

23/01233/OUT APPENDIX 1 – MATTERS RELATING TO SECTION 106 AGREEMENT

Cherwell District Council Planning Obligation			
Detail	Amounts (all to be index linked)	Trigger Points	Regulation 122 Assessment
Affordable Housing	<p>50% of total numbers of dwellings to be affordable housing</p> <ul style="list-style-type: none"> - 70% social rent - 25% First Homes - 5% shared ownership <p>All affordable rented units to be M4(2) compliant and 5% to be M4(3) 2b compliant.</p> <p>All rented dwellings to meet Nationally Described Space Standards.</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>Necessary – Yes, the site is allocated as part of the Partial Review Policy PR2 and PR6a 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>
Community Building	On site provision to agreed specification and long term management strategy.	Construction prior to 400 occupations (or an alternative agreed trigger).	<p>Necessary – Provision of a Community Building within the local centre in accordance with Policy BSC 12, Policy PR6a 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	Either £69,853.40 or bespoke stewardship arrangement.	Obligation covered by works to be undertaken by the Management Company.	<p>Necessary - Financial contribution towards improvements to 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>
Community Development Fund	Either £36,000.00 or bespoke stewardship arrangement.	Obligation covered by works to be undertaken by the Management Company.	<p>Fairly and Reasonably related in scale and kind - Yes</p>
Outdoor Sport Provision	£1,613,624.00	<p>25% prior to first occupation</p> <p>25% prior to 200 occupations</p> <p>25% prior to 400 occupations</p> <p>25% prior to 500 occupations</p> <p>(or an alternative agreed trigger)</p>	<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 CDC 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 – Based on CDC standards to deliver formal outdoor sports provision at PR7a and Stratfield Brake in line with the Sports Studies.</p>

Indoor Sport Provision	£667,957.44	25% prior to first occupation 25% prior to 200 occupations 25% prior to 400 occupations 25% prior to 500 occupations (or an alternative agreed trigger)	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 (i.e. towards improvements at Kidlington & Gosford Leisure Centre and / or a new facility in the vicinity).
2 x LAP; 1 x LEAP; 1 x Combined LAP/LEAP; 1 x Combined LAP/LEAP/NEAP/MUGA - Maintenance costs	To agreed specification.	Obligation covered by works to be undertaken by the Management Company.	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.
Cotteslowe Park Extension	As required by policy.	Provision to be made as part of the development.	
Green Infrastructure Corridor	As required by policy.	Provision to be made as part of the development.	
Open Space (Management and Maintenance)	Either by Management Company or CDC.	Obligation covered by works to be undertaken by the Management Company.	

<p>Allotments, Community Gardens and Orchards - specification</p>	<p>To agreed specification.</p>	<p>Prior to determination of the relevant Reserved Matters Application or Detailed Planning Application which includes the community gardens or alternative agreed trigger</p>	<p>Necessary – Delivering allotments, including community gardens and orchards, as required by Partial Review Local Plan Policy PR6a. Directly related – Yes. Fairly and reasonably related in scale and kind – Yes.</p>
<p>Biodiversity Net Gain</p>	<p>Scheme to provide for a minimum of 10% BNG and maintenance.</p>	<p>Upon completion of all the phases development, a minimum 10% biodiversity net gain will be delivered. (NOTE: This could involve some phases of development delivering less than 10% BNG).</p>	<p>Necessary – Delivering a minimum of 10% BNG is in accordance with the mandatory biodiversity net gain requirement for new housing and commercial development in The Environment Act 2021. Directly related – Yes. Fairly and reasonably related in scale and kind – Yes.</p>
<p>BIMP (including farmland birds mitigation) proposals</p>	<p>Scheme for off-site mitigation of farmland birds</p>	<p>In conjunction with the delivery of development.</p>	<p>Necessary – Delivering biodiversity improvements as required by Partial Review Local Plan Policy PR6a. Directly related – Yes. Fairly and reasonably related in scale and kind – Yes.</p>

Waste Recycling	£88,800	Prior to first occupation or alternative agreed trigger	<p>Necessary – Related to the increase in resident population as a result of the development and based on standard CDC charges.</p> <p>Directly related – Yes.</p> <p>Fairly and reasonably related in scale and kind – Yes.</p>
Land and provision of a recycling bank		Construct recycling bank prior to 400 occupations (or an alternative agreed trigger)	
CDC Monitoring Costs	£20,000	<p>Figure to be confirmed by CDC based on items to be monitored.</p> <p>50% prior to first occupation 50% prior to 400 occupations</p> <p>(or an alternative agreed trigger)</p>	The CDC charge is based upon its agreed Fees and Charges Schedule.

All of the above subject to S106 wording and standard repayment clauses to be included in the Agreement.

Oxfordshire County Council Planning Obligation			
Detail	Amount (all to be Index Linked)	Trigger Points	Regulation 122 Assessment
Primary Education - Transfer of school land	<p>Serviced and remediated land for a Primary school - 2.22 Hectares (excluding circulation area) (to agreed OXCC specification to allow for retaining structures).</p> <p>[To be transferred at nil cost but contribution from PR6b site and potential buy back mechanism should school use not proceed or ceases in the future]</p>	<p>OXCC trigger: 100 occupations</p> <p>(or an alternative agreed trigger)</p>	<p>Necessary – Related to the provision of a primary school on site to serve PR6a and PR6b. Local Plan Partial Review Policy PR6a is the relevant policy.</p> <p>Directly related – Related to the pupils generated by the development of PR6a and PR6b.</p> <p>Fairly and reasonably related in scale and kind – Yes, the transfer of land is expected as part of the delivery of the school</p>
Primary Education	<p>Financial contributions for construction of 1FE primary school (including nursery)</p> <p>£7,746,000</p>	<p>OXCC triggers:</p> <p>10% prior to implementation</p> <p>30% on due date of transfer at 100 occupations</p> <p>30% 6 months after due date of transfer, or 200 occupations (whichever is earliest)</p> <p>30% 12 months after transfer or prior to 300 occupations (whichever is earliest)</p> <p>(or alternative agreed triggers)</p>	<p>Necessary – Related to the provision of a primary school on site to reflect the increase in pupils resulting from the PR6a and PR6b developments.</p> <p>Directly related – Related to the pupils generated by the development of sites PR6a and PR6b.</p> <p>Fairly and reasonably related in scale and kind – Calculated on the of pupil yield and cost per pupil.</p>

Secondary Education	Financial contribution - £5,411,504	34% prior to 200 occupations 33% prior to 300 occupations 33% prior to 400 occupations (or an alternative agreed trigger)	Necessary – Related to the provision of secondary school enhancement in the District to reflect the increase in pupils Directly related – Related to the pupils generated by the development Fairly and reasonably related in scale and kind – Calculated on the of pupil yield and cost per pupil.
Secondary Education – Land Costs	Towards acquisition land costs for a new school - £448,853	Prior to 300 Occupations. (or an alternative agreed trigger)	Necessary – A contribution is also required towards secondary school site acquisition land costs, proportionate to Local Plan allocated dwelling numbers. Directly related – Related to the expected pupils generated by the development Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil.
SEND Development	Financial contribution - £538,446	Prior to 500 Occupations. (or an alternative agreed trigger)	Necessary – Towards expansion of SEND school capacity. Requirement for additional SEND provision defined within the Oxfordshire SEND sufficiency Delivery Strategy. Directly related – Related to the expected pupils generated by the development. Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil.

<p>Library Services</p>	<p>Expansion of Kidlington Library - £51,280</p> <p>Contribution to library stock at Kidlington Library - £27,086</p>	<p>OXCC trigger: Prior to 400 occupations All payments made by 2/3rds build out of the development (c. 533 occupations).</p> <p>(or alternative agreed triggers)</p>	<p>Necessary – This site is served by Kidlington Library which is unable to accommodate development from the PR Sites. To accommodate growth from the PR sites, the library needs to be reconfigured / refurbished to expand capacity.</p> <p>Directly related – Kidlington Library is the nearest public library to the PR6a site.</p> <p>Fairly and reasonably related in scale and kind – Yes.</p>
<p>HWRCs</p>	<p>Towards expansion and efficiency of Household Waste Recycling Centres - £75,168</p>	<p>Prior to first occupation (or an alternative agreed trigger)</p>	<p>Necessary – Related to the increase in resident population as a result of the development.</p> <p>Directly related – Related to the development of PR Sites.</p> <p>Fairly and reasonably related in scale and kind – Yes.</p>
<p>Archaeological Storage</p>	<p>Increased capacity at Standlake Storage Centre - £7,169</p> <p>Subject to any finds being found.</p>	<p>Prior to implementation</p>	<p>Necessary – On the basis that archaeological finds are excavated which require additional storage facilities, a financial contribution is necessary on that basis.</p> <p>Directly related – Yes</p> <p>Fairly and reasonably related in scale and kind – Yes</p>

<p>Oxford Airport Transport Hub</p>	<p>£2,238,631 (financial contribution to be confirmed)</p>	<p>25% prior to 500 occupations 50% prior to 600 occupations 25% prior to 700 occupations (or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan. Directly related – Not directly related to the site, which is adjacent to Oxford Parkway Park & Ride but is identified in Appendix 4 of the Local Plan. Fairly and reasonably related in scale and kind – The scale of the identified contributions are split proportionately to the scale of the development.</p>
<p>Oxford Road Cycle Superhighway (beyond the site frontage of PR6a)</p>	<p>£845,337</p>	<p>25% prior to first occupations 50% prior to 200 occupations 25% prior to 300 occupations (or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works are identified in the Local Plan. Directly related – Identified in Appendix 4 of the Local Plan. Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>

Cuttleslowe Roundabout Improvements	£705,264	50% prior to 200 occupations 50% prior to 300 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</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.</p>
A4260 Southbound bus lane from Bicester Road / A4260 junction to Kidlington roundabout	£1,585,564	50% prior to 400 occupations 50% prior to 600 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</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.</p>

Signalised junctions along the A4260/A4165	£254,750	50% prior to 200 occupations 50% prior to 300 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</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.</p>
Active Travel Infrastructure Cutteslowe Park Cycle Route	£216,028	100% prior to 200 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</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.</p>

<p>Bus service improvements</p>	<p>£861,055</p>	<p>A declining bus subsidy calculation over 8 years:</p> <p>First occupations / Year 1: 22% 200 occupations / Year 2: 19% 300 occupations / Year 3: 17% 400 occupations / Year 4: 14% 500 occupations / Year 5: 11% 700 occupations / Year 6: 8% 800 occupations / Year 7: 6% 800 occupations / Year 8: 3%</p> <p>(or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</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.</p>
<p>RTI Displays at existing Jordan Hill Bus stops (x4)</p>	<p>£41,211</p>	<p>100% prior to first occupation</p> <p>(or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</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.</p>

Public Rights of Way Improvements	£310,000 (sum to be agreed following further discussion)	Trigger point(s) to be confirmed following further discussion.	Necessary – A financial contribution towards the maintenance of footpaths in the local area is acceptable in principle. Directly related – Relates to PRoW within the local area but no specific works have yet been identified. Fairly and reasonably related in scale and kind – The level of contribution is questioned and discussions are ongoing.
Framework Travel Plan - Monitoring	Framework Travel Plan Monitoring - £1,890 School Travel Plan Monitoring - £1,890 Residential Travel Plan Monitoring - £3,110	100% prior to first occupation (or an alternative agreed trigger)	Necessary – The travel plan is necessary to encourage modal shift and is a requirement of the Local Plan. Directly related – Identified in the Local Plan. Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.
OXCC Administration and Monitoring Fee	£37,009 (subject to further discussion)	OXCC proposed triggers: 50% on completion 50% first occupation (or an alternative agreed trigger)	The OXCC charges are based upon Cabinet approved charging schedule.

All of the above subject to S106 wording and standard repayment clauses to be included in the Agreement.

Other Planning Obligations (Payable to CDC)			
Detail	Amount (all to be index linked)	Trigger Points	Regulation 122 Assessment
Thames Valley Police	Staff Set Up - £7,373 Vehicles - £17,840 Mobile IT - £9,450 ANPR Cameras - £11,000 Premises - £86,594	Prior to 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>
Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (BOBW ICB)	Primary Care Infrastructure - £691,200	50% prior to 400 occupations 50% prior to 700 occupations (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>

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