

Case Officer: Andrew Thompson

Applicant: Barwood Development Securities Limited and the Trustees of The Philip King Homes Trust

Proposal: Outline planning application for the development of up to 370 homes, public open space (including play areas and woodland planting), sports pitches and pavilion, drainage and engineering works, with all matters reserved (appearance, landscaping, layout and scale) except for vehicular and emergency accesses to Bicester Road.

Ward: Kidlington East

Councillors: Councillor Billington, Councillor Mawson, Councillor Middleton

Reason for Referral: Major development

Expiry Date: 31 October 2023

Committee Date: 5 October 2023

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is made up of three arable fields extending to approximately 27.75ha.
- 1.2. As set out in the planning statement supporting the application, there are no built structures on the Site, although two lines of post mounted overhead wires cross the Site's southern field, and the south-eastern corner of the central field. A public footpath (PRoW 229/4/30) runs along the eastern edge of the southern field, and a short section of the central field.
- 1.3. Of the three fields, the northern field is irregular in shape, indented to the north-west by the Kidlington Cemetery and former allotments, and indented to the east by the rear gardens of properties along Water Eaton Lane. Field boundaries comprise a mixture of established tree belts to the eastern, western and southern boundaries. The northern boundary is scrubbier and more overgrown, whilst the boundary to the cemetery / former allotments comprises a recently planted hedgerow. A field gate in the south-western corner of the field, provides farm access from Bicester Road. Post and wire fencing also lines the northern, eastern and southern field boundaries, whilst post and rail fencing lines the western field boundary and the edge of the cemetery / former allotments.
- 1.4. The central field is rectangular in shape with established tree belts to its boundaries. A field gate in the north-western corner of the field provides farm access from the adjacent fields. Post and wire fencing lines the southern, western and northern field boundaries, whilst post and rail fencing lines the eastern field boundary. Two stiles are located in the south-eastern corner of the field, allowing public footpath access across the south-eastern corner of the field.

- 1.5. The southern field is irregular in shape, and the southernmost part of the field is fenced off with post and wire fencing, with a field gate at roughly the midpoint. The field boundaries are defined by established tree belts and a combination of post & rail and post & wire fencing. A gap in the northwestern corner of the field provides farm access to the adjacent field, whilst a stile in the north-eastern and south-eastern corners allows public footpath access along the eastern edge of the field.
- 1.6. The Site is predominantly flat, with a very gradual east facing slope. There is a low point of approximately 60 m Above Ordnance Datum (“AOD”) on the eastern Site boundary and a highpoint of approximately 65 m AOD on the western boundary.
- 1.7. The Site is located on the south-eastern edge of Kidlington and Gosford, approximately 8 km north of the city of Oxford and 12 km south-west of Bicester.
- 1.8. Immediately to the north of the application site is the remainder of the ‘Land South East of Kidlington’ allocation, which comprises a single arable field. A proposal for development of this site is submitted under planning application 22/03883/F. The field is bound by tree lined field boundaries to the east and west, which separate the field from Water Eaton Lane and Bicester Road respectively. Beyond this to the north is a triangular cluster of dwellings on Beagles Close and fronting Water Eaton Lane. The built-up eastern part of Kidlington continues northwards, predominantly to the west of Bicester Road, with a small cluster of properties on the eastern edge of the road. Bicester Road continues north-east, joining the A34.

2. CONSTRAINTS

- 2.1. The application site is the southern half of the allocation of PR7a of The Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford’s Unmet Housing Needs. The total allocation comprises 32 hectares of land to the south eastern edge of the settlement of Kidlington and Gosford, north of Oxford. The site is bounded by Oxford Road (A4165) to the south west, the A34 to the east, Water Eaton Lane to the north east and Bicester Road to the west. It is generally flat and in agricultural use. The central part of the site is adjacent to a cemetery and former allotments, while residential properties are located to the north, north east and west (beyond Bicester Road). The site is located in close proximity to Oxford Parkway Station, the Park & Ride, Sainsbury’s supermarket and Stratfield Brake recreation ground. The site is accessed from Bicester Road.
- 2.2. The application site is adjacent to the existing Kidlington cemetery and contains a number of street trees.
- 2.3. Policy PR7a of the Local Plan Partial Review sets out the policy requirements for the site which include:
 - 430 net dwellings on 21 hectares of land
 - 50% affordable housing
 - An extension to Kidlington Cemetery on 0.7 hectares of land within the developable area.
 - 11 hectares of land to provide formal sports facilities for the development and for the wider community and green infrastructure within the Green Belt.
 - Provision for required emergency services infrastructure.
 - Play areas and allotments within the developable area.

- Contributions towards community facilities

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application is an outline planning application for the development of up to 370 homes, public open space (including play areas and woodland planting), sports pitches and pavilion, drainage and engineering works, with all matters reserved (appearance, landscaping, layout and scale) except for vehicular and emergency accesses to Bicester Road.
- 3.2. A Development Framework Plan sets out that there will be some 17.72 ha of Green Infrastructure within the site, which will include; land for 4.0 ha of sports pitches, and a Sports Pavilion/Clubhouse (250msq); 0.4 ha of land for allotments (plus additional land for car parking provision for the allotments); some 0.29 ha of land for children's play, including a combined Local Equipped Area of Play/Local Area of Play (LEAP/LAP) to the north, and a LEAP/Neighbourhood Equipped Area of Play/Multi-Use Games Area (LEAP/NEAP/MUGA) to the south west; SUDS features comprising of 2 drainage basins and a swale, occupying an area of some 1.1 ha.
- 3.3. The remaining area of Green Infrastructure includes a large area for green infrastructure, proposed as public open space to the south of the site, on land which remains in Green Belt, and also for the delivery of a 3m high noise bund with a 3 m high fence alongside the south-eastern boundary of the site nearest to the A34, providing screening and a noise barrier between the application site and the A34.
- 3.4. Following amendments two storey development is now proposed alongside existing properties on Water Eaton Lane and the proposed allotments have been relocated to the southern edge of the developable area.
- 3.5. The application is supported by the following:

Plans:

Site Location Plan - CSA/3263/118 Rev A
Development Framework Plan - CSA/3263/123 Rev H
Illustrative Landscape Strategy - CSA/3263/124 Rev A
Access Strategy - 10669-SK-05 Rev F
Topographical Survey - 36516_T Rev 0

Documents:

Planning Statement (incl Affordable Housing Statement and draft S106 HoT)
(Pegasus P18-2523PL – March 2022)
Employment, Skills and Training Plan (Pegasus P18-2523 – March 2022)
Health Impact Assessment (Pegasus P18-2523/R001v5)
Air Quality Assessment (Brookbanks 10669 AQ01 Rv 1)
Flood Risk Assessment (Brookbanks 10669 FRA01 Rv 1)
Foul Water Strategy Technical Note (Brookbanks 10669 TN12 - Rv2)
Geo-Environmental Phase 1 Desk Study (Brookbanks 10669 DS01 Rv 1)
Noise Assessment (Brookbanks 10669 NA01 Rv 1)
Transport Assessment (Brookbanks 10669 TA01 Rv1)
Transport Technical Note 11: Response to Oxfordshire County Council (OCC)
(Brookbanks Version 2 dated 3 August 2023)
Residential Travel Plan (Brookbanks 10669 TP01 Rv 1)
Service Supply Statement (Brookbanks 10669 SS01 Rv 1)
Design & Access Statement Part 1 (incl PROW statement) (CSA/3263/12/Rev B –
March - 2022)
Biodiversity Improvement & Landscape Management Plan (CSA/3263/10/Rev D)

Ecological Impact Assessment (incl BNG Assessment, DEFRA Metric 3.0 Rev 1.3)
(CSA/3263/09/Rev B)
Heritage Assessment (CSA/3263/07 Rev B)
Landscape and Visual Impact Assessment (CSA/3263/06 Rev A)
Arboricultural Impact Assessment (BHA C.2999 – 22 Feb 2022)
Archaeological Evaluation Report (Oxford Archaeology, Issue 1, GOLEV)
Archaeological Geophysical Survey (MOLA Report 21/079, Site Code KID 21)

4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

21/02864/SD - Screening Direction to determine whether there is a requirement for an Environmental Impact Assessment (EIA) to accompany a planning application for development at the above location. The Proposed Development comprises residential development for up to 500 residential dwellings, open space, sports facilities, an extension to Kidlington cemetery and allotments, associated vehicular access, infrastructure, engineering works and landscaping – EIA Not Required

22/03883/F - Development of 96 Dwellings (50% affordable housing), extension to Bicester Road Cemetery with associated access (from Bicester Road), open space, landscaping and infrastructure. Application under consideration.

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal however pre-application discussions occurred with representatives of the northern portion of the allocation.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper. The final date for comments was initially **20 April 2022**, although comments received after this date and before finalising this report have also been taken into account.

6.2. 5 objections have been received from local residents principally on Water Eaton Lane and Beagle Close. The comments raised by third parties are summarised as follows:

- Flooding and Surface Water Drainage
- Development of three storey development close to existing houses.
- Impact on amenity and loss of night sky
- Impact on wildlife and hedgerows
- Concerns about the ability of residents to fully understand all the detail and documentation provided
- Concerns about lack of detail on the layout, height and design of the houses proposed and the need for detail to assess the impact on neighbours.
- Impact on resources and facilities in Kidlington.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. KIDLINGTON PARISH COUNCIL: **object** –

1. Transport – need for co-ordination in the transport assessment across the PR Sites and appropriate mitigation secured.

2. Allocated sites PR7a and PR7b have the opportunity to be exemplar sustainable developments, and good neighbours. Further detail is required.

3. Kidlington Parish Council assumes that the playing pitch provision attached to the development will be designated to meet the joint needs of the four Parish Councils involved in the sites allocated to address Oxford's Unmet Housing Needs. The playing field provision occupies only 4ha of this site which was deemed inadequate by Sport England, and currently leaves a large unmet need in the Cherwell Playing Pitch Strategy. Kidlington Parish Council objects to this application as the relevant details are not provided.

- 7.3. GOSFORD AND WATER EATON PARISH COUNCIL: **Object**

1. The application should not be considered until the Development Brief has been adopted.

2. An appropriate housing mix should be secured. No details are submitted.

3. Number of dwellings – the outline plan suggests that there will be 370 dwellings in the development, this would put the overall number of dwellings on the site well over the 430 specified in the local plan, we object to any increase in the number of dwellings on the site.

4. Foul Drainage and Water Supply – until there are further details of how this vital infrastructure is to be provided, we also note that Thames Water have not been able to contact the developer to discuss the issues of water supply.

5. S106 Commitments – these outline plans do not provide any details or commitments on how the S106 requirements in the local plan are to be delivered, until this detail is provided we cannot support this outline planning application.

6. Allotments – the outline plan proposes to put the allotments within the Green Belt triangle South of the developable area. We strongly object to this. The effect of putting the allotments in this triangle will be to reduce the parkland area and the attractions of the triangle, especially if the allotments are to be fenced off.

CONSULTEES

- 7.4. OCC HIGHWAYS: No objection subject to s106 and planning conditions. The Highway Authority also request an obligation for the applicant to enter into a s278/s38 Agreement.

- 7.5. NATIONAL HIGHWAYS: No objection

- 7.6. HOUSING STRATEGY: The Outline application is supported in principle. Whilst this is an Outline planning application, the Draft Heads of Terms will need to be more detailed in terms of how the affordable housing scheme will be provided, with details of affordable housing standards, clustering, phasing, accessibility etc. If the planning application is approved, these details and more will need to be included in the Section 106. The planning applicant should consider the suggested affordable housing dwelling and tenure mix included in this consultation response. Specific consideration should be given to the provision of bungalows, accessible homes, and opportunities to provide specialist housing, self-build or self-finish housing
- 7.7. SPORT ENGLAND: We are also concerned over the shape the allocated formal sports facilities which will make it difficult to rotate pitches as and when needed to reduce maintenance costs and deal with areas of the pitches wearing out. This site has been a matter of much discussion between CDC and the playing pitch steering group. As mentioned in previous emails: 8th and 29th April 2022, we have a concern that the area of land being put forward for a football hub, is not sufficient. However, we have been informed that additional land would be made available in the future public open space. This would overcome our concern.
- 7.8. CDC LANDSCAPE: Having considered the LVIA, it is comprehensive and adheres to the national guidance and agree with its conclusions. Further detail of the layout and play spaces will need to be secured through conditions and/or s106 contributions and the future Reserved Matters.
- 7.9. CDC ECOLOGY: With regard to the above application, the ecological appraisal is generally sufficient in scope and depth. I would concur with some of the points made by BBOWT however which should be addressed at least at reserved matter stage.
- 7.10. OCC ARCHAEOLOGY: An archaeological evaluation has taken place across the site and further investigation will need to take place to fully mitigate the archaeological remains recorded. Conditions are suggested.
- 7.11. BERKSHIRE, BUCKINGHAMSHIRE AND OXFORDSHIRE WILDLIFE TRUST (BBOWT): Objection:
1. Application does not provide evidence of an adequate net gain in biodiversity
 2. Further justification required to illustrate how net gain in biodiversity will be achieved
 3. Management of hedgerows in order to achieve biodiversity net gain
 4. Careful management of public access required to achieve net gain in biodiversity
 5. Recreational Pressure on Stratfield Brake Cherwell District Wildlife Site
 6. The importance of avoiding impact on UK priority species
- 7.12. OCC EDUCATION: Seek contributions –
- Secondary School - £2,670,150 plus £ 233,023 for land
Special Education - £ 260,248
- 7.13. RECREATION AND LEISURE: Seek contributions towards Community, Sports and Recreation facilities.
- 7.14. LEAD LOCAL FLOOD AUTHORITY: No objection subject to conditions
- 7.15. MINERALS AND WASTE TEAMS: No comments subject to appropriate detail on waste management in the Construction Environmental Management Plan (CEMP).
- 7.16. THAMES WATER: Currently working with the developer of application to identify and deliver infrastructure. An appropriately worded planning condition to be attached to

any approval to ensure development doesn't outpace the delivery of essential infrastructure.

- 7.17. THAMES VALLEY POLICE: In order to safeguard future developments and their residents from crime and antisocial behaviour, I ask that crime prevention and community safety is a key consideration which is specifically addressed within forthcoming applications. I strongly encourage the applicant to consult the guidance provided by Secured By Design, and use the principles contained within the design guides to inform the design of the development, designing out crime from the outset. The principles of CPTED should be incorporated throughout the scheme. Contributions are also sought as part of the s106 contributions.
- 7.18. CDC LAND DRAINAGE: It is accepted that the site is at low risk of fluvial flooding. The risk of flooding from fluvial sources is therefore not a material consideration. It is accepted that any risk of surface water flooding on the site can be mitigated by the proposed SuDS scheme and that the site topography and development layout do not lend themselves to strict conformance with the Oxfordshire LLFA guidance which promotes SuDS in generally linear form. What is proposed represents an acceptable alternative technical solution. All attenuation features must be readily accessible for maintenance from the public realm and ideally form part of the public realm which are safe for the public to approach.
- 7.19. ENVIRONMENT AGENCY: No comment
- 7.20. STAGECOACH: Stagecoach has consistently strongly supported the identification of this site as one of the most sustainable possible opportunities to meet housing need in and around the City of Oxford. We welcome the fact that this application signals that the delivery of the allocation is moving forward to help meet acute housing need. 50% of the homes will be affordable tenures and many of these will be for social rent. However, far from substantiating in some depth the exceptional opportunities to leverage and enhance the use of sustainable modes to and from the site, the application material is exceptionally lacking in detail and substance. It fails to show how the development proposals can explicitly respond to these opportunities to secure the objectives of national policy, the County's current and emergent transport strategies, and the policies set out in the adopted Local Plan, which carry full weight and are highly material considerations in the planning balance. Where the Transport Assessment does make specific points and indicate certain infrastructure and services, too often it is inaccurate.
- 7.21. HEALTHCARE: The PCN area is already under pressure from nearby planning applications, and this application directly impacts on the ability of the Gosford Hill Medical Centre practice in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services. The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming. A contribution of £319,680 is sought.
- 7.22. OCC LIBRARY SERVICES: This site is served by Kidlington Library but it is unable to accommodate such expansion. This development will nevertheless place increased pressure on the local library. Instead, to ensure Kidlington Library is able to provide for planned growth north of Oxford this library can be reconfigured with associated refurbishment to expand capacity within the existing footprint. The reconfiguration of the existing layout will be designed to make more efficient use of space by increasing shelving capacity; provide moveable shelving to allow for events and activities and, provide additional study space. The cost of reconfiguring and refitting Kidlington Library is calculated at £327,000 (BCIS TPI 349). Based on the Local Plan allocation,

this site represents 8.4% of the 'PR' sites (4,400). A proportionate contribution of £27,468 is therefore required. A contribution towards library stock will also be required based on 1.5 items per resident at a cost of £9.12 per item (RPIx Dec 2022). The expected population forecast for this development is 894 people. The contribution towards library stock is therefore £12,230.

- 7.23. ACTIVE TRAVEL ENGLAND: The development site is located circa 2km from the centre of Kidlington and with Oxford located circa 8km to the south. The site comprises three arable fields extending to approximately 27.75ha. There will be some 17.72 ha of Green Infrastructure within the site. The masterplan proposes permeability throughout the site, with a proposed shared footway and cycleway along the primary street link. Active Travel England considers there would be significant merit to segregating the footway/cycleway to reduce potential conflict between pedestrians and cyclists. ATE notes that the pedestrian and cycle movements would be catered for through on and off-carriageway provision. However, the segregation provided to walkers, wheelers and cyclists is not clear. Bicester Road is currently limited to a single shared footway/cycleway on its western side. It requires users to cross the carriageway whether they are travelling north into Kidlington or South into Oxford. It is noted from the Transport Assessment that crossing points are to be provided across Bicester Road to access the existing footway/cycleway, and the location of a crossing is shown on drawing 10669-SK-05 included in the Transport Assessment, but the type of crossing is not specified. This design requires further consideration in accordance with LTN1/20. Concerns are raised about the suitability of the Oxford Road / Bicester Road roundabout, particularly for cyclists' use. It is therefore recommended that improved segregation be provided to ensure safety across the roundabout, including suitable crossings for all users in line with LTN 1/20. It is crucial that these matters are addressed to achieve sustainable development through the provision of attractive, safe and direct routes for non-motorised users - a commitment that is pledged within the Planning Statement at paragraph 2.10. *[Officer Note - A response has been provided on 19 August 2023 and Active Travel England have been reconsulted – a formal response is awaited]*

7.24. ENVIRONMENTAL PROTECTION:

Land Contamination The methodology and findings in the Geo-Environmental Phase 1 Desk Study referenced 10669 DS01 Rv1 are accepted. Conditions are suggested.

Air Quality: The methodology of the Air Quality assessment referenced 10669 AQ01 are accepted. However, we would still expect to see Damage Cost Calculations to be included as part of the assessment along with appropriate off-setting measures based on the outcome of the assessment. 2 Dust mitigation measures during the construction phase as outlined in table 6-1 can be conditioned as part of an approved Construction Environmental Management Plan The provision of EV charging points will be a requirement under Part S of the Building Regulations so no longer needs to be conditioned.

Noise: The Noise Assessment referenced 10669NA01 identified traffic noise from the A34 as the dominant noise source and has only considered the impact of this on the proposed development site. The impact of noise from the railway line and also the Hanson aggregate handling facility on the other side of the A34 also needs to be assessed. The assessment of the aggregate handling facility will need to be in accordance with BS4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

Construction Phase: Noise and dust mitigation during the construction phase can be dealt with through an approved Environmental Management Plan (CEMP).

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Council also adopted the Partial Review to account for Oxford's Unmet Housing Need in September 2020. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 (PART1) PARTIAL REVIEW - OXFORD'S UNMET HOUSING NEED

- PR1: Achieving Sustainable Development for Oxford's Needs
- PR2: Housing Mix, Tenure and Size
- PR3: The Oxford Green Belt
- PR4a: Sustainable Transport
- PR4b: Kidlington Centre
- PR5: Green Infrastructure
- PR7a - Land South East of Kidlington
- PR11 - Infrastructure Delivery
- PR12a - Delivering Sites and Maintaining Housing Supply

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1: Presumption in Favour of Sustainable Development
- SLE2: Securing Dynamic Town Centres
- SLE4: Improved Transport and Connections
- BSC2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
- BSC7: Meeting Education Needs
- BSC8: Securing Health and Well-Being
- BSC9: Public Services and Utilities
- BSC10: Open Space, Outdoor Sport and Recreation Provision
- BSC11: Local Standards of Provision - Outdoor Recreation
- BSC12: Indoor Sport, Recreation and Community Facilities
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems (SuDS)
- ESD8: Water Resources
- ESD9: Protection of the Oxford Meadows SAC
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD11: Conservation Target Areas
- ESD13: Local Landscape Protection and Enhancement
- ESD14: Oxford Green Belt
- ESD15: The Character of the Built and Historic Environment
- ESD17: Green Infrastructure
- Kidlington 2: Strengthening Kidlington Village Centre

- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- GB2 – Outdoor Recreation in the Green Belt
- TR1 - Transportation funding
- TR7 - Development attracting traffic on minor roads
- TR8 - Commercial facilities for the motorist
- TR10 - Heavy Goods vehicles
- TR22 - Reservation of land for road schemes in the countryside
- C5 - Protection of ecological value and rural character of specified features of value in the District
- C15 – Prevention of coalescence of settlements
- C28 – Layout, design and external appearance of new development
- C30 – Design control
- C32 – Provision of facilities for disabled people
- ENV1 – Development likely to cause detrimental levels of pollution
- ENV2 – Redevelopment of sites causing serious detriment to local amenity

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Code
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)
- Kidlington Masterplan SPD
- PR7a Development Brief
- Cherwell Design Guide SPD
- CDC Developer Contributions SPD

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, Outline Parameters and the Development Brief
- Highways, Access and Transport Matters
- Heritage considerations
- Ecology considerations
- Landscaping considerations
- Mitigation to Climate Change
- Flooding and Drainage
- S106 contributions

Principle of Development

9.2. The application site is part of an allocated site under the Local Plan Partial Review related to Oxford’s Housing Need (Policy PR7a). The allocation identified the land for 430 houses of the 4,400 housing across the Partial Review sites. The allocation forms part of the strategy to provide new development that meets Oxford’s agreed, identified housing needs, supports the city’s world-class economy, universities and its local

employment base, and ensures that people have convenient, affordable and sustainable travel opportunities to the city's places of work, study and recreation, and to its services and facilities. This development will be provided so that it:

- i. creates balanced and sustainable communities
- ii. is well connected to Oxford
- iii. is of exemplar design which responds distinctively and sensitively to the local built, historic and environmental context
- iv. is supported by necessary infrastructure
- v. provides for a range of household types and incomes reflecting Oxford's diverse needs
- vi. contributes to improving health and well-being, and
- vii. seeks to conserve and enhance the natural environment

9.3. The allocation identifies that the proposals should deliver:

1. Construction of 430 dwellings (net) on 21 hectares of land (the residential area as shown).
2. The provision of 50% of the homes as affordable housing as defined by the National Planning Policy Framework.
3. The provision of 0.7 hectares of land within the developable area for an extension to Kidlington Cemetery.
4. The provision of 11 hectares of land to provide formal sports facilities for the development and for the wider community and green infrastructure within the Green Belt.
5. Provision for required emergency services infrastructure.
6. The provision of facilities for play areas and allotments to adopted standards within the developable area.
7. Contributions to the provision of community facilities in accordance with the Council's adopted standards.

9.4. The allocation has been submitted in two parts with two developers. This application considers the southern half of the development with the northern section being considered under 22/03883/F. The northern application includes the cemetery extension whilst this application includes the provision of the formal sports facilities.

9.5. The Council can demonstrate a five-year housing land supply when considering its own housing position. Due to the specific nature of the proposals in relation to an allocation in terms of Oxford's Unmet Housing Need, the Council calculates this provision separately. Whilst approximately 4,400 homes are allocated as part of the Local Plan Partial Review, none of these sites have yet progressed to full permission or are on site. As such, the Council's position in relation to Oxford's Unmet Housing Need is that the Council cannot demonstrate a five year housing land supply and therefore the delivery of permissions for housing on the allocations are additional positive weight with permission being progressed and any adverse impacts of doing so would have to significantly and demonstrably outweigh the benefits.

9.6. The Council has also agreed a Development Brief for the allocation which seeks to guide development principles and detail and establish design quality through four character areas. These four character areas are the Bicester Road frontage, a main street character, green edges character and a character to the sports and parkland area.

9.7. The comments of the Gosford and Water Eaton Parish Council are noted, however the development is proportionally the anticipated number of dwellings (which would be approximately 360-365) as set out in the proposed allocation.

9.8. The southern part of the site remains in the Green Belt and the development of sports pitches, a pavilion and proposed public open space are proposed within this land.

Policy ESD14 of the Cherwell Local Plan Part 1 refers to the Oxford Green Belt and advises that 'development proposals within the Green Belt will be assessed in accordance with Government Guidance contained in the NPPF and NPPG. The NPPF sets out that the change of use of land for outdoor sport and recreation is considered to be appropriate development in principle so long as it would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. This applies in this case. The construction of new buildings within the Green Belt should be regarded as inappropriate development but there are some exceptions. One such exception is *'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'*. The provision of a 250sqm pavilion to support the use of the land for pitches (which would be required to provide changing facilities) is considered to comply with Green Belt policy and therefore represent appropriate development in this context. This proposal follows the Development Brief for the PR7a site and the requirements of point 4. of the key delivery requirements of Policy PR7a.

- 9.9. Overall, the proposals follow broadly the principles of the allocation and the Development Brief and there is no issue with the subdivision of the site in the manner proposed as it will enable a comprehensive development to be achieved. The approach to the allocation and delivery of housing in this location is considered to be acceptable. There is no overriding reason as to why the principles established by the allocation of PR7a cannot be delivered.

Design, Outline Parameters and the Development Brief

- 9.10. The application is supported by a Development Framework Masterplan and Landscape Strategy. A number of commentators and responses, including Parish Councils have indicated the desire for further detail on elements such as the layout, housing mix and how the development will meet the wider objectives in terms of detail.
- 9.11. The proposals are however in outline and there would be a need for further Reserved Matters detail on matters such as scale, appearance, landscaping and the eventual layout. The Development Framework however sets out broad parameters of how the applicant seeks to address matters such as the Development Brief and Development Plan policies.
- 9.12. The policy sets out that the proposals should provide the following:
- Opportunity to create an integrated extension to Kidlington that provides an appropriate edge to the village and maximises walking and cycling links and provides well connected green infrastructure.
 - Layout to enable a high degree of integration and connectivity between the proposed development and the existing, particularly to Kidlington where local amenities are accessed including Stratfield Brake Sports Ground.
 - Opportunity to create a distinctive neighbourhood but at the same time respond appropriately to the landscape, settlement patterns, building typologies and traditional materials of the local area (See Cherwell Design Guide section 2.3).
 - Development should be sensitive to the historic development pattern of Water Eaton Lane.
 - Opportunity to create frontage to proposed public open space and sports facilities.

- Design to consider appropriate building heights and character relating to the existing residential character of the surrounding area
 - Opportunity to provide an enhanced area of woodland along the south-eastern boundary of the site and establish a new area of woodland planting to screen the site from highways/rail infrastructure.
 - Opportunity to protect, restore or enhance existing hedgerows and trees.
 - Opportunity to protect and enhance the existing wildlife corridors and provide a connected corridor of green infrastructure across the site, joining with Stratfield Brake District Wildlife Site, NERC Act S41 Habitat and PR7b.
 - Opportunity to retain existing ponds and ditches within the landscape design of the site as part of the Sustainable Drainage System.
 - Opportunities to retain and enhance existing habitats and achieve a net gain in biodiversity through the creation of new/improved habitats.
- 9.13. The proposals include areas of informal play and recreation and has been amended to include the allotments within the developable area. Further the scheme has also been amended to reduce the height of properties to two storey alongside those of the existing properties on Water Eaton Lane which are of a mix of styles and scale. These amendments were provided in response to concerns raised by local residents and to provide comfort that the scale of the development will be designed appropriately to respect their amenity.
- 9.14. Allotments, as a form of outdoor recreation, are appropriate development in the Green Belt as defined at Paragraph 149(b) of the NPPF however the revised proposed position would not encroach into the retained Green Belt area.
- 9.15. The position of the allotments would be in accordance with the requirements of the policy in including this facility within the developable area. Whilst the comments of Gosford and Water Eaton Parish Council are noted, positioning the allotments in the location shown extends the greenery and green space associated with the southern portion of the site, the location of the allotments are therefore considered to be appropriate.
- 9.16. Whilst being submitted prior to the formal agreement of the Development Brief, which was approved by Planning Committee in June 2022, the Brief is guidance to support the principles of the allocation and policy requirements. The Brief is a requirement of each of the Partial Review Policies including PR7a and is a material consideration in the determination of the proposals for this site. Applications should have regard to the Brief as guidance, but appropriate variations can be agreed through the application consideration of the application. The proposals have been developed alongside the document and as guidance to support the policy and are in accordance with the aims and objectives of the guidance taking account of illustrative material contained within the Brief.
- 9.17. As such, notwithstanding the comments of Gosford and Water Eaton Parish Council, the proposals are in accordance with policy and would echo the principles of Development Brief whilst further detail will need to be secured through Reserved Matters, the proposed Development Framework Plan and the Illustrative Landscape Strategy submitted by the applicant are capable of achieving an appropriate design and layout subject to appropriate conditions.

- 9.18. As such, taking on board the amendments secured, the proposals would achieve an appropriate basis for the Reserved Matters submission. The proposals would be in accordance with Policies ESD15 of the CLP 2031 Part 1, associated guidance in the Development Brief and the aims and objectives of the National Planning Policy Framework.

Highways, Access and Transport Matters

- 9.19. NPPF paragraph 113 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. The Transport Decarbonisation Plan and DfT Circular 01/2022 also set out that we need to move away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (sometimes referred to as 'vision and validate').

- 9.20. The National Design Guide states:

75. Patterns of movement for people are integral to well-designed places. They include walking and cycling, access to facilities, employment and servicing, parking and the convenience of public transport. They contribute to making high quality places for people to enjoy. They also form a crucial component of urban character. Their success is measured by how they contribute to the quality and character of the place, not only how well they function.

76. Successful development depends upon a movement network that makes connections to destinations, places and communities, both within the site and beyond its boundaries.

- 9.21. NPPF paragraph 105 also prescribes that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

- 9.22. Policy PR4a of the Partial Review, Policies ESD13, ESD15 and SLE4 of CLP 2031 Part 1) and saved policy C30 of the CLP 1996 echo the principles of active travel.

- 9.23. The application is supported by a Transport Assessment and since adoption of the Partial Review Local Plan the developers of the PR Sites and their Transport Consultants have been working with the County Council to ensure that the impact and mitigation of the PR sites are delivered in a consistent and coordinated manner. That work is now complete. Further Technical Notes have also been submitted in relation to highways matters to address concerns raised.

- 9.24. Through the submitted tracking drawings it was identified that the access geometry could not safely accommodate large vehicles without infringing into oncoming traffic particularly for the right turning lane. While the width of the access road has been increased to about 6m wide for the first 10metres, this has not improved the prevailing concern of affected incoming vehicles rather than the left turning vehicles. The tracking exercise on the revised junction still presents the same conflict between right turning arrivals and left turning exiting traffic.

- 9.25. This conflict may be overcome by shifting the centre line of the access carriageway to provide a wider turning angle/ envelope for the left turning stream than the arrival lane as illustrated above although a narrow access could also slow traffic into and out of the site. The submission now includes a stage 1 Road Safety Audit.

- 9.26. The current submission further illustrates how the Greenway and the PRoW are likely to tie into the shared pedestrian/ cycle infrastructure along Oxford Road. The detail of this linkage and proposed infrastructure along Oxford Road will need to be agreed to as part of the Reserved Matters submission. It was requested that provisions consistent with what PR6a and PR6b are proposing along the corridor south of the A34 bridge which may require some land to be dedicated along the development's frontage. The Technical Note (TN) acknowledges that this shall be addressed with the s106.
- 9.27. The TN further shows a willingness to provide an additional four/three bay bus stop along Bicester Road albeit the details shall be laid out/agreed to as part of the s106 agreement. The application has also provided an update to the North Oxford VISSIM model for all PR sites to use in their assessments of the impact of development generated traffic on the wider network which concludes the impact of the development and mitigation necessary is acceptable..
- 9.28. The predicted demand for the sports pitches has also been assessed. Assumptions that a portion of these trips would be generated from the local area is accepted and the residual demand apportioned from the wider network is meagre.
- 9.29. The comments of Active Travel England have been given careful consideration and the applicant has provided a further technical note, to which Active Travel England have been invited to comment but it is considered that a suitable reserved matters submission can deliver the aims and objectives of the guidance and legislation (e.g. LTN1/20 in relation to cycle infrastructure) and together with appropriate s106 contributions to ensure that the proposal delivers appropriate sustainable travel networks.
- 9.30. A condition is proposed in relation to the proposed access to ensure details are submitted appropriately at an appropriate timescale. The requirement for an obligation to enter into highway legislation is not necessary in planning terms and as required by planning legislation and national guidance it should be assumed other legislative processes function correctly.
- 9.31. Overall subject to appropriate s106 and conditions the proposals have appropriately assessed the highway impacts of the development and whilst comments received from the Parish Council have been carefully considered, the proposals have been found to be acceptable and in accordance with national policy and the Development Plan.

Heritage Impact

- 9.32. The site is located within an area of known archaeological potential with prehistoric and Roman finds. There is moderate potential for agricultural postmedieval archaeology. There are ridge and furrow earthworks between Kidlington Cemetery and former allotments. The site is separated from Kidlington Conservation Area and the nearest listed buildings by modern development. However, older properties on Water Eaton Lane could be non-designated heritage assets.
- 9.33. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 9.34. Likewise Section 66 of the same Act states that: *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the*

building or its setting or any features of special architectural or historic interest which it possesses. Therefore significant weight must be given to these matters in the assessment of this planning application.

- 9.35. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 199 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).* This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 9.36. Due to the intervening distance and buildings there would be no impact on designated heritage assets. The impact on non-designated assets archaeology is the key asset to be considered. It is noted that securing a programme of archaeological works including targeted excavation via an appropriately worded planning condition would mitigate any harm arising from the development. On considering the properties on Water Eaton Lane in terms of their age, architectural style and historic significance it is not considered that the proposals would result in limited and less than substantial harm to non-designated heritage assets.

Ecology Impact

- 9.37. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments.
- 9.38. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).
- 9.39. Paragraph 174 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.40. Paragraph 179 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.41. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.

9.42. Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.

9.43. The application sets out the following biodiversity mitigation and enhancement measures have been built into the development scheme:

- Increased native tree and scrub planting throughout the development.
- Woodland planting to improve green infrastructure corridors with Stratfield Brake nature reserve to the south-west.
- Provision of native and wildlife-friendly plant varieties within the soft landscaping strategy (full detail to be prepared at a later date).
- Infill planting and improved management of existing hedgerows.
- Provision and maintenance of log piles for invertebrates and other wildlife.
- Provision of inter-connectivity between gardens for hedgehog and other wildlife by creating 'hedgehog highways' (c. 12cm x 12cm gap) in all boundary fences.

9.44. The proposals will also include the provision of bird and bat boxes within the Site, to comprise:

- 30 in-built bat boxes within new buildings (Schwegler 1FR bat tube, Habibat box, Vivara Pro bat tube, or similar).
- 10 bat boxes on mature trees (of a durable, long-lasting material such as Schwegler 2FN, Schwegler 1FF or Vivaro Pro Woodstone Box).
- 30 in-built bird boxes within new buildings to include at least 10 boxes suitable for swift, 10 boxes suitable for house martins and 10 boxes suitable for house sparrow.
- 5 bird boxes on trees to suit starling and other hole-nesting species (e.g. Schwegler 3S and 1B bird boxes).

9.45. Full detail of the 'hedgehog highways' and bird and bat box locations will be provided within an updated report at the Reserved Matters stage, once the detailed layout is known, as the housing layout, design and materials will affect and influence the optimum location for bird and bat boxes.

9.46. The comments and concerns of neighbouring residents and the Parish Councils are noted however the above form the basis of the minimum enhancement which would include approximately a 10.33% biodiversity net gain (1.6% on habitats and 8.73% on hedgerows) on the existing situation. Further detail and increased enhancement may be possible through the negotiation of the Reserved Matters (e.g. through increased bird and bat boxes).

9.47. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected

species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Landscaping considerations

- 9.48. The NPPF recognises the importance of green space and street trees and landscaping in the delivery of high quality design.
- 9.49. Policy ESD 13 sets out that opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows. Landscape quality also forms an important part of design quality under Policy ESD15 of the CLP 2015.
- 9.50. The application is supported by a Landscape and Visual Assessment and the development framework and submitted illustrative plans sets out a number of aspects including space around the existing cemetery, to the northern boundary and to the existing housing on Water Eaton Lane.
- 9.51. The comments of consultees and objectors have been given careful consideration. As set out above the proposals include a number of natural and biodiversity enhancements which should be noted.
- 9.52. In relation to the existing cemetery, the environment is formed by low level landscaping (e.g. hedges). The relationship and surrounding environment will undoubtedly change as a result of the development.
- 9.53. Whilst there would be some overlooking of the cemetery however this would not in itself be inappropriate, providing security and passive surveillance against anti-social behaviour are considered. Appropriate treatment to the cemetery is therefore a detailed matter however large buffers such as those suggested by landscape officers would not deliver the aims and objectives of the allocation or the Development Brief.
- 9.54. As set out above, the Development Framework Plan sets out that there will be some 17.72 ha of Green Infrastructure within the site, which will include; land for 4.0 ha of sports pitches, and a Sports Pavilion/Clubhouse (250msq); 0.4 ha of land for allotments (plus additional land for car parking provision for the allotments); some 0.29 ha of land for children's play, including a combined Local Equipped Area of Play/Local Area of Play (LEAP/LAP) to the north, and a LEAP/Neighbourhood Equipped Area of Play/Multi-Use Games Area (LEAP/NEAP/MUGA) to the south west; SUDS features comprising of 2 drainage basins and a swale, occupying an area of some 1.1 ha.
- 9.55. Whilst illustrative, with layout and landscaping being Reserved Matters, the proposals form the basis of consideration for compliance with the requirements of Policy PR5 of the Partial Review and Policy BSC11 of the CLP 2015 in terms of providing appropriate open space, play provision and allotments within the developable area and formal sports and open space provision that would ensure the permanence of the Green Belt to the south of the site.
- 9.56. Appropriate separation with two storey housing to existing properties and retention of existing trees and planting to the northern boundary is proposed. Further the inclusion of sports pitches, open space and allotments (within the developable area) give a strong landscape setting to the southern part of the application site.

9.57. As such, subject to an appropriate detailed submission at Reserved Matters stage, the proposals would be in accordance with the requirements of the allocation under Policies PR5 and 7a of the CLP Partial Review, Policies BSC11 and ESD13 of the CLP 2015 and the aims and objectives of the National Planning Policy Framework.

Mitigation to Climate Change

9.58. Section 14 of the NPPF covers the issue of meeting the challenge of climate change, flooding and coastal change. Policies ESD1-5 of the CLP 2015 address this matter.

9.59. Policy ESD1 of the CLP 2015 deals with the issue of Mitigating and Adapting to climate change and includes criteria under which applications for new development will be considered, such as the requirement that development will incorporate suitable adaption measures to ensure that development is more resilient to climate change impacts by proposing sustainable drainage methods and increased green infrastructure provision.

9.60. Policy ESD2 considers Energy Hierarchy and Allowable Solutions and seeks to achieve carbon emissions reductions where the council will promote an 'energy hierarchy' as follows: *reducing energy use, in particular by the use of sustainable design and construction measures; supplying energy efficiently and giving priority to decentralised energy supply; making use of renewable energy and making use of allowable solutions*. Any new development will be expected to consider these and address the energy needs of the development.

9.61. Policy ESD3 considers Sustainable Construction and states that '*all new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with government policy*'. Cherwell is also in an area of water stress and therefore requires all new development to achieve a limit of 110 litres/person/day.

9.62. Policy ESD4 considers the use of decentralised energy systems and requires a feasibility assessment to be submitted with a relevant application which includes developments of 100 dwellings or more.

9.63. Policy ESD5 considers renewable energy and requires that all residential developments of 100 dwellings or more are accompanied by a feasibility assessment of the potential for significant on-site renewable energy provision, above that required to meet national building standards.

9.64. Through the submission, the applicant acknowledges that the detailed submission and development will be built in the context of the 2025 Future Homes Standard and will include matters such as solar panels, fabric first construction measures, be gas free and to include matters such as electric vehicle charging points. The precise design detail will also seek to maximise solar orientation, reduce water consumption and manage drainage with climate change enhancement included in the design.

9.65. The landscape will also include areas of shading, promote walking and cycling and sustainable modes of transport and include play and recreation facilities on the site to reduce the need to travel.

9.66. Overall the proposals would be in accordance with Section 14 of the NPPF and Policy PR7a of the CLP Partial Review, Policies ESD1-5 of the CLP 2015, the aims and objectives of mitigating the impact of climate change.

Noise, Air Quality and Ground Conditions

- 9.67. The NPPF sets out at Paragraph 183 that decisions should ensure that:
- a. a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
 - b. after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
 - c. adequate site investigation information, prepared by a competent person, is available to inform these assessments.
- 9.68. Paragraph 185 of the NPPF states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Saved Policies ENV1 and ENV12 of the CLP 1996 echoes these principles.
- 9.69. The application is supported by a Geo-environmental assessment to support the assessment of ground conditions, a Noise Assessment and Air Quality Assessment to ensure that the development achieves an appropriate standard of residential environment. The comments of the Council's Environmental Protection Officers are noted. The concerns about noise and disturbance from construction from local residents are also noted.
- 9.70. In respect of contamination and ground conditions, the proposals submitted demonstrates the risk from contamination is insignificant providing all recommendations in the report are followed. There is therefore no reason to suggest that the application site could not come forward.
- 9.71. In respect of noise and as stated above, the layout will need to ensure that there is an appropriate buffer in relation to the eventual layout if approved through an appropriate reserved matters submission and that landscaping to the boundary with residential properties is appropriate. Further the Construction Environment Management Plan (CEMP), should be conditioned. Whilst it would be inevitable that there would be some level of disturbance to the neighbouring residents, the CEMP should aim to manage the construction activities to minimise the level of disturbance through working hours management and reducing the need for piling, for example.
- 9.72. In respect of air quality, the relationship between the application proposals and Bicester Road would be important in ensuring that the residential environment created should also be appropriate.
- 9.73. The development should, through being a no-gas development, providing electric vehicle charging points, promoting renewable energy are important considerations. Management of the construction process through dust suppression, for example would also be important through the CEMP, detail through Reserved Matters submissions will also be important to ensure that the detail of the Noise Assessment and Air Quality Assessment are taken forward.

Conclusion

- 9.74. Overall, taking into account the comments and responses received, the application would not raise any significant issues in relation to contamination and matters such as air quality and noise impacts could be managed through an appropriate reserved matters submission and conditions including the CEMP.

Flood Risk and Drainage

- 9.75. Section 14 of the NPPF considers the issue of meeting the challenge of climate change, flooding and coastal change. Paragraph 167 states that when determining any applications, local planning authorities should ensure that '*flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment*'.
- 9.76. Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk and resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding.
- 9.77. Policy ESD7 of the CLP 2015, relates to sustainable drainage systems and advises that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off. Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as Lead Local Flood Authority (LLFA). Proposals must also include an agreement on the future management, maintenance and replacement of the SuDS features.
- 9.78. The application is supported by a Flood Risk and Drainage Strategy and a further technical note on Foul Water Drainage discussions with Thames Water has been provided during the course of the application. The comments of the LLFA, Thames Water and CDC Drainage Officers and the concerns of residents and Gosford and Water Eaton Parish Council are noted.
- 9.79. The application site is located in Flood Zone 1 (low probability) and as such, the development itself is at a low (less than 1 in 1000 year) risk of flooding from rivers or the sea but is more than 1 hectare in size and therefore a detailed Flood Risk Assessment is required. The application was therefore accompanied by a Flood Risk Assessment accordingly.
- 9.80. The submitted flood risk assessment also demonstrates how the effects of climate change on flood risk within the site can be mitigated to the one in 100 year + climate change level with the use of a Sustainable Urban Drainage System. The SuDS incorporated into the proposal will consist of 2 attenuation basins located on the eastern boundary, and a swale feature.
- 9.81. Surface water flooding is a description for excessive overland flows that have yet to enter a natural or manmade receptor (e.g. aquifer, watercourse or sewer). Surface water flooding also occurs when the amount of runoff exceeds the capacity of the collecting system and spills onto overland flow routes.
- 9.82. Surface water flooding is usually the result of very intense, short lived rainfall events, but can also occur during milder, longer lived rainfall events, when collecting systems

are at capacity or the ground is saturated. It often results in the inundation of low points in the terrain.

- 9.83. In accordance with the EA's Long Term Flood Risk Information, the development site is mostly at very low (< 0.1% AEP) risk of surface water flooding. However, a small area in the east is shown to have a medium to high risk from surface water flooding.
- 9.84. Development is not proposed within areas where the risk of surface water flooding and the proposals include significant areas of sustainable drainage potential. The eventual detail of sustainable drainage, including their ecological enhancement, would be required through the reserved matters details.
- 9.85. There is a comment raised by Thames Water as to the capacity of the water network to deliver water at an appropriate pressure. However, discussions with Thames Water have indicated that supply issues could be provided within a reasonable timescale but it is not clear what infrastructure is needed. Thames Water has suggested a condition requiring no occupation prior to the implementation of as yet undefined infrastructure. The applicant through the course of the pre-application process and application process has engaged with Thames Water, as outlined in supporting technical note on Foul Water Strategy.
- 9.86. Officers consider that notwithstanding the comments of Gosford and Water Eaton Parish Council it is considered that appropriate drainage infrastructure will be provided.

Conclusion

- 9.87. The comments and concerns of local residents have been carefully considered and the comments of CDC Land Drainage and the LLFA have been carefully considered. Considering the application site is located in Flood Zone 1 and the applicant's Flood Risk Assessment and Foul Water Drainage Strategy, the proposals are considered to be acceptable and in accordance with Development Plan policy and national planning policy guidance subject to conditions and appropriate Reserved Matters submissions.

S106 Contributions

- 9.88. Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Paragraph 56 continues by stating that planning obligations must only be sought where they meet all of the following tests:
- a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related in scale and kind to the development.
- 9.89. Policy INF1 of the CLP 2015 covers the issue of Infrastructure. This Policy states, amongst other things, that the Council's approach to infrastructure planning in the District will identify the infrastructure required to meet the District's growth, to support the strategic site allocations and to ensure delivery by development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities. Other policies of the Development Plan including Policies SLE4, BSC7, BSC8, BSC9, BSC10, BSC11, BSC12, ESD6 and ESD13 which set out the levels and infrastructure expected from development.

- 9.90. Policy PR2 and PR7a of the CLP Partial Review states, amongst other things that at Kidlington and elsewhere, all proposed developments will be expected to provide at least 50% of new housing as affordable homes on site. The Policy continues by states that the proposals will need to have regard to Oxford's Housing Needs and assessment and the definitions contained therein to achieve an appropriate mix best placed to meet Oxford's Unmet Housing Need. As an outline application therefore conditions are proposed to secure an appropriate mix through detailed submissions.
- 9.91. The Council also has a Developer Contributions SPD in place which was adopted in February 2018. 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 into consideration when identifying infrastructure requirements.
- 9.92. Due to the level of development on the site the issue of affordable housing should be taken into account. Paragraph 65 of the NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. This application is for 370 residential units on the site which would represent a major application in terms of definition and therefore will need to take account of this and national initiatives such as First Homes.
- 9.93. The policy requirement is for 50% affordable housing as set out in Policy PR2 which would equate to up to 185 units.
- 9.94. In addition, it is also considered that the development should contribute towards community hall facilities, indoor and outdoor sports provision, highway infrastructure improvements contributions necessary for the development as outlined by the comments of the consultees. The County Council have also requested a contribution towards public transport services, as well as entering into a S278 agreement.

On Site Infrastructure and Enhancement to Open Space and Sport

- 9.95. The key on-site infrastructure includes the following which will be secured under planning conditions and s106s:
- Sports pitches, changing facilities and car parking . The sports pavilion are also likely to provide for community hall facilities as part of the overall s106 package in lieu of the contribution.
 - Landscaping, planting and recreational routes to the south of the site
 - Allotments
 - Play Facilities (being combined LAPs, LEAPs, NEAPs, MUGA as shown on the development framework plan)
 - Affordable Housing (50%)
 - Access improvements as part of the access to Bicester Road and new pedestrian and cycle access points
- 9.96. To manage and deliver the play facilities, sports pitches and allotments alongside other landscaping features appropriate contributions and mechanisms would be required which are subject to negotiation and drafting within the s106.

Offsite S106 Contributions

9.97. The contributions sought include the following (with appropriate indexation to be applied):

- Secondary Education - £2,670,150 plus £233,023 for land cost
- Special Education - £260,248
- Healthcare - £319,680
- Police - £52,607.40
- Off-site transport works – £932,585 plus proportionate contributions towards Airport Travel Hub and Cycle superhighway in accordance with Appendix 4 of the Local Plan
- Public Transport - £418,470 towards services plus £35,616 towards bus stops
- Travel Plan Monitoring - £1,446
- Public Rights of Way - £55,000
- Public Art and Public Realm - £82,880 figure includes management and maintenance
- Community Hall Facilities - £423,032.08 - this contribution may be delivered on site as part of changing room/sports pavilion facilities provision in accordance with Paragraph 6.5.2 of the Development Brief.
- Outdoor Sports Provision – On site
- Indoor Sports Provision - £308,930.32
- Community Development Worker - £33,877.36
- Community Development Fund - £16,650
- Library - £39,698
- Household Waste and Recycling - £34,765
- Open Space Maintenance

9.98. The significant level of contributions in excess of £5.6m plus significant on site facilities are being delivered as part of the proposals on site. The drafting of the s106 will ensure that appropriate detail is delivered for the management and delivery of contributions and on site facilities. It should be noted that the development on the other half of the allocation (reference: 22/03883/F) will need to make proportionate contributions towards on-site facilities and the overall open space management.

9.99. Further detail is set out in the appendix to this report.

EIA Regulations

9.100. The applicant and neighbouring developer applied to the Secretary of State for a Screening Direction (reference 21/02864/SD) for the allocated site and up to 500 dwellings. The Secretary of State determined that for the purposes of the EIA Regulations and that the proposal is not EIA Development.

10. PLANNING BALANCE AND CONCLUSION

10.1. In reaching an informed decision on planning applications there is a need for the Local Planning Authority to undertake a balancing exercise to examine whether the adverse impacts of a development would be outweighed by the benefits such that, notwithstanding the harm, it could be considered sustainable development within the meaning given in the NPPF. In carrying out the balancing exercise it is, therefore, necessary to take into account policies in the development plan as well as those in the NPPF. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined against the provisions of the development plan unless material considerations indicate otherwise. The NPPF supports this position and adds that proposals that accord with an up-to-date development plan should be approved and those which do not should normally be refused unless outweighed by other material considerations.

Positive benefits - Economic

- 10.2. The proposals would contribute to the Council's Housing Supply in the short term due to the size and duration of the project and as part of the Development Plan would support the delivery of the Development Plan and growth strategy. The proposals would create construction jobs and also support the local public house/restaurant nearby and shopping facilities and employment in Kidlington. This is afforded very significant weight taking into account the scale of the proposed development.

Positive benefits - Social

- 10.3. The proposals would create the opportunity for affordable housing provision to meet Oxford's Unmet Housing Need. This attracts significant positive weight. The benefits of new recreational routes, play provision, sports pitches including improvements to Stratfield Break and new allotments should also be afforded significant positive weight. Other s106 contributions should also be afforded significant positive weight.

Positive benefits - Environmental

- 10.4. Environmentally the proposals would offer a modern development that would accord with building regulations and include potential renewable energy. The proposals would also secure biodiversity net gain.
- 10.5. Other green space and sustainable drainage networks would also be given moderate weight as they are required to make the development acceptable and are not significantly above the expected policy levels.

Negative Impacts – Economic

- 10.6. There are no identified negative economic impacts that are identified.

10.7. Negative Impacts – Social

- 10.8. The proposals would have a negative impact on the amenity to neighbouring residents particularly during the construction of development. This would be a limited negative consideration on the social well-being of residents as it is a matter which could be managed through appropriate mitigation and management of the construction process. The impact of the proposals on the use of the cemetery have also been considered.

Negative Impacts – Environmental

- 10.9. During the construction of development there would be disturbance and impacts arising from the implementation of the development this would be a moderate negative consideration on the local environment. The concerns of landscape officers have been noted.
- 10.10. The proposals would also have a negative impact in terms of the use of land, resources, materials and other impacts arising from the development. This impact is considered to be limited as the proposals form part of the planned growth in the District.

Conclusion

- 10.11. The Council is not able to demonstrate a five-year supply of land of housing for Oxford's Unmet Housing Need. As an allocated site, the proposals form part of the wider Housing Needs for the area and Oxford City and include a significant level of

on-site facilities that are in accordance with the aims and objectives of Policy PR7a of the Local Plan Partial Review and associated guidance.

10.12. The proposals have been carefully considered and having considered the development as a whole the proposals are considered to be acceptable when considered against the Development Plan and National Planning Policy Framework as a whole and the positive benefits significantly and demonstrably outweigh the negative aspects of the proposals.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO

- (a) THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
(b) THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- a. Provision of 50% affordable housing on site
- b. On site green space and recreational routes in particular to the south and west of the site and appropriate maintenance contribution/arrangements.
- c. Payment of a financial contribution towards proportionate highway contributions as set out in Appendix 4 of the Partial Review Local Plan.
- d. Payment of a financial contribution towards Community Hall and Development, Outdoor and indoor sport contributions or facilitating the delivery on site.
- e. Payment of a financial contribution towards Healthcare
- f. Payment of a financial contribution towards Education
- g. Payment of a financial contribution towards Library Services
- h. Payment of a financial contribution towards Police
- i. Appropriate arrangements for Open Space Management
- j. Payment of the Council's monitoring costs of £10,000 plus OCC Monitoring Costs

FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 31 OCTOBER 2023. IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate on site infrastructure and off site contributions towards affordable housing education, transport, canal infrastructure, community facilities, indoor and outdoor sport, open space, library and police required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policies PR2, PR7a and PR11 of the Cherwell Local Plan 2011 - 2031 (PART1) Partial

Review, and Policies INF1, SLE4, BSC7; BSC8; BSC9; BSC10, BSC11, BSC12, ESD6 and ESD13 of the Cherwell Local Plan 2011-2031 (Part 1), guidance within the Council's Developer Contributions SPD and the aims and objectives of the National Planning Policy Framework.

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Reserved Matters

2. Details of the layout, scale, appearance, access (other than the approved accesses to Bicester Road shown on plan 10669-SK-05 Rev D) and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out in accordance with the following plans and documents:

Plans:

Site Location Plan - CSA/3263/118 Rev A
Development Framework Plan - CSA/3263/123 Rev H
Illustrative Landscape Strategy - CSA/3263/124 Rev A
Access Strategy - 10669-SK-05 Rev D
Topographical Survey - 36516_T Rev 0

Documents:

Planning Statement (incl Affordable Housing Statement and draft S106 HoT) (Pegasus P18-2523PL – March 2022)
Employment, Skills and Training Plan (Pegasus P18-2523 – March 2022)
Health Impact Assessment (Pegasus P18-2523/R001v5)
Air Quality Assessment (Brookbanks 10669 AQ01 Rv 1)
Flood Risk Assessment (Brookbanks 10669 FRA01 Rv 1)
Foul Water Strategy Technical Note (Brookbanks 10669 TN12 - Rv2)
Geo-Environmental Phase 1 Desk Study (Brookbanks 10669 DS01 Rv 1)
Noise Assessment (Brookbanks 10669 NA01 Rv 1)
Transport Assessment (Brookbanks 10669 TA01 Rv1)

Transport Technical Note 11: Response to Oxfordshire County Council (OCC) (Brookbanks Version 1 dated 22 June 2023)
Residential Travel Plan (Brookbanks 10669 TP01 Rv 1)
Service Supply Statement (Brookbanks 10669 SS01 Rv 1)
Design & Access Statement Part 1 (incl PROW statement) (CSA/3263/12/Rev B – March - 2022)
Biodiversity Improvement & Landscape Management Plan (CSA/3263/10/Rev D)
Ecological Impact Assessment (incl BNG Assessment, DEFRA Metric 3.0 Rev 1.3) (CSA/3263/09/Rev B)
Heritage Assessment (CSA/3263/07 Rev B)
Landscape and Visual Impact Assessment (CSA/3263/06 Rev A)
Arboricultural Impact Assessment (BHA C.2999 – 22 Feb 2022)
Archaeological Evaluation Report (Oxford Archaeology, Issue 1, GOLEV)
Archaeological Geophysical Survey (MOLA Report 21/079, Site Code KID 21)

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Development Framework principles

4. Unless justified through the Reserved Matters submissions, all such submissions shall follow the principles and parameters of the Development Framework Plan (reference: CSA/3263/123 Rev H) and Illustrative Landscape Strategy (reference: CSA/3263/124 Rev A) in the established parameters for future development. In particular:
 - A maximum height of two storey development adjacent to existing properties on Water Eaton Lane
 - Creation of a minimum of 4ha new sports pitches to the south of the development with changing and car parking facilities
 - Allotments to be provided at the southeastern corner of the developable area
 - Formal play provision including a combined NEAP/LEAP/MUGA on the western boundary and a combined LEAP/LAP on the east of the application site
 - Sustainable drainage to the east of the site
 - Pedestrian and cycle access to the Bicester Road on the Western boundary
 - New landscaping and planting to the existing cemetery and boundaries of the application site.

Reason – To ensure that the Reserved Matters is delivered in accordance with the principles of the outline planning application submission and the principal constraints identified in the submission, Council's design guidance and Policies PR1, PR2, PR3, PR4a, PR5, PR7a, PR11 and PR12a of the Cherwell Local Plan 2011-2031 Part 1 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

Phasing

5. Prior to the commencement of development or as part of the first Reserved Matters submission a phasing plan shall be submitted to and agreed in writing by the Local Planning Authority. The Phasing plan shall include full details of the development parcels (including affordable housing), open space and sport pitches delivery, roads, cycleways and footpaths, including construction

access, play facilities, allotments and new landscaping of the development proposed to take place within that approved phase. The development shall be carried out in accordance with the approved phasing plan.

Reason : To ensure that the development is delivered in an appropriate manner and to ensure that on-site facilities are delivered in an appropriate manner and at a time to deliver facilities and infrastructure to the benefit of future residential occupiers. The proposals would be in accordance with Policies PR1, PR2, PR3, PR4a, PR5, PR7a, PR11 and PR12a of the Cherwell Local Plan 2011-2031 Part 1 (Partial Review), Policies SLE4, BSC7-BSC12, ESD10, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 Part 1 (and the aims and objectives of the National Planning Policy Framework).

Access onto Bicester Road

6. No development shall take place until revised details of the means of access between the land and the highway, including, position and layout have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter.

Reason - In the interests of highway safety and to comply with Policies PR1, PR4a, PR7a and PR12a of the Cherwell Local Plan 2011-2031 Part 1 (Partial Review) and Policies SLE4 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Archaeology

7. i) No development shall take place until a professional archaeological organisation acceptable to the Local Planning Authority has prepared an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.
- ii). Following the approval of the Written Scheme of Investigation referred to in condition i, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021)

Remediation/Contaminated Land

8. i) No development shall take place until, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals which shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment

Agency's Land contamination risk management (LCRM) and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

ii) If contamination is found by undertaking the work carried out under part i), then no development shall take place until, a phased scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use which shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the phased scheme of remediation and/or monitoring required by this condition.

iii) If remedial works have been identified in part i), the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under part ii). A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

iv) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the relevant phase of development is resumed or continued.

Reason: To ensure that the development is delivered in a manner to ensure that land contamination is appropriately managed in accordance with the requirements of saved policy ENV12 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Construction Environment Management Plan (CEMP) and Construction Traffic Management Plan (CTMP)

9. No development shall take place until, a Construction Environment Management Plan (CEMP) and Construction Traffic Management Plan (CTMP), has been submitted to and approved in writing by the Local Planning Authority. The CEMP and CTMP shall include details of:
- The measures to be taken to ensure construction works do not adversely affect residential properties on Water Eaton lane and to reduce the impact on neighbouring and nearby residents through temporary fencing, lighting and construction compounds and management of activity through the construction of development;
 - Implementation air quality and dust suppression management measures through a Dust Management Plan;
 - the protection of the environment and implement best practice guidelines for works within or near water and habitats, including the appointment of a qualified ecologist to advise on site clearance and construction, in particular any works that have the potential to disturb notable ecological features, adjacent to or surrounding the site;

- details of the consultation and communication to be carried out with local residents.
- A Construction Traffic Management Plan (CTMP) and traffic routing, temporary access and haul roads to ensure construction vehicles, materials and logistics saving measures are managed
- There shall be no piling on the site unless measures are agreed to mitigate and manage the impact of noise and vibration on the site.

Thereafter the development shall be carried out in accordance with approved CEMP and CTMP.

Reason: To manage construction process and to ensure that the impacts to soils, air quality, contamination and ground conditions, ecological habitats, cultural heritage, noise and vibration, transport and waste as well as neighbouring and nearby residents and climate impacts are managed in accordance with the requirements of Policies PR2 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policy ESD15 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

LEMP/Soil Handling

10. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the site shall be managed in accordance with the details of the approved LEMP.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

Sports Pitches (drainage, etc)

11. The playing pitches shall not be laid out unless and until:

a) a detailed assessment of ground conditions of the land proposed for the new playing pitches has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

b) based on the results of the assessment to be carried out pursuant to (a) above of this condition, a detailed remediation scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) and which sets out an implementation strategy for the works and approach to public access has been submitted to and approved in writing by the Local Planning Authority

c) Detailed submissions with regard to the layout, lighting (including light spillage details), permanent sports equipment and practice areas.

The development of the playing pitches shall be carried out in accordance with the approved scheme and retained thereafter.

Reason: To ensure that the proposals deliver appropriate an amount and variety of sport and recreational opportunities for all ages in accordance with the submitted outline details and in accordance with the requirements of Policies PR3, PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD13, ESD15 and ESD17 of the Cherwell Local Plan

2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

Allotments (sheds, etc)

12. The Reserved Matters submissions for any Development Parcel or Landscaping Element which incorporates 0.4ha allotment provision (excluding car parking) shall where appropriate include the following details:

- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
- b) Confirmation that the site of the proposed allotments is free from contamination and capable of growing fruit and vegetables for human consumption;
- c) Proposed management arrangements for the allotments (including topsoil and soil provision/management) including consultation with relevant bodies;
- d) Access and parking arrangements to allow easy and safe access to the allotments;
- e) Details of the ancillary features (e.g. bins, seats, water butts, greenhouses and sheds);
- f) Boundary treatment, including security arrangements for the allotments;
- g) Water supply, including use of stored rainwater and SuDS for watering crop and drainage arrangements to ensure that the proposed site for the allotments is free draining and does not impact on the wider drainage network (e.g. through silting up of the drainage network).

ii) The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that the detail of allotments are delivered in a manner that delivers an appropriate recreational facility for future users in accordance with the requirements of Policies PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

Landscaping Strategy and Management

13. a) As part of the Reserved Matters submission in any phase of development a scheme of hard and soft landscaping works in that Development Parcel will be submitted for the approval of the Local Planning Authority. The submitted detail will set out how this supports and is complimentary to the Illustrative Landscape Strategy (reference: CSA/3263/124 Rev A)

These details will include the following in relation to the submission:

- Identification of existing trees, shrubs and other vegetation to be retained
- Wildlife habitat creation of potential benefit to protected species. The extent, location and design of such habitat shall be shown clearly and fully described.
- The creation of a visually attractive and stimulating environment for the occupiers of the future development, and other users of the site.
- Details of street furniture including bins, seating, dog bins, and boundary treatment
- The eradication of Japanese knotweed or other invasive species on the site, if applicable.
- The replacement of trees proposed to be lost in site clearance works.
- Details of the future management of the landscape scheme.
- Ground preparation measures to be adopted.

- Full botanical details, numbers, locations, planting specifications and densities/ seeding rates of all plant material included within the landscape scheme.
- Existing and proposed levels.
- Programme for delivery of the approved scheme

b) The approved scheme shall be implemented in accordance with the relevant approved programme for delivery forming part thereof and shall be managed for at least 5 years from the completion of the relevant scheme, in accordance with the approved management details.

Reason: To ensure the satisfactory appearance of the development and protect wildlife in accordance with Policies PR3, PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD10, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

Community Building detail

14. Prior to or concurrently with the Reserved Matters submission for the Sports Pitches shown on the approved illustrative masterplan, details for the detail of related changing rooms and associated facilities for such Sports Pitches shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include:

- i) A building of no less than 250sqm and with changing rooms and facilities to Sport England standards.
- ii) Social space with bar and facilities for the community and sports teams
- iii) Car parking, including disabled parking provision, minibus parking and electric vehicle charging points with ability to adapt spaces to accommodate further minibus parking.
- iv) Cycle parking provision including provision for e-scooter and e-bike charging
- v) Storage for sports and training equipment
- vi) Measures to reduce energy, heating and water consumption and adapt to the requirements as a minimum of the equivalent of BREEAM Very Good and mitigate for climate change.

b) The development of the Community Building and parking shall be carried out in accordance with the approved details and to an agreed timescale and retained thereafter

Reason: To ensure that the proposals deliver appropriate an amount and variety of sport, changing and recreational opportunities for all ages in accordance with the requirements of Policies PR3, PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 aims and objectives of the National Planning Policy Framework.

Housing Sustainability standard

15. a) As part of the Reserved Matters submissions a statement shall be submitted demonstrating how the proposal meets sustainability standards to progress towards the Future Home Standard including the use of renewable energy provision.

b) The development shall be implemented in accordance with the relevant agreed details and timescales

Reason: To ensure that the proposals meet the challenge of the legislation set out in the Climate Act 2008 as set out by the aims and objectives set out in the NPPF (in

particular paragraphs 7, 8, 98, 152-157), Policy PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD1-ESD5 of the Cherwell Local Plan 2011-2031

Noise Mitigation

16. Within any reserved matters application in relation to residential development a noise impact assessment and a noise attenuation / insulation scheme (having regard to the building fabric, glazing and background and purge / rapid ventilation requirements) to protect occupants or other users internally and externally as appropriate from the Bicester Road and primary routes through the site traffic noise in accordance with the requirements of British Standard 8233:2014 'Sound Insulation and noise reduction for buildings-Code of Practice' (or as superseded), shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented before the residential use hereby permitted is occupied and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

The noise insulation scheme shall demonstrate that the external and internal noise levels recommended in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" (or as superseded) shall be reasonably achieved and shall include a timescale for phased implementation, as necessary.

The scheme as approved shall be fully implemented before the residential use hereby permitted is occupied and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that sufficient noise attenuation is provided to all residential properties to protect residents from the impact of local road noise in accordance with Policies PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD15 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Housing Mix, Self/custom build Strategy

17. Prior to the submission of the first application for approval of Reserved Matters relating to the first Development Parcel including residential development within each Phase a housing mix strategy shall be submitted to and agreed in writing by the Local Planning Authority. The submitted strategy shall set out in relation to that Phase:

i) Anticipated housing mix for the development shall be for delivery of affordable homes as 25 to 30% of the homes as one-bedroomed properties, 30 to 35% as two-bedroomed properties, 30 to 35% as three-bedroomed properties and 5 to 10% as four+ bedroomed properties unless otherwise agreed with through the Reserved Matters submission.

ii) The submitted market mix shall also be agreed with the Local Planning Authority through the Reserved Matters and shall not substantially differ from the affordable housing mix.

iii) A Strategy for the delivery of self/custom build homes.

Reason: To achieve a balance of housing and to ensure that the affordable housing proposals appear tenure blind to market housing, in accordance with Policy PR2 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

Residential Space Standards

18. A Reserved Matters Submission within the redline of the outline application shall be accompanied by a statement outlining that all proposed residential properties are in compliance with national or local space standards, whichever provides a higher level of space.

Reason: To achieve an appropriate standard of housing in accordance with Policy PR2 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

Lighting

19. No occupation shall take place on any phase a detailed lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The details to be submitted shall include:

- i) Lighting for play
- ii) Lighting for public realm and walking and cycling routes
- iii) Areas of ecological areas where lighting will be prohibited.
- iv) A strategy for roads and development parcels.
- v) A strategy for mitigation to reduce light pollution during construction.

Reason: To minimise light pollution from the construction and operational phase of development and to ensure that the proposals are in accordance Policies PR3, PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Water supply and Foul water drainage

20. i) Any Reserved Matters shall include a detailed surface water strategy and drainage plans relating to that Reserved Matters submission. The strategy shall demonstrate how the management of water within the submission accords with the approved details of the outline Flood Risk Assessment (Flood Risk Assessment (Brookbanks 10669 FRA01 Rv 1) and Foul Water Strategy Technical Note (Brookbanks 10669 TN12 - Rv2)). The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the Reserved Matters site or joins any water body.

ii) The submitted strategy shall include details of all flow control systems and the design, location and capacity of all strategic SuDS features within the Reserved Matters submission and shall include ownership, long-term adoption, management and maintenance schemes and monitoring arrangements/responsibilities relating to that Reserved Matters submission. The strategy should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes.

iii) The development of each Reserved Matters submission shall be carried out in full accordance with the approved detailed surface water strategy for that Reserved Matters submission and no development approved by that Reserved Matters submission shall be occupied or used until such time as the approved detailed surface water measures serving that development have been fully completed in accordance with the approved details.

Reason: In order to reduce the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and

to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site and to ensure new environments and habitats are formed across the site. In accordance with Policies PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Formal play equipment detail

21. a) The Reserved Matters submission which includes the combined Multi-Use Games Area (MUGA), Neighbourhood Equipped Area of Play (NEAP), and Local Equipped Areas of Play (LEAPs) and on the western side of the development or the combined LEAP and Local Area of Play (LAP) to the eastern edge shall include details of site levels, play features and facilities for an appropriate age of children and youth provision, seating, pathways, planting and landscaping relating to that play facility and a strategy for its implementation and management.

b) The development of the Development Parcel shall be carried out in accordance with the relevant agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver an appropriate amount and variety of recreational opportunities for all ages in accordance with the submitted outline application and in accordance with Policies PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

LAP details

22. a) The Reserved Matters submission which incorporates additional Local Areas of Play (LAPs), Sites for Imaginative Play (SiPs) or other areas of informal play shall include details of site levels, play features, seating, pathways, planting and landscaping relating to that LAP, SiP or other area of informal play and a strategy for their implementation and management.

b) The development of each Development Parcel shall be carried out in accordance with the relevant agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages in accordance with the submitted outline application and in accordance with Policies PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Community Orchard/Edible Landscape

23. As part of the Reserved Matters submission which incorporates new groups of tree planting, shall consider the provision of community orchards and an edible landscape, and, should those be proposed the following details relating to any such provision shall be submitted to the Local Planning Authority for approval in writing::

- i) details of site levels and soil preparation,
- ii) planting to promote an edible landscape including fruit trees, shrubs and bushes,
- iii) boundary treatment and hedgerow planting,
- iv) any ancillary features such as seating, bins (including dog bins),
- v) arrangements for implementation and management of the area for the future community.

b) The development of such community orchards shall be carried out in accordance with the agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver appropriate opportunities for tree planting, healthy lifestyles and wildlife foraging and in accordance with Policies PR5 and PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies BSC10, BSC11, ESD6, ESD7, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Site levels and Groundworks details

24. a) Notwithstanding the approved plans, as part of the Reserved Matters, details, which shall be approved in writing by the Local Planning Authority, shall be submitted of site levels, earthworks and ground contamination for that Reserved Matters area to include protection of ground to be reinstated to landscape; methodology of any soil stripping, storage, handling, formation level decompaction, and soil re-spreading.

b) All groundworks for that development should be carried out in accordance with the approved details

Reason: To ensure that risks from the movement of soil and construction activity associated with development are appropriately managed throughout the construction timescale and across the delivery of the development appropriate to neighbouring land uses, together with managing controlled waters, property and ecological systems, neighbours and other offsite receptors in accordance with Policy PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Fibre Optic Implementation

25. As part of the Reserved Matters submission for any Development Parcel or Phase of Development, a strategy shall be submitted to and agreed in writing by the Local Planning Authority to demonstrate the completion of infrastructure to facilitate the provision of fibre optic cable to each Development Parcel upon the completion of the infrastructure in accordance with the approved site wide strategy.

b) The scheme shall be implemented in accordance with the agreed details and timescales and retained thereafter.

Reason: To provide appropriate and sustainable infrastructure for high speed internet connection in accordance with Policies To achieve a balance of housing in accordance with Policy PR7a, PR11 and PR12 of the Cherwell Local Plan 2011-2031 Part 1 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

Tree/Hedgerow management during construction and replacement and new planting

26. As part of the Reserved Matters submission a strategy and associated plans for the following shall be submitted to and agreed in writing by the Local Planning Authority.

- i) A strategy for the ongoing management, felling and replacement planting of existing trees within the development
 - ii) A strategy for other standalone and groups of trees and hedgerows on the within the Reserved Matters.
 - iii) Details of tree protection measures relating to that Development Parcel in accordance with BS5837:2012 (or succeeding and/or replacement legislation) to be maintained throughout construction.
 - iv) A strategy for implementation and retention of new and existing trees, tree groups, tree belts or hedgerows within the Development Parcel
- b) The development of each Development Parcel shall be implemented in accordance with the agreed strategy and timescale relating to that Development Parcel and retained thereafter.

Reason: To ensure that the proposals deliver appropriate management and retention of the existing tree cover to the site in accordance with the submitted Landscape Strategy and Policy PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Parking and sustainable travel strategy – including EV charging

27. As part of the Reserved Matters submission a strategy shall be set out for the car parking ratio in accordance with maximum levels set out in Oxfordshire County Council Parking Standards. The submitted Strategy shall be based on:

- i) Reducing car parking provision below the maximum ratio based on location in relation to facilities and type of housing.
 - ii) The provision of electric vehicle charging points to all properties and to include a minimum of 50% to communal car parking and to all disabled parking spaces.
 - ii) For residential purposes cycle parking should be within a covered, lockable enclosure in a convenient, secure location, with visitor parking located as near as possible to the main entrance of buildings.
 - iv) All cycle parking should be designed and located to minimise conflict between cycles, pedestrians and vehicles.
- b) The approved scheme shall be implemented in accordance with the agreed strategy relevant to reserved matters submission.

Reason: To provide appropriate and sustainable infrastructure for charging infrastructure for electric vehicles in accordance with Policies To achieve a balance of housing in accordance with Policy PR7a, PR11 and PR12 of the Cherwell Local Plan 2011-2031 Part 1 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

Waste and Recycling Facilities

28. a) The Reserved Matters submission will include details of proposed refuse and waste recycling facilities for the proposed building(s) in that submission.

b) The approved scheme for any individual building shall be implemented before that building is brought into use and shall be thereafter retained.

c) No materials, goods or refuse shall be stored or deposited in the open on any part of the site at any time, other than as may be associated with construction on the site.

Reason: To ensure the satisfactory appearance and functioning of the development, and to promote recycling in accordance with the requirements of Policy PR7a of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and saved policies C28 and C30 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Residential Travel Information Pack

29. Prior to first occupation a Residential Travel Plan and Travel Information Pack should be submitted to and approved in writing by the Local Planning Authority. The Travel Plan is to be updated on occupation of 50% of the site (180th dwelling). The development shall be implemented in accordance with the approved Travel Plan including the updated version as relevant.

Reason: To promote sustainable modes of transport in accordance with Policies PR4a and PR7a of the Cherwell Local Plan 2011-2031 Part 1 (Partial Review) and the aims and objectives of the National Planning Policy Framework.

CASE OFFICER: Andrew Thompson

APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Affordable Housing	<p>First Homes Oxford City Council's First Homes Policy Statement (Technical Advice Note) March 2022 sets out that all sites above 10 dwellings must provide 50% affordable housing.</p> <p>The affordable housing should then be split as follows: 25% First Homes; 70% social rented; and 5% intermediate housing (usually Shared ownership tenure).</p> <p>An Oxford City local connection will apply to all First Homes for the first three months of marketing.</p> <p>Affordable Housing Mix: 1 bedroom 20-30% 2 bedroom 30-40% 3 bedroom 20-40% 4+ bedroom 8-15% .</p> <p>Accessible and adaptable homes – all affordable units should be constructed to Category 2 (M4) standard and 5% of all dwellings to be Category M4 (3) (wheelchair user) standards.</p>	<p>Construct all of the Affordable Housing dwellings in a phase prior to the use or Occupation of 85% of the Market dwellings in that phase/development parcel.</p>	<p>Necessary – Yes – The site is allocated as part of the Partial Review – Policy PR2 and PR7a are the relevant policies.</p> <p>Directly related – Yes – the affordable housing will be provided for the need identified in the Local Plan</p> <p>Fairly and reasonably related in scale and kind – Yes – the contribution is the level of the expected affordable housing.</p>

	All affordable housing to be developed to nationally described space standards (NDSS)		
OCCG	Up to £319,680	50% occupation or an alternative agreed trigger	<p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development. Additional consulting rooms and enhanced capacity at Gosford Hill Medical Centre are therefore proposed through the contribution</p> <p>Directly related – Yes. The proposals would be used towards the creation of consultation space</p> <p>Fairly and reasonably related in scale and kind – Yes</p>
Thames Valley Police Contribution	<p>£52,607.40 towards the provision of officers/staffing costs broken down as follows:</p> <p>£3,358.40 towards officers set up costs (e.g. uniforms and desk space)</p> <p>£4250 towards mobile IT</p> <p>£5,500 towards ANPR cameras</p> <p>£39,499 towards premises and desk space</p>	First occupation or an alternative agreed trigger	<p>Necessary – In relation to the demand and need the requirements would be in accordance with the Council's Developer Contributions SPD.</p> <p>Directly related – The contributions are towards impacts from the development</p> <p>Fairly and reasonably related in scale and kind – Yes</p>

Public Art, Public Realm and Cultural Wellbeing	£82,880 including management and maintenance	First occupation or an alternative agreed trigger	<p>Necessary – In accordance with the Council’s Adopted SPD. Public Realm, Public Art and Cultural Well-being. Public realm and public art can play an important role in enhancing the character of an area, enriching the environment, improving the overall quality of space and therefore peoples’ lives. SPD 4.132 The Governments Planning Practise Guidance (GPPG) states public art and sculpture can play an important role in making interesting and exciting places that people enjoy using. neighbouring communities. The design of these should seek to be interactive and encourage imaginative play and stimulate curiosity about the natural environment. It is also recommended that the design and execution of the artwork embeds participatory activity for local schools and community groups to ensure the work is meaningful and inspires cultural wellbeing.</p> <p>Directly related – The recommendation is to engage a lead artist/artist team to develop a series of bespoke and creative waymarkers or landmark features around the cycleways and footpaths. These could also potentially be rolled out to other routes in the area to create to a broader network and link in the neighbouring communities. The design of these should seek to be interactive and encourage imaginative play and stimulate curiosity about the natural</p>

			<p>environment. It is also recommended that the design and execution of the artwork embeds participatory activity for local schools and community groups to ensure the work is meaningful and inspires cultural wellbeing.</p> <p>Fairly and reasonably related in scale and kind – Based on £200 per residential dwelling (£74,000) plus 5% (£3700) for management and 7% (£5180) to be proportionate to the scale and location of the development</p>
Outdoor Sports Provision	On site – The provision of LEAPs and NEAPs and the provision of sports pitches and 0.4ha of allotments plus car parking (0.12ha). Proportionate contributions would also be sought from the northern half of the development under application reference 22/03883/F	50% of the development occupation or alternative agreed trigger as part of phasing strategy.	<p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.</p>
Indoor Sports Provision	£308.930.32	The amount to be phased across the delivery of the scheme. 50% to be delivered on first occupation, 50% on 50% occupation.	<p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in</p>

			<p>accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p> <p>Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.</p>
Community Hall	On site as part of the sports pavilion or a contribution of £423,032.08	50% of the development occupation or alternative agreed trigger or potentially on site	<p>Necessary - Seeking a contribution towards improvements at a community facility within the locality (potentially the community building as part of the proposals) in accordance with Policy BSC 12 and Policy PR11 and the Developer Contributions SPD.</p> <p>Directly Related – Yes</p> <p>Fairly and Reasonably related in scale and kind- Yes</p>
Community Development Worker	£33,877.36	First occupation or alternative agreed trigger	<p>Necessary- Seeking a contribution towards improvements at a community integration and support within the locality in accordance with Policy BSC 12 and Policy PR11 and the Developer Contributions SPD</p> <p>Directly Related – Yes</p> <p>Fairly and Reasonably related in scale and kind- Yes</p>

Community Development Fund	£16,650	In conjunction with the transfer of the community building	<p>Necessary- Seeking a contribution towards improvements at a community integration and support within the locality in accordance with Policy BSC 12 and Policy PR11 and the Developer Contributions SPD</p> <p>Directly Related – Yes</p> <p>Fairly and Reasonably related in scale and kind- Yes</p>
A public transport services contribution	£418,470	TBC or delegated authority is sought to enable officers to negotiate this	<p>Necessary – The contribution is necessary to provide sustainable transport options to the site and as part of the overall public transport provision</p> <p>Directly related – The proposal provides for residential which should be reasonably accessible via public transport modes to ensure occupiers have options to use sustainable modes of transport. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The level is at an established rate and based on number of dwellings.</p>
Public Transport Infrastructure	£35,616	First occupation or alternative agreed trigger	<p>Necessary – The contribution is necessary to provide sustainable transport options with the fitting of four bus shelters on the site.</p> <p>Directly related – The proposal provides for residential which should be reasonably accessible via public</p>

			<p>transport modes to ensure occupiers have options to use sustainable modes of transport. It is therefore directly related to the development.</p> <p>Fairly and reasonably related in scale and kind – The level is at an established rate and based on number of dwellings.</p>
Travel Plan Monitoring contribution towards the cost of monitoring the framework and individual travel plans over the life of the plans	£ 1,446	First occupation or alternative agreed trigger	<p>Necessary – The site will require a framework travel plan. The fee is required to cover OCCs costs of monitoring the travel plans over their life.</p> <p>Directly related - The contribution is directly related to the required travel plans that relate to this development. Monitoring of the travel plans is critical to ensure their implementation and effectiveness in promoting sustainable transport options.</p> <p>Fairly and reasonably related in scale and kind – The amount is based on standard charging scales which are in turn calculated based on the Officer time required at cost.</p>
Public Rights of Way	£55,000	First occupation or alternative agreed trigger	<p>Necessary - to allow the Countryside Access Team to plan and deliver improvements with third party landowners in a reasonable time period and under the Rights of Way Management Plan aims. The contribution would be spent on improvements to the public rights of way in the vicinity of the development – in the ‘impact’ area up to 3km from the site, predominantly to the</p>

			<p>east, south and north of the site. Primarily this is to improve the surfaces of all routes to take account of the likely increase in use by residents of the development as well as new or replacement structures like gates, bridges and seating, sub- surfacing and drainage to enable easier access, improved signing and protection measures such as anti-motorcycle barriers. New short links between existing rights of way would also be included.</p> <p>Directly related - Related to rights of way and improvements arising from the development to support public rights of way enhancement</p> <p>Fairly and reasonably related in scale and kind - Calculated on the basis of the impact arising from the development and the scale of the development</p>
Secondary Education	Up to £2,670,150 based on a formula calculation	The amount to be phased across the delivery of the scheme. 50% to be delivered on first occupation, 50% on 50% occupation or an alternative agreed trigger with the County	<p>Necessary – Related to the provision of secondary school enhancement in the District to reflect the increase in pupils</p> <p>Directly related – Related to the pupils generated by the development</p> <p>Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil</p>

Secondary Education Land Costs	Up to £233,023 based on a formula calculation	The amount to be phased across the delivery of the scheme. 50% to be delivered on first occupation, 50% on 50% occupation or an alternative agreed trigger with the County	<p>Necessary – A contribution is also required towards secondary school site acquisition land costs, proportionate to Local Plan allocated dwelling numbers.</p> <p>Directly related – Related to the expected pupils generated by the development</p> <p>Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil</p>
SEN Development	Up to £260,248 based on a formula calculation	The amount to be phased across the delivery of the scheme. 50% to be delivered on first occupation, 50% on 50% occupation or an alternative agreed trigger with the County Council	<p>Necessary – towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data. (This amount of pupils has been deducted from the primary and secondary pupil generation).</p> <p>Directly related – Related to the expected pupils generated by the development</p> <p>Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil</p>
OCC Transport (final requests tbc)	The extension of the combined cycleway/ footway to the Kidlington roundabout. (£1,546.4 pd or £572,168)	The amount to be phased across the delivery of the scheme. 50% to be delivered on first occupation, 50% on 50% occupation or an	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment and the works are identified in the Local Plan.</p>

	<p>Proportionate contribution towards Kidlington/Oxford Airport Travel Hub (TBC)</p> <p>Improved bus lane provision on the A4165 between Kidlington roundabout and past the new housing sites – (£754.8pd or £279,276)</p> <p>A4260 Southbound bus lane from Bicester Road/A4260 junction to Kidlington roundabout (£761.4pd or £281,718)</p> <p>A4260/Bicester Road Signalised Junction – RT detection and advanced stop line (£61.1pd or £22,607)</p> <p>A4260/Lyne Road - Signalised Junction – RT detection and advanced stop line and toucan crossing (£61.1pd or £22,607)</p> <p>Public Realm Improvements between Benmead Road and Yarnton Road (£97.1pd or £35,927)</p> <p>Cycle superhighway between Kidlington Roundabout to Cuttleslowe Roundabout (TBC)</p>	<p>alternative agreed trigger with the County Council</p>	<p>Directly related – Identified in Appendix 4 of the Local Plan</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate. Proportionate contributions would need to be identified towards the Travel Hub and Cycleway.</p>
<p>Open Space Maintenance</p>	<p>Up to: Mature Trees: £280.04/tree New Woodland Maintenance 35.02/sq. m Hedgerow: £26.60/lin. m</p>	<p>On implementation of the landscaping/phased contribution payment</p>	<p>Necessary – Policy BSC 11: Local Standards of Provision- Outdoor Recreation, Table 7: Local Standards of Provision - Outdoor</p>

	<p>Attenuation Basin: £66.05/sq. m Swales: £120.32/lin. m Informal Open Space: £12.65/sq. m LAP/LEAP Combined: £179,549.95 LEAP/NEAP Combined: £540,048.31 MUGA: £73,215.11</p> <p>The above figures represent the whole development contribution however proportionate contributions would also be sought from the northern half of the development under application reference 22/03883/F who would benefit from the formal play, open space and recreation facilities.</p>		<p>Recreation If Informal open space/landscape typologies/ play areas are to be transferred to CDC for long term management and maintenance, the following commuted sums/rates covering a 15 year period will apply. The typologies are to be measured and multiplied by the rates to gain the totals.</p> <p>Directly related – Commuted sums/rates covering a 15 year period on open space and play facilities on site.</p> <p>Fairly and reasonably related in scale and kind – Contributions are sought in relation to the scale and amount of open space on site.</p>
Library Services	£39,698	On first occupation or alternative agreed trigger	<p>Necessary – This site is served by Kidlington Library but it is unable to accommodate such expansion. This development will nevertheless place increased pressure on the local library. Instead, to ensure Kidlington Library is able to provide for planned growth north of Oxford this library can be reconfigured with associated refurbishment to expand capacity within the existing footprint. The reconfiguration of the existing layout will be designed to make more efficient use of space by increasing shelving capacity; provide moveable shelving to allow for events and activities and, provide additional study space.</p>

			<p>Directly related – Kidlington Library is the nearest public library to the application site and is within walking distance of the site.</p> <p>Fairly and reasonably related in scale and kind – Contributions are sought in relation to the library facilities, the adopted standard for publicly available library floor space is 23m² per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5m² per 1,000 head of population. The forecast population for this site is 894 people. Based on this, the area of the library required is 24.6M2</p>
Waste and Recycling	Up to £34,765	On first occupation or an alternative agreed trigger	<p>Necessary: Current land available 41,000m², needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%.</p> <p>Directly Related: Will be towards providing waste services arising from the development</p> <p>Fairly and reasonably related in scale and kind Calculated on a per dwelling basis total land required for current dwellings (300,090) is 55,350 m², or 0.18m² per dwelling</p>

CDC and OCC Monitoring Fee	CDC: £10,000	On commencement of development	The CDC charge is based upon its agreed Fees and Charges Schedule
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