- 4.125. A list of deficiencies in open space, sport and recreation and priorities by Ward is set out in the Council's PPG17 Assessment – Open Space, Sport and Recreational Facilities Needs Assessment Audit and Strategy 2006, the subsequent Green Spaces and Playing Pitch Strategies 2008, and the Open Space Update 2011. Updated information will be published by the Council as it becomes available.

- 4.126. Commuted sums for maintenance of the open space or play facility will also be sought. This sum will be based on the LPA's actual maintenance costs, to cover the future maintenance of open space, sport, and recreation and play facilities, together with a sum to cover management costs for a 15 year period. A multiplier is used to account for the costs which will vary over the 15 year period and the 'discount effect' of a lump sum up front. In some instances a capital sum contribution for the build out of provision may be deemed necessary. The Council's 2016/2017 commuted sum requirements are set out in Appendix 6. These are subject to annual updates. Further detailed information and specifications can be accessed by contacting the Council's Street Scene and Landscape Services Section.

Local Management Organisations for Open Space Management

- 4.127. It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in agreement with the relevant town or parish council with a commuted sum. The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out in Appendix 8 and has the agreement of the relevant town or parish council.

Public Realm and Public Art

- 4.128. The public realm and public art can play an important role in enhancing the character of an area, enriching the environment and improving the overall quality of space. Public realm relates to all those parts of the built environment, either publicly or privately owned, located between and within buildings that are publicly accessible such as all streets, squares, and other rights of way as well as open spaces and parks, watercourses and canals. High quality design and good management of the public realm is essential in creating successful and vibrant places and help to integrate new development in to the surrounding area. It can help to establish an identity for an area making it memorable and providing useful landmarks, particularly if it draws inspiration from local themes or associations.
- 4.129. One of the core principles of the NPPF is to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. It states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. It also advocates planning policies and decisions aimed at achieving places which promote, inter alia, safe and accessible developments,

containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.

- 4.130. The Government's Planning Practice Guidance (PPG) (para 018) states that 'Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using'.
- 4.131. Policy ESD 15 of the adopted Local Plan states that the conservation of the historic environment and securing high quality urban design are very important in protecting and enhancing the character of the District and ensuring that Cherwell is an attractive place to live and work.
- 4.132. Other adopted policies seek to support the District's town centres and to maintaining their vitality and viability and their associated infrastructure to create vibrant retail environments. In particular Policy Bicester 5 seeks to strengthen Bicester Town Centre. Similarly Policy Banbury 7 and Policy Kidlington 2 set out similar aims for Banbury and Kidlington respectively.
- 4.133. The adopted Banbury Masterplan SPD establishes a strategic vision for Banbury with a strong economy and vibrant and attractive town centre. It identifies areas for public realm, street, junction, environmental and public art improvements.
- 4.134. The adopted Kidlington Masterplan SPD establishes a strategic vision for the village in line with the adopted Local Plan. Key themes explored include opportunities to improve the public realm within the village centre, improvements to Oxford Road and the village gateways. Work is progressing on the Bicester Masterplan with one of its aims being to improve the character and appearance of the centre of Bicester and the public realm.

Contributions

- 4.135. Contributions will be sought towards the creation and/or enhancement of the public realm in the vicinity of new development where the proposed development will have a direct relationship with a public realm improvement scheme identified in the Council's IDP.
- 4.136. The level of financial contributions will reflect the character and scope of the works required and will be negotiated on a case-by case basis.
- 4.137. Financial contributions will be sought for public realm and public art projects listed in the Council's IDP which is updated on an annual basis.

Transport & Access

- 4.138. Oxfordshire County Council is the local highway authority and is responsible for the management and maintenance of the adopted highway network within the District.
- 4.139. The County Council is also the local transport authority. It produces the Oxfordshire Local Transport Plan and has various responsibilities for public transport. It is also the traffic authority responsible for traffic management and road safety. It has further responsibilities in relation to school transport and public rights of way.
- 4.140. The Oxfordshire Local Transport Plan provides the strategic framework for transport in the County. It sets out likely transport infrastructure requirements and priorities for Cherwell aimed at tackling congestion, promoting sustainable travel, safer roads, improving public health and wellbeing, and improving the street environment. Specific schemes and projects are set out in the Council's Infrastructure Delivery Plan and the Oxfordshire Infrastructure Strategy.
- 4.141. The Council's strategy, as set out in the adopted local plan, for managing growth is to locate development in sustainable locations and identify appropriate and deliverable measures to meet the transport needs of the District.

Planning Obligation Requirements

- 4.142. All new developments in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of the development. This will support delivery of the infrastructure and services needed to facilitate travel by sustainable modes. It will also enable improvements to be made to the local and strategic road and rail networks.
- 4.143. Where there is likely to be a transport impact the LPA will require the submission of a Transport Assessment. The type and level of any contributions towards transport infrastructure provision will be considered in the Transport Assessment and negotiated with the Highway Authority.
- 4.144. Detailed technical pre-application discussions with Oxfordshire County Council on the transport assessment are essential for major developments.
- 4.145. Direct infrastructure provision, financial and other contributions (including those for bus services) towards mitigating measures will be included in a planning obligation. The implementation of any physical changes to the highway network required to accommodate, or mitigate, the effects of a proposal will be managed through a

highways agreement with the Highway Authority. For major schemes it will be necessary to define the highways agreements at the time planning permission is granted. In such cases the highways agreement will be referred to in, and linked to, the planning agreement. This will ensure certainty and transparency of implementation requirements and costs for all parties.

- 4.146. In addition to local transport mitigation, S106 contributions will be required for strategic transport schemes (identified in the IDP) related to cumulative growth using the following formula (subject to the constraints of planning legislation):

X = Cost of Scheme(s)

Y = Held/Committed funding

Z = Local Growth Funding/Alternative Funding

E = Expected Growth

$$\text{S106 Contribution} = (X - Y - Z) \div E$$

- 4.147. As denoted by 'E', where a scheme (to which a strategic transport contribution is requested) serves the needs of multiple developments, the cost of the scheme will be shared proportionately across the relevant developments.
- 4.148. The LPA may also require the preparation, agreement and implementation of a Travel Plan to mitigate the impact of the development on the transport system and environment. This will be a standard requirement for major developments and, depending on the nature of the development, the Plan may be secured by either a condition or planning obligation. Travel Plans for major development will normally include targets for modes of travel to and from the site and monitoring arrangements. There will be a need for financial commitments and incentives and/or penalties for non-compliance.

Waste

Waste Collection Containers and Recycling Banks

- 4.149. The Council is committed to a strategy of minimising domestic waste sent for disposal through the development of recycling services and the reduction and reuse of materials. The Council will seek contributions for the provision of sorting facilities to deal with domestic waste at source. Each new dwelling will be provided with appropriate containers and the collected materials will be taken away to a recycling centre.

- 4.150. The Council's current waste collection service is currently working at full capacity therefore future new development will need capital investment to ensure the service to the customer meets all the requirements set out below.
- 4.151. Building Regulations 2000 (as amended by SI 2001/3335) H6 sets out the following planning requirement:
- Adequate provision shall be made for the storage of solid waste.
 - Adequate means of access shall be provided;
 - For people in the building to the place of storage and from the place of storage to the collection point.

Policy Framework

- 4.152. The NPPF paragraph 7 notes that planning has an environmental role, including the need to minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 4.153. The Cherwell Low Carbon Environmental Strategy, published in December 2011, seeks to deliver the objectives of the Cherwell Community Plan through the protection and enhancement of the local environment in terms of Waste minimisation, reuse and recycling.
- 4.154. Every residential dwelling requires (2017 prices):
- 1 X blue wheeled bin for the collection of dry recyclable material (£20) at the current size of 240 litre
 - 1 X green wheeled bin for collection of residual waste (£20) at the current size of 180 litre
 - 1 X brown wheeled bin for the collection of garden and food waste material (£20) at the current size of 240 litre
 - 1 X brown kitchen caddy for the collection of food waste (£4) and transferral into the brown garden and food waste bin
 - Capital investment in waste collection vehicles to service the new development (£42).
- 4.155 Where blocks of flats are proposed, waste collection should be through the use of communal collection containers or through provision of individual bins held in a communal location.
- 4.156 Communal bins stores should not be provided for groups of houses unless they are serviced by a private road. Communal bins should be housed in a covered storage area and the following issues should be taken into account: -

- Bin stores should be built to a specification that ensures they do not detract from the visual aspects of the local environment.
- Stores should be no more than 5 metres from the kerbside or point where the vehicle would stop (vehicle access has to be proven rather than assumed)
- To provide sufficient space for residents to deposit their waste, a minimum of 1m must be provided in front of the containers
- Where more than one bin is to be placed in a storage area, the bins must be positioned so that they can be easily accessed without users having to move other bins. In short they must not be ranked or more than one deep
- A door or gate of a minimum opening of 1600mm should also be provided. Smaller doors for residents use can be provided in addition to this requirement
- Doors should open outwards, but not over the public highway or parking spaces
- A path leading from the kerbside to the bin store should be provided, with a minimum width of 1.5m. The path should be level or a gentle slope and should not contain steps
- Stores should not be behind gates or security barriers that would prevent them being emptied
- The structure must be robust enough to withstand everyday use
- Stores should not be behind designated parking bays or require the movement of containers past or through legally parked cars
- Communal bin compounds should be far enough away from housing units so as to reduce the impact of noise during bin use and collection but sufficiently close for easy use. Eliminating the need for collection vehicles to reverse will also assist in keeping noise to a minimum
- Dropped kerbs should be provided.

4.157 Bin storage areas should be a minimum 1.8 square metres per dwelling for houses/bungalows and 1.4 square metres per dwelling for flats or multi occupancy properties.

4.158. Local recycling banks or 'bring sites' shall be provided for recyclables not separated in domestic waste collection, such as glass and clothing. Recycling banks must include at least:

- 2 x Green glass banks
- 1 x Brown glass bank
- 2 x Clear glass bank
- 1 x Textile bank

4.159. Recycling banks (bring sites) are required to serve approximately every 500 dwellings. For residential developments a financial contribution towards the capital cost of providing collection banks shall be sought. Recycling banks (bring sites) currently require the provision of 5 containers at a cost of £500 each. This equates to a cost of £5.00 per dwelling.

Size of Development	Contribution per dwelling
Developments between 1 and 199 dwellings	£106.00 for bin and collection vehicle provision. £5.00 towards recycling banks
Developments over 200 dwellings	£106.00 for bin and collection vehicle provision. £5.00 towards recycling banks. On-site provision of recycling bank including provision of land.

4.160 Where on-site contributions are required if this cannot genuinely be provided, a financial contribution equivalent to the cost of providing and equipping a local bring site shall be paid to the Council.

4.161 Waste and recycling bin contributions will be sought on occupation of new dwellings. The provision of recycling bring sites will be sought as early in the development as possible to serve the residents of the development.

4.162 The Council's Environmental Services department will be able to provide further advice on the Council's requirements.

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Developer Contributions Supplementary Planning Document (SPD)

2nd Consultation Draft November 2017

Cherwell District Council

APPENDICES

Appendix 1: Population Figures

This appendix sets out the assumed population generation rates per dwelling for Oxfordshire. The average occupancy rate per dwelling for the whole of Oxfordshire is 2.49. This assumes that an average development would contain 15% one bed dwellings, 30% two bed dwellings, 40% three bed dwellings, and 15% four bed dwellings. (Source: SHMA 2014).

Average Occupancy per Dwelling

Dwelling Type	One Bed	Two Bed	Three Bed	Four Bed
All Ages	1.28	1.85	2.88	3.96

(Source: OCC)

The above occupancy rates will be applied to all residential development proposals of 399 dwellings and below. For larger developments an excel based model known as POPCAL 10 will be used to calculate a detailed population profile associated with the proposed development.

Average Pupil Generation per Dwelling

School Category	One Bed	Two Bed	Three Bed	Four Bed
Primary (4-10)	0.00	0.17	0.39	0.51
Secondary (11-15)	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07

(Source: OCC)

A reduction of 15% to the pupil generation rates has been applied to take account of pupils who will be educated in the independent sector. The sixth form rates have been discounted further to account for pupils leaving school before the sixth form.

Appendix 2: Indices used for Contributions Sought on behalf of OCC

Contributions sought on behalf of OCC will be index-linked to maintain the real value of the payments.

Indexation will be applied using the formula:

$$\text{Index Linked Contribution} = \text{Revised Index Value}^{**} \div (\text{Principal Amount} \times \text{Base Index Value}^*)$$

* A base date for contributions is established in this Guide and within the planning obligation. Using this base date a precise value within a particular index can be found.

** The date that the contribution is indexed to will be identified within the planning obligation. This will usually be the date of payment. Using this revised date a precise value within a particular index can be identified.

The table below sets out the indices that will be used.

Contribution Type	Index Name	Source	Notes
Transport contributions (excluding Public Transport Services)	Baxter	The Dept for Business, Innovation & Skills	This index is a composite index comprising the following weighted indices from the Civil Engineering Formula '1990 Series' Index 1: Labour & Supervision (25%) Index 2: Plant & Road Vehicles (25%) Index 3: Aggregates (30%) Index 9: Coated Macadam & Bitumous Products (30%)
Public Transport Services Contributions	RPIX	ONS	RPIX is a measure of inflation in the UK. It is equivalent to the Retail Price Index (RPI) excluding mortgage interest payments.
All Other contributions	Tender Price Index of Public Sector Building (Non-housing) PUBSEC (incorporating SE	The Dept for Business, Innovation & Skills	The PUBSEC index is compiled from bills of quantities of accepted tenders forwarded from

	location factor)		Government Departments. The Index is an indicator of the trend in accepted tender prices for constructing public sector works in Great Britain. The results are published quarterly.
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Appendix 3: Education Infrastructure: Calculation of Contributions

Contributions for educational infrastructure will be calculated by multiplying the net increase in the forecast number of pupils (of the appropriate age) moving in to the new housing by the 'cost per pupil' of the required additional infrastructure.

Average Pupil Generation per Dwelling

School Category	One Bed	Two Bed	Three Bed	Four Bed
Primary (4-10)	0.00	0.17	0.39	0.51
Secondary (11-15)	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07

These rates are derived from the Oxfordshire Survey of New Housing (2008).

A reduction of 15% to the pupil generation rates has been applied to take account of pupils who will be educated in the independent sector. The sixth form rates have been discounted further to account for pupils leaving school before the sixth form.

Based on the current percentage of pupils being educated in Special Educational Needs (SEN) schools in Oxfordshire 1.1% of the total pupils generated by the development will need to be educated in a SEN school (the majority of pupils with a statement of special educational needs are educated in 'mainstream' schools).

The table below sets out the standard cost per pupil of providing an extension to an existing facility. These standard costs will be used unless there is a specific scheme cost or where a new school is required. The figures are from the Department for Education (DfE) and have been adjusted for Oxfordshire using the DfE published location factors.

Table1: Cost per pupil for extensions to existing facilities

	Total Cost per Pupil for Extensions (3Q15)
Primary	£12,688
Secondary	£19,194
Sixth Form	£20,484
SEN	£36,684

To give an indication of the contributions which may be necessary to address the impact of proposals the cost per pupil for extensions to existing facilities is multiplied by the pupil generation rates per dwelling to reach the contributions per dwelling shown below.

Table2: Contribution per dwelling

	1 Bed	2 bed	3 Bed	4+ bed
Primary	£0	£2157	£4948	£6471
Secondary	£0	£1727	£4415	£6718
Sixth Form	£0	£205	£615	£1434

If a development creates all or part of the need for a new school a different level of contribution reflecting the actual estimated cost for the new school or part thereof will be applied. Where the development substantially necessitates a new school, developers will be expected to provide at nil cost to the education provider a suitable site (both in terms of size and location) which is fully serviced, fully decontaminated and remediated. The costs of providing and equipping a new school including playing fields/sport facilities will be calculated by reference to the county council's adopted primary and secondary school briefs together with relevant government advice. These requirements will be negotiated on a site by site basis.

Appendix 4: Local Standards of Provision – Outdoor Recreation.

Type of Provision	Quantitative Standard	Accessibility Standard	Minimum Size of Provision	Threshold for On-Site Provision
General green space (parks & gardens/natural semi-natural/amenity green space)	2.4ha per 1000 urban dwellers	5 minute walk (amenity open space) (400m)	200sqm	10 urban dwellings
	2.74ha per 1000 rural/urban dwellers	15 minute walk other (1200m)		6 rural/urban edge dwellings
Play space (combining provision for younger and older children including MUGAs)	0.78ha per 1000 people	5 minutes walk (400m) except for NEAPs 15 minute walk (1200m)	LAP – 100sqm activity zone; 400sqm including buffer	10 dwellings (for a LAP)
			LEAP – 400sqm activity zone; 3600sqm including buffer	50 dwellings (for a LEAP and LAP)
			NEAP – 1000sqm activity zone; 8500sqm including buffer	100 dwellings for a NEAP and LEAPs/ LAPs
			NB: In some cases a combined all-age area of play will be preferable to provision of LAPs/LEAPs/NEAPs.	
Outdoor sports provision (combining tennis courts, bowling greens, golf courses and playing pitches) (to be accompanied by changing facilities where appropriate)	1.13ha per 1000 people	Football, rugby, cricket: 10 minute walk (800m) urban areas, 10 minute travel time (8km) rural areas Tennis courts: 15 minute walk (1200m) urban areas, 15 minute	0.12ha	65 dwellings

Type of Provision	Quantitative Standard	Accessibility Standard	Minimum Size of Provision	Threshold for On-Site Provision
		<p>travel time (12km) rural areas</p> <p>Bowling greens, golf courses: 15 minute travel time (12km)</p> <p>Hockey: 20 minute travel time.</p>		
Allotments	0.37ha per 1000 people	10 minute walk (800m)	0.2ha	275 dwellings

Appendix 5: Summary of demand for open space, sport and recreational facilities by development type

Type of Green space	Houses	Flats	Bedsits	Hostels	Sheltered Accom	V. Sheltered accom	Care homes	Student accom
Parks and gardens	yes	yes	yes	yes	yes	no	no	yes
Natural/semi natural green space	yes	yes	yes	yes	yes	no	no	yes
Amenity green space	yes	yes	yes	yes	yes	no	no	yes
Play provision	yes	yes	no	no	no	no	no	no
MUGAs	yes	yes	no	no	no	no	no	yes
Tennis courts	yes	yes	yes	yes	no	no	no	yes
Bowling greens	yes	yes	yes	yes	yes	no	no	yes
Golf courses	yes	yes	yes	yes	no	no	no	yes
Allotments	yes	yes	yes	yes	yes	no	no	yes
Pitches	yes	yes	yes	yes	no	no	no	yes

Appendix 6: Commuted Sums for Children’s Play Space, Sports Pitches, Public Open Space

The commuted sums for capital infrastructure are based on current contractor costs. The landscape maintenance rates are taken from the annually updated competitive rates of the Council’s landscape maintenance contract. (quoted sums from 2016/2017)

Each provision is multiplied by the current multiplier to commute the payment over a 15 year period

Current Inflation Figure = CPI 0.5%

Current Multiplier - 15

Play Areas – Maintenance Provision	Total Cost (£)
LAP – Equipped (400m ²)	27501.52
LAP – Free Play Zone (400m ²)	12394.26
LEAP (3600m ²)	108761.69
LEAP/LAP Combined (4000m ²)	121492.13
NEAP (9500m ²)	249994.49
NEAP/LEAP Combined (13100m ²)	350435.88

Play Areas – Capital Provision	Total Cost (£)
LAP – Equipped (400m ²) Local Area for Play (fencing, furniture, surfacing & signage)	20779.15
LAP – Free Play Zone (400m ²) Local Area for Play (fencing, furniture, path surfacing & signage)	10882.91
LEAP (3600m ²) Local Equipped Area for Play (play equipment, fencing, furniture, surfacing & signage)	60783.45
LEAP/LAP – Combined (4000m ²) Local Equipped Area for Play (play equipment, fencing, furniture, surfacing & signage)	74723.30
NEAP (8500m ²) Neighbourhood Equipped Area for Play (play equipment, MUGA, fencing, furniture, surfacing & signage)	240326.82

Outdoor Sports Facilities – Maintenance Provision	Total Cost (£)
Tennis/netball/basketball court	27468.25
Bowling Green	173303.86
Cricket Square	53197.08
Football Pitch - Senior	70195.95
Football Pitch - Junior	61589.12
Synthetic Pitch – 400mm 3G (130m x 90m)	111638.94
Pavilions	
2 changing room – Tennis & Bowls	43164.75
2 changing room – Football – 1 pitch	41338.67
4 changing room – Football – 2 pitches	55084.05
6 changing room – Football – 3 pitches	71871.57

Outdoor Sports Facilities – Capital Provision	Total Cost (£)

Tennis/netball/basketball court	40903.50
Bowling Green	122449.20
Cricket square	43267.93
Football pitch - Senior	77647.64
Football pitch - Junior	62670.80
Synthetic pitch – 40mm 3G (130m x 90m)	582900.00
Pavilion	
2 changing room – Tennis & Bowls	431648.51
2 changing room – Football – 1 pitch	413392.68
4 changing room – Football – 2 pitches	550840.50
6 changing room – Football – 3 pitches	718715.70

Green Infrastructure – Maintenance Provision	Total Cost (£)
Public Open Space (cost per hectare)	93222.18 (per m ² – 9.32)
Hedge Maintenance (cost per 1000 Lnm)	14354.42 (per m ² – 14.35)
New Woodland Area Maintenance (cost per 1000m ²)	23233.59 (per m ² – 23.23)
Mature Woodland Area Maintenance (cost per 1000m ²)	4629.23 (per m ² – 4.63)
Mature Tree Management (cost per 10 trees)	3348.23

Green Infrastructure – Capital Provision	Total Cost (£)
Public Open Space (cost per hectare)	110829.85
Hedge Planting (cost per 1000Lnm)	6051.91
New woodland planting (cost per 1000m ²)	6545.57

Water Feature – Maintenance Provision	Total Cost (£)
Pond maintenance (per 500m ²)	21904.28 (per m ² – 43.81)
Ditch maintenance (per 500 m ²)	16290.05 (per m ² – 32.58)
Stream Maintenance (per 500m ²)	8969.63 (per m ² – 17.94)
Balancing Pond maintenance (per 500m ²)	5812.92 (per m ² – 11.63)

Allotments – Maintenance Provision	Total Cost (£)
Allotment Areas (cost per hectare)	42190.84 (per m ² – 4.22)
Allotments – Capital Provision	
Allotment Areas (cost per hectare)	255713.11

Off- Site Contributions	Total Cost (£)
In lieu of Children’s Play Facilities – Developments (10+ dwellings)	23068.62 (per dwelling – 2306.86)

In lieu of Sports Pitch provision- Developments (10+ dwellings)	20170.30 (per dwelling- 2017.03)
In lieu of Open Space Provision- Developments (10+ dwellings)	14262.65 (per dwelling- 1426.27)

Appendix 7: Open Space, Sport and Recreation: Process and Procedures for Applications where On-Site Provision is Required.

Pre-application

The LPA will identify the on-site open space, sport (indoor/outdoor), recreation and play provision required, and the planning obligation (including commuted sums/rates) that is required.

The LPA will identify requirements in consultation with the appropriate Parish and Town Councils. Normally Town and Parish Councils are the preferred custodians and providers of open space, play, sport and recreation facilities and they will be expected to take ownership or adopt the facilities. In exceptional cases Town and Parish Councils may not be willing or able to take ownership or adoption and in these cases the LPA will proceed on the basis that the District Council will be responsible for the long term ownership, management and maintenance after transfer.

Where possible any options for off-site provision will be identified at this stage.

Application

The same procedure for Pre-application applies. At this stage the LPA will seek the agreement of Parish and Town Councils to the concept and layout of the open space, sport (indoor/outdoor), recreation and play provision prior to the granting of planning permission. Their commitment to future ownership or adoption will also be expected.

At application stage specific proposals must be identified and defined to support preparation of planning obligation documents.

Approval of Submitted Open Space, Sport, Recreation and Play Proposals (Construction Details)

Conditions and planning obligations will require the developer to submit detailed proposals to the LPA for approval. These proposals must include detailed drawings, specifications, guarantees (transferable) and maintenance specifications to BS/EN standards. The LPA will provide formal approval to the developer once internal consultations are completed, or seek amendments to the open space, sport, recreation and play proposals, as necessary.

Approvals will be managed as follows:

- The LPA will discharge the conditions/obligations when open space, sport, recreation and play provision details are deemed acceptable by the Council.
- It is important to note that the development must not commence until there has been submitted to and approved by the LPA a scheme (including a phased programme [on large developments]) for the laying out, hard and soft landscaping and equipping of the open space, sport, recreation and play provision including, supporting changing accommodation.
- The planting, turfing and seeding to the open space, sport, recreation and play provision is to take place during the first planting season following the commencement of development [or phase of development]. The setting out of the landscaping and equipping of the open space, sport, recreation and play provision is to be in accordance with the approved scheme to the satisfaction of the LPA.

- The Developer is required to notify the LPA on the commencement and completion of the open space, sport, recreation and play provision, and must maintain the provision to its original standard for a period of twelve months following its completion, as certified by the LPA, replacing items (including surfaces) which are defective in the opinion of the LPA in accordance with the approved details contained in the scheme, and replacing any trees or shrubs which may die, are removed or become seriously damaged or diseased with others of similar size and species to the satisfaction of the LPA, The Developer is to carry on maintaining the open space, sport, recreation and play provision and supporting changing accommodation until these facilities are transferred, and to give access to the LPA's officers to enter to the area/s to carry out inspections.
- The LPA is to be notified by the developer on the commencement and completion of the open space, sport, recreation and play provision and supporting changing accommodation and the LPA will inspect the development at the following stages:
 - a) setting out,
 - b) drainage,
 - c) equipment installation,
 - d) surfacing; and
 - e) planting (including grass / wildflower seeding)

The developer is to ensure that a report is to be provided by a recognised body certifying that the construction is adequate for the intended use and submitted to the LPA.

Monitoring Development

The Developer is to provide an indicative timetable of on-site operations including indicative dates for the stages of construction and completion of the open space, sport, recreation and play provision to the LPA for the Council's coordinated monitoring of the open space, sport, recreation and play provision and supporting changing accommodation. It is necessary for the Developer to advise the LPA when the laying out of the open space, sport, recreation and play provision is taking place.

The LPA will monitor the commencement of development, compliance with conditions and planning obligations.

The LPA will endeavour to carry out inspections within 5 working days of notification by the developer at the stages listed above with the aim of ensuring that works are satisfactory, to identify remedial works when necessary and areas completed in accordance with the approved plan. Records will be kept on monitoring sheets of all inspections, and minutes of site meetings.

Enforcement (before practical completion)

The LPA will take enforcement action on conditions and obligations, should it be necessary, and will ensure good record keeping as evidence and provide expert witness statements, if required.

Practical Completion

The Developer must arrange for satisfactory Royal Society for the Prevention of Accidents (RoSPA) inspections and the subsequent reports to be forwarded to the LPA. They must also obtain transferable

guarantees for equipment which must also be sent to the LPA. For natural sports pitches or courts a satisfactory post completion 'fit for purpose' report from a recognised body, such as the Sports Turf Research Institute (STRI) or a member of the Sports and Play Construction Association (SAPCA), will be required. The Developer is to provide two sets of as-built drawings for the LPA. The LPA will carry out inspections of the completed open space, sport, recreation and play provision and inform the Developer of any defects in writing. The Developer must correct the defects as soon as possible and inform the LPA's planning department when the defects have been remedied, as early as possible. The LPA will then issue certificates of practical completion, detailing outstanding items of work, copies of which to be provided to the Developer and contractor.

The Developer is to confirm to the LPA that remedial works to defects are complete. Once the LPA has inspected the remedial works and found them to be satisfactory the LPA will then confirm that all works are complete in accordance with the approved plans and the open space, sport, recreation and play provision is acceptable for adoption.

The LPA will check and revise commuted sum calculations, if required (in cases where a schedule of rates was given by the District Council and shown in the planning obligation).

The Developer must ensure that the play areas/MUGAs are opened for use once practical completion is granted. Insurance cover must be provided by developer until formal transfer by the District. The developer should provide signs at each facility providing contact details for the public to report any defects. Joint monitoring of the open space, sport, recreation and play provision by the Developer and the Council is necessary to ensure the sites are safe for use. The LPA will consider any proposed change to the twelve month liability period by the Developer and agree to any changes in writing, if appropriate.

A twelve month maintenance period is required for open space and play provision to ensure that landscape features become established prior to the areas being transferred.

On sports pitches a minimum of two years is required before transfer from the date of seeding and completion to allow for establishment of the pitches.

Final Completion

The LPA will undertake an inspection of the open space, sport, recreation and play provision one month before the expiry of the twelve month defects period. The developer is to bring the space, sport, recreation and play provision up to the adoptable standard. The developer shall also provide the LPA with a post installation inspection and safety audit from a RoSPA -approved expert for play areas and informal open space. For sports pitches or courts a satisfactory post completion report from a recognised body such as STRI or SAPCA member will be required.

If all areas are satisfactory the LPA will issue certificates of final completion to the Developer.

Transfer

The Developer will start the legal transfer to the LPA, accompanied by an appropriate contribution towards its maintenance after adoption. This contribution will normally be in the form of a commuted sum, to cover 15 years maintenance, secured through a planning obligation document.

The LPA's finance section is to set up a new accounting code for each commuted sum. This will be specifically linked to the planning application reference number. All payments are to be made to the

LPA (by cheque or BACS) under the designated code with details of the application reference number and accompanied by a breakdown of capital and maintenance contributions.

The receiving LPA's Legal Team will complete the transfer of the open space, sport, recreation and play provision to the LPA on receipt of the commuted sum. On completion of the legal transfer the LPA will take over the maintenance responsibility. The LPA will then proceed to transfer or lease the provision to the relevant town or parish council along with any commuted sum balances.

Developer Responsibilities for maintenance of open space, sport, recreation and play facilities.

The long term maintenance of open space, sport, recreation and play facilities is critical to ensure that they achieve and maintain their maximum potential benefit and value. In the case of new housing developments, the developer will be required to make provision for the appropriate amount and type of open space, sport, recreation and play provision, plus supporting changing accommodation.

The developer is to submit to the LPA management plans and maintenance schedules to ensure that the soft/green areas of open space, sport, recreation and play facilities are established successfully for the benefit of the community and biodiversity. The maintenance specification is to be written and implemented in accordance with the relevant EN/BS standards.

Maintenance of Sports Pitches

The Developer's Contractor will be responsible for the maintenance of the grass sward for 2 years from the date of practical completion. A maintenance specification is to be submitted to the LPA. This maintenance specification must comply with industry best practice.

Maintenance of Play Areas and MUGAs

The Developer's Contractor will be responsible for the maintenance of the play areas and MUGAs for 12 months from the date of practical completion. A maintenance specification is to be submitted to the LPA and must comply with industry best practice.

Maintenance of Open Space and Recreation Areas

The Developer's Contractor will be responsible for the maintenance of open space and recreation areas for 12 months from the date of practical completion. A maintenance specification is to be submitted to the LPA and must comply with industry best practice.

Appendix 8: Local Management Organisation Requirements

NOTE: It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in conjunction with the relevant town or parish council with a commuted sum. The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out below and has the agreement of the relevant town or parish council.

- Provide a method statement of how the funding will be provided to the Management Company to cover maintenance costs in perpetuity.
- Provide a method statement of how capital funding for replacement items/unforeseen costs will be generated.
- The Council's twice yearly inspection costs will be paid as a commuted sum for the first fifteen years for monitoring the management company's maintenance standards.
- Confirmation that the standards of maintenance will be identical to the standard set out in the Council's Technical Specifications for Landscape and Cleansing Operations.
- Confirmation that a diminishing bond will be put in place to cover the Council's costs of maintenance and management of the site , to be available for the council to draw upon if standards delivered by the management company do not match those set out in the Council's Technical Specifications.
- Confirmation that the Council has the step in rights if the management company let standards drop below the standards set out in the Council's Technical Specification along with the rights to recover costs.
- Confirmation that at no point will the service charges levied on residents increase the rents for affordable housing above 80% of the open market rents as published by the Home and Communities Agency (HCA), where affordable rents are in place.
- Confirmation that all public open space, outdoor sports pitches and play areas remain accessible and usable by the general public in perpetuity.
- If the management company goes in to administration, confirmation that title deeds of all public open space, outdoor sports or play areas transfer to the Council as the provider of last resort.

Appendix 9: Local Standards of provision – Indoor Recreation

Facility Type	Local Quantity Standard per 1000 Population
Sports Hall	0.315 badminton courts
Swimming Pool	9.31 m ²
Squash Courts	0.059 courts
Health & Fitness	5.28 stations
Indoor Bowls	0.045 rinks
STPs	0.046 pitches
Athletics Tracks	0.0012 8 Lane facility
Community Centre	185m ²

Sports Hall

There is a need for 0.315 badminton courts (sports hall) or 53.78m² per 1000 people (or 0.054m² per person). This figure is based on the area of a four court hall plus circulation, reception and changing space (683m²). The cost of construction is £2251 per m² plus land costs and VAT (at 2016). The cost per person for sports hall provision is therefore £121.56 plus land costs and VAT.

Swimming Pool

There is a need for 9.31m² of swimming pool area per 1000 people or 0.0931m² per person. The cost of construction of a new build swimming pool, using average of Swim 25 commercial product and RICS Building Cost Information Service construction costs, would be £2,296 per m² plus land costs and VAT (at 2010). The cost per person for swimming pool provision is therefore £213.76 plus land costs and VAT.

Appendix 10: On-Site Community Facilities and Indoor Sport Provision: Process and Procedures

The LPA will identify the on-site indoor sport and/or community centre provision required and will provide the developer with a specification for the floor space and the facilities that need to be provided on site. At application stage specific proposals must be identified and defined to support the preparation of planning obligation documents.

Conditions and planning obligations will require the developer to submit detailed proposals to the LPA for approval. These proposals must include detailed drawings, specifications and guarantees (transferable). The LPA will provide formal approval to the developer once internal consultations are completed, or seek amendments to the proposals as necessary.

The developer will construct the building/facility in accordance with the approved details and ownership of the building/facility will be transferred to the Council following a satisfactory final inspection. The Council may subsequently transfer the ownership to the relevant parish authority or a suitable community association. In exceptional circumstances the Council may accept alternative management arrangements for the facility. These circumstances will be assessed on a case by case basis.

The timing of provision of the facility will be negotiated on a case by case basis but the size of the development and proximity to existing facilities will be a determining factor. In the case of the community hall provision a suitable temporary facility should be available to the residents on completion of the 100th dwelling.

Appendix 11: Community Hall Facilities

In accordance with the recommendation of the 2017 CCDS Study a required community hall facility standard of 0.185m² per person will be applied.

Capital Costs for Provision of New/Extended Community Hall Facility

	Capital Cost	Capital Cost/m2	Cost per person
1 storey	£1,600,000	£2,315	£428
2 storey	£1,820,000	£2,633	£488
Hard landscaping	£331,000		£89
Soft landscaping	£10,000		£3
TOTAL			£520 (1-storey)
			£580 (2-storey)
Horizontal extension to existing community hall		£2,920	
Refurbishment of existing community hall		£2,482	

Costs are correct at 2017

Calculations are based on the construction of a 691sqm building.

The cost estimates are inclusive of main contractor preliminaries, overheads and profit, project/design team fees and client contingencies.

Contributions towards the maintenance of the facility will also be sought. This will cover a 15 year period following the transfer of the facility to the LPA (or community association). A list of typical maintenance tasks and costs is set out below:

Annual Costs (Repeated Each Year)
Fire alarms and extinguishers
Intruder alarms
Boiler service and gas safety
Water monitoring and legionella
Emergency light maintenance
Lift maintenance
Miscellaneous repairs
Business rates
Water rates
Insurance
Gas
Electricity
One off costs
Electrical testing
Internal decoration
Replacement boiler/water heaters
Replacement extract fans
Replacement external lighting
Replacement shower fittings
Replacement light fittings

Appendix 12: Community Development

On development sites in excess of 100 new dwellings, developers are expected to provide the costs of employing a community development worker as follows:

100>250 homes: 0.4 FTE for 1 year

250> 500 homes: 0.4 FTE for 2 years

500> 1000 homes: 0.8 FTE for 2 years

1000+ homes: 0.8 FTE for 2.5 years.

Community Development Workers should be in place once a certain threshold of new homes have been built. This threshold will be established on a case by case basis.

Appendix 13: Apprenticeships & Skills

Draft Cherwell District Council Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills, April 2016

1.0 Background

- 1.1 The Government has made a commitment to 3 million new apprenticeship starts in England between 2015 and 2020¹. Apprenticeships are full time paid jobs which incorporate on and off the job training. A successful apprentice will receive a nationally recognised qualification on completion of their contract. Public sector bodies will be required to employ apprentices and set targets to increase apprenticeship numbers². There are over 200 different types of apprenticeship currently available in England, through existing apprenticeship frameworks. Apprentices can receive qualifications ranging from that equivalent to 5 GCSE passes to that equivalent to a degree.
- 1.2 | Cherwell District Council (CDC) ~~has~~ pledged during 2016-2017 to “continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training”³. In particular CDC is keen to increase the number of apprenticeships and related skills that come forward through the construction of new development areas in the District. This aspiration is in line with the latest report from the Construction Skills Network which forecasts that in the south east region alone, 1730 construction jobs are expected to be created every year over the next 5 years, but skills shortages are beginning to emerge⁴.
- 1.3 Oxfordshire in general and the Cherwell District in particular, are experiencing a large increase in construction to provide new homes and jobs for the area. However there is a shortage of skilled construction workers to support this growth. The table below shows the trends over the last four years. Construction apprenticeships are decreasing. They made up 6.6% of the total in 2011/12 and falling to 4.1% in 14/15. Furthermore labour market information gathered by the Oxfordshire Local Enterprise Partnership (OXLEP) has shown that within the local construction sector, it is the elementary construction occupations that are most in demand⁵.

Construction, Planning and the Built Environment	2011/12	2012/13	2013/14	2014/15, Q4 provisional
Count of construction apprenticeship starts	300	250	170	180
% of all apprenticeships	6.6%	5.6%	4.4%	4.1%

Source: Economy and Skills, Oxfordshire County Council.

- 1.4 The need to increase the number of apprenticeships locally is picked up by both the Oxfordshire Local Economic Partnership (OXLEP) and the South East Midlands Economic Partnership (SEMLEP). OXLEP’s Strategic Economic Plan is committed to delivering 1150

¹ Apprenticeships Policy, England 2015: House of Commons Library Briefing Paper 03052, 20 January 2016 page 3

² Op. cit. page 3

³ Cherwell District Council Performance Pledges 2016-2017

⁴ Construction Skills Network South East Report 2016-2020

⁵ Oxfordshire Labour Market Information Summer 2014, Oxfordshire Skills Board Page 39more apprenticeships

to 2020 within Oxfordshire⁶. The SEMLEP Strategic Economic Plan is seeking just over 94,000 apprenticeship starts within the SEMLEP area between 2015 and 2020. Of these, it is anticipating that 7017 will be created within the Cherwell District⁷. It notes in particular that there is a shortage of skills and an aging workforce in the construction sector across the SEMLEP area and that there are significant opportunities for jobs growth in these sectors across the SEMLEP area⁸.

- 1.5 Cherwell District Council's Economic Development Strategy (CDCEDS) identifies the provision of apprenticeships as one way to help people into employment⁹. In essence, the growth envisaged in the Cherwell District Council Local Plan Part 1 (July 2015) will both benefit from a healthy supply of construction apprentices as well as providing an ideal environment to support the training of new entrants to the construction trades. In respect of North West Bicester, the CDCEDS seeks to implement the NW Bicester Economic Strategy as one of the means to provide, encourage and support skills needed to develop NW Bicester and cites local apprenticeships as an outcome of this initiative¹⁰.
- 1.6 This note will set out the national and local planning policy context before describing the approach to be taken in the negotiation of construction (and related trades) apprenticeships for planning applications for certain categories of new development by Cherwell District Council. It is intended that this note will operate as informal guidance which will eventually help inform a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.

2.0 National Planning Policy Context

2.1 The National Planning Policy Framework March 2012 (NPPF)

The Framework is predicated on ensuring that the planning system promotes sustainable development. The Framework notes that there are 3 dimensions to sustainable development and that the planning system should correspondingly perform an environmental role, a social role and an economic role¹¹. In terms of the economic role, the NPPF notes that pursuing sustainable development involves "making it easier for jobs to be created in cities, towns and villages."¹² It further notes that "plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas."¹³

- 2.2 Under the heading "Building a strong, competitive economy" the NPPF states that "the Government is committed to securing economic growth in order to create jobs and prosperity..."¹⁴ It continues by stating that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that

⁶ OxLEP Strategic Economic Plan March 2014, page 42

⁷ SEMLEP Strategic Economic Plan 2015-2020, Table B SEMLEP Apprenticeship Data, Page 25

⁸ Op cit. paragraph 2.5.19, page 26

⁹ Economic Development Strategy for Cherwell, North Oxfordshire 2011-2016, Cherwell District Council, pages 32, 45

¹⁰ Op Cit. page 47

¹¹ NPPF (March 2012) paragraph 7

¹² NPPF (March 2012) paragraph 9

¹³ NPPF (March 2012) paragraph 10

¹⁴ NPPF (March 2012) paragraph 18

planning should operate to encourage this. It concludes the paragraph by stating that significant weight should be placed on the need to support economic growth through the planning system.¹⁵

2.3 In terms of how apprenticeships can be delivered through the planning system, CDC proposes that this is achieved through planning obligations attached to planning consents, whichever is the most appropriate depending on the individual circumstances of each application and site. In drafting conditions and agreements, CDC will take account of the NPPF and Planning Practice Guidance.

2.4 Eco Towns Supplement to Planning Policy Statement 1 July 2009 (SPPS1)

The SPPS1 specifically applies to the North West Bicester site. In a similar way to the NPPF, there are no explicit references to the provision of apprenticeships in the Supplement. However section ET10 Employment states that an economic strategy should be produced to accompany planning applications *for eco towns that demonstrate how access to work will be achieved. One of the supporting documents accompanying the NW Bicester Masterplan submitted by A2 Dominion is the NW Bicester Economic Strategy (21 March 2014) which contains a commitment to apprenticeships. This will be explored in more detail in the section below which deals with the local planning policy context.*

3.0 Local Planning Policy Context

3.1 The Cherwell Local Plan 2011-2031 Part 1 (adopted July 2015)

Securing the economic future of the District is the main priority of the Local Plan¹⁶. The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities.¹⁷ In particular, the Plan notes that relatively large numbers of people in Cherwell are without qualifications and basic skills, so the level of education and training needs to improve¹⁸. The Plan contains 5 strategic objectives for developing a sustainable local economy including SO5 which aims to “.....support an increase in skills and innovation....¹⁹”. The Plan notes that “there will also need to be promotion of local training providers, an improvement of the relationships between companies and schools, colleges and the universities....²⁰”. However there are no strategic policies that deal with the provision of apprenticeships / increasing skills in the workforce as these are detailed policy areas more appropriately covered in the Cherwell Local Plan Part 2.

3.2 However the supporting text to Policy Bicester 1: North West Bicester Eco-Town states that an economic strategy will be required and there should be local sourcing of labour, including providing apprenticeships during construction²¹. Policy Bicester 1 itself repeats the requirement for an economic strategy to be prepared to support planning applications for the site and amongst other matters, to demonstrate how access to work will be achieved.

¹⁵ NPPF (March 2012) paragraph 19

¹⁶ CDC Local Plan 2011-2031 Part 1, July 2014, paragraph ix Executive Summary.

¹⁷ Op cit. paragraph 1.66

¹⁸ Op cit. paragraph A14

¹⁹ Op cit. page 31

²⁰ Op cit. paragraph B14

²¹ Op cit. paragraph C39

3.3 North West Bicester Supplementary Planning Document (adopted February 2016)

The North West Bicester Supplementary Planning Document amplifies Policy Bicester 1 of the Local Plan Part 1. Under Development Requirement 5- Employment, it states that employment proposals for NW Bicester will be required to “support apprenticeship and training initiatives”. In Section 6 Delivery, the SPD states that “employment opportunities and facilities to support job creation providing a mix of uses and access to job opportunities” should be taken into account to deliver the masterplan vision through the submission of planning applications. It further states that contributions towards local employment, training and skills will be required through legal agreements from developers²².

3.4 NW Bicester Masterplan: Economic Strategy (March 2014)

In line with Section ET10 of the PPS1 Supplement and Policy Bicester 1 of the Cherwell Local Plan this Economic Strategy has been prepared by SQW on behalf of the promoters of the NW Bicester site to support the NW Bicester Masterplan. Figure 3-2 sets out the contribution the NW Bicester site will make to local economic objectives. It states that “NW Bicester will support the expansion of education and training opportunities in Bicester by increasing demand and the sponsorship of apprenticeships, for example in eco construction”. It notes that NW Bicester will create a long term (20+ year) demand for local skills relating to eco construction.

3.5 Paragraph 5.6 of the Economic Strategy states that “training programmes, including apprenticeships, will be provided to ensure local residents and firms can acquire the necessary skills for NW Bicester, but that these skills will also be in increasing demand elsewhere as construction standards improve and retrofit programmes are rolled out”.

3.6 Finally, Table 6-1 Economic Development Action Plan consolidates all of the above statements by setting out that OCC and CDC will develop a Bicester wide apprenticeship strategy for all the development in Bicester of which NW Bicester is a part. It further states that apprenticeship schemes will be agreed with developers, the local colleges and other suitable local training providers.

4.0 How this Guidance will be applied

4.1 Approach

Cherwell Council will seek to apply this Guidance across its entire administrative area. It will seek the provision of a stated target number of new construction apprenticeships (or apprenticeship starts) as part of a required Employment, Skills and Training Plan (ESTP) for each proposal for new development, to be secured via S106 agreement as explained in paragraph 2.3 above. CDC is keen that the submission of ESTPs should not be unduly onerous for developers, hence an ESTP framework is provided for information at Appendix A to this Document. This can be reproduced by developers and completed by filling in the relevant numbers.

4.2 This Guidance will apply to the types of new development and subject to the thresholds set out in the table below. However if proposed developments fall below these thresholds but developers would still like to provide new construction apprenticeships, then the Council will

²² North West Bicester Supplementary Planning Document (adopted March 2016), page 54.

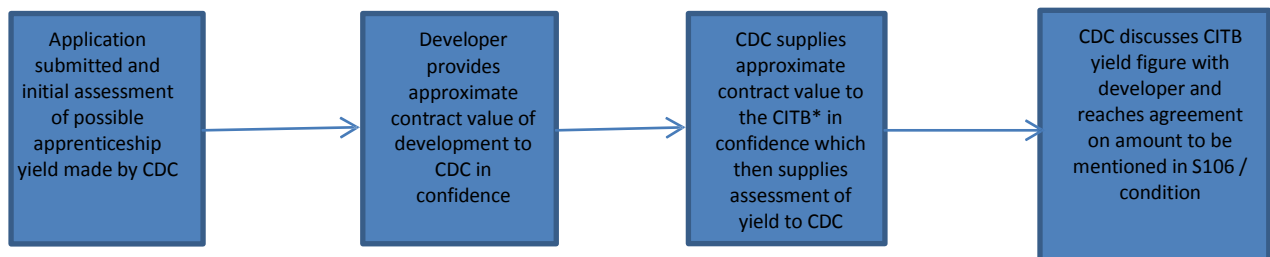
encourage and seek to support them in doing so. As the number of stated new apprenticeships will be expressed in planning obligations as a stated target to be achieved, if developers and / or their contractors are able and willing to exceed these, then the Council will encourage them to do so.

Type of Proposed New Development	Threshold	Indicative number of apprenticeships to be achieved
Housing (Use Class C3)	50 units	2.5 apprenticeships per 50 units
Non-residential uses	1000 sq m of floorspace	3 apprenticeships per 1000 sq m of floorspace
Utilities and highways infrastructure applications	None	Subject to discussion with developers on a case by case basis

4.3 In essence, while Cherwell District Council is keen to achieve an increase in new construction apprenticeship opportunities in the District through the planning system, it also considers that such arrangements need to be arrived at through discussion and agreement with developers, rather than imposed in a top-down fashion. It will be counter-productive if the numbers of construction apprenticeships required by CDC are unrealistic because they are actually unable to be achieved.

4.4 Process

The purpose of the information in the above table is to provide guidance for developers and will be the starting point in discussions with developers about the amount of apprenticeships each application could yield. This is because the Council understands that each site’s circumstances will vary and that apprenticeship yield largely relates to development cost / contract value. CDC envisages the approach to agreeing the apprenticeship yield from each relevant application could follow the process such as the one set out in the diagram below:



* CITB = Construction Industry Training Board

4.5 This process has already been piloted successfully with 3 planning applications which form part of the NW Bicester development.

5.0 Approach to S106 Agreements

5.1 S106 Agreement Clauses

S106 agreements will require applicants (or their successors in title) to submit an Employment Skills and Training Plan in line with the specimen framework attached to the

agreement (and included as Annex A of this document) before implementation of the development. S106 agreements will require this to be approved by CDC in writing prior to implementation and for the applicants (or successors in title) to be guided by the contents.

- 5.2 S106 agreements will also require that the ESTP sets out the arrangements by which the applicants will provide the stated target number of agreed construction (and related trades) apprenticeships and will support the applicant to use The Apprenticeship and Training Company Ltd or other equivalent approach. Apprenticeship Training Agencies (ATAs) are organisations that directly employ apprentices and operate as the apprentice's day-to-day workplace manager. They coordinate the apprentice's training and pay the associated training costs. The host employer (i.e. where the apprentice will have his/her on-site placement) pays a fee which covers the cost of their salary (which will be at least the National Minimum Wage Rate), plus a management fee to cover the ATA's costs (which includes HR and payroll provision and the management of the off-site training provision). Therefore ATAs support businesses who want to take on apprentices by dealing with the administration associated with hiring or employing an apprentice. Appendix B of this Guidance provides further information about The Apprenticeship and Training Company Ltd (to be finalised).
- 5.3 S106 agreements will require that all of the apprenticeship opportunities secured through these means are initially advertised within the administrative area of the District Council and if there are no such suitable persons, to people residing in Oxfordshire and then the surrounding locality (e.g. Milton Keynes, Aylesbury, Northamptonshire).

6.0 Conclusion

- 6.1 Increasing the number of new apprenticeships in England is a high profile Government objective. Cherwell District Council supports this aspiration. The amount of new development taking place in the District over the next 20 years or so, coupled with the evidenced shortage of construction skills provides both an incentive and opportunity to secure the provision of new construction related apprenticeships through the land use planning system. Although the national planning policy guidance does not refer to apprenticeships specifically, it makes it clear that it is the business of the planning system to promote and support economic growth through the provision of jobs and that significant weight should be attached to the need for the planning system to support sustainable economic growth.
- 6.2 The Cherwell District Council Local Plan Part 1 as well as CDC's Economic Strategy contain strategic aspirations relating to the need to support an increase in skills and training within the District. These are expressed in more detail in Local Plan Policy Bicester 1 and the NW Bicester Eco Town SPD which both specifically refer to the need for an economic strategy to support NW Bicester and that it should contain provisions to support apprenticeship and training initiatives - which it does so. This guidance anticipates the further detailed policy approach to be contained in Local Plan Part II which will relate to new development sites across the District.
- 6.3 CDC is anticipating that developers will generally support the approach being promoted in this Guidance as an important and progressive initiative designed both to increase the number of local skilled construction operatives available to support the building industry, as well as promoting the construction trades generally as a valuable future career path for young people.

Appendix 14: Community Safety/ CCTV Provision

Table 1: Levels of Contribution Sought

Priority	Level of Contribution
Priority 1	Seeking on-site provision of an appropriate number of CCTV cameras to monitor areas considered to be of high risk.
Priority 2	Relevant permissions to erect infrastructure, such as aerials, to facilitate transmission of images.
Priority 3	To install ducting to facilitate self-provide fibres
Priority 4	Where predominantly retail to contribute an agreed sum to monitoring and maintenance.
Priority 5	New development will be expected to contribute towards the provision of additional on-site infrastructure for at least a period of 10 years.

Crime impacts all development, however, retail and evening leisure uses usually have the greatest impact. Table 2 illustrates the measures likely to be considered appropriate for the type of development proposed.

Table 2:

Development Type	Priority/ Measure
Large Retail	1,2,3,4,5
Drinking Establishments	1,2
Nightclubs	1,2
Hot Food Takeaway	1,2
Local Retail	1,2,3
Large scale public open space	1,2,3

Table 2 is indicative only. Developments may include all, or only part of these elements. Specific requirements are therefore subject to negotiation following impact assessments by the police and partners.

Table 3: Guidance on Costs

Priority	Level of Contribution	Costs
Priority 1	Seeking on-site provision of an appropriate amount of CCTV cameras sufficient to monitor areas considered by police and partners to be of high risk as part of new development.	Cameras = £3,000 approx. This includes brackets and aerials
Priority 2	Relevant permissions to erect infrastructure such as aerials	Subject to planning permissions

	to facilitate transmission of images.	
Priority 3	To install ducting to facilitate self-provide fibres	Insignificant as ducting can be provided early in the construction process.
Priority 4	Where predominantly retail to contribute an agreed sum to monitoring and maintenance	Monitoring can range from £1,000 to £2000 per camera per annum. Where there are a large number of cameras the fee is negotiable. Maintenance would be approximately £300 per camera per annum.
Priority 5	New development will be expected to contribute towards the provision of additional onsite infrastructure for at least a period of 10 years.	The longevity of the provision is dependent upon the figures in Priority 4 being extended for at least 10 years.

Appendix 15: Guide to Funding Mechanisms by Infrastructure Type

NOTE: The Council is not currently (October 2017) proceeding with the introduction of a CIL Charging Schedule. This table therefore only gives an indication of the appropriate funding mechanisms *should* the Council adopt CIL in the future.

Type	CIL	S106	Condition	S278
Housing				
Affordable Housing		✓		
Commuted offsite payments for the provision of affordable housing		✓		
Extra Care Housing		✓		
Transport (includes PRow)				
Site specific Highway and Access Impacts		✓		✓
Non-site specific Highway improvements	✓	✓		
Site specific sustainable transport		✓		✓
Non-site specific sustainable transport	✓	✓		
Highways Depots	✓			
Education				
On site Education (Primary, Secondary, 6 th Form, Special Educational Needs)		✓		
Education (Primary, Secondary, 6 th Form, Special Educational Needs)	✓	✓		
Onsite early years and childcare provision		✓		
Early years and childcare provision	✓	✓		
Skills and Training				
Apprenticeships		✓	✓	
Utilities				
Sustainable Urban Drainage Systems		✓	✓	
On site provision of Refuse bins, recycling banks/'bring in' sites		✓	✓	
Off-site provision of Recycling banks/'bring in' sites	✓			
Strategic Waste Management (WRC)	✓	✓		
Strategic Flood Defence	✓	✓	✓	
Enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers (*)	✓			
Fire and Rescue	✓	✓		
Community safety and policing				
Onsite provision of community safety and policing infrastructure		✓		
Off-site Community safety and policing infrastructure	✓			
Health				

Type	CIL	S106	Condition	S278
Onsite provision of health infrastructure		✓		
Off-site provision of health infrastructure	✓			
Air Quality				
Measures during construction of new development including dust control, site monitoring and plan emissions		✓	✓	
Indoor sport, recreation and community facilities				
Onsite Community centre/hub		✓		
Offsite Community centre/hub	✓			
Community Development Funding	✓	✓		
Site specific Indoor Sports		✓		
Indoor Sports	✓	✓		
Integrated Youth Support Service	✓			
Libraries	✓	✓		
Day care Provision for the Elderly	✓			
Adult Learning	✓	✓		
Museum Resource Centre (MRC)	✓	✓		
Open space recreation and Biodiversity				
Site specific Open space, play space, outdoor sport, allotments, recreation and landscaping		✓		
Country parks, open space, play space, outdoor sport, allotments, recreation and landscaping	✓	✓		
Cemeteries	✓	✓		
Onsite Nature Conservation and Biodiversity		✓	✓	
Nature Conservation and Biodiversity	✓	✓		
Sustainable Construction		✓	✓	
Public Realm				
Site specific Public Art & Public Realm		✓	✓	
Heritage				
Archaeology			✓	
Heritage-related projects	✓	✓		

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CONSULTATION STATEMENT

DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT

November 2017

Prepared under Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Purpose and Background

This consultation statement has been prepared in accordance with Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, which states that, before a local planning authority adopts a supplementary planning document it must prepare a statement setting out:

- The persons the local planning authority consulted when preparing the supplementary planning document;
- A summary of the main issues raised by those persons; and
- How those issues have been addressed in the supplementary planning document.

The Council has prepared a Statement of Community Involvement (July 2016) which shows how it will involve the community in its plan and policy-making process. This document can be viewed on the Council's website. The Developer Contributions SPD has been prepared in accordance with the steps outlined in Table 3 of this document.

The Planning and Compulsory Purchase Act 2004 sets out the requirements for preparing SPDs as part of the planning process. SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan.

The purpose of the Developer Contributions SPD is to set out the Council's approach to seeking Section 106 planning obligations and their operation.

The SPD does not create new policy. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the Developer Contributions SPD providing a further level of detail to guide development proposals.

The SPD will be a material consideration in the determination of planning applications alongside the Local plan and other planning policies.

Previous Consultation

Details of the key consultations undertaken during the early preparation of the Developer Contributions SPD is set out in the Statement of Consultation which was published alongside the November 2016 Draft Developer Contributions SPD. These documents are available on the Council's website.

Public Consultation 14 November 2016 – 9 January 2017

Consultation arrangements

On 14 November 2016 the Council published a Draft Developer Contributions SPD for consultation. The consultees listed in the Statement of Community Involvement and anyone who had registered on the Council's database were notified by letter or email and were asked to comment on the Draft SPD.

Hard copies were also placed at deposit locations across the district including libraries and Council offices.

Press Coverage: The statutory public notice was placed in the following newspapers:

- Oxford Mail (10 November 2016)
- Bicester Advertiser (10 November 2016)
- Banbury Guardian (10 November 2016)

Press releases regarding the consultation were also published on the Council's Facebook and Twitter pages.

A copy of the Public Notice is attached at Appendix 1.

Staffed public exhibitions were held during November and December 2016 at:

- Castle Quay Shopping Centre, Banbury OX16 5UN on Saturday 26 November 2016 from 10.00am to 6.00pm.
- Franklins House, Wesley lane, Bicester, OX2 6JU on Saturday 3 December 2016 from 10.00am to 6.00pm.
- The Pavilion, Cutteslowe Park, Oxford OX2 8ES on Saturday 10 December 2016 from 10.00am to 6.00pm.
- Exeter Hall, Exeter Close, Kidlington OX5 1AB on Monday 19 December 2016 from 2.00pm to 9.00pm.

Town & Parish Council/Meeting Workshops

Two Town and Parish Workshops took place for parishes in the south and north of the district on 7 and 12 December 2016 respectively. The workshops took the form of group discussions on the following agenda items.

- Partial Review – Context/Approach
- Draft Vision and Strategic Objectives
- Considering and Delivering Options
- CIL and Draft Developer Contributions SPD

On arrival, parishes were split into groups and each group discussed each agenda item. The group discussions were facilitated by a member of the Planning Policy Team with support from other officers.

A detailed note of the workshops can be found at Appendix 5

Stakeholder Workshop

A focussed stakeholder workshop was held at Bodicote House on Tuesday 13 December 2016.

A detailed note of the workshop can be found at Appendix 6

Representations Received

A total of 25 representations were received. A table providing a full summary of each representation is attached at Appendix 7.

How have they been considered?

Each of the representations has been considered in detail and where necessary further engagement with infrastructure/service providers has taken place. Where appropriate, suggested changes have been incorporated in the revised document. For example, additional information has been included on affordable housing and viability; and advice on the direct delivery of infrastructure has been included. Some further clarifications have been provided particularly in view of the fact that the Council is not taking work forward work on CIL ahead of the Government's 2017 Autumn Statement.

Further Consultation on the Draft SPD

Further public consultation on the draft SPD will now be undertaken. A number of methods will be used in accordance with the Council's Statement of Community Involvement, particularly as follows:

- **Mail out:** information will be sent to all persons registered on the Council's consultation database, including specific, general and prescribed bodies. This will be undertaken by email or letter.
- **Website:** the SPD will be published on the Council's website.
- **Hard copies:** the SPD will be available in hard copies at deposit locations throughout the District.
- **Public Notices:** notices will be placed in the Banbury Guardian, Oxford Mail and Bicester Advertiser newspapers.
- **Social Media:** public notifications will be issued.

Responses

All representations received will be recorded, analysed and recommendations made about how they should be taken in to account to inform the final SPD. The final SPD will be presented to the Council's Executive, and if approved, presented to the Council for formal adoption.

Conclusion

The production of the current draft Developer Contributions SPD has involved wide ranging stakeholder consultation and a formal public consultation exercise. This has directly influenced both early development and later refinement of the document. In view of the major redrafting of the draft SPD as a result of the decision to 'pause' the introduction of CIL at Cherwell District Council a further round of Public consultation will now take place in accordance with statutory regulations.

If there are any questions on this Consultation Statement please contact the Planning Policy Team on 01295 227985 or email planning.policy@cherwell-dc.gov.uk

Appendices

- 1. Public Notice**
- 2. Consultation letters/emails**
- 3. Consultation Poster**
- 4. Representation Form**
- 5. Town and parish Workshops – Attendees and Main Issues Raised**
- 6. Stakeholder Workshop – Attendees and Main Issues Raised**
- 7. Summary of Representations received.**



DISTRICT COUNCIL
NORTH OXFORDSHIRE

PLANNING POLICY CONSULTATIONS
14 NOVEMBER 2016 TO 9 JANUARY 2017

Partial Review of the Cherwell Local Plan (Part 1): Oxford's Unmet Housing Need – Options Paper

Consultation is being undertaken to inform a Partial Review of Local Plan Part 1, specifically to help meet Oxford's unmet housing need. An Options Consultation Paper is being published and comments are invited. The Options Paper and related documents, including an Interim Sustainability Appraisal Report and representation form, are available to view on line at www.cherwell.gov.uk/planningpolicyconsultation or at the locations listed.

Community Infrastructure Levy (CIL) Draft Charging Schedule

A CIL Draft Charging Schedule is being published for consultation. CIL is a planning charge introduced as a mechanism for local authorities to help deliver infrastructure to support the development of their area. The Draft Charging Schedule sets out the proposed CIL rates and the geographical areas for the three residential rates.

Draft Developer Contributions Supplementary Planning Document (SPD)

A new Draft Developer Contributions SPD is being published for consultation. The purpose of the SPD is to set out the Council's approach to seeking Section 106 planning obligations and their operation alongside the emerging Community Infrastructure Levy (CIL).

Document Locations

On-line at: www.cherwell.gov.uk/planningpolicyconsultation

Hard copies at the locations below during opening hours:

Cherwell District Council Offices, Bodicote House, Bodicote, Banbury, OX15 4AA

8.45am - 5.15pm Monday to Friday

Banbury Town Council, the Town Hall, Bridge Street, Banbury, OX16 5QB

Monday to Thursday 9am - 4.45pm, Friday 9am - 4pm

Banbury Library, Marlborough Road, Banbury, OX16 5DB

Monday 9am – 1pm, Tuesday 9am - 7pm, Wednesday 9am – 8pm, Thurs and Friday 9am – 7pm, Saturday 9am – 4.30pm

Neithrop Library, Community Centre, Woodgreen Avenue, Banbury, OX16 0AT

Monday 10am – 7pm, Wednesday 2pm – 5pm, Thursday 10am – 1pm,

Friday 10am- 5pm, Saturday 9.30am – 1pm

Bicester Town Council, The Garth, Launton Road, Bicester, OX26 6PS

Monday – Thursday 9am – 5pm, Friday 9am – 4pm

Bicester Library, Franklins House, Wesley Lane, Bicester, OX26 6JU

Monday 9.30am – 7pm, Tuesday 9.30-5pm, Wednesday and Thursday 9.30am – 7pm, Friday 9.30am – 5pm, Saturday 9am-4.30pm

Kidlington Library, Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP

Monday 9.30am – 5pm, Tuesday 9.30am – 7pm, Wednesday 9.30am – 1pm, Thursday 9.30am – 5pm, Friday 9.30am – 7pm, Saturday 9.00am – 4.30pm

Adderbury Library, Church House, High Street, Adderbury, OX17 3LS

Tuesday: 10 am – 12 noon & 3 – 7pm, Thursday: 2pm – 5pm & 6 – 7pm, Friday: 10am – 12 noon & 2 pm – 5pm, Saturday: 9.30 am – 1pm

Deddington Library, The Old Court House, Horse Fair, Deddington, Oxon. OX15 0SH

Monday 2pm - 5pm, 5.30pm - 7pm, Wednesday 9.30am - 1pm, Thursday 2pm - 5pm, 5.30pm - 7pm, Saturday 9.30am - 1pm

Hook Norton Library, High Street, Hook Norton, Banbury, Oxon, OX15 5NH

Monday 2pm - 5pm, 6pm - 7pm, Wednesday 2pm - 5pm, Friday 2pm - 5pm, 6pm - 7pm, Saturday 9.30am - 12.30pm

Banbury LinkPoint, 43 Castle Quay, Banbury, Oxfordshire, OX15 5UW

8.45am (10am Wednesday) to 5.15pm Monday to Friday

Bicester LinkPoint, Franklins House, Wesley Lane, Bicester, OX26 6JU

8.45am (10am Wednesday) to 5.15pm Monday to Friday

Kidlington LinkPoint, Exeter Hall, Oxford Road, Kidlington, Oxon, OX5 1AB

8.45am (10am Wednesday) to 5.15pm Monday to Friday

The Partial Review documents will also be available at:

Oxford City Council, St Aldate's Chambers, 109 St Aldates, Oxford, OX1 1DS

Monday to Thursday 9am - 5pm, Friday 9am - 4.30pm

Old Marston Library, Mortimer Hall, Oxford Road, Old Marsden, Oxford, OX3 0PH

Tuesday 2pm - 5pm, 5.30pm - 7pm, Thursday 2pm - 5pm and 5.30pm - 7pm, Friday 10am - 12pm and 2pm - 5pm, Saturday 9.30am - 12.30pm

Summertown Library, South Parade, Summertown, Oxford, OX27JN Monday 9am - 5.30pm, Tuesday 9.30am - 7pm, Thursday 9.30am - 7pm, Friday 9.30am - 5.30pm, Saturday 9am - 4.30pm

Submitting Comments

Comments on the Partial Review Options Paper, the Interim Sustainability Appraisal Report, CIL Draft Charging Schedule or Draft Developer Contributions SPD should be sent to:

By email to PlanningPolicyConsultation@cherwell-dc.gov.uk

Or by post to:

Planning Policy Team, Strategic Planning and the Economy
Cherwell District Council, Bodicote House
Bodicote. Banbury, OX15 4AA.

Comments should be received no later than Monday 9 January 2017. Any comments received will be made publicly available.

S SMITH, CHIEF EXECUTIVE

Strategic Planning & the Economy

Adrian Colwell – Head of Strategic Planning & the Economy



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

www.cherwell.gov.uk

Please ask for:	Tony Crisp	Direct Dial:	01295 227985
Email:	planning.policy@cherwell-dc.gov.uk	Our Ref:	Partial Review / CIL / 106

11 November 2016

Dear Sir/Madam

Notification of Planning Policy Consultations:

Partial Review of the Cherwell Local Plan (Part 1): Oxford's unmet housing need – Options Consultation

Community Infrastructure Levy (CIL) Draft Charging Schedule

Draft Developer Contributions Supplementary Planning Document (SPD)

Please find enclosed a copy of a public notice about consultations on the above planning policy documents. The consultation period extends from Monday 14 November 2016 to Monday 9 January 2017.

You have been sent this notification as your contact details are on our Local Plan database. If you no longer wish to be informed of our planning policy consultations then please let us know by telephoning 01295 227985 or by emailing planning.policy@cherwell-dc.gov.uk.

Please note that we now have a separate email address for consultation responses. This is PlanningPolicyConsultation@cherwell-dc.gov.uk. Hard copies can still be posted.

Yours faithfully

David Peckford

David Peckford
Planning Policy Team Leader

PLANNING POLICY CONSULTATIONS 14 NOVEMBER 2016 TO 9 JANUARY 2017

Partial Review of the Cherwell Local Plan (Part 1): Oxford's Unmet Housing Need – Options Paper

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Friday 10am- 5pm, Saturday 9.30am – 1pm

Bicester Town Council, The Garth, Launton Road, Bicester, OX26 6PS
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9.30am – 5pm, Friday 9.30am – 7pm, Saturday 9.00am – 4.30pm

Adderbury Library, Church House, High Street, Adderbury, OX17 3LS
Tuesday: 10 am – 12 noon & 3 – 7pm, Thursday: 2pm – 5pm & 6 – 7pm, Friday: 10am – 12
noon & 2 pm – 5pm, Saturday: 9.30 am – 1pm

Deddington Library, The Old Court House, Horse Fair, Deddington, Oxon. OX15 0SH
Monday 2pm - 5pm, 5.30pm - 7pm, Wednesday 9.30am - 1pm, Thursday
2pm - 5pm, 5.30pm - 7pm, Saturday 9.30am - 1pm

Hook Norton Library, High Street, Hook Norton, Banbury, Oxon, OX15 5NH
Monday 2pm - 5pm, 6pm - 7pm, Wednesday 2pm - 5pm, Friday 2pm - 5pm, 6pm - 7pm,
Saturday 9.30am - 12.30pm

Banbury LinkPoint, 43 Castle Quay, Banbury, Oxfordshire, OX15 5UW
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Bicester LinkPoint, Franklins House, Wesley Lane, Bicester, OX26 6JU
8.45am (10am Wednesday) to 5.15pm Monday to Friday

Kidlington LinkPoint, Exeter Hall, Oxford Road, Kidlington, Oxon, OX5 1AB
8.45am (10am Wednesday) to 5.15pm Monday to Friday

The Partial Review documents will also be available at:

Oxford City Council, St Aldate's Chambers, 109 St Aldates, Oxford, OX1 1DS
Monday to Thursday 9am - 5pm, Friday 9am - 4.30pm

Old Marston Library, Mortimer Hall, Oxford Road, Old Marsden, Oxford, OX3 0PH
Tuesday 2pm - 5pm, 5.30pm - 7pm, Thursday 2pm - 5pm and 5.30pm - 7pm, Friday 10am -
12pm and 2pm - 5pm, Saturday 9.30am - 12.30pm

Summertown Library, South Parade, Summertown, Oxford, OX27JN Monday 9am - 5.30pm,
Tuesday 9.30am - 7pm, Thursday 9.30am - 7pm, Friday 9.30am - 5.30pm, Saturday 9am -
4.30pm

Submitting Comments

**Comments on the Partial Review Options Paper, the Interim Sustainability Appraisal
Report, CIL Draft Charging Schedule or Draft Developer Contributions SPD should be
sent to:**

By email to PlanningPolicyConsultation@cherwell-dc.gov.uk

Or by post to:

Planning Policy Team, Strategic Planning and the Economy
Cherwell District Council, Bodicote House
Bodicote. Banbury, OX15 4AA.

**Comments should be received no later than Monday 9 January 2017. Any comments
received will be made publicly available.**

S SMITH, CHIEF EXECUTIVE

PlanningPolicyConsultation

From: PlanningPolicyConsultation
Sent: 11 November 2016 19:19
Subject: Cherwell District Council - Notification of Planning Policy Consultations7

Dear Sir/Madam

Notification of Planning Policy Consultations:

Partial Review of the Cherwell Local Plan (Part 1): Oxford's unmet housing need – Options Consultation

Community Infrastructure Levy (CIL) Draft Charging Schedule

Draft Developer Contributions Supplementary Planning Document (SPD)

Please find enclosed a copy of a public notice about consultations on the above planning policy documents. The consultation period extends from Monday 14 November 2016 to Monday 9 January 2017.

You have been sent this notification as your contact details are on our Local Plan database. If you no longer wish to be informed of our planning policy consultations then please let us know by telephoning 01295 227985 or by emailing planning.policy@cherwell-dc.gov.uk.

Please note that we now have a separate email address for consultation responses. This is PlanningPolicyConsultation@cherwell-dc.gov.uk. Hard copies can still be posted.

Yours faithfully

David Peckford

David Peckford
Planning Policy Team Leader

Partial Review of the Cherwell Local Plan (Part 1): Oxford's Unmet Housing Need – Options Paper

Consultation is being undertaken to inform a Partial Review of Local Plan Part 1, specifically to help meet Oxford's unmet housing need. An Options Consultation Paper is being published and comments are invited. The Options Paper and related documents, including an Interim Sustainability Appraisal Report and representation form, are available to view on line at www.cherwell.gov.uk/planningpolicyconsultation or at the locations listed.

Community Infrastructure Levy (CIL) Draft Charging Schedule

A CIL Draft Charging Schedule is being published for consultation. CIL is a planning charge introduced as a mechanism for local authorities to help deliver infrastructure to support the development of their area. The Draft Charging Schedule sets out the proposed CIL rates and the geographical areas for the three residential rates.

Draft Developer Contributions Supplementary Planning Document (SPD)

A new Draft Developer Contributions SPD is being published for consultation. The purpose of the SPD is to set out the Council's approach to seeking Section 106 planning obligations and their operation alongside the emerging Community Infrastructure Levy (CIL).

Document Locations

On-line at: www.cherwell.gov.uk/planningpolicyconsultation

Hard copies at the locations below during opening hours:

Cherwell District Council Offices, Bodicote House, Bodicote, Banbury, OX15 4AA
8.45am - 5.15pm Monday to Friday

Banbury Town Council, the Town Hall, Bridge Street, Banbury, OX16 5QB
Monday to Thursday 9am - 4.45pm, Friday 9am - 4pm

Banbury Library, Marlborough Road, Banbury, OX16 5DB
Monday 9am – 1pm, Tuesday 9am - 7pm, Wednesday 9am – 8pm, Thurs and Friday 9am – 7pm, Saturday 9am – 4.30pm

Neithrop Library, Community Centre, Woodgreen Avenue, Banbury, OX16 0AT
Monday 10am – 7pm, Wednesday 2pm – 5pm, Thursday 10am – 1pm,
Friday 10am- 5pm, Saturday 9.30am – 1pm

Bicester Town Council, The Garth, Launton Road, Bicester, OX26 6PS
Monday – Thursday 9am – 5pm, Friday 9am – 4pm

Bicester Library, Franklins House, Wesley Lane, Bicester, OX26 6JU
Monday 9.30am – 7pm, Tuesday 9.30-5pm, Wednesday and Thursday 9.30am – 7pm, Friday 9.30am – 5pm, Saturday 9am-4.30pm

Kidlington Library, Ron Groves House, 23 Oxford Road, Kidlington, OX5 2BP
Monday 9.30am – 5pm, Tuesday 9.30am – 7pm, Wednesday 9.30am – 1pm, Thursday
9.30am – 5pm, Friday 9.30am – 7pm, Saturday 9.00am – 4.30pm

Adderbury Library, Church House, High Street, Adderbury, OX17 3LS
Tuesday: 10 am –12 noon & 3 – 7pm, Thursday: 2pm – 5pm & 6 – 7pm, Friday: 10am – 12
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Hook Norton Library, High Street, Hook Norton, Banbury, Oxon, OX15 5NH
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5pm, Friday 9am - 4.30pm

Old Marston Library, Mortimer Hall, Oxford Road, Old Marsden, Oxford, OX3 0PH Tuesday 2pm - 5pm,
5.30pm - 7pm, Thursday 2pm - 5pm and 5.30pm - 7pm, Friday 10am - 12pm and 2pm - 5pm, Saturday
9.30am - 12.30pm

Summertown Library, South Parade, Summertown, Oxford, OX27JN Monday 9am - 5.30pm, Tuesday
9.30am - 7pm, Thursday 9.30am - 7pm, Friday 9.30am - 5.30pm, Saturday 9am - 4.30pm

Submitting Comments

Comments on the Partial Review Options Paper, the Interim Sustainability Appraisal Report, CIL
Draft Charging Schedule or Draft Developer Contributions SPD should be sent to:

By email to PlanningPolicyConsultation@cherwell-dc.gov.uk

Or by post to:

Planning Policy Team, Strategic Planning and the Economy
Cherwell District Council, Bodicote House
Bodicote, Banbury, OX15 4AA.

Comments should be received no later than Monday 9 January 2017. Any comments received will be made publicly available.

S SMITH, CHIEF EXECUTIVE

Public Consultation

14 November 2016 to 9 January 2017

Cherwell Local Plan Partial Review - Oxford's Unmet Housing Need



Options Consultation - Your Chance to Comment

Cherwell District Council is undertaking a Partial Review of its Local Plan to determine how it can help Oxford with its unmet housing need.

It would like your views in preparing the Review.

All Oxfordshire Councils have accepted that Oxford cannot fully meet its own housing needs.

As its contribution, Cherwell District is being asked to accommodate 4,400 homes by 2031 in addition to the housing planned to meet its own needs.

Cherwell District Council has previously sought views on the issues it needs to consider in planning for the additional

development. It has considered these comments and is now consulting on options for housing development.

Are you also interested in how Cherwell funds its development infrastructure?

Cherwell District Council is also consulting on its draft Community Infrastructure Levy (CIL) and a Draft Developer Contributions Supplementary Planning Document.



View the documents The consultation documents are available on-line at www.cherwell.gov.uk/planningpolicyconsultation. Or contact Cherwell District Council on 01295 227985 for details on where you can view hard copies

Hear more details Speak to Cherwell officers at public exhibitions:

- Castle Quay Shopping Centre, Banbury OX16 5UN – Saturday 26 November 2016 -10am to 6pm
- Franklins House, Wesley Lane, Bicester, OX26 6JU – Saturday 3 December 2016 -10am to 6pm
- The Pavillion, Cutteslowe Park, Oxford OX2 8ES – Saturday 10 December 2016 -10am to 6pm
- Exeter Hall, Exeter Close, Kidlington OX5 1AB – Monday 19 December 2016 - 2pm to 9pm

your place • your space
• your say

Have
your say

Submit your comments to:

PlanningPolicyConsultation@cherwell-dc.gov.uk

Or by post to: Planning Policy Team, Strategic Planning and the Economy,
Cherwell District Council, Bodicote House, Bodicote, Banbury, OX15 4AA

For more information call 01295 227985

**DRAFT DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)
Regulations 12b and 13 of the
Town and Country Planning (Local Planning) (England) Regulations 2012**

**PROPOSED COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE
Regulation 15 of the
Community Infrastructure Levy (CIL) Regulations (2010; as amended)**

Representation Form

Cherwell District Council is currently consulting on two documents to help the funding of infrastructure such as schools, road improvements, community facilities and open space needed to support new growth in the district.

- 1. Draft Developer Contributions Supplementary Planning Document (SPD)**
A new guidance document setting out what contributions developers should be asked to make when they submit a planning application.
- 2. Community Infrastructure Levy (CIL) Draft Charging Schedule**
A proposed new charge on new development to help fund strategic infrastructure in Cherwell.

They are available to view and comment on from **14 November 2016 – 9 January 2017**.

To view and comment on both documents please visit
www.cherwell.gov.uk/planningpolicyconsultation.

The consultation documents are also available to view at public libraries across the Cherwell District, at the Council's Linkpoints at Banbury, Bicester and Kidlington, at Banbury and Bicester Town Councils and Cherwell District Council's main office at Bodicote House, Bodicote, Banbury.

You may wish to use this representation form to make your comments. Please e-mail your comments to planningpolicyconsultation@cherwell-dc.gov.uk or post to Planning Policy Team, Strategic Planning and the Economy, Cherwell District Council, Bodicote House, Bodicote, Banbury, OX15 4AA no later than Monday 9 January 2017.

You should receive a written acknowledgement. Email acknowledgements will be sent automatically by return. Acknowledgements by post should be received within five working days of your response being received. If you do not receive a written acknowledgement, please contact the Planning Policy Team on 01295 227985.

Please note that all comments received will be made publicly available.

Representations must be received by Monday 9 January 2017

Please provide the following details:

NAME:

ADDRESS:

.....

EMAIL:

TEL NO:

AGENT
NAME:

AGENT
ADDRESS:

.....

AGENT
EMAIL:

AGENT
TEL NO:

Your details will be added to our mailing list and you will be kept informed of future progress of this document and other Local Plan documents. If you wish to be removed from this mailing list please contact the Planning Policy team. Details are at the bottom of this representation form.

1. DRAFT DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT

Do you have any comments on the Draft Developer Contributions SPD?

Please make it clear to which part of the Charging Schedule your comments relate.

2.COMMUNITY INFRASTRUCTURE LEVY (CIL) DRAFT CHARGING SCHEDULE

Do you have any comments on the Proposed CIL Draft Charging Schedule?

Please make it clear to which part of the Charging Schedule your comments relate.

Please continue on another sheet if necessary.

Thank you for taking the time to respond to this consultation. Please ensure your comments are submitted by 9 January 2017.

Visit www.cherwell.gov.uk/planningpolicyconsultation

Post completed forms to Planning Policy Team, Strategic Planning and the Economy, Cherwell District Council, Bodicote House, Bodicote, Banbury, OX15 4AA or email to PlanningPolicyConsultation@cherwell-dc.gov.uk

Cherwell District Council- Local Plan Part 1-Partial Review

Developer Contributions and CIL

Parish Workshop (Bicester) Wednesday 7 December 2016

6pm – 8pm

Purpose:

Parish Councils were invited to a consultation workshop as part of the Options consultation on the Partial Review of the Cherwell Local Plan Part 1 during November 2016 – January 2017. The Draft Developer Contributions Supplementary Planning Document and Draft Charging Schedule for the Community Infrastructure Levy were also discussed at the workshops. The workshops took the form of group discussions on the agenda items set out below (the agenda was circulated in advance to the parishes). On arrival, parishes were split into groups and each group discussed each agenda item. The group discussions were facilitated by a member of the Planning Policy team with support from a colleague. This document summarises the discussions that took place.

Two workshops took place for parishes in the south and north of the District on 7 and 12 December 2016 respectively.

Agenda:

- Introduction to the workshop and the consultation documents given by David Peckford, Planning Policy Team Leader, Cherwell District Council

Discussion on the following agenda items took place amongst each individual table group:

- Partial Review – Context/Approach
- Draft Vision and Strategic Objectives
- Considering and Delivering Options
- Developer Contributions SPD and CIL

Table Number	Facilitator and Assistant	Parish Councils
1	Sharon Whiting & Chris Cherry	Islip
		Kidlington
		Yarnton
		Cllr Billington (Kidlington PC)
		Cllr Simpson (Kidlington PC)
2	Maria Dopazo & Andy Bowe	Cllr Sibley(Bicester TC)
		Cllr Lis (Bicester TC)
		Chesterton
		Launton
		Wendlebury
3	Chris Thom & Lewis Banks- Hughes	Blackthorn
		Caversfield
		Middleton Stoney
		Piddington

		Woodstock
4	Yuen Wong & Sunita Burke	Fringford
		Kirtlington
		Noke
		Launton
		Shipton on Cherwell

Table 1

Partial Review – Context/Approach

- 4400 is a large figure.
- There are pressures from the City to have housing close to Oxford.
- Oxford housing need is unique. It is different from the rest of the County.
- The need is for affordable housing
- The Council’s policy is for 35% affordable housing which the Council is not always achieving.
- If the housing goes to Banbury and Bicester there will be traffic congestion for commuters
- Need a balance of housing and employment in Oxford to reduce ‘in’ commuting.
- Oxford should use employment sites for housing
- Reference to employment site at Langford Lane
- SW refers to emerging Transport Strategy
- Problems with convenience and price of P&R sites
- The road network around Oxford is a major constraint
- Problems of traffic congestion in Islip
- Need to solve problems of infrastructure before considering new housing
- How CIL and S106s agreements will deliver infrastructure

Draft Vision and Strategic Objectives

- The partial review should have the same vision as the adopted Cherwell Local Plan
- Impact on 5 year housing land supply
- Discussion around the release of MOD land eg Arncott
- Is Oxford City delivering housing on the scale required? Why are the build rates below expectation?
- SW refers to ‘Duty to Co-operate’ and commitment in adopted Plan to meet Oxford’s needs.
- Should there be compensation for loss of Green Belt and enhancement of remaining Green Belt?
- SW refers to new Cherwell DC Green Belt Study

Considering and Delivering Options

- Concerns expressed about Oxford taking over parts of Kidlington and Gosford
- Need a radical public transport solution for Oxford
- Major development will radically change character of Kidlington. This is a major social issue
- Would be helpful to know about proposed housing in adjacent districts – cumulative impacts

- Railway connections a key component of Transport Study
- SW advised that there would need to be a dialogue with railway companies
- Are there the resources in Banbury and Bicester to build houses?
- Questions about sustainability of 'deliverability' of sites
- The Green Belt is not sacrosanct
- Need to assess capacity on railways

Developer Contributions SPD and CIL

- SW gave a brief introduction and description of these documents

Summary of Key Issues

- Can we seek contributions from the City for infrastructure in Cherwell?
- 4400 house seems high
- Need infrastructure before houses
- Traffic congestion and transport are key concerns
- If it is Oxford's need why does Cherwell need to fund it?
- Lack of progress on Oxford's housing sites delivery

Table 2

Partial Review – Context/Approach

- Still testing housing numbers
- Why timeframe and why hurry to do it? Why not do at same time as rest of Oxon?
- Growth Board commitment to work together
- West Oxon less apportionment because of constraints
- Planning powers for each local planning authority to accommodate Oxford's unmet needs
- Cherwell Local Plan (CLP) Part 1 commitment to look at Oxford's unmet Need (OUN) CLP adopted subject to reviewing it in 2 years
- Why do we have to review CLP already when other districts aren't doing it? Already lots of houses / development being built/ why do we have to accept another 4.5k houses?
- Adopted CLP to guide development to areas to secure 5 years housing land supply
- How does budget announcement on Oxford to Cambridge corridor change things? Would this not be better process? LP runs to 2031 but development will be longer than that
- Bicester eco town will be ghost town created by expressway
- What are benefits for Bicester? What infrastructure will be provided? Can't cope with what we've got already in Bicester – need jobs, shops,
- We build houses but there are no jobs planned
- Average House price in Bicester £60-70k more than Banbury
- Local housing for local needs
- Not building houses for local people
- Need to give people options e.g. people moving out of Witney because of difficulty of getting to Oxford
- Transport links to Oxford lagging behind housing development
- Vision and objectives considering all issues to set framework for development, rationale for development and growth.

- OTS providing transport infrastructure to support
- Government refused to support upgrading of A34 etc.
- Development not delivering infrastructure
- Railtrack spending £18m on Islip station
- Need more time to do review – unfortunately not got more time.
- If Oxford not prepared to meet unmet need why not get Oxford to contribute to cost of infrastructure – complicated – has Growth Board addressed this? City Deal bids – Growth Board to have a remit to look at funding bids for infrastructure – deal to commercialised local authorities each site to give something. Cannot take growth of Oxford and don't know Oxford's contribution.
- Need to strengthen CLP1 and need more evidence
- Some parties e.g. City and developers, will want some growth.
- Next stage transport modelling, impact on biodiversity to see if can accommodate growth around Oxford. Some initial evidence on transport.
- 5 year housing land supply –
- West Oxfordshire District Council (WODC) is preparing Modifications and submitting its Local Plan
- Problem need to address as a whole county, congestion problems around Oxford already
- Safety of A34 - risks need to be addressed but Cherwell District Council is not road planner
- Evidence needs to be based on what is impact on infrastructure
- Building more science parks north of Oxford - makes sense to put houses in North Oxford
- Worry about workload of officers to prepare partial review - too many words for consultees to read!!!
- Neighbourhood Plans (NP) not taken into account in planning partial review – Local Plan partial review needs to comply with NP
- Price of railway travel = people drive

Draft Vision and Strategic Objectives

- What is Oxford's vision to use brownfield land for development?– District is taking its vision to change to match Oxford's needs. How much does one vision have to change to accommodate that of the others?
- Difficult compromise for planners and residents – search areas do not fit with vision for CDC growth.

Considering and delivering Options

- Cluster C – sprawl development around motorway junction – initial transport evidence does not support area C
- Area E – Bicester – touching area C at SW end, same things apply
- Wendlebury Greenfield site , in flood plain for Oxford not close to Bicester Wendlebury, congestion on travel, not enough infrastructure J9, A34 rat running, away from focus for development
- Anything else on north side of Bicester will create more problems. Further development will add further traffic.
- Ring road is in wrong place – build new ring road or traffic increase will be unacceptable.
- Sewage capacity at Bicester STW at capacity – no plans to improve – health infrastructure in Bicester – GPs already closing.
- Garden town, healthy new town eco town in jeopardy with growth
- Social issues – growing too fast does not allow people to integrate creates ghettos

- How fast can you grow a town and make it a good place to live? Town centre not designed for size of town. Not sure Bicester can grow fast and still be a good place to live?

Developer Contributions SPD and CIL

- Will developers pay more or less?
- Exemptions from CIL e.g. affordable housing
- S106 still applied for mitigation specific to development
- Schools are on list but still a problem
- CIL system is convoluted
- Negotiate with CDC on spend
- CDC will need to publish programme of where money spent a percentage 15% to parishes if no NP 25% if do have NP
- Threshold for affordable housing
- CIL is non-negotiable s106 is negotiable
- Map of charges – less viable area pay less. Highest land values north of Oxford, lowest in rural areas
- Will affect final cost of property? Town centre retail no charge to preserve town centre viability – viability led.
- Self-build should contribute because puts pressures on local infrastructure

Summary of Key Issues

- Green Belt is not sacrosanct
- South of District preferred
- Spatial relationship to Oxford
- Need for Oxford – close to Oxford
- Infrastructure needs to be considered first
- Loop (Route) to Park and Rides
- Who is going to fund the infrastructure?
- Integrated cycle paths through to Oxford
- Areas A & B preferred
- Support for CIL and Developer Contributions

Table 3

Partial Review – Context/Approach

CT advised that on Plan PR150 – Change title from Bicester to Caversfield

- Questions about process and how sites were selected. CT explained process.
- We can't accommodate houses in Bicester for people working in Oxford. Most people here would oppose it. Page 18 of main consultation document appoints 3 sites around Kidlington. This would be the most appropriate site given proximity to Oxford. Why do we have to accommodate Oxford's housing need? Concern about A34 and traffic.
- Importance of Green Belt noted
- Noted that Oxford was proposing to build on golf courses
- Sites around Yarnton and Kidlington have been identified, why can't these be accepted?

- There must be areas within the Green Belt which can be used
- Discussion about the numbers for adjoining districts including South Oxfordshire figure
- Discussion about the SHLAA and whether it was determined by developers
- CT responded by explaining about economic growth rate and origin of SHLAA figures
- Why aren't the houses located in Oxford?
- Are houses in South of the district suited to people commuting to London?
- How do we ensure that new units are taken by local people?

Draft Vision and Strategic Objectives

- Discussion about objectives
- Oxford dominated by NHS and universities. Retail is not doing well and the start-ups outside of Oxford so why are we building houses for Oxford.
- Oxford has new employment near north of Oxford.
- Banbury suitable location for development compared to Bicester
- Can Cherwell give Kidlington to Oxford?
- If Oxford had a unitary authority then the boundaries would need to be changed.
- New Oxford to Cambridge Road will result in even more housing for people living in Cambridge.
- There is quite a lot of commuting between Oxford and Cambridge

Considering and Delivering Options

- When developers were asked to put sites forward were only larger sites selected?
- Too many houses and commuters and Eco town will make it worse.
- Majority view that development should be in areas A and B.
- No provision for improved transport. Question numbers we have to re-house. Woodstock doesn't want to be part of Oxford. Consequences of delivering growth not numbers.
- Caversfield is a category C village
- Sites south of Woodstock will not benefit Woodstock – Woodstock will become a commuter town.
- Site in Caversfield already turned down on appeal.
- Heyford is a viable option
- There are historic constraints at Heyford
- Station and transport network around Heyford need to be upgraded
- Oxford Unitary Authority not sustainable
- Disparity about size and mix of houses. What's needed is smaller units e.g. 1 bed units. Developers are only providing executive housing.
- If we have lots of houses, we need the services to accommodate them
- Woodstock has Stagecoach buses like Bicester – and people use them
- All Woodstock buses run by Stagecoach and as frequency goes up so does usage
- If Oxford is going to provide employment then we should not provide housing
- If we are going to provide housing, it needs to be small, affordable. New areas of recreation should be provided within area A

- Live work units might provide the option for employment in mainly residential areas
- Oxford should be providing employment if we are providing their housing need.
- All sites in Areas A and B have been assessed within the SA
- West Oxfordshire also looking for areas around Woodstock near areas A and B
- Sites near Oxford Parkway supported
- Shipton Quarry – supported site but we need new railway station
- Housing won't be built unless developers want to build. What measures are being taken by government to encourage house building?
- If we opt for options A and B, why are we even considering the other sites and villages?

Developer Contributions and CIL

- Contributions around Woodstock should go to nearest village/settlement not remote parishes
- Mentioned Piddington. Towns get the funding from new development not smaller parishes.
- We wouldn't want a village hall. We would like to secure open spaces and purchase them from developers which are holding them for housing. CIL would contribute towards play equipment.
- No particular view on CIL but more to do with weight limits etc.
- Would like refurbished village hall from CIL contributions and improvements to transport e.g. speed and weight enforcement

Summary of Key Issues

- Roads and Transport
- AONB should be established near Oxford
- Serious work to sort out transport around Oxford e.g. trams etc.
- Should Cherwell provide housing for Oxford?
- Don't protect all of the Green Belt e.g. in A and B apart from near Woodstock
- No industrial/commercial development
- No out of town shopping centre in Woodstock
- Smaller units and social housing
- Some CIL possibilities
- Constraints - Blenheim – World Heritage Site and Roman villa on proposed site near Woodstock
- Caversfield is within a conservation area.

Table 4

Partial Review – Context / Approach

- General consensus and support for A and B option. It is better if this is located close to Oxford. Cycle tracks to Summertown.
- A40 – Woodstock – straight route based on the existing transport links
- Are we talking to environmentalist?
- GP Policy – is not sacrosanct? Encroachment is likely

- County/Town Policy – now need for a greater strategy. Protect communities in the GB. GB zone is starting to change.
- Around Park and Ride the flood plain must be appropriately built
- Green Belt should be reviewed.
- Location should be close to Oxford as it is for Oxford's need.
- Huge improvement to infrastructure is required
- Points of principle. Not to worry so much about GB – look at individual villages/sites.
- It is legitimate to look at GB – Concept of the GB – Review
- Infill policy – object to 100 homes in villages – may support 10 homes.
- Any realistic prospect of building in the GB
- Oxford housing identified as need for Oxford.

Draft Vision and Strategic Objectives

- Agree with the vision and objectives. Housing units means number of doors – should be a variety of homes and not 4 and 5 bed homes.
- Oxford housing need is for affordable housing and key workers accommodation
- Missing clarity on Infrastructure – Infrastructure should come first – before housing
- Existing infrastructure doesn't work – you are talking about misery.
- Affordability
- Put genuine cycle paths through farms – rural cycle lanes
- Links to Oxford Parkway. All traffic and roads lead to the centre of Oxford. Need loop outside Oxford. Ring Road is not a Ring Road.

Considering and delivering Options

- Areas of search
- Hospital buses – better connections to key destinations without having to go through the centre of Oxford.
- Woodstock – A44 – closer to Oxford.
- 2021 – 2031 – Phasing strategy
- Affordable housing policy in the Local Plan.
- Build close to Oxford

Developer Contributions SPD and CIL

- CIL – 3 areas
- What is your (Council's) target revenue generation? -----DP – No target
- Strategic sites have S106 – CIL does not apply to these site – ECO Town and Heyford Park have S106 agreements in place for the permissions approved.
- Clarification on affordable housing and Viability
- What can the CIL money be spent on? – Infrastructure
- Welcome receiving 15% CIL for Parishes and 25% for those with the Neighbourhood Plan.
- S106 is currently used to secure a developer contribution which is negotiated on a site by site basis. Once CIL is in place and adopted by the Council, it will be able to start collecting CIL moneys from developments. CIL cap.
- All Parishes welcomed and support both documents.

Summary of Key Issues

- Need investment in transport, traffic and roads
- Should Cherwell provide it all?
- Don't protect all the Green Belt
- In A&B but not Woodstock
- Social housing
- No employment
- Some possibilities for CIL

Cherwell District Council- Local Plan Part 1-Partial Review

Developer Contributions and CIL

Parish Workshop (Banbury) Monday 12 December 2016

6pm – 8pm

Purpose:

Parish Councils were invited to a consultation workshop as part of the Options consultation on the Partial Review of the Cherwell Local Plan Part 1 during November 2016 – January 2017. The Draft Developer Contributions Supplementary Planning Document and Draft Charging Schedule for the Community Infrastructure Levy were also discussed at the workshops. The workshops took the form of group discussions on the agenda items set out below (the agenda was circulated in advance to the parishes). On arrival, parishes were split into groups and each group discussed each agenda item. The group discussions were facilitated by a member of the Planning Policy team with support from a colleague. This document summarises the discussions that took place.

Two workshops took place for parishes in the south and north of the District on 7 and 12 December 2016 respectively.

Agenda:

- Introduction to the workshop and the consultation documents given by David Peckford, Planning Policy Team Leader, Cherwell District Council

Discussion of the following agenda items took place amongst each individual table group:

- Partial Review – Context/Approach
- Draft Vision and Strategic Objectives
- Considering and Delivering Options
- Developer Contributions SPD and CIL

Table Number	Facilitator and Assistant	Parish Councils
1	Chris Cherry & Andy Bowe	Gosford and Water Eaton
		Kidlington
		Hampton Gay and Poyle
		Woodstock
		Duns Tew
2	Chris Thom & Tom Plant	Cllr Reynolds (Drayton)
		Kirtlington
		North Newington
		Wroxton
3	Yuen Wong & Sunita Burke	Bloxham
		Banbury Town Council
		Sibford Ferris
		South Newington
4	Maria Dopazo & Kevin Larner	Adderbury
		Bodicote

		Stoke Lyne
		Steeple Aston

Table 1

Partial Review – Context/Approach

- Affordable housing should be located near Oxford Parkway Railway station and Water Eaton Park and Ride
- “Commuter belt” along railway
- Local Plan can specify affordable housing percentage but needs to be balanced against viability
- What is Oxford’s requirement? Type of people? What is Oxford’s employment type – needs to match type of homes to be provided in partial review?
- What is being used to determine need? SHMA explained
- Oxford should build on its Green Belt
- Option of Green Belt release should be explored e.g. Southfield Golf Club could be relocated to a Green Belt site
- Oxford City wants growth closer to the city
- Is it reasonable to consider Banbury?
- Key issues are connectivity; building communities and deliverability (what can the market deliver?)
- Other infrastructure requirements include schools and doctors
- Oxford City Council has set out what it needs but development needed to provide it assuming 4.4k homes close to Kidlington
- Banbury, Bicester and Kidlington may be able to take more housing development. If development is distributed widely in small sites then there is less chance of securing developer contributions to deliver infrastructure
- Stakeholders favoured larger developments to fund infrastructure
- Continue county towns strategy but concerns of transport issues and links North of Oxford requiring infrastructure.
- Green Belt is not sacrosanct but needs to be protected/defended – need separation between Oxford and Kidlington, countryside and protection of flood plain

Draft Vision and Strategic Objectives

- Don’t agree with the strategic objectives
- What is definition of “affordable”?
- Supporting Oxford’s needs is important and importance should be emphasised
- Transport links are major constraint
- Need good transport links/infrastructure with infrastructure in advance of development
- CDC needs to join up with other infrastructure providers

Considering and Delivering Options

- Langford Lane/Begbroke to support small scale employment and around Pear Tree
- If don’t want anything between Oxford and Kidlington then puts pressure on Kidlington
- Should put sites on A44 not on A4260
- All roads are congested/at capacity

- Need more transport infrastructure
- Not PR 27 (The Moors) which impacts on the gap between the village and river
- PR 41 look to retain area of Green Belt
- Shipton Quarry – access to railway but deliverability issues and other constraints = not available within timescale.
- Heyford?
- NE Kidlington?
- No strong view on large sites

Developer Contributions and CIL

- Transport schools and doctors surgeries priority
- Stakeholders recognised that larger developments were likely to secure larger developer contributions to infrastructure
- No other uses suggested for CIL

Summary of Key Issues

- Can we see Oxford City's SHLAA?
- Oxford should maximise existing sites eg brownfield
- Transport Constraints
- Infrastructure delivery
- Green Belt – some incursion may be ok but need to preserve identity/character of existing towns and villages
- Need to have evidence to justify sites
- Better chance to get infrastructure with larger sites
- Need to preserve green gaps between settlements with some development close to Oxford

Table 2

Partial Review – Context/Approach

- Rural villages in Local Plan Part 2, why mentioned then in Part 1?
- Part 2 is Cherwell's need.
- Drayton becoming an extension of Banbury. Development down golf club and back of Drayton. Banbury and Bicester should expand for Oxford's unmet need.
- General discussion on meeting Oxford's need.
- Oxford should increase its densities, then this exercise would not be required.
- Should need 4,400
- SODC reneged on meeting Oxford's unmet need.
- Is this figure set in stone?
- How did CDC arrive at that figure?

Draft Vision and Strategic Objectives

- Will the housing really be affordable?
- Has Oxford looked at all its sites?

- Should initially look at Kidlington, as a bus would be required from Wroxton to Banbury.
- Attention drawn to new line from Oxford Parkway to Oxford.
- Need to build houses for people who work in Oxford.
- Banbury should not have to meet this need
- Put condition that new houses should only be for living and working in Oxford
- What is classed as affordable?
- Developers can justify what is affordable in Oxford but cannot ,however, justify its viability
- Government policy has changed re: green belt
- Kassam Stadium is in green belt
- Green belt now has lower value
- If green belt protected more growth at Drayton and Wroxton.
- We should push back to Oxford. Say no
- How did SODC get away with not working with Oxford?
- WODC would not give correct numbers. We should resist SHMA work
- If CDC agrees to 4,400 – what if CDC sets bar high re affordable houses. Does that fulfil our need on paper? Affordability a key driver.
- CDC gets to choose if green belt is developed or not.
- Process driven by developers who have a preference where they want to develop.
- Bus services important. Use of public transport to Oxford.
- Location of railway stations. Transport across Oxford. Trains direct to city and buses to city.
- Need to concentrate resources. Buses to hospital important.
- Need to build higher densities.

Considering and Delivering Options

- Options at M40 J9
- Push growth to SNC
- Need to consider Oxford and Cherwell's need – Is it Oxford's or Cherwell's 5 year housing land supply? – A and B sensible choices for development.
- Green credentials – request in the plan?
- Arncott – all houses there? EX MOD sites?
- Implications of Oxford- Cambridge express way?

Developer Contributions SPD and CIL

- S106 monies – Parish's don not see it
- S106 on site. CIL off site. – Parish's to decide how the money is spent.
- Cost of recreational equipment
- Link CIL to neighbourhood plans
- What is CIL consultation for?

Summary of Key Issues

- Housing type – affordable, density and scale
- Need new roads, bus services, cycling. Long term investment
- Continue with Areas A and B (but high land values)
- No development in villages
- Some opportunities in low value green belt (evidence needed)
- Use PDL but expensive to deliver
- Should have lower CIL on PDL to free up MOD land

Table 3

Partial Review – Context / Approach

- 4,400 - Is it a given? If South Oxfordshire doesn't deliver do we need to take it?
- The consensus was that Cherwell accommodated additional growth at the time of adoption because of the SHMA and Growth Board. The barrister for Oxford was very forceful and accommodated the additional housing need. Maybe we should use their Barrister next time?
- Not clear how the figure of 4,400 arrived at by the Growth Board – It is too much?
- What is going to happen with South Oxfordshire apportionment? If the decision is taken by whoever on the apportionment their
- Can this growth be accommodated at Upper Heyford? The allocations at Upper Heyford are based on Policy Villages 5, which covers the entire site area. It will form part of the review for LPP1 – PR
- Green Belt should be reviewed.
- Location should be close to Oxford as it is for Oxford's need.
- SHMA figure should be reviewed following Brexit as the assumptions for SHMA were based on the economic forecasts before Brexit.

Draft Vision and Strategic Objectives

- It is quicker to get to London than to Oxford from Banbury and the surrounding areas.
- Do not envisage people travelling to Oxford from Banbury. People within Oxford City want growth in Bicester as it is part of the knowledge corridor for Oxford City.
- The private rented sector in Oxford is very high and not affordable for the people who work in Oxford. There are a myriad of reasons for the shortage of housing in Oxford. It is a combination of expensive private rental market, type of housing available is not met by the demand for it. Employers are unable to recruit because of suitable housing. Families cannot afford to live in Oxford and have to move out, which involves travel into Oxford therefore not attractive to families. Oxford Colleges lobby against high rise – historic city.
- Where is the housing need?
- What is the housing need?
- Not all the academics, engineers coming to Oxford to work want to live close to their places of work.
- Salary difference

Considering and delivering Options

- Affordable housing policy in the Local Plan needs teeth to it in LPP2. It needs to make developers provide affordable housing and not use viability to lower the provision.

- Build close to Oxford
- Transport strategy is needed for Oxfordshire – County/City and not just City.
- Housing land supply update and its importance for Cherwell District, this means that it relieves pressure on villages in particular on that basis.
- National Government commitment of housing delivery. Colleges and many large developers have large land banks. The Government have been criticised for making that statement.
- Areas of Search – do you agree with areas A and B – Yes, but Bicester and Banbury can take more.
- HEELAA consists of site assessment and this is due to be reviewed and made available to public early next year. No date has been fixed
- LPP2 sites may be smaller sites.

Developer Contributions SPD and CIL

- CIL tariff is welcomed
- Welcome receiving 15% CIL for Parishes and 25% for those with the Neighbourhood Plan.
- S106 is currently used to secure a developer contribution which is negotiated on a site by site basis. Once CIL is in place and adopted by the Council, it will be able to start collecting CIL moneys from developments.
- All Parishes welcomed and support both documents.

Summary of Key Issues

- 4,400 too much
- What will happen with South Oxfordshire's apportionment?
- Grenoble Road
- SHMA should be reassessed after BREXIT
- What is the housing need? Who? Where?
- Employers in Oxford find it difficult to recruit.
- Oxford has high rents and land prices
- Preferred areas of search A&B, Bicester and Banbury

Question

Are garages included in CIL?

Answer

Yes, garages are included in the residential floor space calculations for CIL

Table 4

Partial Review – Context/Approach

- 4,400 additional homes
- 5 year supply – how will the new houses affect this?
- Cannot address until sites identified. Channel down from broad strategy first.
- Sites need to be deliverable to keep up supply.
- Transport links versus proximity to Oxford.
- Transport infrastructure not necessarily deliverable, gamble to rely on it.
- Transport subsidises cut.
- Car is preferred method realistically.

- Oxford City prefers sites close to city.
- All in one Oxford block, or spread around?
- People will buy houses according to own requirements.
- Will housing be tailored to presumed need of Oxford population?
- Do we know what mix is needed?
- Has Oxford determined who housing will be for? Further away will be primarily for commuters.
- Main need is for affordable housing, how will levels be determined?
- Want ideally cohesive self-contained communities.
- Need driven by new people moving to county.
- All economic benefit flows to Oxford and Bicester, not Banbury.
- Banbury more self-contained.
- Banbury in two LEP areas.
- Housing must be backed with employment.
- Committed economic growth will require more housing. Knowledge Corridor is planned for later.
- Planned growth areas already in Cherwell so do we use green belt or add to identified growth areas?
- Need to have all infrastructure ready.
- IDP accompanies LP1.
- All depends where sites can be found. Mobile and broadband not obliged to provide.
- Bodicote strongly doesn't want additional housing for Oxford. Should be nearer to Oxford.
- No option to do nothing.
- Green belt should be reviewed.
- Extend existing infrastructure or build brand new infrastructure in new area?
- South of district is better. Transport links are not good enough from north of district.
- Sum up – preference is for housing closer to Oxford.
- So much new development already. Already planned communities need time to develop.
- LP already identifies many village sites – how will those work with LP2 sites? Concern that rejected sites will be resubmitted.
- Percentage of social versus private.
- According to LP policy. Oxford's affordable ratio is 50% we need to decide if that can be sustained in Cherwell.
- Higher social needs better proximity to centres.
- S106 is negotiable, we have to consider if affordability is brought up.
- Neutral benefits.
- Possible to argue for share of benefits which would otherwise go to Oxford.

Draft Vision and Strategic Objectives

- Need vision that works for the whole of Cherwell.
- Objectives focus on proximity to Oxford, housing needs and working with City Council.
- Sustainability – social, economic, environmental.

- Cherwell must not be just a dormitory for Oxford.
- How will this work with Oxford's forthcoming LP?
- Consulted in summer. Policy framework is pre NPPF. SHLAA – generated more than had been envisaged
- Why are Cherwell and South taking so much more than Vale and West?
- More constraints in Vale and West (less well connected).
- In reality how deliverable is any of this? How long will this take (on top of existing quota)?
- Does CDC know how much land has existing, non actioned planning permission?
- Tabulated in AMR.
- Does CDC ask why not being delivered?
- Yes they are regularly contacted. Can consider accelerating some sites if other expected ones do not develop as expected.
- If this plan is not progressed we can expect speculative developments to start arriving.
- To what extent can CDC force/facilitate delivery of infrastructure?
- Can push/negotiate/pressure developer.

Considering and Delivering Options

- New Year – shortlist of sites then ask developers to demonstrate deliverability.
- Will developers build if not profitable?
- Cards are with developer, they hold the 5 year land supply. Changes mooted but developers are a strong lobby.
- Large strategic sites or dispersed?
- Housing mix will affect deliverability.
- Concerns for community cohesion – resentment.
- Question - New settlements in preference to multiple small sites? (All = yes).
- Social needs must be met – is this realistic for new settlement; employment, transport.
- Need to plan for cemeteries
- Economy – if bad could end up with huge housing development and no employment.
- Can 4,400 homes be economically sustainable?
- Employment types Banbury, Bicester and Oxford different. How improve employment types in Banbury and Bicester?
- Need to work closely with business community. Focus on apprenticeships.
- Academic education in Banbury not good enough.

Developer contributions SPD and CIL

- 106 negotiable
- CIL not negotiable
- Chair of OALC. Does district take CIL if parish does not have specific project?
- MD- Parish proportion 15% if no NP capped to £100 per existing dwelling.
- (if NP = 25%, no cap)
- 123 list – what will go from CIL and from S106?
- Look at what infrastructure needed.

- Will not be backdated on existing houses.
- MD - No it will not. Number of exemptions to CIL. More affordable housing = less £s to infrastructure.

Summary of Key Issues

- Preference for development closer to Oxford because of transport, sustainability, affordable housing.
- Review Green Belt
- New settlement in preference to multiple small developments.

Focus Stakeholder workshop
Tues 13 December 2016
Council Chamber 17:45-20:00pm

Table 1 David Peckford, Andrew Bowe	CDC
Richard Cutler	Bloombridge
Tom Rice	Barton Willmore
Sarah Gregory	Savills
Alan Stora	Oxford City Council
Lawrence Dungworth	Hallam Land Management Limited
Mitchell Tredget	Hill Residential
Julie-Anne Howe	OCCG
Steve Pickles	West Waddy ADP
Table 2: Chris Thom, Lewis Banks-Hughes	CDC
Peter Bateman	Framptons Planning
James Dillon-Godfray	London Oxford Airport
Fiona Mullins/Tom McCulloch	Community First Oxfordshire
Andrew Garraway	Turnberry
Jacqui Cox	OCC
Simon Joyce	Strutt & Parker LLP
Colin Blundel	Vale of White Horse District Council
Table 3 : Sharon Whiting, Tom Plant	CDC
David Flavin	OCC
Ben Simpson	WYG Bonnar Allen
Alan Lodwick	Oxford Green Belt Network
Jonathan Porter	Archstone Projects Limited
Charles Campion	New College
Gary Owens	CDC- Housing
Table 4: Maria Garcia Dopazo, Alex Rouse	CDC
David Burson	JPPC Planning
Mark Schnull	Nathaniel Lichfield & Partners
David Heathfield	Chiltern Railways
Jenny Barker	CDC
Peter Cox	Bicester Chamber of Commerce
Christopher Anstey	CRJ Anstey
David Keene	David Lock Associates
Table 5: Christina Cherry, Sunita Burke	CDC
Robert Davies	Gerald Eve LLP
Sue Marcham	CDC
David Stewart	David J Stewart Associates
Ellen Timmins	Boyer Planning
Paul Burrell	Pegasus
Bob Duxbury	CDC
Neil Roe	Amber Developments

1. Summary of main issues raised across the 5 tables during the focused discussions

The discussion focused first on the key priorities arising from the Local Plan Partial Review Options Consultation from the stakeholders' point of view and interest. This was followed by a discussion on the Local Plan Part 1 Partial Review proposed vision and objectives, consideration and delivery of options and a final discussion on the concurrent consultation on Developer Contributions and CIL Charging Schedule.

The sections below summarise the key issues raised under each discussion topic while Appendix 1 provides a more detailed record of the points raised also by topic.

1.1 Key priorities from the stakeholders' point of view and interest.

Main priorities raised by the participants focused on:

- **the wider/strategic implications of meeting Oxford's needs:** how does it fit a wider strategy, is the SHMA realistic?, what are the democratic processes? (i.e. whose policies are these?), impact on the environment and Green Belt aim to restrict sprawl.
- **Infrastructure:** whether planning growth and infrastructure on existing locations or clustered for new infrastructure, focus infrastructure in and around: Bicester, A34, A44 and A4260, possibility of new train station.
- **Location of development:** support for Area of Search A, support for close to Oxford and around existing/planned corridors, support for large strategic sites alongside some housing in villages for 1 and 2 beds. Deliverability by 2031 to be a consideration for the location of development.

1.2 Local Plan Part1 Partial Review: Context/Approach

Main comments on LP1 Partial Review context and approach included:

- **Approach to growth:** support for county towns approach and Sustainable Urban Extensions, concerns with urban extensions to Oxford due to environmental, Green Belt and Infrastructure constraints, support for an approach based on Oxford needs with development located near Oxford, support for an approach which leans on public transport and transport hubs.
- **SHMA , housing need and apportionment:** concerns with the adequacy of the SHMA (exaggerated needs and focus on employment growth), support for SHMA as ratified by PINs, queries about population updates needed at later stages of plan preparation, queries on whether CDC will accommodate further growth and the consequences of SODC not endorsing the Growth Board apportionment.
- **Green Belt (GB) and Kidlington gap:** Kidlington gap is strategic, queries on whether best to undertake a GB Review or a GB Leap with views pro and against both approaches, fears that a GB review will open 'Pandora's box' and hence it should not be reviewed, support

for a GB Review which is targeted not excessive review and permanent to 20+ years. Need to justify GB review's exceptional circumstances.

- **Deliverability:** Increased housing delivery possible, landowners looking at land disposal although builders are maxed out at the moment, landowners aspirations (land values) are an issue for affordable housing, need a mixed of large and sites. Smaller sites quicker and easier to deliver. Plan deliverable but GB review is needed.
- **Infrastructure:** high quality transport needed to areas for Oxford's growth, queries on when the Plan will address infrastructure needs and whether consultations will take place as part of OCC Local Transport Plan.
- **Location of growth:** support for areas A and B, support for and arguments against further growth in the north of the Cherwell, Upper Heyford and potential MoD land, motorway junctions seen as inappropriate, support for growth at Oxford Parkway, support for locating growth near existing development and near employment, question the approach to areas of search and whether areas A and B have been favoured, views on 4,400 being too much just for Kidlington.

1.3 Draft Vision and Strategic Objectives

Main comments on LP1 Partial Review context and approach included:

- **The focus of the vision and strategy:** non location specific vision as a starting point but responding to Oxford's needs and Cherwell's context. Some Views on vision trying to please everyone and following the wrong strategy, some views on support of the vision and strategy. Support for moving attractors (jobs and university) outside Oxford (i.e. Bicester), counter argument indicating business may move to Cambridge instead. Some views on vision and strategy too narrowly focused on housing with a counter argument on the Plan being only a partial review to LP1 to meet Oxford's unmet housing needs.
Addressing specific housing matters: Affordability of housing, small units, student accommodation, need to address health issues and design dementia friendly homes and care villages. Provision of a digital village at Kidlington.
- **Public transport and connectivity:** Important to provide good accessibility to Oxford City Centre and employment. Council to monitor progress on Oxford- Cambridge corridor.
- **Oxford/Cherwell impacts:** concerns with competition between houses built for Oxford's needs and those for Cherwell. The emphasis on the vision should not be on 'New balanced communities'. The vision for LP1 PR and Kidlington Masterplan do not connect the Masterplan should be brought to the fore. Contributions from development should go for infrastructure.
- **Objectives:** In Objective 1 partners should extend to through the Duty to Cooperate. Objective 17 relays on unrealistic job growth, vision for balanced communities is at odds with objectives 17 and 18 focusing on addressing Oxford's housing needs. Should consider common drivers for long term sustainability.

1.4 Considering and delivering Options

Main comments on LP1 Partial Review consideration and delivery of options included:

- **Approach to growth:** initial evidence indicates areas A and B most sustainable, support for growth at Banbury and Bicester with counter arguments supporting growth at the edge of Oxford accompanied by infrastructure. Support for consideration of new growth nodes. Views on dispersing some of the growth on grounds of natural limits to growth around Kidlington. Support for Upper Heyford and Bicester supported by high quality transport. Biodiversity could affect location of growth.
- **Infrastructure:** NHS does not have capacity for new surgeries; transport system around Cherwell generally poor cannot cope with more growth, transport capacity matters are a national issue. Growth driven in part by strategic employment, should apply for funding streams in connection to SEP. Wider strategy needed for infrastructure. Developers and landowners to be treated fairly. Arguments pro and against the benefits of larger vs smaller site allocations to help delivery of infrastructure.
- **Delivery:** Investment and returns drive the gradual delivery of houses not land banking and Green Belt. Ring-fencing site delivery may result on area I coming forward to meet 5 year housing land supply. Kidlington Masterplan can be delivered now work already done. Development around Water Eaton area is 10-15 years away. Phasing of sites not considered practical by triggers for occupation may work. Delays on S106s is an issue – should front load to pre-app stage. Sales rates are outside Council’s hands and there is likely to be competition. Views on delivery not being an issue unless infrastructure upgrades have a knock on effect.

1.5 Developer Contributions SPD and CIL Draft Charging Schedule

Main comments Developer Contributions SPD and CIL included:

- **Approach:** SPD and CIL based on adopted Local Plan growth. The future impacts of Partial Review sites to be looked into as the plan progresses to adoption. CIL doesn’t allow negotiation -prefer s106 route; Strategic site appraisal does not pick cumulative effect of assumptions; views that viability not an issue in Cherwell, need transparency in finances; Development is needed to pay for the infrastructure – so what other options are there?
- **CIL charges:** views on CDC CIL charges being higher than surrounding authorities countered with views on CIL charge being reasonable. Need to address balance between seeking contributions and not putting development at risk. Schedule seen as helpful; Garages factored into the levy; Keep CIL simple – Speeds it up Parishes keen to see how much they can get countered by views on CIL needing to fund infrastructure
- **SPD:** Table 2 in the SPD is very clear. Minimum threshold retained. Threat to small development coming ahead such as petrol station with retail, etc. Public art can fall into disrepair and wasted. City uses a calculator for mitigation on ecological matters. – Biometric – Defra. LPP2 – look at metric and biodiversity counting. Can contributions be more specific / itemised? They cannot just be viewed in isolation. Surcharges are very high, even comparatively.

Appendix 1 – Detailed list of main points raised by topic

Stakeholders' main issues arising from the consultations

Democratic process and strategic matters

- i. How does democratic process work with Oxford?
- ii. How Oxford's Unmet Need (OUN) fits wider county strategy how it responds to the Strategic Economic Plan (SEP)
- iii. High level context – not just about CDC strategic fit with Oxford context
- iv. How could needs be met in terms of scale and location of development and how does it manifest itself in terms of sustainability/detrimental impact on the environment
- v. Oppose SHMA, unrealistic and excessive
- vi. Support principles of greenbelt and appropriate use. Supports Cherwell's Green Belt Policy – Restricted sprawl.
- vii. City Council approach – to promote employment land rather than housing.
- viii. Housing market area vs Oxford cities need Policy? CDC or City for affordable homes threshold. Affordable housing – who gets it? Cherwell or City?
- ix. New homes bonus and incentives with housing growth
- x. Support Planners on strategic issues

Infrastructure

- i. Infrastructure issues e.g. constraints in Bicester
- ii. Interested in sites making most of existing infrastructure
- iii. Supportive of clusters of sites to improve transport infrastructure.
- iv. Query whether best to plan growth and infrastructure in existing locations or clustered for new infrastructure.
- v. Interest in social and wider infrastructure from community viewpoint
- vi. Specific transport infrastructure between A34 and Begbroke Science Park/Yarnton/Kidlington/Northern Gateway etc.
- vii. Impacts on existing infrastructure, need for a phasing approach to delivery and the relationship with Sustainability Appraisal and site scoring.
- viii. Possibility of new train station on Great Western line.
- ix. New employment in Kidlington area.

Location of development

- i. Where and how development will take place? Where 4,400 homes go by 2031 is also a delivery issue: where do you put it – is Banbury too far?
- ii. Should be close to Oxford and around existing / planned transport corridors.
- iii. Strategic sites with infrastructure and bigger and better sites while small villages with some small housing 1 and 2 beds.
- iv. Supporting Search Area 'A'

2. Partial Review: Context/Approach

Approach to Growth

- i. Country towns approach to growth in Oxfordshire dominated for years – Growth for Banbury
- ii. Oxford wrong to take premise - Sustainable Urban Extension (SUE) is the answer
- iii. Urban extension of Oxford is not sustainable – due to local circumstances – transportation A40 Northern Gateway environmental setting and quality, Green Belt and heritage and environmental setting compared to elsewhere in Kidlington – Kidlington needs regeneration
- iv. National Infrastructure Commission – Growth Corridor (above 4,400)
- v. House live/work in Oxford – affordability is fundamental
- vi. Difficult to object to the strategic view and approach in the Cherwell Plan
- vii. CDC initially thought for 2011-2031 was 16k. Consultants employed to defend deliverability. Ambitions deliverable targets
- viii. City's based need: people who have a job but need a house. It is a City requirement and not for commuting people. Junior academics and researches leaving Oxford as can't find / afford housing.
- ix. Spatial relationship important, also public transport and new modes
- x. If houses relate to Oxford, huge market / demand, especially for affordable.
- xi. Question whether jobs are/should be in the city– Science Park in Vale DC? Future job growth unnecessarily provided up at Oxford? Not required for all business to be right on Oxfords doorstep.
- xii. WODC garden village – approach to transport hubs.
- xiii. Long period existing strategy of Oxford City is at odds with OCC.
- xiv. Opportunity for high level jobs in Bicester.
- xv. Meeting all of the need immediately just compounds the problem.

SHMA, housing need and apportionment

- i. 15,000 homes for Oxford and Cherwell's apportionment is 4,400 homes. Can this be accommodated sustainably and where within Cherwell? How robust is 15K figure? Is the figure 4,400 too high?
- ii. SHMA - exaggeration of CDCs need and employment growth. Based on false evidence, jobs will not be delivered. It does not address need. It does not address affordable need.
- iii. SHMA – Ratified by PINS
- iv. Cherwell has accepted this figure from the Growth Board – Duty to Co-operate and agreed to meet the need through Partial Review of Local Plan Part 1.
- v. Need comes from SHMAA. Based on Oxford's identified needs and SHMAA – 10K met – Growth Board divided remainder. Statutory process through local plans. Figure could change through review of other LA plans.
- vi. The 4,400 is on top of the pre-existing numbers based on Cherwell's demand.
- vii. SHMAA is the document to be used and based on assessed need. Could be checked/updated? Have updated population projects been used? Would this be done through Growth Board?
- viii. CDC to review whether population updates are needed before examination

- ix. There may be some LAs challenge SHMAA – needs to be updated? 2014 has been through examinations and has been found robust.
- x. Could Cherwell get more than the 4,400 allocated by Oxford’s unmet housing need? If South Oxfordshire District Council continues to not agree to take a portion of Oxford’s unmet housing need – would Cherwell then have to take an additional portion of that amount too?
- xi. Interim SA looks at 4,400, significantly less and significantly more. However, the focus of the LP1 PR is the unmet need apportioned to Cherwell (4,400).
- xii. The focus of the LP1 PR is the testing through Cherwell’s statutory processes the Growth Board apportionment of 4,400 to Cherwell. It is for each local authority to address the Duty to Cooperate through their plan making process.

Green Belt and Kidlington Gap

- i. Kidlington gap is strategic survived over years. Kidlington needs regeneration no Green Belt focus.
- ii. Lots of the land in A and B is in Green Belt. Should CDC leap the Green Belt? Scope to review Green Belt?
- iii. CDC needs to justify exceptional circumstances for Green Belt development. Growth Board looked at land in Green Belt to identify which parts of Green Belt could take development. There are parts of the Green Belt with lower landscape quality than other parts.
- iv. Green Belt needs to be looked at – old concept – shouldn’t go in with view to leap Green Belt.
- v. Cambridge (without Green Belt constraint) has attracted significant employment. Oxford has been hampered by Green Belt constraints. Lots of industries would like HQ in Oxford but there are no [employment] sites available around city centre.
- vi. Green Belt review should be a targeted approach
- vii. No development in the Green Belt , real fear it is Pandora’s box
- viii. Green Belt review through sensible planning needed but not excessive – Carefully regulate
- ix. Re-fix green belt for 20+ years after this review.
- x. Green Belt review too look longer term view: 50-100 years
- xi. Coalescence of settlements? Kidlington/ Yarnton/ Begbroke have a sense of identity? Value of the Green Belt – Openness. Parts of the Green Belt have no value.
- xii. Are parts of the Green belt around Oxford able to meet Oxford’s need? What part of the Oxford’s Green Belt performs the Green Belt function?

Deliverability

- i. Landowner aspirations are a difficulty– Affordable Housing cost £60 per sq. ft. = £60k
- ii. Landowners looking for opportunity to dispose of land
- iii. Realistic rate of delivery – yes to increased housing delivery
- iv. Need a mix of sites small and large. If you draw down into what are deliverable sites.
- v. Sites out there, but builders maxed out at present
- vi. The LP1 PR is deliverable but needs green belt review
- vii. Delivering large sites takes 10 years to get spade in ground – is there potential to deliver large sites as series of small sites? No due to land equalisation

- viii. 5 year land supply from 2021? Yes
- ix. Market supply and demand – saturation. Hallam Land developing at Cranbrook in Devon - 450 units per annum starting to stall
- x. Smaller sites quicker and easier to deliver. Flexibility is key

Infrastructure

- i. Transport is key – cycling and train links are important
- ii. What about the levels of infrastructure needed, and would phasing be used?
- iii. Need to look at developing a strategy and identifying the location of growth first before establishing what infrastructure is needed.
- iv. High quality public transport is needed in these growth areas. Need better linkages further out to places and areas suitable for Oxford's growth.
- v. What is the consultation on OCC Transport Plan? – Can similar consultations be carried out on OCC transport matters in the area?
- vi. OCC are active in talking to District Councils and undertaking consultations such as the A40 scheme (OCC website).

Location

- i. Transport 30-60min journey is what most commuters will make
- ii. Housing - important to be close to Oxford
- iii. Area A and B are well connected by public transport. A and B logical place to centre new development. Sustainable communities should be created in their own right rather than dormitory towns. Proximity to Oxford promoted active travel links to reduce impact on infrastructure.
- iv. A and B. Have locations been ranked?
- v. SA and TA identify ranking of locations + sustainability and impact of proposals on Cherwell and Oxford. CDC hasn't set out a rank.
- vi. The partial review seems to imply that CDC has already made up their mind that the majority of the growth will be around Kidlington. Is this biased? Based on the documents, Kidlington looks like it is favoured – what drove that decision?
- vii. No decisions have been made at this stage. The starting point is looking at the whole of the district, including connectivity and public transport links
- viii. Areas of Search were drawn based on: urban areas, PDL, transport nodes and promoted sites. Initial SA and Transport Study indicate that Areas A and B seems the most sustainable locations but we need more evidence (HRA, SFRA, Landscape) to inform the next stage.
- ix. SA framework produced by LUC looks at Oxford's and Cherwell's objectives but addresses Oxford's unmet need.
- x. Upper Heyford has further potential
- xi. Fan of new garden town type development – new developments shouldn't be bolted onto existing development
- xii. Oxford Parkway good location for some housing
- xiii. Some form of bolstering into what is existing (with new development in these areas)

- xiv. Connectivity is very important – having location close to employment
- xv. A + B, Bicester and Banbury make more sense
- xvi. Should be more ruthless and say no to areas.
- xvii. North of District is stupid location for the LP1 PR, it does not relate to Oxford. Banbury related to WODC, SNC and Birmingham. Houses in North of the District exacerbates problems.
- xviii. Heyford and Banbury solve CDCs issues not Oxfords unmet need.
- xix. Motorway junctions area inappropriate
- xx. MOD land Comparable to Heyford or Graven Hill (i.e. Arncot)
- xxi. If high end jobs in Bicester, then Arncott would be good
- xxii. 4,400 are too many for just Kidlington. It wouldn't cope.

Other

- i. Could have policy for key workers offer land for free to construct houses for key workers e.g. Bloombridge in Kidlington 21 Ha site only need 10Ha market value = £1m per acre
- ii. Density should be revisited
- iii. Oxford is a world class city – it is a fundamental building block – support that
- iv. Historic built and natural environment are not in these assessments.

3. Draft Vision and Strategic Objectives

Vision

- i. Oxford suggested vision is non-location specific, a starting point to frame what follows. Responds to Oxford's needs in Cherwell context
- ii. Draft vision tries to please everyone all at the same time
- iii. Strategy is wrong
- iv. Should employment be pushed out of Oxford? Train line essential to move jobs out of Oxford perhaps.
- v. Oxford attractor of people and houses move universities to Bicester
- vi. In Oxford Astra Zenneca could not find site so moved to Cambridge not Bicester
- vii. Housing isn't just an isolated aspect; it has to coincide with employment opportunities.
- viii. The review does seem overly housing-focused. Should the review be wider than just housing?
- ix. There is an employment/housing imbalance in Oxford. The Partial Review is not a review of the LP but a partial review to help address Oxford's unmet housing needs.
- x. Needs vision is for a new city then dealing with the focus of Oxfords unmet need. Statement of a new garden city.
- xi. Connectivity to Oxford. Cambridgeshire is successful because of its connectivity between different modes of transport. Links to Ox Parkway.
- xii. All traffic and roads lead to the centre of Oxford. It is very important to provide good access into Oxford City Centre. In particular public transport and Park and Rides.
- xiii. Focus on Oxford impact on CDC

- xiv. Vision and objectives – health – need health to be designed to be dementia friendly need built facilities for healthy environment
- xv. LP1 Partial Review and Kidlington Masterplan don't connect. Kidlington Masterplan needs to be brought to the fore – housing will cost £500-£700 per sq. ft. at Oxford Parkway but £300 / sq. ft. in Kidlington
- xvi. Telecottages digital village in Kidlington as part of regeneration of the village
- xvii. Need to plan for care village
- xviii. City's requirement is for small units not executive homes. Concentrate what is missing, small units
- xix. Provide a range of housing types for Oxfords need.
- xx. Exemplar is a high bar + affordability contradicts each other.
- xxi. Oxford has lots of university colleges, which means lots of student accommodation – would Cherwell have to take a proportion of this, in addition to other types of housing?
- xxii. The competing nature of the houses build for Oxford's unmet housing need and those built for Cherwell's natural growth might seem to be somewhat adversarial.
- xxiii. Properties in Oxford are the most expensive around, so the issue of affordability will be key.
- xxiv. Can the Cambridge – Milton Keynes - Oxford corridor be considered as an example of good practice?
- xxv. The preferred route option has yet to be identified. We will keep an eye on future announcements.
- xxvi. New balanced communities in the Draft Vision for Meeting Oxford's Unmet Need – Does this have to be new? The existing settlements will have capacity for expansion?
- xxvii. 4,400 homes because of Oxford's needs. Accessibility to these employment areas is important such as Begbroke.
- xxviii. If 4,400 are for Oxford, roughly 3000 will generate value. Contributions from the development can go for better infrastructure provision.

Objectives

- i. Objective 1 - partners- only /City and County Councils? – partners to extend to growth board partners through duty to cooperate
- ii. Potential to work with other districts to meet unmet needs
- iii. Disagree with SO17 – unrealistic job growth.
- iv. We do still need to build balanced communities, as the impact of growth affects many other areas. A vision seeking balanced communities may not be supported by objectives focused mainly on addressing Oxford's housing needs SO17 and SO18. Need to consider the common drivers of long term sustainability.

4. Considering and delivering Options

Approach

- i. Initial evidence indicates areas A and B are most sustainable
- ii. University needs to do proper Research and Development at Water Eaton
- iii. 100 dwellings, thresholds way too low, dilutes strategy
- iv. Is this a real need or not? Do ½ now and see if it is deliverable review for other ½ 2,200, then if there is demand then the other 2,200

- v. Biodiversity can affect where new developments take place.
- vi. Cluster sites together
- vii. Urban extension or new towns
- viii. Sites or sustainability
- ix. Infrastructure also drives the level of delivery – the Oxford unmet housing would be best suited to the edge of Oxford (i.e. Kidlington), rather than around the other two urban centres in Cherwell – Banbury and Bicester, which are probably too far away.
- x. Strategy – Banbury/Bicester is supported. There are pros and cons for sites in Banbury and Bicester.
- xi. Fundamental point – jobs in Oxford.
- xii. Oxford need – not to confuse with Oxford’s need not being met in Bicester – net migration. Plan for growth in Bicester– Green Belt has value. Settle in places like Heyford/ Bicester and travel to Oxford using high quality transport to Oxford. It becomes a Bicester issue. Potential to allocate housing in Bicester to meet Oxford’s unmet need. Ability to fund infrastructure improvements.
- xiii. If development is around a node could not new nodes be created?
- xiv. Locating housing closer to Oxford will be better at meeting Oxford’s unmet housing need, as geographic proximity is a key driver for people.
- xv. Should the delivery of housing be dispersed or concentrated? There are natural limits for housing, and sites other than those around Kidlington will surely be needed to take some of the pressure.
- xvi. Infringing on the Greenbelt has negative connotations – but Greenbelts can be enlarged or moved around – they are not fixed points – look at the example of Cambridge. Are Cherwell thinking of undertaking a Greenbelt review?
- xvii. Are we going back to Regional Spatial Strategies again?
- xviii. Who decides which houses have been designated for Oxford’s unmet housing need, and which have been designated for Cherwell?
- xix. This is an argument that could be made about any plan making process not just in addressing Oxford’s unmet needs. There are limitations on how prescriptive planning can be (who lives/works where) but the next stage of LP1 PR will influence housing mix, housing types and affordability.

Infrastructure

- i. 440 homes per year added to housing delivery sites = c 6k people but NHS does not have capacity for new surgeries
- ii. The current Kidlington transport set-up is insufficient to deal with any more development
- iii. The transport system in and around Cherwell in general is poor, and the whole transport strategy wouldn’t be able to cope with such high levels of demand from an extra 4,400
- iv. Use of local building fund to deal with intractable problems of infrastructure
- v. Existing Capacity of the trains themselves - paths they can use – if you introduce new station, it will extend the length of the journey. Increase capacity on existing public transport (trains)
- vi. Major investment needed into public transport. The transport issues discussed are national, and not just localised.

- vii. Strategic employment driving unmet need – ways to apply for funding streams need to demonstrate going to provide jobs. Connection to SEP used to bid for funding
A wider infrastructure strategy is needed rather than just endless mitigation. Previous mistakes have been made with the funding of infrastructure – this must not happen again.
- viii. Private cars are still the main method of transport, rather than public transport.
 - 4,400 homes seems a lot, but if you put it in perspective of having good transport links, in a nice area of the country, with good employment opportunities, it isn't that much housing.
- ix. It's fine having better transport links, but if you can't get there without driving, then it's pointless. Transport services need to be better integrated into the wider community. But they also need to be commercially viable.
- x. Could/should buses get preferential treatment? There should be interconnection between buses and trains (in real time)?
- xi. Developers and landowners need to be treated fairly. Is the additional infrastructure costs only for the 4,400 homes of Oxford's unmet housing need, or can it go towards funding general improvements to services across the district?
- xii. Approach should be for large allocations, which will have ability to lever in investment for larger infrastructure.
- xiii. Quantum of development – deliver small sites for a new school/or an extension to an existing school. Small sites can help existing school in Yarnton.

Delivery

- i. Housing crises nationally. How does greenbelt review address the housing crises? Disagree with green belt and developers banking. Investment and return means delivering houses gradually.
- ii. Ring-fencing may result in area I coming forward to meet 5 year housing land supply
- iii. Need strategy for Kidlington to deliver 2-3k homes and to deliver Kidlington Masterplan – work done already – smaller sites controlled by individual landowners
- iv. Further development around Water Eaton = 10-15 years away
- v. Approach to 5 year land supply: 2 local plans piggy backing distinguish land supply supplies and demonstrate to inspector delivery.
- vi. Site in different ownership come with one application to deliver. Sites in CDC are big and can accommodate huge growth.
- vii. Phasing? Not practical to dictate that.
- viii. Triggers in place before occupation. Agree with triggers
- ix. Control infrastructure: Delay for 106 negotiations, 50 units taking 2 years for 106 to then get to REM. Try and front load everything at PREAPP rather than post planning granting subject to 106.
- x. Is there a different trajectory for the Oxford unmet housing need compared to the other housing being built in Cherwell?
- xi. It hasn't been decided yet, first need to develop a strategy as well as the quantum and location of growth.
- xii. Delivery shouldn't be a problem, as landowners want quick delivery. But infrastructure upgrades will have knock-on effects on the ability to deliver.
- xiii. The sales rate would be out of the council's hands anyway, and competition is inevitable.

5. Developer Contributions SPD and CIL

- i. SPD and CIL based on adopted Local Plan growth. The future impacts of Partial Review sites to be looked into as the plan progresses to adoption.
- ii. CIL doesn't allow negotiation – flat rate makes some sites unviable undeliverable when you crunch numbers which is why prefer s106 route
- iii. Strategic site appraisal does not pick Cumulative effect of assumptions
- iv. Need to build development tolerances into model
- v. Savills to provide detailed comments to feed into discussions with Montagu Evans
- vi. Health might not be new build but might be used to support existing by existing contributions – developers don't mind giving money to support facilities
- vii. Contributions into CIL pot but infrastructure not always seen to be spent
- viii. Viability not an issue in CDC
- ix. CIL charges are higher than rest of Oxon and strategic sites should be excluded.
- x. CIL appealing to communities because to split to parish councils
- xi. Small builders getting away with S106 but appeals to bigger clients because of fairer distribution.
- xii. Community development funding through CIL – no expectation though CIL.
- xiii. Can contributions be more specific / itemised? They cannot just be viewed in isolation.
- xiv. Surcharges are very high, even comparatively.
- xv. Transparency in the finances is needed.
- xvi. Development is needed to pay for the infrastructure – so what other options are there?
- xvii. The clarity in the documents was commended. No concerns raised except for out of centre retail and that CIL for new retail uses may not be viable.
- xviii. Notional proposition – A and B Areas are reasonable to deliver for oxford's unmet need. There needs to be a balance between managing the issue - existing place and the new place and how it will appear, what infrastructure it will need.
- xix. CIL approach – contributions requested are within reason
- xx. Balance between seeking contributions and not putting development at risk.
- xxi. CIL schedule is very helpful
- xxii. City uses a calculator for mitigation on ecological matters. – Biometric – Defra meter
- xxiii. LPP2 – look at metric and biodiversity counting.
- xxiv. Table 2 in the SPD is very clear. Minimum threshold retained. Threat to small development coming ahead such as petrol station with retail, etc.
- xxv. SODC has CIL adopted and its charges are lower, CDC expectations too high?
- xxvi. Garages factored into the levy
- xxvii. The bigger the shopping list gets and the developer / land owner doesn't understand contribution like public art, when issues such as school and bus routes important.
- xxviii. Makes developers question why sell land
- xxix. Keep CIL simple – Speeds it up
- xxx. Parishes keen to see how much they can get
- xxxi. CIL should be infrastructure and not what the Parishes can get – Schools, trains
- xxxii. Public art can fall into disrepair and wasted.

Appendix 7

Draft Developer Contributions SPD November 2016: Summary of Consultation Responses

Rep No.	Name	Organisation	Summary of Representation
CIL-B-002		Banbury Town Council	As a consultee Banbury TC would like to be privy to draft heads of terms for individual development proposals at the pre-application stage, possibly as part of wider stakeholder panels for interested parties within the town. Our members have detailed local knowledge and our planning committee provides members with a wider strategic view of the town and how developments will embed themselves within it
CIL-B-005		Persimmon Homes Midlands	Paragraph 4.15 states that 'it is expected that 50% of the affordable rented housing will be built to Building Regulation Requirement M4(2) Category 3: Wheelchair User Dwelling' The SPD is not the appropriate place to introduce this requirement. The appropriate place to introduce this policy would be through the Part 2 Local Plan process and would need to be fully evidenced as required by the NPPG.
CIL-B-006		Barton Willmore on behalf of Bellway Homes Ltd and Archstone Projects Ltd	The SPD does not comply with national policy on deliverability of development and the role of local plans. The SPD does not contain sufficient evidence and justification to support the contributions and costs proposed. <ul style="list-style-type: none"> • The PPG is clear that SPDs should not be used to add unnecessarily to the financial burdens on development and should not be used to set rates or charges which have not been established through development plan policy. • Appendix 9 sets out sums for open space provision. Each provision is multiplied over a 15 year period. This seems an unreasonably long period of time, and 10 years would be more reasonable. • The SPD is not supported by a robust evidence base to justify the contributions and associated charges.
CIL-B-008		David Lock Associates on behalf of Gallagher Estates	There are a number of infrastructure items for which the SPD provides no supporting evidence as to how values have been calculated, nor what assumptions support any such calculations. Eg Contributions for Education infrastructure, commuted sums for maintenance for community halls, commuted sums for maintenance of open space, community safety/CCTV costs. Security & Timing of Payments – There is no reference to a mechanism for the

			<p>repayment of unspent monies by the Council to the developer. Reference should be included in accordance with national guidance.</p> <p>Education – There is no reference to education requirements being met through direct delivery of schools and/or extensions to existing facilities.</p> <p>Local Management Organisations – It is noted that it is the Councils’ preference to adopt and maintain public open spaces, the option to use management companies is outlined within the document as an appropriate alternative. Any such decision taken in relation to a management approach should be solely between the developer and the District Council. It is not necessary or appropriate to require agreement of the town/parish council, who would not be party to any such S106 agreement. Reference to the need for propositions of management companies to secure approval of the town/parish council should be removed.</p> <p>Indoor Sport, Recreation and Community Facilities – The SPD should refer to opportunities presented by the commercial operation of community facilities that might provide appropriate and alternative means to fund the ongoing management and maintenance of community facilities, such that they do not require payment of commuted sums. Appendix 10 – Reference should be made to the alternative approach where it can be run as a commercial operation and/or management company. Timing of provision should be considered on a case by case basis. The timings for provision should therefore be expressed as a target, but not an absolute requirement. Community Safety & Policing – Reference to the CIL tests should be added for the avoidance of doubt.</p>
CIL-B-009		Rapleys on behalf of Pandora Trading Ltd	<ol style="list-style-type: none"> 1) It is noted that Draft Heads of Terms are required to accompany any application submission – this is part of the standard validation process. This is supported in principle. 2) It is noted that the developer is expected to pay all Council costs incurred as part of agreeing/assessing viability matters. 3) It is noted that the number of likely S106 obligations that may be required as a result of the development is greatly reduced as many items are intended to be paid for by CIL. This is supported in principle. It is noted that many of these CIL items are not identified in the Reg 123 list – Clarification is sought as this could result in considerably greater S106 financial contributions than anticipated.

			<p>4) It is unclear how the requirement to provide 2.5 apprenticeships per 50 dwellings will work in practice and how this is then calculated/reflected within any viability appraisal. Further clarity is sought on how this would operate and whether this can legally be required when measured against the necessary tests.</p>
CIL-B-010		Turley on behalf of Bovis Homes Ltd	<p>Further clarity should be provided throughout the SPD with regard to which infrastructure requirements will be delivered through S106 contributions and which will be delivered through CIL. The Council needs to ensure that there is no overlap between the Reg 123 list and the IDP to ensure no 'double counting' of contributions.</p> <p>Affordable Housing: Whilst primary legislation for Starter Homes has been introduced, to date the definition of affordable housing has not been altered within the NPPF and starter Homes do not have the necessary secondary legislation. Suggest that Starter Homes is removed from the SPD list of affordable housing types until it is defined as such.</p> <p>Education: It is not clear what the difference is between the education improvements which will be paid for by CIL and those more site specific contributions which will be sought through S106 agreements. Further detail should be provided to clarify the difference between the two. The Council may also wish to consider clarifying how they will calculate education contributions in relation to outline applications where the exact dwelling mix is unknown.</p> <p>Transport & Access: Upon adoption of CIL the Council will need to ensure that they are not seeking contributions from both S106 and CIL towards the same projects or types of infrastructure. It should also be clear which IDP projects developers would be expected to contribute towards and it should be demonstrated that these would meet the Reg 122 CIL tests.</p> <p>Health Care: It is noted that no indicative formula is provided for calculating healthcare contributions. It would be beneficial for further guidance to be provided within the SPD.</p>
CIL-B-011	Simon Dackombe	Thames Valley Police	<p>Welcome the recognition of the need to secure contributions towards 'Community Safety and policing. Would however wish to see more specific comments relating to the role of TVP as the 'service' provider. Would like to see a reference to ANPR</p>

			<p>cameras. In certain cases there may be a requirement for an on-site presence. Usually in the form of a 'touchdown facility'. Amended wording to paras 4.77-4.80 is suggested.</p>
<p>CIL-B-012</p>		<p>Boyer Planning on behalf of Redrow Homes and Wates Developments</p>	<p>Concerned that the proposed approach for some developer contributions may not meet the limitations set out in Reg 122 and 123 of the CIL regulations. Also concerned that the SPD does not make clear whether it is intended to apply prior post adoption of CIL.</p> <p>Affordable Housing: Requirements appear to pass the CIL tests. Although the SPD should state that it is subject to site specific assessment and viability considerations.</p> <p>Transport & Access: It is considered that the current level of detail regarding potential S106 contributions towards transport and access proposals is not sufficient to enable a full response to be made at this stage. Further consultation is required once the specific transport schemes and payment mechanisms have been established.</p> <p>Education: Appendix 4 does not acknowledge that existing school capacity needs to be taken in to account, nor define or provide guidance on the means of doing this. It is important to recognise that for outline applications housing mix will usually be indicative. S106s must therefore be sufficiently flexible to allow the sums to be paid to be determined once the precise mix is known and approved as part of RM applications.</p> <p>Open Space, Play Facilities, Outdoor Recreation and Sport: It is clear that the evidence base for this cannot be considered up to date and should not form the basis for negotiations. An up to date evidence base is required which will be subject to further consultation. Para 4.37: There is no certainty provided as to when or how commercial development could trigger a contribution and how that assessment and judgement would be made. It is also not clear how any such contributions would be calculated. There is no evidence base to justify requirements related to commercial development and propose that this reference is deleted. There is no evidence to support Appendix 5.</p> <p>Indoor Sport, Recreation & Community Facilities: Again the evidence is out-of-date. An up-to-date evidence base should be provided which should be subject to further consultation prior to progressing these requirements.</p> <p>Nature Conservation & Biodiversity: No adverse comments.</p>

			<p>Apprenticeship & Skills: Argue that the SPD requirements do not appear to pass the tests of S106 obligations as set out in para 204 of the NPPF.</p> <p>Public Art: There is no detail on how the provision of public art would make the development acceptable in planning terms. Whilst such provision is desirable it cannot be considered necessary as required by the CIL regulations.</p> <p>Health Care: There is no guidance or formula to determine the nature and extent of the requirement. This lack of guidance could cause delay and uncertainty in the determination of major schemes where requirements will have to be determined from consultation with NHS trusts.</p> <p>Community Safety & Policing: Concerned that it has not been demonstrated how and to what extent, using tools such as 'secured by design' and CCTV requirements are necessary to make the proposed development acceptable in planning terms.</p> <p>Monitoring & Enforcement: Details on how costs will be updated must be clearly set out in the SPD and those details the subject of further consultation.</p>
CIL-B-014		Sport England	Welcomes the council's approach to undertaking a Playing Pitch Strategy (PPS) and Built Facilities Strategy (BFS). It should be noted that Sports England does not support a standards based approach. The PPS and BFS will provide a robust evidence base and strategy for directing developer contributions.
CIL-B-017		Oxfordshire County Council	A number of minor wording changes have been suggested.
CIL-B-018		West Waddy ADP on behalf of JA Pye (Oxford) Ltd	The SPD shows a very extensive range of infrastructure that will continue to be funded from planning obligations rather than CIL. This is contrary to the understanding that CIL would in large part replace S106 contributions. It is also fundamentally different to the approach of Oxford City Council. Argument made that the combination of CIL and S106 requirements as set out in the SPD fails to demonstrate the viability of what is required. It is important that the SPD is amended to make it compliant with Government policy.
CIL-B-20		OxLEP	Table 2: No reference is made to skills or the Employment, Skills and Training Plans which are detailed in Appendix 13. This point would be strengthened if the wider skills agenda was reflected rather than just apprenticeships and if it were removed from the 'education' section to a stand-alone section. OxLEP supports the section on Apprenticeship and Skills. It also supports the interim position statement set out in Appendix 13 and are seeking broadly similar approaches across Oxfordshire. Have developed a paper on the use of Community Employment Plans. Appendix 13 needs

			to refer to the Sep 2016 not the 2014 version. It would also be useful to also include reference to the Oxfordshire Skills Strategy and its relevant strategic priorities as well as the SEP.
CIL-B-021		Historic England	Note the reference to heritage 'infrastructure' in Table 2 which we welcome. Surprised that there is no sub-section on heritage which could be used to explain how developer contributions can be used for the conservation and enhancement of the historic environment.
CIL-B-022		Anglian Water Services Ltd	Recommend that Table 2 be amended to refer to planning conditions being sought for foul sewerage network enhancement rather than CIL charges as proposed. Reference should also be made to our ability to seek contributions from developers in accordance with the provisions of the provisions of the Water Industry Act 1991.
CIL-B-024		Bloxham Parish Council	<p>3.6 - Assume that parish councils will be fully engaged in pre-application discussions.</p> <p>3.16 - When considering administration charges, will account be taken of parish clerk costs in administering the payments?</p> <p>3.17 - Should the LPA identify the trigger points or payments dates?</p> <p>3.18 – Late payments should automatically result in additional charges for monitoring and enforcement costs.</p> <p>3.20 – Unless the LPA directs the payment schedule it may find it difficult to monitor the receipt of appropriate payments.</p> <p>3.22 – The system to be in place for transfer to Parish Council's needs to be simple and clear.</p> <p>3.30 – Rewording suggested.</p> <p>Fig 1: second box down should include Parish Council</p> <p>4.15 – Wheelchair user dwellings should be included as standard.</p> <p>4.36 – It is not often appropriate for full on site provision if these facilities are then to be the responsibility of a management company for which residents are charged. Far better to improve the village facilities as a whole for play and recreation and thereby encourage the integration of new residents.</p>
CIL-B-025		Adderbury Parish Council	Supports the retention of developer contributions outlined in the SPD. Agrees with the types of infrastructure outlined for S106 in Table 2. However, suggests that traffic calming measures are included as a potential developer contribution wherever they may be relevant to a particular site. Encourages CDC to engage more

			fully with PCs in making decisions with regard to developer contributions which affect their parish.
CIL-B-026		David Lock Associates on behalf of Hallam Land Management Ltd	<p>Table 2 and the relevant topic sections need to be clearer about the relationship between CIL and planning obligations for potential off-site items including education, early years, health, strategic waste and management and nature conservation and biodiversity.</p> <p>Section 3 should include text regarding the ability to recover unspent contributions. The average occupancy rate per dwelling of 2.49 should be revisited to reflect the most recent household projections. The average pupil generation per dwelling should be based on more up to date evidence than the 2008 Oxfordshire Survey of New Housing.</p>
CIL-B-027		Richborough Estates	<p>Security and Timing of Payments: Quoting case law argued that in the vast majority of cases fees cannot be charged for monitoring/administration of planning obligations. Any reference to such fees should therefore be deleted.</p> <p>Para 3.16 – Needs to be amended to remove reference to financial contributions usually being paid prior to the implementation of a planning permission. All the paragraph needs to say is that a financial contribution should be made in accordance with a programme of agreed payments.</p> <p>3.19 – Additional text is needed to reflect the fact that a 14 day period must be extended if necessary to allow any disputes to be resolved.</p> <p>4.14 – This requires that developments of at least 400 dwellings should include a minimum of 45 self-contained extra-care dwellings. The SPD does not provide any evidence as to why a figure of 45 is used, or why a threshold of 400 dwellings is enough to accommodate extra-care.</p> <p>4.15 – If the Council wishes to introduce policy relating to M4(2) standards it must do this through the Local Plan and not an SPD. Paragraph 4.15 should be deleted.</p> <p>4.28 – should be amended to say <i>that 'where necessary new development will be required to provide financial and/or in-kind contributions as mitigation if the development results in adverse transport impacts.'</i></p> <p>Open Space, Play facilities, Outdoor Sport & Recreation: It is difficult to see how the Council can make a genuine up-to-date assessment of need when their evidence base is so out of date. The Council needs to qualify why 15 years is the most appropriate length of time for maintenance costs. Object to the potential restriction</p>

			<p>on the use of management companies.</p> <p>Community Safety & Policing: It would be very difficult to link new proposals to issues of crime and disorder. Paragraph 4.78 needs more thought and references to the tests for planning obligations.</p> <p>New Schools: Some new schools can be owned and funded by companies whilst others are fee paying. In such circumstances it is not considered appropriate that these types of providers should receive land at no charge to themselves. A developer should not be expected to pay more than the amount generated by new pupil numbers. Appendix 4 needs amending to caveat the requirements regarding land for new schools and any subsequent financial contributions.</p> <p>Appendix 7: The SPD must make a distinction between the costs of new facilities and the costs of improving existing facilities.</p> <p>Appendix 11: If the open space provision meets the District Council's requirements then getting parish or town council agreement is not necessary. There is no particular need to make reference to how approvals will be managed as these will be contained in individual conditions specific to each planning permission. It is difficult to understand why commuted sums would need to be looked at again and this needs to be explained by the Council. The SPD needs to be very clear under what circumstances revised calculations would be undertaken.</p>
CIL-B-029		The Canal & River Trust	<p>The Trust will seek to maximise opportunities for partnership working to secure funding and will request developer funding where appropriate. Would like to see the upgrading of canal towpaths recognised where additional usage is likely to result from a specific development. The council recognise our concerns and has supported requests for S106 funding. Suggest that where an improvement/mitigation is required it should be secured by S106 rather than CIL. Would welcome this being clarified. Ask that specific canal towpath improvements are specifically mentioned.</p>
CIL-B-030		Banbury Civic Society	<p>The extent of infrastructure contributions will vary from site to site depending on a number of factors. It is not clear how a fixed schedule will provide for such variations in the same way as S106 can. Have any comparisons with current development sites in and around Banbury been made and if so what have been the conclusions?</p>
CIL-B-031		Oxfordshire Clinical Commissioning Group	<p>OCCG suggests an amendment in the Health Care section, para 4.75. This reflects developing OCCG policy and the units more frequently used for considering sustainable general practice size. There is some variation in the number of GPs</p>

			employed to serve a patient population across the county, and new developments in workforce planning are having significant effect. Proposes that the words '4 or more whole time equivalent (WTE) GPs' should be replaced by 'patient population of 8,000 or more (to be reviewed 2017)
CIL-B-032		Barton Willmore on behalf of A2Dominion Group Ltd	<p>Would welcome the opportunity of discussing the approach in respect of large strategic sites and NW Bicester in particular, and the interface between CIL and S106.</p> <p>Double Counting: This is not permitted by law. The Council must ensure that the combined total impact of CIL and S106 obligations does not threaten the viability of the sites and scale of development identified.</p> <p>Pre Application Discussions: It is vital that OCC is fully engaged with this process. While it can be good practice to submit information about a proposed planning obligation alongside an application, it should not normally be a requirement for validation of a planning application.</p> <p>Security & Timing of Payment: To ensure scheme viability is not threatened, CDC and OCC must adopt a flexible approach to the phasing of payments/delivery of on-site provision. How will CDC be reporting financial contributions?</p> <p>Table 2: This schedule should include anticipated County infrastructure types and the mechanism for delivery.</p> <p>In Kind Contributions: The SPD should reflect the fact that developments may provide 'payments in kind' to mitigate impact.</p> <p>Affordable Housing: The Council advises that it will apply its policy requirement to all developments in the first instance. This is contrary to Government policy where CIL top slices the viability, and affordable housing is the balancing mechanism. Affordable housing will be subject to viability testing. This should be set out in the SPD.</p> <p>Calculation of Contributions: Questions the evidence base behind the calculation of various contributions.</p>
CIL-B-033		Blue Cedar Homes	Viability testing demonstrates that sheltered retirement housing (Use Class C3) is very challenging. Applying generic obligations on retirement developments will be to constrain the delivery of schemes. C3 sheltered/retirement housing is subject to different levels of contribution across the authority. A justification for this argument is provided.

CIL-B-039	Peter Webber		It is particularly important that proper weight is given to S106 and S278 contributions. This is important as some charities who own land may be exempt from CIL. No major infrastructure, no major development.
CIL-B-041	Susi Peace		Because of the small amount of development in the village of Islip can the village apply for some of the fund relating to the other development that is near ie Bicester and JR as the traffic produced is making Islip unsafe for pedestrians.

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Cherwell District Council
Strategic Environmental Assessment Screening Opinion
Developer Contributions Supplementary Planning Document
2nd Consultation Draft, November 2017.

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects Scope and influence of the document	Is the Plan likely to have a significant environmental effect? Y/N
1. Characteristics of the SPD having particular regard to:		
(a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	The SPD sets out CDC's approach to seeking developer contributions in relation to planning application decisions. They are normally used where an aspect of the development cannot be controlled by imposing a planning condition or by the use of other statutory controls. The SPD does not allocate resources but it does provide guidance on where resources should be directed.	N
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The SPD does not influence other development plan documents. The SPD is in general conformity with the Development Plan.	N
(c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The SPD promotes sustainable development in accordance with the NPPF and Local Plan policies.	N
(d) Environmental problems relevant to the SPD.	The Cherwell Local Plan Part 1 SA identified a number of objectives for the Plan. The SPD performs positively against these SA objectives as it provides for developer contributions towards infrastructure related to these objectives.	N
(e) The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection).	The SPD is not directly relevant to the implementation of environmental plans such as the Oxfordshire Joint Municipal Waste Strategy.	N
2. Characteristics of the effects and area likely to be affected having particular regard to:		

(a)The probability, duration, frequency and reversibility of the effects.	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the adopted Cherwell Local Plan Part 1 which was subject to an SA.	N
(b)The cumulative nature of the effects of the SPD.	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the adopted Cherwell Local Plan Part 1 which was subject to an SA. The SPD will have a positive contribution as it provides for developer contributions towards infrastructure which will help meet the SA objectives.	N
(c)The trans boundary nature of the effects of the SPD.	A Habitats Regulation Assessment was undertaken for the Cherwell Local Plan Part 1 and concluded that growth in the Local Plan will not lead to any significant effect on the Oxford Meadows Special area of Conservation (SAC) alone or in combination with other projects. The SPD does not allocate sites or contain formal development plan policies. Trans-boundary effects will not be significant.	N
(d)The risks to human health or the environment (e.g. due to accident).	No significant risks to human health or the environment have been identified in the SPD preparation.	N
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD.	The SPD relates to the whole of Cherwell District but it does not allocate sites or contain formal development plan policies.	N
(f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics or cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use. 	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the Cherwell Local Plan Part 1 which was subject to a Sustainability Appraisal during its production.	N
(g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status.	The SPD does not allocate sites or contain formal development plan policies. It adds detail to the Cherwell Local Plan Part 1 which was subject to a sustainability appraisal during its production.	N

Name of officer producing the screening opinion	Christina Cherry
Date of assessment	9 October 2017
Person requesting Screening Opinion	N/A
Conclusion of assessment	Is an SEA required? NO
Name of officer approving the Screening Opinion	David Peckford Deputy Manager Planning Policy and Growth Strategy Cherwell District Council
Date of approval	9 October 2017

Summary of responses from statutory consultees

NB Consultation will be undertaken in parallel with the wider Regulation 12 public consultation

Consultee	Summary of response	Date of consultation	Date of response
Environment Agency			
Natural England			
Historic England			

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Cherwell District Council

Executive

6 November 2017

Cherwell Design Guide: Supplementary Planning Document

Masterplanning and architectural guidance
for residential development

Report of Head of Development Management

This report is public

Purpose of report

To seek Member endorsement to consult the public for four weeks on the Cherwell Design Guide, Supplementary Planning Document (SPD), Masterplanning and architectural guidance for residential development (Design Guide)

The Cherwell Design Guide SPD forms part of the Council's Local Development Framework and its content will be subject to one formal consultation.

1.0 Recommendations

The Executive is recommended:

- 1.1 To approve the Draft Cherwell Design Guide SPD (Design Guide), for a four week public consultation.
- 1.2 To authorise the Head of Development Management to make any necessary minor and presentational changes to the Design Guide before formal consultation commences.

2.0 Introduction

- 2.1 Cherwell has a distinctive character, defined by its market towns and picturesque villages. The Council is proud of the District's rich history and its high quality environment. Maintaining a high quality of development is important if the development coming forward in the Local Plan period is to leave a positive legacy for future generations.
- 2.2 Delivering high quality homes and places is important to the long term prosperity and positive legacy of the District. High quality attractive places are valued by

those who live and work in the District. New places need to be designed in a way that makes sustainable use of resources and fosters community interaction and pride.

- 2.3 The objectives of the Design Guide support the Council's strategic priorities for the period 2017-18 including:
- Cherwell: A district of opportunity
 - Cherwell: Safe, green and clean
 - Cherwell: A thriving community
 - Sound budgets and customer focused council
- 2.4 The National Planning Policy Framework (NPPF) is based around a presumption in favour of sustainable development of which good design is a key aspect. The NPPF is explicit on the importance of good design. *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* (NPPF para. 56). Paragraphs 56–68 of Part 7 of the NPPF sets out key issues relating to design.
- 2.5 High quality and locally distinctive design is a key theme set out within the adopted Cherwell Local Plan (Part 1). Key issues set out within policy ESD 15 include the requirement for development to complement and enhance its context through sensitive siting, layout and high quality design. The Design Guide will provide clear direction on how the design policies in the Cherwell Local Plan should be translated for major residential development.
- 2.6 The intention of the document is that it provides a clear and comprehensive guidance on the quality of site layout, architecture and materials expected by the Local Planning Authority. In doing so, the guide will provide greater clarity on design standards and streamline the development process.
- 2.7 The Design Guide is structured into eight chapters and read together, provides clear guidance on all stages of the development process. The document has primarily been written to provide clear guidance on the development of major / strategic residential development sites, though the development principles will also translate to smaller residential sites.
- 2.8 The first two chapters provide background information on the role of the guide and the distinctive character of the District. The main body of the document provides comprehensive guidance on an extensive range of design issues, which together take you through the design process for a residential site.
- 2.9 Chapter one sets out the importance of the design agenda and the need to deliver high quality places, alongside the document's role in relation to Local and National Planning policy. Chapter two provides an analysis of the character of the District, including landscape character, materials and built form. This provides an important starting point for the design of any site and the basis for the guidance that follows.

- 2.10 The main body of the document (chapters three to eight) is broken down into six main areas, to provide clear information on each stage of the design and development process. These are:
- Responding to the site and its context
 - Establishing structural principles
 - Streets and spaces
 - Building and plot arrangements
 - Building elevations and details
 - Innovation and sustainability.

3.0 Draft Cherwell Design Guide SPD

- 3.1 The Design Guide is intended to be used by all involved in the creation of new residential places and neighbourhoods. It is intended that the document will predominantly be used by architects, urban designers and developers as well as planners and members of the planning committee. It has, however, been written in a way that avoids excessive technical jargon, so it is hoped that it will also be used by Parish Councils, community groups and residents interested in the future of their settlements.
- 3.2 A key aim of the document is to help provide a level of certainty and consistency in the development process, while raising the quality of design throughout the District. It is intended that the Design Guide will help:
- Promote high quality design standards for new development
 - Ensure that development is site specific and responds to the character and context of an area
 - Bring greater clarity to the design and planning process to help streamline delivery.
- 3.3 The Design Guide is underpinned by the importance of creating new places that are locally distinctive and respond to the surrounding townscape, landscape and historical built form. It is not an exhaustive guide that covers every aspect of design, nor does it remove the need for applicants to undertake their own proper assessment of the site context and development impact.
- 3.4 The Design Guide provides clear guidance on the historic character of the District and that where a 'traditional style' of housing is proposed it should be site specific and true to the area's vernacular. The aim of this Design Guide is to promote high quality design which is in keeping with its context. The Council welcomes proposals for high quality contemporary design and sustainable construction and guidance is provided on this in Chapter 8.
- 3.5 The Cherwell Design Guide SPD has now been prepared for public consultation subject to approval by Members. When completed it is intended that the document be adopted by the Council as a formal Supplementary Planning Document (SPD) which would then have statutory status as planning guidance.
- 3.6 The Cherwell Design Guide SPD does not create new policy. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development.

- 3.7 The consultation will also be supported by a Strategic Environmental Assessment (SEA) screening process.

Next Steps

- 3.8 If approved, it is intended that the document will be consulted on for a four week period between November and December 2017.
- 3.9 Following consideration of comments received through this consultation, the Council will review the document and make any appropriate amendments before presenting the final document back to this committee for consideration in early 2018.

4.0 Consultation

- 4.1 A number of formal and informal consultation discussions and events have taken place to inform the development of the Cherwell Design Guide. Early engagement was used to guide the issues and principles that structure the Design Guide. More recent engagement has been used to test the overall balance of the document. A key addition to the document in recent months has been Chapter eight, which was written in direct response to comments from Officers, developers and others reviewing the emerging draft earlier this year. This focuses on the value of innovation and sustainability in the built environment.
- 4.2 A formal workshop was organised in July 2016. This was attended by Planning Officers from Cherwell DC, Members of the Planning Committee as well as Officers from neighbouring authorities. Key issues discussed include:
- How to establish a high quality design approach
 - The special character of Cherwell District Council, including layout, materials, topography and landscape
 - Challenges to delivery, in particular, how to balance the pressure for delivery against maintaining design quality. The use of standard house types and layouts and quality of building materials / detailing.
- 4.3 A formal presentation was made to Parish Councils at the Parish Liaison Meeting in November 2017, alongside a surgery on the design guide at the same event. Key issues raised include:
- Importance of design quality in new developments
 - The role of design in supporting the creation of safe and secure environments.
- 4.3 A formal workshop was organised in November 2017 to test the draft structure of the document. This was attended by Planning Officers from Cherwell DC, members of the Planning Committee, as well as Officers from neighbouring authorities. The event was run as a presentation and workshop. The underlying principles were presented, followed a workshop which tested key criteria using a recent application. Key issues discussed included:
- Responding to the site and its context
 - Establishing the structuring principles
 - The public realm: streets and spaces
 - The private realm: building design.

- 4.4 A workshop was held as part of the Developers Forum in June 2017. This was attended by a range of agents, architects and developers working in the District. The key issues discussed were:
- The guides ease of use
 - Relevance of issues covered
 - Role of guide in supporting delivery
- A key issue which was raised by a number of attendees was how the guide could promote distinctiveness and creativity. There was some concern that the guide could promote a 'tick box' approach. It was also felt that the Design Guide should give greater consideration to modern design character. In response to this we have written Chapter eight which promotes architectural innovation and sustainable technology.
- 4.5 A questionnaire was compiled for local residents and was completed on-line by over 60 people between February and March 2017. This was promoted through social media and the Council's website. Key issues include:
- Over 95% of respondents agreed that Cherwell should establish a design guide to ensure all new residential developments are high quality and in keeping with the local character of existing towns and villages
 - The majority of respondents felt that the architectural character, landscape character and public space character are important to the Design Guide
 - 70% of respondents also felt that sustainable design is extremely important.
- 4.6 Informal discussions with Oxfordshire County Council (OCC) Highways department were held in August and November 2016 to discuss the approach to streets and public realm. Key issues raised include:
- Broad support for the approach taken by the guide. The principles established are aligned with the OCC's approach.
- 4.7 In addition, internal meetings and workshops have taken place with officers in Development Management, Planning Policy, Landscape, Trees and ecology throughout the process of writing the guide.

5.0 Conclusion and Reasons for Recommendations

- 5.1 The Design Guide seeks to provide clear guidance on the design of the built environment to ensure that the detailed policies for high quality design set out in the Cherwell Local Plan are delivered. The document is a comprehensive guide covering an extensive list of design issues that should be considered in residential design / development.
- 5.2 The document proposed for consultation has been prepared having regard to national policy guidance and through informal engagement with key stakeholders. It is considered by Officers that the document presents guidance that provides an appropriate balance between high quality development and the viability of future development proposals.
- 5.3 Proceeding to consultation will provide a further opportunity for stakeholders and members of the public to address matters formally and inform the preparation of the document.

- 5.4 It is recommended that the Committee approves the Draft Cherwell Design Guide SPD for a four week public consultation.

6.0 Alternative Options and Reasons for Rejection

Not consulting on the proposed documents

- 6.1 Officers consider that without proceeding with this consultation the Council will not be able to provide clear guidance to developers on the design standards of residential development expected by the council. Consultation will help ensure a robust and transparent process.

7.0 Implications

Financial and Resource Implications

- 7.1 Costs for this document have already been met and further costs for Officer time to make amendments can be met within budget.

Comments checked by:

Paul Sutton, Chief Finance Officer, Tel. 01295 221634

Paul.Sutton@cherwellandsouthnorthants.gov.uk

Legal Implications

- 7.2 The Design Guide must be subject to public consultation before adoption.

Comments checked by:

Nigel Bell, Interim Legal Services Manager, Tel. 01295 221687

Nigel.Bell@Cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2016-17 as follows:

- A district of opportunity
- Safe, green, clean
- A thriving community
- Sound budgets and customer focused council

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix No	Title
One	Draft Cherwell Design Guide Supplementary Planning Document
Background Papers	
None	
Report Authors	Clare Mitchell, Design and Conservation Team Leader Linda Griffiths, Principal Planning Officer
Contact Information	clare.mitchell@cherwell-dc.gov.uk , 01295 221845 linda.griffiths@cherwell-dc.gov.uk , 01295 227998

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Cherwell District Council

Executive

6 November 2017

<p>Amendments to Graven Hill Phase 1 Local Development Order (Revision) 2017</p>

Report of Head of Development Management

This report is public

Purpose of report

To inform Executive of the proposed revisions to the adopted Graven Hill Phase 1 Local Development Order (Revision) 2017 and;

To seek authority from Executive to adopt the draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017 as set out in this report, in agreement with the Lead Member, following the expiry of the required consultation period and subject to no new material objections being received after the date of Executive and up to the end of the consultation period.

1.0 Recommendations

The Executive is recommended:

- 1.1 To note the proposed revisions to the Graven Hill Phase 1 Local Development Order (Revision) 2017.
- 1.2 To note the draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017 (Appendix A).
- 1.3 To note the consultation process currently being undertaken in respect of the draft LDO (Second Revision) 2017 and comments raised to date.
- 1.4 To note the requirement to notify the Secretary of State of a decision to adopt a LDO as soon as practicable, and no later than 28 days after the Local Planning Authority has adopted the Order.
- 1.5 To agree to adopt the draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017 following the expiry of the consultation period and subject to no new material objections being received.

2.0 Introduction

- 2.1 The Graven Hill Phase 1 Local Development Order 2015 was originally adopted on 15 December 2015. Following the LDOs initial adoption, and following a report from the Lead Member in December 2016, the LDO was formally revised in 2017 and The Graven Hill Phase 1 Local Development Order (Revision) 2017 adopted on 18 January 2017. The 2017 revision covers 198 plots and provided further clarity and addressed some minor design and neighbour amenity changes identified as a result of applying the LDO to the first 10 plots.
- 2.2 The main reason for preparing a LDO in respect of Graven Hill was to facilitate the delivery of self-build dwellings on the site. It was envisaged that a LDO would achieve this by simplifying the planning process whilst providing certainty that individuality and variety in design would be supported within the parameters set by the Masterplan and Design Code, which has subsequently been approved under the outline planning permission (ref: 11/01494/OUT). The Masterplan and Design Code have since been amended with the approval under a revised outline planning permission (ref: 16/01802/OUT).
- 2.3 A revised draft LDO has now been prepared and incorporates an amended plan at Schedule 2 to extend the land to which the Order applies to cover 276 plots. A number of changes are included regarding the Confirmation of Compliance process set out within Schedule 3 of the LDO. The changes that have been made are detailed below in the report in the order in which they appear in the draft LDO, are detailed within the attached Statement of Reasons at Appendix C and the draft LDO 2017 is attached at Appendix A.
- 2.4 Under Article 38 of The Town and Country Planning (Development Management Procedure) Order 2015, where a Local Planning Authority has prepared a draft LDO it must consult on that draft LDO giving a period of not less than 28 days for representations to be made. The draft LDO 2017 is currently being consulted on and the consultation period expires on the 21st November 2017.
- 2.5 The draft LDO 2017 has been publicised in the Bicester Advertiser and by way of a site notice displayed at the site. Notification letters have been sent to Ambrosden Parish Council and Bicester Town Council, all relevant consultees, and to those with an interest in the land that would be affected by the LDO. The 28 day consultation period will end on 21 November 2017
- 2.6 When considering the proposed amendments set out in the draft Order or whether it should be adopted, the Local Planning Authority must take into account all representations made in relation to the draft Order.

3.0 Report Details

Consultation Responses

- 3.1 The following consultation responses have been received during the course of the consultation period:
- 3.2 NETWORK RAIL – **No objections.** Comments raised regarding the railway line which runs to the north west of the site and any development within 20 metres of the line. The area covered by the revised LDO does not lie within 20 metres of the railway line and therefore the requirements by Network Rail do not apply in this case.
- 3.3 CDC PLANNING POLICY – **No objections.**

Proposed Revisions

Interpretation 2. (1) – definitions in the Order

- 3.4 A New definition has been included to explain the Confirmation of Compliance Guidance Note, which is a document prepared, and if required, updated by the Local Planning Authority providing advice on the procedure for Confirmation of Compliance and information needed to support a Confirmation of Compliance application.

Schedule 2 – Land to which the Order applies. Amended plan

- 3.5 Schedule 2 has been amended by the introduction of a new plan (drawing number 1982-A-L-575 Rev. O) which identifies a total of 276 plots across the whole of phase 1 of the development to be covered by the draft LDO 2017.
- 3.6 The latest outline planning permission (Ref: 16/01802/OUT) has established an approved Masterplan, Design Code and Parameter Plan for the whole of phase 1 and for all the plots proposed to be cover by the draft LDO 2017. The approved Masterplan, Design Code and Parameter Plan have approved the design parameters required to ensure flexibility and certainty is secured within the plots coming forward within phase 1. These documents and design parameters have been in use over the last 18 months in assessing the first Confirmation of Compliance applications (29 so far) and have demonstrated suitable design control within phase 1. Therefore, a LDO which covers the whole of phase 1 is considered appropriate at this stage as all the relevant documents needed to consider an application for confirmation of compliance are approved and have been in use successfully delivering flexibility and certainty within the first designs to come forward.
- 3.7 The proposed amended plan includes changes to the mix of plots proposed within phase 1. See below for a break-down of plots covered by the adopted LDO 2017 and plots covered by the draft LDO 2017.

<u>Plot type</u>	<u>Adopted LDO</u>	<u>Draft LDO</u>
1 bed coach house plots	5	7
2 bed coach house plots	3	5
2 bed micro house plots	3	6
2 bed mews house plots	6	5
2 bed terrace plots	34	42
3 bed mews plots	6	6
3 bed terrace plots	24	29
3 bed detached plots	45	71
4 bed detached plots	51	64
5 bed detached plots	20	30
5 bed bungalow plots	0	11

<u>Break down of plot type</u>	<u>Adopted LDO</u>	<u>Draft LDO</u>
Detached plots	116/198 (58%)	177/276 (63%)
Terraced Plots	58/198 (29%)	71/276 (25%)
one, two and three bed coach houses, mews and micro houses	24/198 (13%)	29/276 (12%)

3.8 The mix of plots within the draft LDO 2017 has therefore slightly adjusted the mix of detached and terrace plots covered by the adopted LDO (Revision) 2017. The draft LDO 2017 has slightly increased the percentage of detached plots from 58% to 63% of the overall plots and decreased the percentage of terrace plots from 29% to 25% of the overall plots, the percentage of other products, including one, two and three bed coach house, mews and micro plots has changed from 13% to 12%.

3.9 The overall mix of plots in terms of size and type has not changed significantly and it is considered that a good mix of size and type of plot is still maintained

and covered by the draft LDO 2017 shown on the amended drawing at Schedule 2 of the draft LDO 2017, at Appendix A.

- 3.10 The current adopted LDO covers 198 plots within phase 1 of the development, 102 of these plots are pure self-build plots, the remainder being made up by affordable housing and tailored terraces delivered by the development Company as a turnkey product. Of the 102 plots which have been marketed to self-builders currently 57 have been sold. Therefore, 45 self-build plots are currently available within the adopted LDO, but these remaining plots do not offer the full variety of plots in terms of type and size and the Development Company have advised that they have individuals interested in certain plots which are not currently available and this could impact on the speed of delivery of self-build plots on the development.
- 3.11 For example, there has been a lot of interest in the large detached plots, but there are currently no five bed detached plots available. There has also been a lot of interest in the small one, two and three bed detached units, which are in limited supply within the current LDO. The remaining supply of self-build plots currently covered by the adopted LDO do not provide a full range of plot types on phase 1.
- 3.12 The proposed draft LDO 2017 seeks to cover the whole of phase 1 incorporating a total of 276 plots, 176 of these which will be pure self-build plots. A total of 119 self-build plots would then become available for sale (compared to the current 45 remaining). This would introduce a wide range of plot types and size across the whole of phase 1. These additional plots to be covered by the draft LDO 2017 would further assist in facilitating the delivery of self-build and custom build at Graven Hill.

Schedule 3 – Confirmation of Compliance procedure

- 3.13 Schedule 3 of the LDO (which sets out the requirements associated with the submission of a Confirmation of Compliance Application) has been amended to provide more detail in the list of documents required to support an application for Confirmation of Compliance. It has been identified within the assessment of the first 30 of these applications that the information provided within the LDO does not provide sufficiently detailed guidance on what needs to accompany an Confirmation of Compliance Application. The applications received so far have needed additional information submitting before it can be determined. This is taking up time during the determination period of 28 days.
- 3.14 Therefore, a change to Schedule 3 is proposed to amend paragraph (2) which sets out the list of documents required to accompany an application for Confirmation of Compliance.
- 3.15 Schedule 3 has been amended to include a requirement to submit a Building Performance Statement (BPS). A BPS has been introduced as a requirement as many of the applications for Confirmation of Compliance have been lacking in information to demonstrate Building Performance Standards of the

proposed development in accordance with the approved Passive Design Standards.

- 3.16 Schedule 3 has also been amended to refer to the Confirmation of Compliance Guidance Note. This has been introduced to provide advice on documents required to validate an application for Confirmation of Compliance and advice on non-material amendments. This document is attached at Appendix B for information.
- 3.17 Schedule 3 has also been amended at sub- paragraph (5) to remove point (b) which states that after 28 days following the date the confirmation of compliance application was received, without the authority notifying the applicant of its approval or refusal development can begin. This point has been replaced with a new sub-paragraph at (3) which sets out that the Local Planning Authority will as far as is practicable, determine an application for Confirmation of Compliance within 28 days following the date on which the application was received by the Local Planning Authority.
- 3.18 In addition to the above, a large number of requests for advice relating to confirmation of Compliance applications are being submitted to the Local Planning Authority prior to a formal application being submitted. These requests are currently not being logged and are not charged for. Therefore, discussion has been taking place within Development Management and with the Development Company with a view to introducing a pre-application process associated with Confirmation of Compliance. The details regarding such a process are likely to be included in the near future within the Confirmation of Compliance Guidance Note referred to above.
- 3.19 At this stage it is difficult to be specific about an intended date for adoption, as this date would have to follow the expiry of the consultation period which expires 21 November 2017, subject to no new material objections being received, in consultation with the Lead Member and a six day call-in period following the Council's decision whether to adopt the LDO.

EIA Regulations

- 3.20 There is a requirement for the Council to adopt a screening opinion prior to making a LDO under Regulation 6(6) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)
- 3.21 The Council adopted a screening opinion on 17 October 2017 to the effect that the Environmental Statement submitted to support the outline planning application 11/01494/OUT remains adequate to assess the environmental effects of the development that would be permitted by the LDO, and so a new Environment Impact Assessment is not required.
- 3.22 The development that would be permitted by the LDO is not considered to be materially different in scale or use to that which is permitted by the outline planning permission, and is not considered to give rise to materially different or significant greater impacts than the approved development.

- 3.23 The proposed modifications to the draft LDO cover plots within phase 1 of the development and relate to procedural matters and points of clarification, and do not alter or amend the nature, scale or type of development that would be permitted or the likely environmental impacts that will result.
- 3.24 Therefore, and having regard to the environmental information submitted with the outline planning application, the draft LDO as modified (Appendix A) is not considered to give rise to significant environmental effects above and beyond those which have already been assessed in the outline planning application.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017, whilst covering an increased number of plots within phase 1 of the development, would facilitate and encourage self-build and custom build housing at Graven Hill by simplifying the planning process whilst providing certainty that individuality and variety in design would be supported within the parameters set by the Masterplan and Design Code already approved under the outline planning permission. The draft LDO 2017 is considered to remain effective in facilitating the delivery of custom build and self- build development at Graven Hill.
- 4.2 The consultation period is yet to expire, and Executive will be provided with an update of the consultation responses received to date at the meeting on 6 November. It is therefore recommended that providing that no new material objections are received to the revisions set out in this report and within the draft LDO 2017, attached at Appendix A, on the expiry of the consultation period, authority is sought from Executive to agree, in consultation with the Lead Member, to adopt the draft LDO 2017 attached to this report and that the Secretary of State is notified of the decision to adopt the LDO in accordance with Article 38(11) of the Town and Country Planning (Development Management Procedure) Order 2015.

5.0 Consultation (in respect of this report)

- 5.1. Councillor Colin Clarke (Lead Member for Planning)
- 5.2. JP Planning on behalf of the Graven Hill Development Company

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1; Not to adopt the revised LDO. This option would mean that the existing LDO remains in place, which covers a maximum of 198 plots within

phase 1 of the development. This restricted number of plots could lead to problems with the marketability of the development as the range of type and size of plots is reduced and this could impact on the rate of delivery of custom build and self-build units at Graven Hill.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial and resource implications identified.

Comments checked by:

Sanjay Sharma Interim Head of Finance, 01295 221564,
Sanjay.sharma@cherwellandsouthnorthants.gov.uk

Legal Implications

7.2 The Council has followed the required process for amending the LDO.

7.3 There is a requirement under Article 38(11) of the Town and Country Planning (Development Management Procedure) Order 2015 to notify the Secretary of State of a decision to adopt a LDO no later than 28 days after the Local Planning Authority has adopted the Order.

Comments checked by:

Nigel Bell, Interim Legal Services Manager, 01295 221687
Nigel.Bell@cherwellandsouthnorthants.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met No

Community Impact Threshold Met No

Wards Affected

Bicester South and Ambrosden
Launton and Otmoor
Fringford and Heyford

Links to Corporate Plan and Policy Framework

A District of Opportunity, in particular:

- Securing employment-generating development with necessary transport/other infrastructure
- Meeting local performance targets in terms of speed of determination of all forms of application

Lead Councillor

Councillor Colin Clarke, Lead Member for Planning

Document Information

Appendix No	Title
A	Draft Graven Hill Phase 1 LDO (Second Revision) 2017
B	Draft Confirmation of Compliance Guidance Note
C	Statement of Reasons
Background Papers	
None	
Report Author	Emily Shaw, Principal Planning Officer
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DISTRICT COUNCIL
NORTH OXFORDSHIRE

Graven Hill Phase 1

Local Development Order (Second Revision) 2017

DRAFT

Cherwell District Council, in exercise of the powers conferred on the Council as local planning authority by sections 61A-61D and Schedule 4A of The Town and Country Planning Act 1990 (as amended), and pursuant to Article 38 of The Town and Country Planning (Development Management Procedure) Order 2015 (the Procedure Order), makes the following revision of the Graven Hill Phase 1 Local Development Order (Revision) 2017:

Citation, commencement and application

1. (1) This Order may be cited as the Graven Hill Phase 1 Local Development Order (Second Revision) 2017 and comes into force on *dated to be inserted*;
- (2) From the date this Order comes into force, the Graven Hill Phase 1 Local Development Order (Revision) 2017 shall be treated as revised in accordance with the provisions of this Order.
- (3) This Order applies to the land at Graven Hill Bicester shaded Yellow and annotated as “Residential land covered by LDO” on the plan included as Schedule 1 to the Order.
- (4) Subject to the Council’s power to revoke this Order under section 61A(6) of the Act, this Order will remain in force until 15 December 2020.
- (5) If the Order is revoked or revised such that it ceases to grant planning permission in respect of a development that has commenced and has received confirmation of compliance under this Order, that development may be completed.
- (6) Nothing in this Order removes, cancels, or otherwise makes void the national permissions granted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (the General Order).

Interpretation

2. (1) In this Order –

“access” has the same meaning as in the Procedure Order

“the Act” means The Town and Country Planning Act 1990 (as amended)

“appearance” has the same meaning as in the Procedure Order

“construction” means the carrying out of building or engineering operations in, on, over or under land and “construct” and “constructed” shall be construed accordingly

“completion” means that to all intents and purposes the dwellinghouse has been completed and is either occupied or capable of being occupied as a dwellinghouse, and “complete” and “completed” shall be construed accordingly

“the Council” means Cherwell District Council

“confirmation of compliance” means a formal written notification of the local planning authority confirming that a proposed development complies with the Masterplan and Design Code approved under the outline planning permission

“confirmation of compliance guidance note” means a document prepared; and if required, updated by the Local Planning Authority providing advice on the procedure for confirmation of compliance and information needed to support a confirmation of compliance application.

“custom build” and “self build” means the erection or construction by (a) individuals, (b) associations of individuals, or (c) persons or companies working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals, and “custom built” and “custom builder” and “self built” and “self builder” shall be construed accordingly

“developer” means a custom builder or self builder

“development” has the same meaning as in section 55 of the Act

“dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building

“erection” means the carrying out of operations to erect a structure or building on or over land

“General Order” means The Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent amendment to that Order

“highway” has the same meaning as in the Highways Act 1980 (as amended)

“landscaping” has the same meaning as in the Procedure Order

“layout” has the same meaning as in the Procedure Order

“Masterplan and Design Code” means the master plan and design code originally approved under condition 26 of the outline planning permission, and any subsequent amendment of the masterplan and design code approved pursuant to an application under section 73 of the Act relating to that outline planning permission

“outline planning permission” means the planning permission dated 08 August 2014 granted by the Council pursuant to the application for outline planning permission dated 29 September 2011 and allocated reference number 11/01494/OUT, and any subsequent planning permission granted pursuant to

an application under section 73 of the Act relating to that outline planning permission

“the Procedure Order” means The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any subsequent amendment to that Order

“scale” has the same meaning as in the Procedure Order

- (2) For the purposes of determining whether development complies with the Masterplan and Design Code -

“front boundary” means any boundary which is or would be forward of the principal elevation of a dwelling

“Gross Internal Area (GIA)” means the total enclosed internal floor area, above ground level, of a building measured within the external walls taking each floor into account and excluding the thickness of the external walls. The Gross Internal Area includes any integral garages and conservatories”

“maximum building height” means the height of the building when measured from the approved ground level (approved under the Masterplan and Design Code or other relevant condition of the outline permission) of the plot to the top of the highest part of the roof, excluding any external chimneys, flues, soil or vent pipes or other structures for renewable energy generation

“vehicle bay” means a vehicle bay for the parking of a single car, which measures a minimum of 2.5 metres by 5.5 metres.

Permitted development

3. (1) Reserved matters approval pursuant to the outline planning permission is hereby granted for the classes of development described as permitted development in Schedule 2.

(2) Any permission granted by paragraph (1) is subject to any relevant exception, limitation or condition specified in Schedule 2.

(3) Nothing in this Order permits development contrary to or without compliance with any condition imposed by the outline planning permission.

(4) The permission granted by Schedule 2 does not apply if—

(a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;

(b) in the case of permission granted in connection with an existing use, that use is unlawful.

(5) The permission granted by Schedule 2 does not authorise any development which creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons.

(6) Where a person uses electronic communications for making any application required to be made under any Class of Schedule 2, that person is taken to have agreed—

(a) to the use of electronic communications for all purposes relating to that person's application which are capable of being effected using such communications;

(b) that the address for the purpose of such communications is the address incorporated into, or otherwise logically associated with, that person's application; and

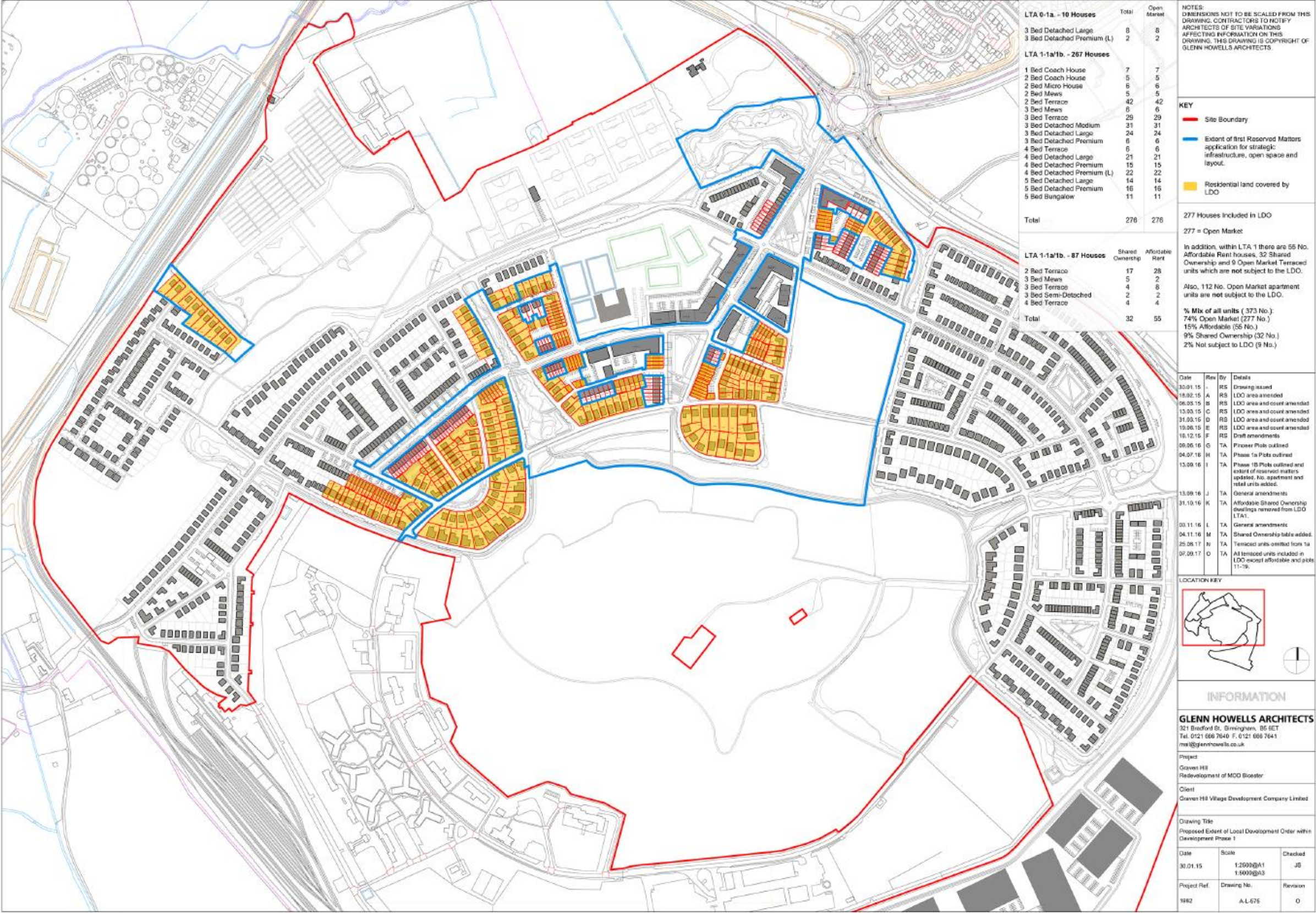
(c) that the deemed agreement under this paragraph subsists until that person gives notice in writing revoking the agreement (and such revocation is final and takes effect on a date specified by the person but not less than 7 days after the date on which the notice is given).

Adopted by Cherwell District Council on

The Common Seal of
Cherwell District Council
was affixed hereunto in
the presence of:

Authorised Signatory

Schedule 1 – Land to which this Order applies



Schedule 2 – Permitted Development

Class A – the erection or construction of a dwellinghouse

Development Permitted

A. The erection or construction of a dwellinghouse, including access and landscaping, pursuant to the outline planning permission

Development Not Permitted

A.1 Development is not permitted by Class A if –

- (a) In the case of a detached or semi-detached dwellinghouse, the dwellinghouse is not a custom build or self build dwellinghouse;
- (b) the dwellinghouse is to be erected or constructed on land that is not identified for development as a dwellinghouse in the Masterplan and Design Code approved under the outline planning permission; or
- (c) the dwellinghouse does not comply with the Masterplan and Design Code approved under the outline planning permission;
- (d) the dwellinghouse would include the construction or provision of a balcony or raised platform above ground floor level which would extend beyond a wall forming any side elevation or any rear elevation of the dwellinghouse

Conditions

A.2 Development is permitted by Class A subject to the following conditions –

- (a) Prior to development commencing, the developer must apply to the Local Planning Authority for a determination as to whether the development complies with the Masterplan and Design Code approved under the outline planning permission and the provisions of Schedule 3 of this Order apply in relation to that application
- (b) In the case of a dwellinghouse forming part of a terrace and that is not a custom build or self build dwellinghouse:
 - i) evidence that the whole of the terrace has been subject to a robust and realistic marketing exercise for custom build and self build development for a minimum period of 6 months shall be submitted to and approved by the Local Planning Authority as part of its determination under paragraph A.2(a); and
 - ii) at least one dwellinghouse within the terrace must be a custom build or self build dwellinghouse.
- (c) The principal elevation of the dwellinghouse must front a highway

- (d) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse and facing a boundary with a neighbouring dwellinghouse that has received either confirmation of compliance or planning permission must be —
- (i) obscure-glazed unless the window is more than 1.7 metres above the floor of the room in which the window is installed; and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed
- (e) Any part of the dwellinghouse that would —
- (i) have more than a single storey; and
 - (ii) would be within 2 metres of the boundary with a neighbouring dwellinghouse that has received either confirmation of compliance or planning permission
- must not extend beyond the rear wall of the neighbouring dwellinghouse by more than 3 metres, or such other limit as is approved as part of the Design Code and Masterplan.
- (f) the height of any external chimney, flue, soil or vent pipe, or other structure for renewable energy generation, must not exceed the highest part of the roof of the dwellinghouse by 1 metre or more.
- (g) Any hard surface to be provided on land between a wall forming the principal elevation of the dwellinghouse and the highway must either be made of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse
- (h) Development under Class A must be completed within a period of 3 years starting with the confirmation of compliance date

Class B – the enlargement, extension or alteration of a dwellinghouse

Development Permitted

B. The enlargement, extension or alteration of a dwellinghouse erected or constructed under Class A of this Order

Development Not Permitted

B.1 Development is not permitted by Class B if —

- (a) the enlargement, extension or alteration does not comply with the Masterplan and Design Code approved under the outline planning permission; or

- (b) the enlargement, extension or alteration would consist of or include the construction or provision of a balcony or raised platform, above ground floor level, which would extend beyond a wall forming a side elevation or rear elevation of a dwellinghouse

Conditions

B.2 Development is permitted by Class B subject to the following conditions –

- (a) Prior to development commencing, the developer must apply to the Local Planning Authority for a determination as to whether the development complies with the Masterplan and Design Code approved under the outline planning permission and the provisions of Schedule 3 of this Order apply in relation to that application
- (b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse and facing a boundary with a neighbouring dwellinghouse that has received either confirmation of compliance or planning permission must be —
 - (i) obscure-glazed unless the window is more than 1.7 metres above the floor of the room in which the window is installed; and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed
- (c) Any part of the enlargement, extension or alteration that would –
 - (i) have more than a single storey; and
 - (ii) would be within 2 metres of the boundary with a neighbouring dwellinghouse that has received either confirmation of compliance or planning permission

must not extend beyond the rear wall of the neighbouring dwellinghouse by more than 3 metres, or such other limit as is approved as part of the Design Code and Masterplan.
- (d) the height of any external chimney, flue, soil or vent pipe, or other structure for renewable energy generation, must not exceed the highest part of the roof of the dwellinghouse by 1 metre or more.

Class C – buildings etc incidental to the enjoyment of a dwellinghouse

Development Permitted

C. The provision within the curtilage of a dwellinghouse that is being erected or constructed under Class A of this Order of –

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas

Development Not Permitted

C.1 Development is not permitted by Class C if –

- (a) the dwellinghouse has been completed;
- (b) any of the following criteria would apply:
 - (i) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the dwellinghouse that is being erected or constructed) would exceed 50% of the total area of the curtilage (excluding the ground area of the dwellinghouse that is being erected or constructed);
 - (ii) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming, or proposed to form, the principal elevation of the dwellinghouse that is being erected or constructed;
 - (iii) the building would have more than a single storey;
 - (iv) the height of the building, enclosure or container would exceed –
 - (i) 4 metres in the case of a building with a dual-pitched roof
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - (iii) 3 metres in any other case;
 - (v) the height of the eaves of the building would exceed 2.5 metres;
 - (vi) it would include the construction or provision of a veranda, balcony or raised platform;
 - (vii) it relates to a dwellinghouse or a microwave antenna; or
 - (viii) the capacity of the container would exceed 3, 500 litres

Interpretation of Class C

C.3 For the purposes of Class C, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for domestic needs or personal enjoyment of the occupants of the dwellinghouse

Schedule 3 – Procedure for Confirmation of Compliance under Schedule 2

(1) The following provisions apply where under this Order a developer is required to make an application to the Local Planning Authority for a determination as to whether the development complies with the Masterplan and Design Code approved under the outline planning permission.

(2) The application must be accompanied by—

- (a) a written description of the proposed development;
- (b) a plan indicating the location of the site in relation to neighbouring plots;
- (c) a plan or plans and documents showing the details of access, appearance, landscaping, layout, scale and Sustainable Construction Methods of the proposed development (advice on the details to be included on the proposed plans and documents can be found on the Confirmation of Compliance Guidance Note);
- (d) the developer's contact address, contact telephone number; and
- (e) the developer's email address if the developer is content to receive communications electronically

(3) The Local Planning Authority shall, as far as is practicable, determine an application submitted under sub-paragraph (2) within 28 days following the date on which the application was received by the Local Planning Authority.

(4) The local planning authority may refuse an application where, in the opinion of the Authority—

- (a) the proposed development does not comply with, or
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,

any conditions, limitations or restrictions specified in this Order as being applicable to the development in question.

(5) Where the Local Planning Authority refuses an application under paragraph (3), for the purposes of section 78 (appeals) of the Act such a refusal is to be treated as a refusal of an application for approval.

(6) The development must not begin before the receipt by the applicant from the Local Planning Authority of a written notice of their determination that the development complies with the Masterplan and Design Code approved under the outline planning permission.

(7) The development must be carried out in accordance with the details provided in the application referred to in sub-paragraph (2) unless the Local Planning Authority and the developer agree a non-material amendment in writing. Advice on non-material amendments can be found within the Confirmation of Compliance Guidance Note.

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Confirmation of Compliance Guidance Note

Documents to support a Confirmation of Compliance Application

1. The application form including a written description of the proposed development, developers contact address, telephone number and email address;
2. A plan indicating the location of the site in relation to neighbouring plots and within the wider context of Graven Hill at a scale of 1:1250 (please see attached example);
3. A plan or plans, including a proposed site layout, proposed elevations and proposed floor plans, showing the details of access, appearance, landscaping, layout and scale of the proposed development. These plans need to be to scale;
4. Proposed site layout plan needs to include the following information –
 - Location of the vehicle access;
 - details of any hard surface area to the front of the dwelling, including surfacing material and details of the drainage of this area. (any hard surface area forward of the front elevation of the dwelling house needs to be permeable or drain to a permeable area within the plot)
 - details of front boundary height and material (front boundary is any boundary forward of the principal elevation);
 - details of the side and rear boundary height and material;
 - details of parking arrangement;
 - details of cycle parking location, including height of any proposed sheds or stores (should not be in the area forward of the front elevation);
 - details of waste storage location, including height of any proposed sheds or stores (should not be in the area forward of the front elevation);
5. A Sustainable Construction Statement, which provides details of how the proposed dwelling will meet the Passive Design Standards 2015 (available on the Graven Hill pages of the Cherwell website).

For plots within the 'Rural Lanes' and 'Village Centre' character areas, to identify these please refer to the attached approved masterplan, the following is also needed:

1. details of all external facing materials
2. details of all roof materials

For plots where there is a significant change in levels (more than 400mm) from the front to the rear of the site and/or across the site from side boundary to side boundary, the following is also needed:

1. A detailed section through the site which shows the approved ground levels of the site, including a line drawn through the centre of the site from the lowest approved level and highest approved level. The section should also include the proposed building with details of the proposed driveway and parking level, the proposed slab level at the front elevation and rear elevation and the proposed rear garden levels. This section should also show the measurement of the roof height from the point where the proposed building crosses the highest point of the approved ground levels.

Non-Material Amendments

If the applicant proposes a non-material amendment to the development following the receipt by the applicant of approval of Confirmation of Compliance by the Local Planning Authority, the applicant must make a written request to the Local Planning Authority to determine whether the proposed amendments are non-material. A written request must include the following:

- 1.

1. A written description of the proposed amendments;
2. The originally approved Confirmation of Compliance application number;
3. Plan or plans, which are to scale, showing the proposed amendments;

A non-material amendment is a minor change to the approved development which is not a material change. For example, changes to the size of existing window openings and door openings may be considered a non-material amendment; however, the insertion of new windows and doors into the side elevation of dwellings at Graven Hill is unlikely to be a non-material amendment.

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Statement of Reasons

Draft Graven Hill Phase 1 Local Development Order (Second Revision) 2017

In accordance with paragraphs (1) and (2) of Article 38 of The Town and Country Planning (Development Management Procedure) Order 2015, the Council is required to prepare a statement of reasons for making the Order containing a description of the development which the Order would permit, and a plan or statement identifying the land to which the Order would relate.

Description of Development

The development which the Order would permit is:

- A) The erection or construction of a dwellinghouse that is either a custom build or self-build dwellinghouse, pursuant to the outline planning permission for the redevelopment of the site (ref: 16/01802/OUT)
- B) The enlargement, extension or alteration of a dwellinghouse that has been erected or constructed under the Order
- C) The provision of buildings etc. incidental to the enjoyment of a dwellinghouse that is being erected or constructed under the Order

The development which would be permitted by the Order would be subject to limitations and conditions as detailed under Schedule 2 of the draft Order, including a requirement to apply for confirmation as to whether the development complies with the Masterplan and Design Code approved under the outline permission.

Land to which the Order would relate

The land at Graven Hill, Bicester, shaded yellow and identified as “residential land covered by LDO” on the plan included as Schedule 1 to the draft Order.

Reasons for Making the Order

Graven Hill Phase 1 Local Development Order (Revision) 2017 (LDO 2017) was adopted on the 18 January 2017 to facilitate and encourage self-build and custom build housing at Graven Hill by simplifying the planning process whilst providing certainty that individuality and variety in design would be supported within the parameters set by the Masterplan and Design Code to be approved under the outline planning permission. Since the LDO 2017 revision almost 12 months ago it has been applied to around 30 plots at Graven Hill, submitted for Confirmation of Compliance. In applying the document when processing applications for confirmation of compliance, some additional requirements and changes have been identified by the Local Planning Authority and Graven Hill Village Development Corporation to provide further clarity and address some minor issues. The proposed amendments are set out in detail below.

- Title of the Document: Graven Hill Phase 1 Local Development Order (Second Revision) 2017
- Interpretation 2. (1) – new definition for “confirmation of compliance guidance note”. This is a document prepared and if required updated by the Local Planning Authority

providing advice on the procedure for confirmation of compliance and information needed to support a confirmation of compliance application.

- Schedule 2 – Land to which this Order applies: A new plan to show land to which the Order applies has been included at page 6. The amended plan has increased the area covered by the LDO to include all open market plots within Phase 1. The total number of plots now covered by the LDO is 276 an increase of 78 additional plots from the previous 198 cover by the approved LDO 2017. The break-down of plot types is shown in the table below alongside the approved LDO:

<u>Plot type</u>	<u>Adopted LDO</u>	<u>Draft LDO 2017</u>
1 bed coach house plots	5	7
2 bed coach house plots	3	5
2 bed micro house plots	3	6
2 bed mews house plots	6	5
2 bed terrace plots	34	42
3 bed mews plots	6	6
3 bed terrace plots	24	29
3 bed detached plots	45	71
4 bed detached plots	51	64
5 bed detached plots	21	30
5 bed bungalow plots	0	11
TOTAL	198	276

- Schedule 3 – Procedure for Confirmation of Compliance under Schedule 2: Paragraph (2) has been amended to include additional text at criteria (c) of paragraph (2). This is to ask for detail of sustainable construction methods to be submitted with an application for Confirmation of Compliance.
- Schedule 3 – Procedure for Confirmation of Compliance: A new sub-paragraph (3) has been inserted and states that the Local Planning Authority shall, as far as is practicable determine an application submitted under sub-paragraph (2) within 28 days following the date on which the application was received by the Local Planning Authority.
- Schedule 3 – new sub-paragraph (6) has been amended to remove (b) referring to the period of 28 days which has been inserted above at new sub-paragraph (3)
- Schedule 3 – new sub-paragraph (7) has been amended to provide further clarity on non-material amendments to approved Confirmation of Compliance applications.

Cherwell District Council

Executive

6 November 2017

Approval of Delegation - Management Restructure

Report of Chief Executive

This report is public

Purpose of report

To delegate the approval of the financial implications of management restructure business cases to the Joint Commissioning Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree to delegate the approval of the financial implications of management restructure business cases to the Joint Commissioning Committee, subject to a similar decision being made by South Northamptonshire Council.

2.0 Report Details

- 2.1 In 2015 the Joint Commissioning Committee commenced a senior management restructure in two phases beginning with the appointment of Directors in early 2016. Whilst it was intended to commence phase 2, for various reasons this did not take place and consequently many interim and acting up arrangements have since been put in place. Following Yvonne Rees' appointment as Chief Executive in 2017; and in light of the number of interim arrangements, vacant posts and resulting impact on leadership and management capacity, the Chief Executive, in consultation with the Leaders of the councils has appointed Penna to carry out a full senior management review.
- 2.2 At its meeting on 11 October, the Joint Commissioning Committee considered and adopted a report which set out a proposed senior management structure for the councils for consultation. Subsequently meetings of councils in October agreed that any increased management restructure costs be included in the budget framework, with in year costs met from within existing budgets and

future costs included in the 2018/19 budget; and that the Deputy Section 151 Officer be authorised to include these figures within the budget when finalised.

- 2.3 Approval of the financial implications of a restructure business case is an Executive function under the Local Government Act 2000. Any increased costs of the restructure for the current year can be met from within existing budgets and through an implementation budget from earmarked reserves. Future costs for 2018/19 will be included in the budget proposals. At this time the exact level of cost is not known pending agreement of a final management structure following consultation with affected staff. Given this, Executive is requested to delegate approval of the financial implications of the restructure business case to the Joint Commissioning Committee to ensure that the restructure can be carried out in a timely manner.

3.0 Consultation

Consultation with staff whose substantive roles are directly impacted by the proposal and trade unions has commenced following approval from the Joint Commissioning Committee.

4.0 Alternative Options and Reasons for Rejection

- 4.1 The following alternative options have been identified and rejected for the reasons as set out below.
- Option 1: Not to delegate approval of the financial implications of the management restructure business case to Joint Commissioning Committee. This is not advised as it would cause delay to the implementation of the restructure which would not be in the interest of the councils.

5.0 Implications

Financial and Resource Implications

- 5.1 The delegation requested will not give rise to additional costs. The report identifies how the financial implication of the management restructure are to be managed.

Comments checked by:

Sanjay Sharma, Interim Head of Finance, 01295 221564,
Sanjay.sharma@cherwellandsouthnorthants.gov.uk

Legal Implications

- 5.2 The proposals set out in this report are in line with the legal framework for local authority decision making.

Comments checked by:
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6.0 Document Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

Councillor Barry Wood, Leader of the Council

Appendix No	Title
None	
Background Papers	
None	
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Cherwell District Council

Executive

6 November 2017

Fleet and Vehicle Replacement Strategy

Report of Head of Environmental Services

This report is public

Purpose of report

To update the Executive on the operation of the Council vehicle fleet and to consider a vehicle replacement strategy to reduce whole life costs, develop income and minimise environmental impact through the introduction of telematics to reduce fuel usage and a move away from a purely diesel powered vehicle fleet.

1.0 Recommendations

The Executive is recommended to:

- 1.1 To approve the Fleet and Vehicle Replacement Strategy as attached at Appendix 1.
- 1.2 To support the introduction of telematics to reduce fuel usage.
- 1.3 To support the move away from a purely diesel powered vehicle fleet.

2.0 Introduction

- 2.1 The vehicle fleet is critical to the delivery of many of the front line services of the Council. To operate the fleet, there are many considerations such as legal compliance, quality, cost and environmental impact. These matters were part of the Council's shared service consideration and the decision to purchase vehicles rather than lease.
- 2.2 The Council's fleet consists of over 70 vehicles performing a wide range of tasks including refuse and recycling collections, bulky waste collections, emptying glass banks, mechanical sweeping, emptying of litter bins, removal of fly tips, delivery of bins, election logistic delivery work and operational supervisor transport.
- 2.3 The Council's fleet operates within an Operating Licence (O licence) monitored by the Driver Vehicle Standards Agency (DVSA) and places a range of requirements including to have a competent professionally qualified person named on the O licence, vehicle inspection frequencies, vehicle maintenance record keeping and driver hour monitoring. The DVSA monitors fleet operators giving them a traffic light risk score. The fleet at Cherwell is green, considered low risk.

- 2.4 The vehicle fleet is critical for the delivery of frontline services. Ensuring the vehicles are correctly specified and fit for the purpose for intended use is crucial. In recent years advances in technology means that our refuse collection vehicles (RCVs) have features which include;
- On board weighing to ensure vehicle do not become overloaded
 - Four way camera recording to help in accident/insurance claims and customer issues
 - Bartec in-cab technology to provide property details including specific instructions relating to an individual properties and also tracks the vehicle
 - Reversing cameras to assist with safe reversing
- 2.5 The capital cost of vehicles can be significant with a RCV costing in excess of £165k. However, the key measure on a vehicle is not just the initial capital cost but running costs including maintenance, fuel and end of life value. Overall, the fleet is looking for vehicles which are fit for purpose and deliver the lowest whole life cost.
- 2.6 A new piece of technology currently being evaluated is vehicle telematics. A number of features such as acceleration and braking can be measured and give the driver feedback on his overall environmental driving performance. Initial trials carried out on two vehicles show that the use of telematics deliver an 8% fuel saving. If this was replicated across all the RCV fleet the savings would be around 24,000 litres per year. This equates to a saving of £22 to 24k per year and a reduction of CO2 emissions by 64 tonnes per year.
- 2.7 The environmental impact from the fleet can be great. The overall fleet is responsible for around 25% of the Council's overall CO2 emissions. In recent years large vehicle technology and legal requirements have not significantly improved fuel consumption but has substantially reduced nitrogen dioxides (NOx) and particulate matters (PMs).
- 2.8 Over the last couple of years concerns about the environmental and human health impact of diesel engines on air quality have been raised. The growth in the use of diesel engines in cars has been blamed for air quality issues and has the potential to damage health.
- 2.9 While the emissions of nitrogen dioxides and particulates from large goods vehicles have improved as the engine standards have moved to Euro 6, this has not been the case for cars, small vehicles and car derived vans. This is because for these smaller vehicles the emissions produced in laboratory conditions and in real road driving conditions can be substantially different. For some cars which comply with the Euro 6 standard in laboratory conditions, in real road conditions they exceed the Euro 6 standard by up to ten times the limits.
- 2.10 The Council operates a number of car derived vans which are diesel powered. This has been largely because most car derived vans on the market are diesel powered and the depots stock diesel fuel only.
- 2.11 The intention is to further minimise the environmental impact of the fleet through the introduction of vehicle telematics thereby reducing fuel, reducing emissions and saving money. In addition it is proposed that for small car derived vans the Council

starts to move away from a purely diesel fleet to consider electric and other possible alternatives.

- 2.12 Other fleet management actions to protect the environment include the use of remoulded tyres. This not only has delivered financial savings but tyre casings with low tread levels are returned to the supplier to be remoulded so they can be reused.
- 2.13 As a proposed joint Fleet and Vehicle Replacement Strategy, this same matter will be considered by South Northamptonshire's Cabinet on 13 November 2017.

3.0 Report Details

Vehicle Costs

- 3.1 Each year the Council has a capital project to replace vehicles which have reached the end of their economic life. For financial purposes many of the vehicles, particularly RCVs in the Council fleet are financially written down over seven years. However, each individual vehicle reviewed in terms of condition and maintenance cost before a decision is made. Generally, although financially written down after seven years, many RCVs are operated for up to nine years. From 2018/19, the intention is to write down the vehicles over eight years rather than seven. This would reduce annual depreciation costs for a RCV by over £3k per vehicle per year.
- 3.2 On other vehicles, especially street cleansing vehicles, vehicle life is being extended by moving to plastic bodies. Typically, street cleansing vehicles have been of a size similar to Ford Transit type vehicles with a metal cage. The body & cage rust badly and by seven years the vehicle body is badly corroded. In recent years a plastic body has been used as this not only increases payload but should extend vehicle life towards ten years from the current seven years.
- 3.3 RCVs are costly to purchase and heavy on fuel and maintenance costs. A new vehicle costs around £165k to purchase. The total costs associated with running a waste collection crew are set out below.

	£'000
Annual Depreciation cost (7 year life)	24
Annual maintenance cost including tyres	16
Annual fuel cost	18
Annual crew cost including holiday cover	90
Annual road tax & insurance	10.5
Total annual cost	£158.5

- 3.4 The cost of running a crew and the environmental impact can be minimised by the following
- extending the life of the vehicle beyond seven years
 - minimise maintenance cost through good maintenance practice and by the crew looking after the vehicle
 - reduce fuel costs through efficient routes and driver behaviour

- 3.5 To minimise maintenance costs a number of actions have been taken which include using remoulded tyres. RCVs spend a lot of time running against the kerb while collecting. Hence it is not unusual for a tyre to be replaced not because of insufficient tread but due to sidewall damage from running against the kerb. The remoulded tyres used by the Council have extra thick sidewalls to minimise this problem and control tyre spend.
- 3.6 Fuel costs which form a significant part of the overall costs have been reduced through a combination of procurement, driver training and designing collection rounds so mileage is minimised. To further reduce fuel usage which will deliver not only a reduction in fuel cost but also emissions, vehicle telematics have been investigated.
- 3.7 Vehicle telematics systems link to the existing on-board computers which measure hundreds of the vehicle parameters. These parameters are monitored by the on board computer and can be connected to a telemetry system. The system in particular uses key parameters related to acceleration, engine revs, braking etc and gives a good indication on how economically and safely a driver is performing. The telemetry system provides instant feedback to the driver and in effect nudges the driver to drive more economically. In a recent trial on two vehicles over a month a fuel saving of more than 8% was achieved.
- 3.8 Such systems do have a running cost. For a fleet of twenty RCVs it is likely to be around £8k per year. However the fuel savings equate to £22-24k/year. There is a likely small one-off capital cost for Euro 6 RCVs of around £200 per vehicle. For older RCVs, Euro 5, the one off cost is around £800 per vehicle. However, by May 2018 three quarters of the RCV fleet will be Euro 6 vehicles. The intention is not to install telemetry on Euro 5 with an estimated life of less than two years but to install the telemetry once the vehicle has been replaced with a Euro 6 vehicle. The exact financial details and savings will become clearer once a procurement exercise is completed.
- 3.9 Other fuel savings ideas being investigated include night heaters on the refuse collection vehicles. This involves a specific heater being fitted which warms the cab and windows using a very small amount of fuel and avoids the need to start the engine just to warm up the cab. Using the engine on cold warms for this purpose uses 4 litres per hour compared to less than 0.1 litres per hour for a night heater.

Vehicle Emissions

- 3.10 Over several years, European regulation has looked at improving the emissions from vehicles. For Large Goods Vehicles (LGV) standards from Euro 1 to Euro 6 have been introduced. Euro 1 was introduced in 1992, Euro 2 followed and Euro 3 was introduced in 2000. The emissions standards for the various engines since Euro 3 are set out in the table below.

Engine type	Year of Introduction	Nitrogen dioxides NOx	Particulates PM
		(g/kwh)	(g/kwh)
Euro 3	2000	5.0	0.1
Euro 4	2005	3.5	0.02
Euro 5	2008	2.0	0.02

Euro 6	2013	0.4	0.01
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3.11 The reduction in Nitrogen dioxides (NOx) between Euro 3 and Euro 5 was 60%. Similarly the reduction in Particulates (PM) was 80%. Euro 6 has reduced NOx by a further 80% compared to Euro 5 and PM by an additional 50%. Overall a modern LGV Euro 6 produces only 10% of the particulates and 8% of the Nitrogen dioxides of a Euro 3 back in 2000

3.12 All Council LGVs are either Euro 5 or Euro 6. The current plan will see the following changes in the coming few years

	Mar 2017	Mar 2018	Mar 2019	Mar 2020
Euro 6 LGVs	10	15	18	21
Euro 5 LGVs	17	12	9	7

3.13 The change to increasing the number of Euro 6 trucks will significantly reduce both nitrogen dioxide levels and particulates. The change to Euro 6 increased the average purchase price of a refuse collection vehicle as changes to the engines and exhaust systems are in excess of £10k per vehicle.

3.14 There have been similar changes for smaller vehicles. However, cars do not have the space to accommodate the changes in the engines which LGVs have had. Hence it may not be surprising that although Euro 6 small vans and cars may meet emissions standard levels in laboratory conditions, on the road in real driving conditions some cars and vans exceed standards by large margins of sometimes up to ten times.

3.15 A government funded report looking at diesel emissions from cars following the scandal relating to Volkswagen found that although no other manufacturer seemed to be using software to 'cheat' emissions standards, it did show many concerns relating to emissions from diesel cars. The main two concerns were that although emissions standards for cars tightened between Euro 3 and Euro 5, actual emissions showed no improvement. The other concern was that although Euro 6 emissions for cars are better than Euro 5 many models of cars in real driving conditions greatly exceed these standards.

3.16 The Council has 15 small car derived vans. Of these, one is electric and all the rest are diesel. The vans have been largely diesel because it is the predominant type of commercial vehicle and also because the Council holds stocks of diesel but no other fuel including petrol.

3.17 There are a number of air quality management areas in this Council area. All these areas breach air quality standards due to vehicle emissions. Poor air quality is a danger to human health and vehicles are a major contributor to poor air quality. The Council's LGVs have contributed to reduced emissions by the vehicle replacement plan.

3.18 Changes in vehicle technology have started to produce other possible fuel options. For LGVs, the current only viable option is diesel vehicles. However, for small car derived vans, options exist including petrol, LPG, electric & hydrogen.

3.19 **Petrol engines** - In recent years petrol engines have shown large reductions in emissions particularly carbon dioxide and nitrogen dioxides. The emission standard

for Euro 6 petrol is 25% below that of diesel. Studies seem to indicate that Euro 6 petrol engines meet emissions standards both in the laboratory and in real driving conditions. However, currently the range of petrol vans is narrow, carbon dioxide emissions are higher than diesel and a fuel card system would have to be introduced as no depots in Cherwell or South Northants hold petrol due to the requirements to store petrol.

- 3.20 **Liquid Propane Gas (LPG)** - LPG engines are becoming less common. The Council operated one vehicle which was LPG which was dual fuel in that petrol was required to start the engine before the engine switched to operating on LPG. Oxford City Council had a fleet of Street Cleansing LPG vehicles but at the end of their life, none were replaced with LPG. For a while the government offered incentives and the manufacturers produced LPG engines. However, with the loss of incentives no major manufacturer offers a LPG engine option.
- 3.21 **Hydrogen fuel cell** - Hydrogen powered vehicles are not in common usage as they are still under development. The Council's Fleet Manager recently attended a demonstration on hydrogen fuel cells. Although the emissions are clean as they are just water, the capital cost of such vehicles is enormous (typically more than three times the price of a standard vehicle) and the cost of installing infrastructure is also significant.
- 3.22 **Electric vehicles** - The Council has evaluated and trialed electric vehicles for over ten years. However, the first purchase of an electric vehicle was almost four years ago, a Renault Kango with a charging point at Thorpe Lane Depot. While the range hasn't been as great as promised it is regularly used and is able to perform a range of functions. More recent demonstrator vans seem to show greater range. Although more costly to purchase initially, there is a government grant to offset most of this increase. Electric vehicles besides producing no emissions from the tailpipe are cheaper to fuel and cheaper to maintain than conventionally powered vans
- 3.23 Since Thorpe Lane Depot has a large array of solar panels, effectively any electric vehicles are not only zero emission at the tailpipe but since the electricity from solar panels also generates no carbon dioxide, they are close to zero emission overall.
- 3.24 Range anxiety is an important issue with electric vehicles, the driver worrying that the vehicle will run out of power. Hence a charging point infrastructure is important to operate electric vehicles. Currently there is only one charging point at Thorpe Lane Depot with none at either Highfield, Bicester or Tove, Towcester depots. The expansion of the current infrastructure and the costs associated will have to be considered to support wider use of electric vehicles. Plug in points at Bodicote House will also be needed which will then prompts consideration of whether such plug in points should be available to staff, elected members and members of the public and if so, what charges should be made.
- 3.25 **Hybrid** - A number of car manufacturers offer hybrid vehicles. Hybrid vehicles have both an electric motor and batteries as well as usually a petrol engine. The vehicle then operates in electric mode in urban environments but on major roads or when the batteries run low it switches to petrol mode. This removes 'range anxiety' which exists with electric vehicles. Unfortunately, for commercial vehicles there are few if any hybrid vans at the moment. However, if the market changes and manufacturers offer hybrid vans they may meet the needs of the Council's fleet

3.26 **Proposed Way forward** - In the vehicle replacement programme for 2017/18 there are seven small car derived vans due for replacement. They are between eight & nine years old.

3.27 When considering the average annual usage, carrying out a cost comparison and looking at the condition of the current vehicles, the following proposal is being pursued. Two of the vehicles (Fiesta vans) are eight years old but have mileages of around 55,000. These two vehicles are in good condition and will be retained and reviewed again in twelve months. One vehicle covers around 15,000 miles per year and the requirements are beyond the capability of current electric vehicles. However, the other four vehicles which do 5000 to 8000 miles per year could feasibly be electric vehicles

3.28 The table below sets out the financial comparison for these four vehicles. Each after a government grant, initially costs an additional £3,500 but the savings in fuel, maintenance and vehicle excise duty mean there is a net financial saving over the expected eight years of the vehicles

	Average annual mileage	Average fuel cost (diesel) (£)	Fuel cost saving with electric vehicle (£)	Estimated annual maintenance saving & road tax saving (£)	Total overall annual saving (£)	No of years to save initial £3500 extra purchase cost
Vehicle 1	4863	486	389	290	679	5.2
Vehicle 2	6920	692	554	290	844	4.1
Vehicle 3	4864	486	389	290	679	5.2
Vehicle 4	9996	1000	800	290	1090	3.2

3.29 A Nissan NV 200 van was tried for two weeks in early October 2017. The van had many positive features with positive feedback on ease of use, driving position etc. with just one concern, which was range anxiety. The current charging unit at Thorpe Lane Depot is a 'trickle' charge unit taking 8 to 10 hours to fully charge. The charging unit in the car park opposite the Forum in Towcester is a fast charge unit taking 2 to 3 hours to fully charge a van. A network at all three depots of fast charge units is required to facilitate electric vans. Although trickle chargers can recharge a vehicle on an overnight charge they do not charge the vehicle swiftly enough during daily operation when needed.

3.31 Discussions with facilities management on installing a charging network at the three depots have taken place and there should be sufficient existing funds in place to install this network. However further capital bids maybe required especially for Bodicote House.

3.32 The trial vehicle has a claimed range of around 100 miles. The trials showed that 70-80 miles was a more realistic figure from the experience of those who tested it. From early 2018 both the trial vehicle and a Renault Kango will have versions with a range of 160 miles. This 160 mile range may again prove to be optimistic but if in real driving conditions a range of 100-120 miles can be achieved this would meet the Council's operational requirements. This increase in range along with the installation of a network of charging points at the three depots may make the inserting several electric vans into the fleet very viable.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Although work has taken place to reduce diesel usage, vehicle telematics offer an opportunity to reduce usage even further. Telematics has been trialled on two vehicles for over a month and delivered more than 8% savings. Hence telematics can make a significant impact on reducing costs and emissions. The costs of such systems are small compared to the potential savings. If supported telematics should be installed from early 2018
- 4.2 Diesel vehicles can contribute to air quality issues. Recently there has been a lot of adverse publicity regarding diesel engine vehicles. Improvements in small vehicle technologies mean that the reliance on diesel engine car derived vans can be reduced. With around eight small vans to be replaced over the next twelve months it is possible that more electric vans can be acquired once the appropriate infrastructure of plug in points are installed and new models have an increase in overall range. The additional initial purchase costs of electric vans are more than matched by the reduction in fuel and maintenance costs.

5.0 Consultation

Neighbouring authorities
APSE
Oxford City Council
Facilities Management

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified
- Option 1: To support the proposed recommendations
- Option 2: To reject the proposed recommendations
- Option 3: To ask officers to consider alternative improvements

7.0 Implications

Financial and Resource Implications

- 7.1 The move to telematics will deliver some net fuel revenue savings from 2018/19.
- Car derived electric vans are a higher capital cost but deliver sufficient operational savings to offset these higher initial capital costs. However further capital bids may be required in the future to install a charging network at Bodicote House.

Comments to be checked by:
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Legal Implications

7.2 There are no legal implications associated with this report.

Comments checked by:

Nigel Bell, Interim Legal Services Manager

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Risk

7.3 With current adverse publicity regarding diesel powered small vehicles the Council could be at risk of this if it does not start to seriously consider alternatives. This will be managed within the operational risk register.

Comments checked by:

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8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

All

Links to Corporate Plan and Policy Framework

Cherwell: Safe, Clean and Green

Lead Councillor

Councillor Debbie Pickford, Lead Member for Clean and Green

Document Information

Appendix No	Title
1	Fleet and Vehicle Replacement Strategy
Background Papers	
None	
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CDC and SNC Fleet & Vehicle
Replacement Strategy
2018

October 2017

Overview

The aim is to provide all Council departments who may require vehicles with up to date fit for purpose vehicles which provide the lowest whole life cost and minimise their impact on the environment.

This strategy sets out the general principals and processes regarding vehicles. The key principals are that vehicles must:

- Be fit for purpose. Vehicles must be fully capable of carrying out the demands placed upon them
- Deliver the lowest whole life cost. Vehicles may not always be acquired for the lowest initial cost but they must deliver the lowest whole life cost over the life of the vehicle
- Minimise the impact on the environment. Consideration must be given to minimise the impact on the environment through fuel consumption, exhaust emissions and other factors such as end of the life of the vehicle
- Safety of the driver, crew & the public. The vehicle must present the minimum H&S risk to our staff and members of the public.
- Present the Council in a positive & professional manner

The Councils fleet of vehicles is asset managed from purchase through to disposal. To do this a vehicle replacement programme exists. As soon as a vehicle is acquired it is given an estimated life and listed for replacement often some seven – ten years later. This plan is reviewed throughout the year and by November each year the replacement plan for the followed year is put forward with outline plans for all the following financial years.

The maintenance costs of the fleet are closely monitored throughout the life of the vehicles. They are split into parts and labour costs; benchmarked against similar vehicles in the fleet and against other organisations that use vehicles of a similar type for comparisons. A fleet management system called Key2 captures all maintenance information including costs

As the vehicles come to the end of their estimated life, they are inspected on an individual basis to assess whether the vehicle will last longer without incurring heavy maintenance costs. If so, the vehicle will be kept and the replacement programme adjusted accordingly.

Since 2004 Cherwell District Council (CDC) has purchased vehicles outright as opposed to leasing. This same decision was made for South Northamptonshire Council (SNC) in 2013. Purchasing offers much more flexibility than leasing as well as offering a lower cost of ownership. However this acquisition route of outright purchase will be reviewed when changes in the financial climate occur.

An asset register exists for both Councils and is updated by the Fleet manager.

The vehicle fleet operates using two operating licences (O licence), one covers South Northamptonshire Council & one covers Cherwell District Council. The licence plays a range of requirements so that large commercial vehicles are operated in a safe manner. This includes maintenance inspections, records, driving hours, not overloading vehicles etc. Breaches of these requirements can result in the removal of the O licence.

Vehicles can have a big impact on the environment through fuel consumption, carbon dioxide and other exhaust emissions. In addition other elements of the vehicle such as tyres can impact adversely on the environment unless actively managed. The aim is to reduce the impact on the environment by purchase high specification vehicles, maintaining them to a high standard and encouraging our drivers to operate them in a responsible manner.

The waste industry is one of the most dangerous industries and unfortunately each year, across the country, a number of deaths and serious injuries occur. Many of these relate to members of the public or staff being struck by vehicles. Consequently safety systems to minimise this risk are a high priority. Other H&S risks such as slips, trips & falls are addressed by actions such as low level cabs in RCVs and level floors within the cabs.

One of the most visible signs of the two Councils are operational vehicles delivering services. Consequently it is important that the vehicles are presented & operated in a safe, professional manner

Fit for purpose & lowest whole life cost

Vehicle Replacement Programme

Vehicles are the essential tools for the operational departments. The selection of the right vehicle for the right job is critical. Since vehicles are expensive and expected to last many years careful consideration with the users on specifications and other requirements are vital. If the wrong vehicle were to be selected it will impact on the efficiency of operations for the whole life of the vehicle.

The vehicle replacement programme exists for 7-10 years and forecasts the vehicles required along with estimated purchase costs. This is reviewed constantly. In the autumn of each year the programme is reviewed with the vehicle users, the required operational need considered and the specification and likely cost looked at in detail.

The fleet management team are constantly looking at the market, looking at technological developments which can lower cost, improve productivity and increase safety.

Developments in recent years have included

- Improvements in emissions
- Reductions in fuel consumption
- Increased environmental & safety standards
- Vehicle weighing systems
- In cab technology
- New systems
- Camera systems

Vehicle Procurement

A specification is written after consulting with the users that require vehicles to ensure that fit for purpose vehicles are purchased with the correct equipment, systems and storage facilities.

This specification is then sent with procurement team input to the most advantageous purchasing routes. Usually this is either through the Council's own framework agreements (often jointly produced with Oxford City) or through National Framework agreements (ESPO, Procurement Partnership etc.)

All vehicles are procured to comply with public procurement regulations and the Council's own financial regulations to obtain best value for the Council. Other factors to consider when acquiring vehicles include environmental performance, health and safety, after sales service and potential final disposal income is also taken in to account when evaluating manufacturers tenders.

Roles and Responsibilities

Once vehicles are purchased; the individual departments have responsibilities to make sure that the users of the vehicles are appropriately briefed and more importantly trained on the operation of equipment. The treatment of a vehicle by its operators can have a major impact on its maintenance costs.

The training involves manufacturers demonstrating their equipment to a level that the operators understand and are comfortable with. Once this has been achieved; the operators are sent certificates stating familiarity with the equipment.

Other training involves drivers receiving a half day defensive driving course with a qualified instructor giving one to one tuition where theoretic knowledge and driving skills are assessed. A score and certificate is given to the driver and a report is given to the line manager.

Vehicle Disposal

Vehicles once they are beyond their economic life are disposed of at vehicle auctions. Some vehicles such as large mechanical sweepers have a strong market and have a good resale value. Others such as RCVs have a value of only £6-9k dependent on condition.

In the case of small vans the value is so low local sale via a sealed bid basis is often the most cost effective process.

All is in accordance with achieving best value for the asset, with the gained price forming the final part of the vehicles whole life costs.

Asset Register

An asset register is kept and updated by the fleet manager. This register gives a complete list of the fleet details to include make, registration, purchase date, purchase price, estimated replacement date, the service using the vehicle and the age of vehicle at the 1st of April each year. There is also a comments box for any additions and disposals for that year. The sheet is copied each year, updated to the current status (any disposals from previous year deleted from the current sheet) with the previous years being archived.

The asset register is easily maintained and is very effective.

Impact on the environment & safety of staff & the public

Vehicle Maintenance

The Council operates an in house maintenance team with workshops based at Thorpe Lane in Banbury with the emphasis on keeping vehicles legal, safe, and on the road as much as possible. The team of technicians are highly skilled in maintaining specialist vehicles with a diverse range of specialist equipment.

Besides having general maintenance skills many of the team have specialist knowledge on Dennis Eagle and Daf trucks, Johnston mechanical sweepers and Terberg bin lifting equipment. This specialist knowledge has led to less need to bring in specialist external service engineers.

Large Goods Vehicles (LGVs) must have a comprehensive safety mechanical inspection (6 weekly) which meets legal requirements for organisations that use such vehicles. Again this is completed at Thorpe Lane along with any other work.

In 2017 a maintenance facility opened at Tove depot in Towcester. Minor repairs and some inspections can now be carried out at Towcester rather than the need to bring the vehicle to the technician in Banbury

Increasingly the aim is to bring the technician to the vehicle rather than always bringing the vehicle to Thorpe Lane depot. If a new depot facility can be secured in Bicester the intention is to carry out increased maintenance in Bicester.

Breakdowns are catered for at roadside and some minor work will be carried out at the Bicester Depot. There are two fully equipped service vehicles to assist in this area.

All work is recorded and collated on a Fleet Management System (Key 2) from which reports of what costs have been spent on vehicle maintenance can be produced.

Environmental Impact

The Councils' vehicle fleet can have a big impact on the environment through exhaust emissions and carbon dioxide emissions.

The whole fleet at CDC use around 400,000 litres of fuel each year. The whole fleet at SNC use around 250,000 litres per year.

Fuel usage can be minimised by

- Designing collection routes efficiently
- Maintaining vehicles to a high standard
- Driver training
- Driver performance
- Purchasing fuel efficient vehicles
- Considering alternatively fuelled vehicles

Possible developments to reduce fuel consumption thereby saving cost, reducing carbon dioxide emissions and also reducing lower emissions of nitrogen dioxides include

Telematics – System which monitors driving performance and continually nudges the driver to drive in an economical manner with league tables of driver performance. This should produce a saving of around 8%

Night heater – Heating the cab & windows on cold mornings without having to have the main engine running. This will be for a low cost per vehicle and should save up to 4 litres/hour on winter mornings.

Moving to alternatively fuelled vehicles- Where technologically possible and financial viable moving away from diesel fuelled vehicles can be beneficial. Some car derived vans could be electric vans in the near future if the appropriate charging network is in place. Other options such as hybrid or hydrogen are also being monitored as new technologies enter the market. Moving up to 10 small car derived vans away from diesel engines could save each year more than 6000 litres of diesel, 15 tonnes of CO₂ and significant amounts of nitrogen dioxides

Health & Safety

The waste industry has a poor record for H&S. Across the country a number of fatalities or serious injuries occur. Many of these serious incidents are as a result of vehicles striking members of the public or crew members working around the vehicles. Often this is when large RCVs are reversing.

To reduce the risk camera systems, reversing warnings and procedures are used.

In addition to add H&S systems on RCVs include air conditioning to ensure the driver stays alert & comfortable to ensure high levels of concentration and awareness and cabs are low level to reduce the risk of slips, trips & falls

Present the Council in a positive & professional manner

The vehicles operated by the operational units are often the most visible sign of the Councils to members of the public.

Consequently vehicles must present the Councils in a positive and professional manner. Hence vehicles are kept clean and in a good condition. This has added benefits on ensuring the life of the vehicle is kept to a maximum and maintenance costs are kept low by crew taking ownership and responsibility for the vehicles.

The vehicles also present opportunities for promoting positive measures through panels which are on the side of the RCVs. These panels are removable and interchangeable and messages beyond recycling and environmental services can be promoted.