

**CHERWELL DISTRICT COUNCIL
PLANNING COMMITTEE**

04 June 2026

WRITTEN UPDATES

Agenda Item 9 – Land East of Barford Road, Bloxham. (25/01009/OUT).

Section 6 - Response to consultation

- 1.1 For clarity, a response of no objection subject to conditions has been received from the Cherwell District Council's Landscape Officer and Oxfordshire County Council Highways.

Section 8 – Planning Considerations:

- 2.1 A correction is required to section 8.26 of the Officer Report. The draft Bloxham Neighbourhood Plan has passed the examination stage. The Inspector examining the draft Neighbourhood Plan published his report on the 11th May 2026 confirming that the draft Neighbourhood Plan subject to modifications set out in the examiners report meets the basic conditions. The examiner recommended that the plan once modified proceed to referendum on the basis that it has met all the relevant legal requirements. The draft Neighbourhood Plan is due to go before Cherwell District Council Executive Committee on the 16th June in order to seek approval for it to proceed to referendum. The referendum must take place within 56 working days of the local council making the formal decision to proceed to a referendum.
- 2.2 At this stage, whilst amount of weight to be attributed to the draft Neighbourhood Plan has increased to significant, it does not carry full weight as it has not passed the referendum stage, is not adopted and does not form part of the development plan against which planning applications are required to be assessed against.
- 2.3 Once adopted the application will be contrary to the draft Neighbourhood Plan, in particular Policy BL1 (Spatial Plan for Bloxham) which states that development proposals will not be supported outside of the settlement boundary unless their use and scale are specifically suited to, or require, a countryside location. The adoption of the draft Neighbourhood Plan would meet the requirements of paragraph 14 of the NPPF, thereby disengaging the tilted balance and presumption in favour of sustainable development caused by the inability to demonstrate a five- year supply of housing. As alluded to in paragraph 2.2, the draft Neighbourhood Plan at this stage is not adopted and does not therefore form part of the development plan.
- 2.4 As section 8.26 of the Officer Report makes clear, I do not consider that the proposals are of a scale which mean the Neighbourhood Plan cannot be made, nor does it prevent the draft allocations within the draft Neighbourhood Plan from coming forward. For the same reasons I do not consider that we can clearly indicate at this stage how granting permission for the development would prejudice the outcome of the Neighbourhood Plan making process. The requirements of paragraph 51 of the NPPF are not therefore met.

- 2.5 A correction is required to paragraph 8.101 of the report which refers to the density of the development. The site area is 5.48 H. A includes the parcel of land to the south which is proposed for open space. The northern parcel of land where the residential dwellings will be located extends to 3.02 HA. The density of development on the northern parcel will therefore be 33 DPH. This accords with Policy BSC2 of the Cherwell Local Plan which refers to a density of at least 30 dwellings per hectare. Policy BSC2 is therefore accorded with. This density would not strictly accord with draft Policy BL9 of the draft Neighbourhood Plan which states that development should not usually exceed 30 DPH, it is not significantly over the requirements of the draft Policy, and a development of this scale would be in keeping with this part of Bloxham.

S106 Heads of Terms

- 3.1 We are waiting for comments on the level of requested contributions towards the expansion of health care facilities. The NHS ICB previously provided a request for £108,743; this was based on the development of 130 dwellings. The scheme has subsequently been reduced to 100 dwellings. In the absence of a formal response, the required contribution towards health care facilities has been calculated to be £81,509.44. This has been calculated based on an average occupancy of 2.4 person per dwelling with the development expected to generate 240 additional patients (2.4 person per dwelling). An additional 14.32 sqm (240/16.75) is required and based on a build cost of £5,692, the requested contribution contained in paragraph 8.96 needs to therefore be updated to £81,509.44.
- 3.2 All financial contributions referenced in the S106, unless otherwise specified, should include the suffixes 'Index Linked' and 'Index' and the following definitions:
- 3.3 *Index Linked* - "Adjusted according to the fluctuations between the date of this Deed and the quarter period in which payment is due to the District Council in the BCIS All in One Tender Price Index published by the Royal Institution of Chartered Surveyors or any successor organisation ("BCIS") (and "Indexation" shall be construed accordingly."
- 3.4 *Index* - "Means adjusted according to any increase occurring between the date of this Deed (or for contributions made pursuant to the SPD as the case may be from Q2 2017 being the evidence base for the 2018 SPD) and the date of payment of the relevant contribution to the District Council in the BCIS (all items) Index made available through the Royal Institution of Chartered Surveyors and "Index Linked" shall be construed accordingly where used in this Schedule."
- 3.5 For this development, the following S106 Financial Contributions totalling £1,724,507 are sought (more detail can be found at Appendix 1 of this written update):
- OCC Primary School Expansion - £960,298 Index Linked
 - OCC Special Education Provision - £82,627 Index Linked
 - OCC Public Transport Services Contribution - £163,680 Index Linked
 - NHS Expansion of Bloxham & Hook Norton Surgery - £81,509,44
 - CDC Household Waste & Recycling Contribution - £10,350 Index Linked
 - CDC Enhancement of Community Hall Facilities - £110,200.80 Index Linked
 - CDC Outdoor Sports Provision - £284,014.00 Index Linked

- CDC Indoor Sports Provision - £1,070.28 Index Linked
- CDC Community Development Worker - £18,724.80 Index Linked
- CDC Community Development Fund - £4,500 Index Linked
- OCC Travel Plan Monitoring - £2,035 Index Linked
- CDC S106 Monitoring Fee - £5,500

OCC also require completion of a S278 agreement under the Highway Act. This will include a Traffic Regulation Order (TRO) for creation of a new access onto Barford Road

Revised Recommendation

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

- THE ENTERING INTO A S106 TO INCLUDE THE CONTRIBUTIONS AND INFRASTRUCTURE AS SET OUT IN APPENDIX 1 (AND ANY AMENDMENTS TO THOSE OBLIGATIONS AS DEEMED NECESSARY); AND**
- THE CONDITIONS SET OUT OFFICER REPORT (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

FURTHER RECOMMENDATION: IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED WITHIN 6 MONTHS OF THIS RESOLUTION 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:

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 infrastructure contributions and provisions 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 contrary to Policies BSC3, BSC10, BSC11, BSC12, SLE4 and INF1 Cherwell Local Plan 2015 and the aims and objectives of the National Planning Policy Framework.

Agenda Item 10 – Land North of Grundon, Merton Street, Banbury (25/02998/F)

No updates

Agenda Item 11 – VPK Packaging, Beaumont Road, Banbury, OX16 1RE (25/01300/F)

No updates

**Agenda item 12 – Unit 14 Expeditionary Road, Ambrosden, OX25 2EJ
(25/02215/CDC)**

No updates

**Agenda item 13 – Town Centre House, Southam Road, Banbury, OX16 2BZ
(26/00508/CDC)**

No updates

**Agenda item 14 – Units 17 to 24 Thorpe Place, Banbury, OX16 4XH
(26/00586/CDC)**

No updates

Agenda item 15 – 48 Castle Quay, Banbury, OX16 5UW (26/00706/CDC)

No updates

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Planning Obligations.			Regulation 122 Assessment.
Detail	Amount	Trigger Point	
Primary School Expansion	£960,298	50% prior to commencement of development and 50% prior to occupation.	<p>Necessary - Bloxham Primary School was previously expanded to two form entry to meet the needs of local housing growth. At the time of expansion there was insufficient funding to increase the size of all of the school's facilities in line with the standards for a 2-form entry school, and some elements of the expansion were delayed to a later phase, which is now going ahead. Funding is therefore being sought towards the final phase of the expansion. This will create a new, larger, hall and kitchen, and create a studio space to support the delivery of the curriculum.</p> <p>This phase of the capital project has been costed at £2,224,000. To date £2,639,316 has already been secured through Section 106 funding by the Council to mitigate the impact of new housing within the school's catchment area, leaving a shortfall of £960,298</p> <p>To avoid further delay in bringing the school's accommodation up to the standard required, the county council has forward funded the balance of the cost, against any future funding received from Section 106 agreements for further development which will benefit from the enlarged school facilities.</p> <p>Funding is therefore being sought towards completing the necessary capital works to expand the school. These capital works were phased in response to a shortage of capital funding, but it became unreasonable to delay this final phase any longer, to the detriment of pupils at the school. DfE Guidance (para 15) is clear that "<i>When school places have been forward funded, you can secure developer contributions to recoup the monies spent, including interest, fees, and expenses as well as the principal sum spent.</i>"</p> <p>Directly Related - A development of 100 dwellings is expected to generate 38.65 primary and nursery aged children.</p>

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			<p>Fairly and Reasonably Related - The requested contribution of £1,242,300 s based on Government Guidance Securing Developer Contributions for Education of £24,846 per pupil. The development is expected to result in 50 pupils.</p>
Special Education Provision	£82,627	50% prior to commencement of development and 50% prior to occupation.	<p>Necessary - The proposed development is expected to further increase demand for places at special schools in the area, and a contribution towards expansion of special 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.</p> <p>Directly Related - A development of 100 dwellings is expected to result in 0.7 pupil requiring education at a special school.</p> <p>Fairly and Reasonably Related - Yes, the contribution is based on a pupil cost of £82,627 as advised by Government Guidance Securing Developer Contributions for Education.</p>
Household Waste and Recycling	£10,350		<p>Necessary - The Environment Protection Act 1990 has a requirement for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited.</p> <p>Directly Related - Current HWRC need to increase by 28% to cope with current capacity issues. OCC have advised that if each household makes four trips per annum, the development would impact on the already over capacity HWRC's by an additional 520 HWRC visits per year.</p> <p>Fairly and Reasonably - Current land available 41,000m², needs to increase by 28% to cope with current capacity issues. Space for reuse requires an additional 7%. Therefore, total land required for current dwellings (309,017) is 55,350 m², or 0.18m² per dwelling.</p> <p>Infrastructure Cost per m² is £319. Kidlington build cost/m² indexed to 379 BCIS.</p> <p>Land Cost is £247 per m²</p>

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			<p>Total Land and Infrastructure Cost per m2 is £566</p> <p>Cost per dwelling is £101.88</p> <p>Total Cost is £10,188 based on 100 dwellings.</p>
NHS - BOBICB. Expansion of Bloxham and Hook Norton Surgery	£81,509,44	50% prior to commencement of development and 50% prior to occupation.	<p>Necessary: The ICB have provided evidence to demonstrate that the cross internal area of the practices at Bloxham and Hook Norton are below the NHS England size standards. There is therefore a need to reconfigure Bloxham and Hook Norton surgery in order to provide additional clinical space and to improve the existing GP services to accommodate the increase in population.</p> <p>Directly Related: The proposed development of 100 dwellings will increase the number of patients by an estimated 240. This will impact on primary health care infrastructure as there is insufficient capacity to accommodate the additional patients. For the avoidance of doubt, the impact of this development cannot be absorbed by the nearby GP Practices.</p> <p>Fairly and Reasonably Related: BOB-ICB is asking for a contribution of £81,509.44 which is based on the increase in floorspace required to serve the projected population increase. At the time of producing their comments the ICB have advised that a 14.32 m2 (gross internal area) is required, and the contribution is based on a building cost of £5,692 per square metres.</p>
Enhancement of Community Hall Facilities	£110,200.80	50% prior to commencement of development and 50% prior to occupation.	<p>Necessary: In order to achieve enhancements towards community hall facilities at Bloxham. Policy BSC12 states the Council will encourage the provision of community facilities to enhance the sustainability of communities.</p> <p>Directly Related: A development of 100 dwellings is expected to result in 240 residents. Based on a community space required per resident of 0.185m2 multiplied by £2,482.00 (Cost per m2 of provision of community space) results in a contribution required of £110,200.80</p>

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			Fairly and Reasonably: Yes.
Outdoor Sport Provision	£284,014.00	50% prior to commencement of development and 50% prior to occupation.	<p>Necessary: Policy BSC 10 Ensuring proposals for new development contribute to sport and recreation provision commensurate to the need generated by the proposals.</p> <p>Directly Related: CDC Playing Pitch Strategy identifies the need for improved pitches at Bloxham Recreation Ground. This includes improvements to the pitch and pavilion and better access for disabled users and parking provision and/or towards the provision of an artificial pitch in the locality.</p> <p>Fairly and Reasonably Related: The contribution of £2,840.14 per dwelling is based on the Sports England Playing Pitch Calculator.</p>
Indoor Sport Provision	£1,070.28	50% prior to commencement of development and 50% prior to occupation.	<p>Necessary: 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>Policy BSC 12 – Indoor Sport, Recreation, and community Facilities. 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>The Cherwell Indoor Sports Facilities Needs Assessment (March 2024) forms part of the evidence base to the Regulation 19 Draft Local Plan. Section 2.4 provides an assessment of Spiceball Leisure Centre which has a greater range of facilities than Wood Green. It identifies that the sports hall is operating at c.90% used capacity and caters for a wide range of activities.</p> <p>The swimming pool is reportedly (and according to the FPM) operating at 100% used capacity which is significantly above Sport England’s comfort factor of 70%.</p>

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			<p>Directly Related: Based on 100 dwellings and 2.4 person per dwelling multiplied by £335.32 per occupier of each dwelling, the development is expected to lead to 240 residents.</p> <p>Fairly and Reasonably Related: Yes.</p>
Community Development Worker	£18,724.80	100% prior to first occupation.	<p>Necessary: The contribution is being sought towards employment of a community development worker to integrate residents into the community and wider area.</p> <p>Community development is a key strategic objective of the Cherwell Local plan. The Local Plan includes a series of Strategic Objectives and a number of these are to facilitate the building of sustainable communities.</p> <p>Evidence gathered in preparing the 2017 Cherwell community Spaces Development Study strongly endorses the value in having a Community Development Worker available at an early stage in a new development to kickstart the process of bringing people together, developing new activities and putting in place the start of a strong community.</p> <p>The contribution will support the initial formation and growth of the community through investment in community development, which enhances wellbeing and provides social structures through which issues can be addressed.</p> <p>Directly Related: As the development is between 100 and 250 dwellings, developers are expected to provide the costs of employing a community development worker for 0.4 FTE for 1 year. Costs calculated at Grade G, point 1, £38,370.50 per annum plus 22% on costs. Total = £18,724.80</p> <p>Fairly and Reasonably Related: Yes. The contribution accords with the Planning Obligations SPD 2018.</p>

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Community Development Fund	£4,500	100% prior to first occupation.	<p>Necessary: Strategic Objective 10 of the Local Plan seeks to ensure that sufficient, accessible, good quality services, facilities, and infrastructure (including green infrastructure) are delivered to meet health, education, transport, open space, sport, recreation, cultural, social, and other community needs. It also seeks to reduce social exclusion and poverty and address inequalities in health and maximising well-being.</p> <p>Directly Related: The community development fund is sought to support the delivery of activities for the emerging community, organised/supported by the community development worker.</p> <p>Fairly and Reasonably Related: The community Infrastructure Officer has advised that the requested contribution is not referenced in the Developer Contributions SPD. The contribution does not therefore meet this test. The applicant has agreed to pay the requested contribution which is a material consideration in favour of the development.</p>
Public Art	£28,000	To be confirmed	<p>Necessary: CDC have advised that they would be seeking a contribution towards public artwork to be located in the vicinity of the development, visible to the community spaces in that area. Recommendation for siting would be the feature square provided around the central open space to enhance pedestrian connectivity to / from the play area, help slow traffic, and highlight its role as a nodal space within the development.</p> <p>Directly Related: No information has been provided by the Recreation and Leisure team to demonstrate how the requested contribution is directly related to this development.</p> <p>Fairly and Reasonably Related: Further information on what public art scheme the requested contribution will be spent on is required to ensure that the requested contribution is fairly or reasonably related.</p>
Public Transport Services	£163,680	75% prior to occupation and 25% within 12	<p>Necessary - The development is expected to result in an increase in the number of users of bus services. Paragraph 117 of the NPPF requires applications for development to facilitate access to high quality public transport.</p>

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		<p>months of first occupation.</p>	<p>Directly Related -The nearest bus stops are on South Newington Road near the junction of Cumberford, outside the petrol station. These stops are substandard, with the stop towards Banbury completely unmarked. In order to ensure using the bus is as convenient and attractive as possible for the new residents of this development, these bus stops will need to be upgraded to an acceptable standard. A S106 contribution will be required for this of £36,000 (Baxter index to October 2024). The contribution will cover the following works:</p> <p>Towards Banbury: Provision of shelter (3-bay), pole/flag/timetable case unit to OCC spec, waiting area (hardstanding - min 2m x 3m excluding shelter space), associated groundworks and appropriate crossing point.</p> <p>Towards Chipping Norton: Replacement of shelter (2-bay), replacement of pole/flag/timetable case unit to OCC spec, waiting area (hardstanding - min 2m x 3m excluding shelter space), associated groundworks and appropriate crossing point.</p> <p>Shelter types to be agreed with Bloxham Parish Council.</p> <p>Note that other developments in Bloxham have a similar requirement to upgrade these stops. In the event that a S106 contribution is received for these works from a different development, the requirement for this site to make a contribution towards bus stop improvements of £36,000 will no longer be required. Alternatively, a split of the contribution may be possible if there is certainty of developments proceeding.</p> <p>Reasonably Related: Yes, to maximise connectivity to the site and ensure that the opportunity for long term viability can be maximised.</p>
<p>Travel Plan Monitoring</p>	<p>£2,035</p>	<p>100% prior to commencement.</p>	<p>Necessary: Paragraph 118 of the NPPF requires all developments that generate significant amounts of movement to provide a travel plan.</p>

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			<p>Directly Related: A development of 100 dwellings is expected to generate significant amounts of movement. The requirement to provide a Travel Plan will be conditioned should planning consent be granted. A contribution of £2,035 to monitor the travel plan for 5 years is required.</p> <p>Reasonably Related: Yes, to accord with paragraph 118 of the NPPF.</p>
Cherwell District Council Monitoring Fee	£5,500		
S278 Highway Agreement			<ul style="list-style-type: none"> • Site access off Barford Road and informal pedestrian crossing (Dwg No. 4613-F03 Rev B – requires revision). Delivered via S278 Agreement. • Traffic calming scheme together with speed limit change and associated TRO's along Barford Road. The indicative location of the footway / cycleway improvement scheme is shown on Dwg No. 4613-F03 Rev B (requires revision to define scheme extent). Delivered via S278 Agreement. • NCN5 footway / cycleway improvement scheme along Barford Road between the site access and Kings Road. The indicative location of the footway / cycleway improvement scheme is shown on Dwg No. 4613-04. Delivered via S278 Agreement. •