

Appendix 1 – 23/03071/F – Matters relating to Section 106 agreement

Planning obligation		Regulation 122 Assessment	
Detail	Amounts (all to be Index linked)	Trigger points	
Provision of, and commuted sum for maintenance of, open space (including informal open space, mature trees, hedgerows, woodland, SUDS etc) or details of long term management provisions in accordance with the Policy BSC11 of the CLP 2015	Provision on site. Commuted sum as set out in the Developer Contribution SPD (as updated by annual tendering). Details of ongoing management company if no commuted sum	To be delegated to officers	Necessary – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018) Directly related – For the use of future occupiers of the development Fairly and reasonably related in scale and kind – In accordance with the policy and guidance provisions adopted by the Council
Provision of a Local Area of Play and a Local Equipped Area of Play and commuted sum for maintenance or other management provisions	Provision on site. Commuted sum as set out in the Developer Contribution SPD (as updated by annual tendering). Details of ongoing management company if no commuted sum	To be delegated to officers	Necessary – To meet the demands generated from the proposal and to ensure long term maintenance in accordance with Policy BSC10 and BSC11 of the CLP 2015 and advice in the Developer Contributions SPD (2018) Directly related – For the use of future occupiers of the development Fairly and reasonably related in scale and kind – In accordance with the policy and guidance provisions adopted by the Council
Off-site outdoor sports facilities capital provision – Towards the provision of formal outdoor sports facilities at Graven Hill and / or in the locality of the development	55 x £2,017.03 per dwelling = £110,936.65	To be delegated to officers	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 Directly related – The future occupiers will place additional demand on existing facilities. 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.
Off-site indoor sports facilities – Towards improvements at Bicester Leisure Centre	<p>A sum based on a contribution of £335.32 per occupier of each Dwelling as follows:</p> <ul style="list-style-type: none"> • 2.49 (Average occupancy per Dwelling) multiplied by the Composition of the Development • Result multiplied by £335.32 <p>Example at 55 Dwellings $55 \times 2.49 = 136.95$ $136.95 \times £335.32 = £45,922.07$</p>	To be delegated to officers	<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 Policies BSC12 and INF1 and advice in the Developer Contribution SPD. The council will encourage the provision of community facilities to enhance the sustainability of communities – enhancing quality of existing facilities and improving access.</p> <p>Policy BSC 10 Addressing existing deficiencies in provision through enhancements of provision, improving access to existing facilities. Ensuring proposals for new development contribute to sport and recreation provision commensurate to the need generated by the proposals.</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 facilities – To be spent on enhancements at Blackthorn Village Hall or other community building.	<p>A sum based on the requirement to provide 0.185m² community space per occupier of the Dwellings at a cost of £2,482 per m² as follows:</p> <ul style="list-style-type: none"> • (Average occupancy per Dwelling) multiplied by the Composition of the Development 	To be delegated to officers	<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 Policies BSC12 and INF1 and advice in the Developer Contribution SPD. The Council will encourage the provision of community facilities to enhance the sustainability of communities.</p> <p>Directly related – The future occupiers will place additional demand on existing facilities.</p>

	<ul style="list-style-type: none"> • The result multiplied by 0.185 (0.185m² community space required per resident) • That result multiplied by £2,482.00 (cost per m² of provision of community space) Example at 55 Dwellings 55 x 2.49 = 136.95 residents 136.95 x 0.185m² = 25.34m² 25.43 x £2,482.00 = £62,893.88 		<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>
Public Realm / Public Art	<p>A developer contribution of £200 per dwelling would be requested plus 12% management and maintenance fees. Total £12,320.00 We would be seeking a contribution towards the provision of public art to enhance the landscaped area alongside the planned public footpath with a piece of artwork referencing natural forms in wood, metal, or stone.</p>	To be delegated to officers	<p>SPD 4.130 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 Government's Planning Practice Guidance (PPG) states public art and sculpture can play an important role in making interesting and exciting places that people enjoy using.</p>
Contributions to bins	£106 per dwelling	To be delegated to officers	<p>Necessary – The dwellings will require adequate waste receptacles for future occupants and in accordance with the advice in the Developer Contribution SPD Directly related – The need for these comes from the increase in the number of dwellings</p>

			Fairly and reasonably related in scale and kind – Costs in accordance with the advice in the Developer Contribution SPD
Affordable housing provision on site	At least 35% of total number. 25% First Homes 70% Social/affordable rent 5% Intermediate housing such as shared ownership. To be in accordance with the standards outlined in Developer Contributions SPD	To be delegated to officers	Necessary – as would provide housing for those who are not able to rent or buy on the open market pursuant Policy BSC3 of the Cherwell Local Plan Directly related – The affordable housing would be provided on-site in conjunction with open market housing Fairly and reasonably related in scale and kind – Based on the Cherwell Local Plan requirement for percentage of affordable housing.
Provision of a Habitat Management and Monitoring Plan and long term management arrangements (including funding) for the land proposed for biodiversity enhancement identified in the blue line.	To be provided and managed long term in accordance with the HMMP	To be delegated to officers	Necessary – In order to provide sufficient space to allow a net gain in biodiversity to be achieved on site in accordance with Policy ESD10 and the NPPF Directly related – The development will impact on the current ecological value of the site and the area of land is required to provide opportunities for a net gain in biodiversity. Fairly and reasonably related in scale and kind – To off-set the impacts of the development and provide a net gain.
Financial contribution to Oxfordshire Clinical Commissioning Group to support capital projects associated with either plans for surgery alterations/extensions or support patient services to increase capacity	£360 per person generated (from SHMA occupancy) based on final housing mix	To be delegated to officers	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 INF1 and advice in the Developer Contribution SPD Directly related – The future occupiers will place additional demand on existing facilities. Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD and evidence from OCCG based on the final mix of housing and number of occupants.

<p>Monitoring Fee Contribution towards the Council's (both district and County Council) costs of monitoring compliance with the agreement or undertaking</p>	<p>To be confirmed</p>	<p>To be delegated to officers</p>	<p>Necessary in order to ensure the planning obligations are complied with. Directly related as only costs arising in connection with the monitoring of the development and these planning obligations are covered. Fairly and reasonably related in scale and kind considering the extent of the development and the obligations to be monitored.</p>
<p>Public transport contribution of £62,315 to contribute towards the continuation of bus services in Ambrosden, which are currently operated under contract to Oxfordshire County Council using time-limited funds.</p>	<p>£62,315 Calculation: £1,133 per dwelling is sought from developments served by the bus routes along Ambrosden on a fair and equitable basis. £1,133 x 55 dwellings - £62,315</p>	<p>To be delegated to officers</p>	<p>Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency. Local Transport Plan 4, Policy 34. Oxfordshire County Council will require the layout and design of new developments to proactively encourage walking and cycling, especially for local trips, and allow developments to be served by frequent, reliable and efficient public transport. To do this, we will identify the requirement for passenger transport services to serve the development, seek developer funding for these to be provided until they become commercially viable and provide standing advice for developers on the level of Section 106 contributions towards public transport expected for different locations and scales of development. Provision of bus shelters to encourage the use of public transport by providing attractive waiting facilities. Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality. Fairly and reasonably related in scale and kind. The contributions are in scale with the development</p>
<p>Public transport infrastructure contribution of £15,347 to contribute towards the provision of a bus shelter at either the northbound or southbound stop at Ploughley Road</p>	<p>£15,347 Calculation: based on the latest price of a Cantilever Shelter 5 Bus Bay at the time of comment.</p>		

			and would be directly benefiting residents of the future development.
Public Rights of Way of £15,000 toward improvements to PROW in the vicinity of the site.	<p>£15,000</p> <p>Calculation: The proposed measures are based on the desk assessment of likely costs for the measures. They are not based on a standard formula or any other kind of per dwelling or per m2 tariff system. Estimated contribution breakdown by activity:</p> <ul style="list-style-type: none"> • site surveys & assessments 5% • habitat survey & mitigation 5% • landowner negotiations 5% • Materials, contractor, plant & equipment 60% • Legal processes e.g. temporary works closures, agreement payments 5-10% • Contract preparation & supervision 5% • Admin costs 5% • Contingency/Follow-up repair works 5-10% 	To be delegated to officers	<p>Necessary to ensure sustainable mode of transport and encourage and integrated into the development and made attractive to future users to reduce car dependency.</p> <p>There is expected to be an increase in numbers of residents and their visitors using the rights of way network in the vicinity of the site due to the proximity of the development. OCC Countryside Access is seeking a contribution to mitigate the impact of this increase in numbers of residents and their visitors accessing the network along these routes.</p> <p>Directly related as these will benefit the future occupants of the site and encourage use of sustainable transport options in the locality.</p> <p>The site has had a desk assessment to both assess the current situation and look at how public use could be protected and enhanced. With the development site at the centre, the logical and realistic public rights of way network likely to be affected is considered.</p> <p>Fairly and reasonably related in scale and kind.</p> <p>The contributions are in scale with the development and would be directly benefiting residents of the future development.</p> <p>The proposed measures are based on the desk assessment of likely costs for the measures. The proposed off-site measures are in the form of a reasonable financial contribution 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.</p>

			The contribution would be spent on improvements to the public rights of way in the vicinity of the development. 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 etc.
<p>Obligation to enter into a S278 agreement to secure:</p> <ul style="list-style-type: none"> - new site access bellmouth junction from Blackthorn Road, including 2m footway on east side - new 3m wide shared use footway/cycleway, approximately 75m long, and uncontrolled crossing of Blackthorn Road - new LTN 1/20 compliant cycletracks and side road crossings, and a parallel crossing of Blackthorn Road (unless previously delivered by application no.22/01976/OUT) 	To be delivered on and off site	To be delegated to officers	<p>Necessary to provide safe and suitable access to the site and the highway network and ensure the development does not result in unacceptable impacts on highway safety.</p> <p>Directly related. This will provide safe and suitable access to the site and as a result of additional traffic and pedestrian movements associated with the development.</p> <p>Fairly and reasonably related in scale and kind. The contributions are in scale with the development and would be directly benefiting residents of the future development.</p>
Secondary education capacity contribution and contribution towards secondary school land in Bicester	£432,081 towards secondary education capacity and £39,650 towards secondary school land contribution for secondary school places secondary school places in	To be delegated to officers	<p>Necessary to provide adequate education provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>The scale of housing growth in Bicester requires another new secondary school, in addition to that recently opened at SW Bicester to meet the needs of already permitted development. Sufficient secondary</p>

	<p>Bicester to ensure adequate secondary school provision.</p> <p>Calculation:</p> <p>Number of secondary pupils expected to be generated = 13</p> <p>Estimated per pupil cost of a new 600-place secondary school = £33,237</p> <p>13 x £33,237 = £432,081</p> <p>Estimated per pupil cost of land for new secondary school (April 2023 prices) = £3,050</p> <p>13 x £3,050 = £39,650</p>		<p>school capacity to meet the needs of this site will be provided through the new secondary school planned as part of the southern section of the North West Bicester development. The school will be delivered in phases depending on the build out of the development. The first phase of at least 600 places is forecast to be required by the late 2020's, although this is subject to the speed of housing delivery. The proposed secondary school site is on land that forms part of the planning application reference 14/01641/OUT. This development would be expected to contribute proportionately towards the cost to the county council of acquiring this land.</p> <p>Directly related. Will provided additional school places for children living at the proposed development Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision of new school places based on cost per additional pupil.</p>
<p>Special School contribution to be spent on expansion of SEN school capacity</p>	<p>£26,922 towards special school contribution to be spent on expansion of SEN school capacity to ensure adequate SEN provision.</p> <p>Calculation:</p> <p>Number of pupils requiring education at a special school expected to be generated = 0.3</p> <p>Estimated per pupil cost of special school expansion, as advised by Government guidance "Securing developer contributions for education" (Nov 2019) = £89,741</p>	<p>To be delegated to officers</p>	<p>Necessary to provide adequate education provision in the locality as existing infrastructure is at capacity with planned growth.</p> <p>Government guidance is that local authorities should secure developer contributions for expansion to special education provision commensurate with the need arising from the development.</p> <p>Approximately half of pupils with Education Needs & Disabilities (SEND) are educated in mainstream schools, in some cases supported by specialist resource bases, and approximately half attend special schools, some of which are run by the local authority and some of which are independent. Based on current pupil data, approximately 0.9% of primary pupils attend special school, 2.1% of secondary</p>

	$0.3 \times \pounds 89,741 = \pounds 26,922$		<p>pupils and 1.5% of sixth form pupils. These percentages are deducted from the mainstream pupil contributions referred to above and generate the number of pupils expected to require education at a special school.</p> <p>The county council's Special Educational Needs & Disability Sufficiency of Places Strategy is available at https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places and sets out how Oxfordshire already needs more special school places. This is being achieved through a mixture of new schools and expansions of existing schools.</p> <p>The proposed development is expected to further increase demand for places at SEN schools in the area, and a contribution towards expansion of SEN school capacity is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school, based on pupil census data. (This amount of pupils has been deducted from the primary and secondary pupil generation quoted above.)</p> <p>Directly related. Will provided additional school places for children living at the proposed development Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision of new school places based on cost per additional pupil.</p>
<p>Contribution towards expansion and efficiency of Household Waste Recycling Centres.</p>	<p>£5,168 Calculation: Space at HWRC required per dwelling (m²) = 0.18 Infrastructure cost per m² = £275 Land cost per m² = £247</p>	<p>To be delegated to officers</p>	<p>Necessary to provide adequate waste and recycling provision in the locality as existing infrastructure is at capacity with planned growth. OCC is required to arrange for places to be provided at which residents may deposit household waste and for the disposal of that waste, and that these places</p>

	<p>Total land and infrastructure cost per m² = £522 £522 x 0.18 = £93.96 (cost per dwelling) 55 x £93.6 = £5,168</p>	<p>should be reasonably accessible to residents, available at reasonable times, and available to residents free of charge. These are referred to as Household Waste Recycling Centres (HWRC) and the network of sites within the county is no longer fit for purpose and is over capacity.</p> <p>Directly related. Will provided additional capacity for household waste recycling centres which the occupiers of the proposed development will utilise. Site capacity is assessed by comparing the number of visitors on site at any one time (as measured by traffic monitoring) to the available space. This analysis shows that all sites are currently 'over capacity' (meaning residents need to queue before they are able to deposit materials) at peak times, and many sites are nearing capacity during off peak times. The proposed development will provide 55 dwellings. If each household makes four trips per annum the development would impact on the already over capacity HWRCs by an additional 220 HWRC visits per year.</p> <p>Fairly and reasonably related in scale and kind. In accordance with the County Councils standards for provision based on build costs.</p>
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