

Case Officer: Andrew Thompson

Applicant: Manor Oak Homes/G B Bishop-Fruedling & C A Parsons

Proposal: Outline planning application for up to 118 no dwellings (all matters reserved except for access) with vehicular access from Oxford Road

Ward: Kidlington East

Councillors: Cllr Billington, Cllr Mawson and Cllr Middleton

Reason for Referral: Major development

Expiry Date: 13 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 lies on the southern edge of Kidlington adjacent to Stratfield Brake Sports Ground. It comprises c.10.4 hectares of land previously in cultivation and now used as grazing and arable land along with the existing Grade II Listed farmhouse and associated outbuildings (which sit outside the site but are subject to separate full and listed building applications which are found elsewhere on this agenda).
- 1.2. The site is bounded to the east by the A4260 (Oxford Road), to the south by Stratfield Brake Sports Ground and grasslands within the Stratfield Brake Woodland Trust Reserve, to the west by the Oxford Canal and associated vegetation. The northern side of the site comprises existing residential development.
- 1.3. The site is allocated by Policy PR7b which is described as being located on the southern and western edge of Kidlington and Gosford and Water Eaton and will be a small scale village extension, fully integrated with the existing village, with easy access to existing shops and local facilities and to Oxford Parkway station. Planned improvements to public transport, walking and cycling on Oxford Road will enhance the already excellent access from this site by bus into Kidlington village centre and south into Oxford.
- 1.4. The Council's Adopted Development Brief states that land to the west of the site will form part of a strategic green infrastructure corridor, maintaining a protected green gap between Kidlington and Oxford. The Green Infrastructure corridor provides a walking and cycling connection to the Oxford Canal, Stratfield Brake recreation grounds and beyond to site PR8, creates new areas of wildlife habitat and amenity green space to meet identified local needs.
- 1.5. Existing vehicular access is off a slip road on the western side of Oxford Road, the main road through Kidlington.
- 1.6. The site is enclosed by hedgerows and vegetation, some containing individual trees.

2. CONSTRAINTS

- 2.1. The application site is within Flood Zone 1 and is generally at a low risk of surface water flooding. A small area of high and medium risk surface water flooding is shown on the flood risk map, however, this is an isolated pocket associated with a low spot in the mapping data used and is not considered to constitute a risk to the wider site. The application site forms part of the allocation for Land at Stratfield Farm (Site PR7b). As part of the allocation, the western and southern edge of the site remains in the Green Belt.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application is an outline planning application for up to 118 new dwellings (excluding the listed farmhouse and its associated outbuildings) access and open space on land off Oxford Road in Kidlington, Oxfordshire. All details are to be reserved for future consideration, except for the means of access to the site, which will be provided in full detail.
- 3.2. The application is supported by an illustrative masterplan (reference 40975-012 Rev A) and site location plan (40975-001 Rev A).
- 3.3. A suite of accompanying documents common across both applications, are submitted in support of these applications. They comprise:
 - Statement of Community Involvement produced by Carter Jonas LLP;
 - Planning Statement by Carter Jonas LLP;
 - Design & Access Statement produced by RG&P Architects;
 - Arboricultural Impact Assessment by Aspect
 - Archaeological Evaluation by Thames Valley Services;
 - Heritage Impact Assessment by Asset Heritage Consulting;
 - Landscape & Visual Impact Assessment by Aspect Landscape Planning;
 - Flood Risk assessment by MAC Consulting;
 - Transport Assessment by MAC Consulting;
 - Framework Travel Plan by MAC Consulting;
 - Air Quality Assessment by Redmore Environmental;
 - Noise Impact Assessment by Professional Consult;
 - Sustainability and Energy Statement by Manor Oak Homes Limited;
 - Ecological Appraisal by Aspect.

4. RELEVANT PLANNING HISTORY

- 4.1. There is no planning history directly relevant to the proposal. The concurrent planning application under reference 22/01756/F and the associated application for listed building consent under reference 22/01757/LB should be noted. It is also noted that an application for the main site of allocation PR8 has also been submitted under 23/02098/OUT and this is under consideration.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal however pre-application discussions have taken place in relation to the conversion of the listed building of Stratfield Farmhouse under reference 21/03477/PREAPP:
- 5.2. The pre-app indicates conversion of the listed farmhouse (building A) to a single dwelling, consistent with the principle of converting to residential use contained within the Council's Development Brief.
- 5.3. Detailed comments were made by the Council's Conservation Team as to the detail of the Listed Building, the requirements for future submissions and the detailed layout

of the proposed scheme including matters relating to car parking and ancillary structures.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was **13 June 2023**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

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: accepts the principle of development on this site as it is an allocation site in the adopted Local Plan, although the overall number of dwellings applied for exceeds the allocation. Kidlington Parish Council is concerned about the one vehicular access to the site onto the slip road of the Oxford Road as it is close to the Kidlington roundabout at the bend in the road which is considered hazardous. Therefore, Kidlington Parish Council objects to the means of access to Oxford Road. Additionally, Kidlington Parish Council is not satisfied that the traffic generated by this development within the overall context of all the other developments proposed in adopted Local Plan to address Oxford's Unmet Housing Needs has been taken into account. This application needs to be considered within that context holistically and objects on that basis.

CONSULTEES

- 7.3. STRATEGIC HOUSING: Support

Layout: The affordable housing is proposed within the main site proposed in the outline application, with the dwellings on the farmhouse site as market dwellings. This is acceptable as long as the affordable dwellings on the main site are distributed amongst and externally indistinguishable from the market dwellings. Accessible & adaptable properties

In accordance with Oxford City Council housing policies, all of the proposed affordable dwellings are required to meet M4(2) Category 2 requirements and 5% are required as M4(3) Category 3: Wheelchair user dwellings. These are best provided as bungalows and this is reflected in the revised mix suggested below. Taking the above points into consideration, the following is a suggested revised affordable housing mix which will meet identified needs: Social rent (45) - 14 x 1b2p maisonettes - 2 x 1b2p bungalows (wheelchair adapted) - 1 x 2b4p bungalows (wheelchair adapted) - 12 x 2b4p houses - 10 x 3b5p houses - 4 x 4b7p houses - 2 x 5b8p houses First Homes (15) - 8 x 2b4p houses - 7 x 3b5p houses

Strategic Housing officers from both CDC and Oxford City Council would welcome discussions with the applicant regarding this suggested mix and to provide detailed evidence of housing need on which it is based.

- 7.4. OCC STRATEGIC COMMENTS: Policy PR7b provides for 120 houses on this site, and the application is for 118, plus there is a listed building consent application to create 4 units out of the existing listed building and its outbuildings. A development brief was adopted for the site, following a Planning Committee in December 2021. Policy PR7b requires the application to be in accordance with the development brief. Part of the site remains in the Green Belt. All of that land, plus some other land is identified for green infrastructure and associated uses as part of this application which is welcomed. The County Council owns the land at Stratfield Brake adjoining, and links between the green infrastructure on this site, and that site should be provided for. At the County Council Cabinet in March 2022, it was agreed that discussions would commence with Oxford United Football Club about leasing land at Stratfield Brake, and the District Council should also consider the current status of those discussions when making a decision on this planning application.
- 7.5. NATIONAL HIGHWAYS: No objection subject to a condition for a Construction Traffic Management Plan has been submitted and agreed in writing by the Local Planning Authority (in consultation with National Highways as Highway Authority for the A34).
- 7.6. OCC HIGHWAYS: No objection subject to Planning Conditions and s106 Obligations
- 7.7. OCC EDUCATION: No objection subject to s106 contributions towards education enhancement.
- 7.8. OCC ARCHAEOLOGY: The proposals outlined would not appear to have an invasive impact upon any known archaeological sites or features. As such there are no archaeological constraints to this scheme. An archaeological evaluation on the site found no archaeological features.
- 7.9. OCC WASTE MANAGEMENT: No objection subject to a contribution towards Household Waste Recycling Centre enhancement (£11,087).
- 7.10. THAMES WATER: Suggest conditions to secure appropriate infrastructure in relation to foul and surface water drainage.
- 7.11. LLFA: Provide watercourse ownership details and confirm the watercourse has capacity to take the proposed flows.
- 7.12. CDC LAND DRAINAGE:
1. Flood Risk: The Environment Agency flood risk mapping shows the site is at very low risk of fluvial flooding. However, there are pockets of surface water flood risk within it and the western portion could be affected by flooding from other sources such as the Oxford Canal which forms the western boundary of the site. Those parts of the site shown to be at risk are generally to the west of the minor "Ordinary Watercourse" which crosses it where no built development is indicated. Therefore, the sequential test within the site has been followed.
 2. Surface Water Management The surface water management strategy set out in the Flood Risk Assessment is acceptable in principle. However, due to the topography and downstream conditions the outfall is likely to be surcharged for considerable periods. The design of the attenuation must have regard to surcharged conditions.
 3. Site Layout The indicative site layout is acceptable in that it allows ready access for the maintenance of all watercourses in and around the site and locates open space where flood risk has been identified. This comment is subject to the further flood risk investigation work that is required due to the downstream conditions.

7.13. THAMES VALLEY POLICE: Object to the illustrative masterplan due to concerns with regard to the layout and parking provision layout. Seek contributions of £25,180 towards officer set up and equipment.

7.14. BUILDING CONTROL: No comment

7.15. ECOLOGY: As regards to net gain, the submitted metric does demonstrate a 10% net gain in hedgerows and habitat units however I would concur with BBOWT that this will depend on substantial buffers to hedgerows to ensure they retain their ecological function and on achievement of the habitat conditions within the metric - some of which are ambitious. In particular the 'other neutral grassland' creation within the informal open space aims to achieve 'good' condition whilst also performing as the main amenity area for dog walking etc.. The orchard also need to be used both for amenity and to benefit biodiversity. Comment on how this will work in practice (will it all be accessible?) would be useful for assessment of the achievability of the proposed habitat conditions.

The site is within the red zone for GCN as identified by spatial modelling by our District licence delivery body. There are also records of GCN just over 500m to both the West and East. In 2017 a pond on site (P1) was found (by eDNA) to have GCN present. The last surveys found them to be absent but these were three years ago. The pond on site is of average suitability and there is one adjacent to the boundary which has been assessed as of 'excellent' suitability. I do not agree with discounting GCN presence entirely at this stage therefore and feel that update surveys will be required or consideration of joining the District licence scheme.

7.16. BERKSHIRE, BUCKINGHAMSHIRE AND OXFORDSHIRE WILDLIFE TRUST (BBOWT): Objection, in relation to the following issues: 1. Application does not provide adequate evidence of protection and enhancement of existing habitats, and creation of new habitats as required by the Development Brief; 2. The importance of the "nature conservation area" being managed for wildlife in perpetuity; 3. The need for the management of the nature conservation area to bring about the extension of the District Wildlife Site and contribute to CTA aims, as required by the Development Brief.

7.17. ENVIRONMENTAL PROTECTION:

Noise: The Noise Impact Assessment submitted by Professional Consult on behalf of the applicant has been reviewed. We recommend that the mitigation measures proposed in the report are adhered to and that, providing these are implemented as outlined in the report that the development will achieve the noise levels specified in BS8233:2014.

Contaminated Land: The full contaminated land conditions will need to be applied to any approved permission

Air Quality: I have reviewed the Air Quality Assessment submitted by Redmore Environmental on behalf of the applicant and am happy that this demonstrates that, providing adequate dust control measures are in place during the construction phase of the development, the impact of the development on air quality should not be considered a constraint.

Odour: No comments

Light: Full details of the lighting scheme should be submitted for approval by the LPA.

- 7.18. RECREATION AND LEISURE: Seek contributions in line with the Developer Contributions Supplementary Planning Document (SPD)
- 7.19. HEALTHCARE (NHS): Seek contribution of £101,800 towards Consulting rooms to cope with increased population growth as a direct result of the increase in dwellings.
- 7.20. NATURAL ENGLAND: No objection - the proposed development will not have significant adverse impacts on designated sites.
- 7.21. ENVIRONMENT AGENCY: No comment
- 7.22. CANALS AND RIVERS TRUST: Suggest conditions and a legal agreement.

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
- PR7b: Land at Stratfield Farm
- PR8: Land East of A44
- 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
- SLE1: Employment Development
- SLE2: Securing Dynamic Town Centres
- SLE3: Supporting Tourism Growth
- SLE4: Improved Transport and Connections
- BSC1: District Wide Housing Distribution
- 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
- ESD12: Cotswolds Area of Outstanding Natural Beauty (AONB)
- ESD13: Local Landscape Protection and Enhancement
- ESD14: Oxford Green Belt
- ESD15: The Character of the Built and Historic Environment
- ESD16: The Oxford Canal
- 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
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- TR10 - Heavy Goods vehicles
- TR11 - Oxford Canal
- C5 - Protection of ecological value and rural character of specified features of value in the District
- C15 – Prevention of coalescence of settlements
- C18 – Development proposals affecting listed buildings
- C21 – Proposals for re-use of a listed building
- C23 – Retention of features contributing to character or appearance of a conservation area
- C28 – Layout, design and external appearance of new development
- C29 – Appearance of development adjacent to the Oxford Canal
- C30 – Design control
- C32 – Provision of facilities for disabled people
- C38 – Satellite dishes in conservation areas and on listed buildings
- C39 – Telecommunication masts and structures
- 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
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Kidlington Masterplan SPD

- PR7b Land at Stratfield Farm Development Brief
- Cherwell Design Guide SPD
- CDC Developer Contributions SPD
- Oxford Canal Conservation Area Appraisal

9. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Heritage impact
- Ecology impact
- Mitigation towards Climate Change
- Noise, Air Quality and Ground Conditions
- Access and Highway Safety
- Flooding and Drainage
- S106 Contributions

Principle of Development

9.2. The application site is allocated within the Partial Review as site PR7b. The policy identifies the allocation as an extension to Kidlington which will be developed within 10.5 hectares of land at Stratfield Farm as shown on the inset Policies Map PR7b.

9.3. The policy sets out that Development proposals for the site will be permitted if they meet the following requirements:

1. Construction of 120 homes (net) on 5 hectares of land (the residential area).
2. The provision of 50% of the homes as affordable housing as defined by the National Planning Policy Framework.
3. Land and proportionate financial contributions to secure a foot, cycle and wheel chair accessible bridge over the Oxford Canal to enable the site to be connected to the allocated site to the east of the A44 (policy PR8).
4. Provision for required emergency services infrastructure.
5. The provision of facilities for play areas and allotments to adopted standards within the developable area and contributions for off-site formal sports provision.
6. The improvement, extension and protection of the existing orchard marked on the inset Policies Map for community benefit.
7. Creation of a nature conservation area on 5.3 hectares of land as shown on the inset Policies Map, incorporating the community orchard and with the opportunity to connect to and extend Stratfield Brake District Wildlife Site.
8. A new public bridleway/green link suitable for all-weather cycling and connecting Land at Stratfield Farm with Land East of the A44 (PR8) across the Oxford Canal, and key facilities on the A4165 including proposed sporting facilities at Land at South East Kidlington (PR7a) and Oxford Parkway

9.4. The application proposals are supported by a Design and Access Statement and illustrative masterplan which show how the development could be brought forward if

the principle was approved. The layout follows the principle of the allocation with the access from Oxford Road and development on the eastern and northern edges as a continuation of Kidlington.

- 9.5. The proposals also show green space and retained areas to the west and south which follows the allocation and the retained Green Belt areas. Access through this area is limited and this is limited to include recreational activity up to and including the canal and the potential bridge crossing. The creation of new rights of way and movement across the site would be a matter of detail which would be submitted as part of the Reserved Matters, if approved.
- 9.6. 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 carry additional positive weight with permission being progressed and any adverse impacts of doing so would have to significantly and demonstrably outweigh the benefits. In conclusion the illustrative masterplan is in accordance with the allocation and whilst many details are subject to further detail and submissions the application can be considered to be in accordance with the Local Plan allocation.

Design, and impact on the character of the area

- 9.7. The Development Brief identifies that there is an opportunity to create an integrated extension to Kidlington that provides an appropriate edge to the village and maximises the opportunity for walking and cycling links. It is important to ensure effective connectivity between the development and the existing community that supports active travel and reduces severance.
- 9.8. The Development Brief also identifies that the development should reflect the traditional character of Cherwell's vernacular building typologies and settlement pattern.
- 9.9. The Development Brief further identifies that the site will be developed in a way which contributes to healthy living and the well-being of local residents. It will:
 - provide a new public green link for walking and cycling connecting to strategic sustainable movement corridors which supports active lifestyles
 - create new accessible areas of public open space, community food growing opportunities and children's play space
 - improve connectivity between Kidlington, Stratfield Brake and the Oxford Canal and to encourage outdoor sports and leisure
 - provide for the long-term management, continued use and conservation of the site's historic assets supporting local cultural heritage.
 - improve access to and along the Canal towpath for walking and cycling
 - meet the need for early provision of health promoting infrastructure; and
 - meet high quality design standards as specified in Building for a Healthy Life

- 9.10. It should be noted that the masterplan submitted is illustrative and approval would not be granted at this stage to the overall layout of the scheme. The Police's comments are noted and have been given careful consideration with the detailed layout needing to address comments and concerns raised. The provision of open space, play space and allotments to adopted standards within the developable area are also required.
- 9.11. Whilst amendments would be needed at Reserved Matters stage, in particular in relation to the parking provision and its associated layout, it is considered that the proposals follows many of the key aspects of the design and layout of the Development Brief with the Farmhouse conversion and development (under 22/01756/F and 22/01757/LB) at the heart of the development proposals.
- 9.12. The relationship between the application site and the neighbouring Stratfield Brake is also retained as green space. Links are capable of being provided to the southern boundary of the application site and a footpath/cycleway is proposed in accordance with the aims and objectives of the Development Brief running east to west.
- 9.13. As such the proposals would deliver a development in accordance with principles of the Development Brief and whilst further work will be needed as part of the Reserved Matters, the proposals would be in accordance with Policy ESD15 of the CLP 2015, saved policies C28 and C30 of the CLP 1996 and the guidance of the Council's Development Brief.

Heritage Impact

- 9.14. The site affects the setting of the Oxford Canal Conservation Area and the Grade II listed building of Stratfield Farmhouse and its associated buildings which are also listed through their relationship in the curtilage of the listed building.
- 9.15. 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.*
- 9.16. 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.
- 9.17. 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.
- 9.18. The application and illustrative masterplan shows green space to the western boundary of the application site which adjoins the Oxford Canal Conservation Area and the development proposals are some distance from the boundary with the Conservation Area. The proposals retain space for access to the canal and a future canal bridge which would be delivered as part of the PR8 development proposals. Overall it is considered that the Conservation Area plays a significant role in the area however the impact of the proposals would result in less than substantial harm.

- 9.19. The direct impact of the proposals on the conversion of the Farmhouse and associated development proposals are part of the consideration of the specific applications. The Farmhouse is a significant feature in the locality however the degradation in the heritage asset should be noted.
- 9.20. The outline proposals would also not impact on the curtilage and the orchard of the existing farmhouse and the proposals would provide an appropriate set off from the building with landscaping to the north and south and there is limited physical interaction to the east and west beyond highway infrastructure which also serves as enhanced access to the Farmhouse.
- 9.21. In respect of archaeology, as set out by the County Archaeologist, an archaeological evaluation on the site found no archaeological features and therefore there is no impact on archaeology from the proposals.
- 9.22. Therefore it is considered that the proposals would constitute less than substantial harm to the farmhouse and its curtilage. In accordance with the NPPF the impact of the proposals should be balanced against the benefits of the proposals.
- 9.23. Subject to appropriate conditions to secure the delivery of an appropriate Reserved Matters, the proposals are considered to be in accordance with saved policies C28 and C30 of the CLP 1996 and policy ESD15 of the CLP 2015 and the aims and objectives of the National Planning Policy Framework.

Ecology Impact

- 9.24. The Conservation of Habitats and Species Regulations 2017 provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. 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.
- 9.25. Paragraph 180 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.
- 9.26. 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.
- 9.27. 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.
- 9.28. The application is supported by a detailed Phase 1 habitat survey which has established that the site is dominated by habitats not considered to be of ecological importance, whilst the proposals have sought to retain those features identified to be

of value. Where it has not been practicable to avoid loss of habitats, new habitat creation has been proposed to offset losses, in conjunction with the landscape proposals.

- 9.29. The habitats within the site support several protected species, including species protected under both national and European legislation. Accordingly, a number of mitigation measures have been proposed to minimise the risk of harm to protected species, with compensatory measures proposed, where appropriate, in order to maintain the conservation status of local populations.
- 9.30. In conclusion, the submitted evidence sets out that the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm to biodiversity.
- 9.31. In response to Ecology Officers comments a further survey for Great Crested Newts has been carried out which concluded that there are no Great Crested Newts present and that this species is unlikely to be present or require further consideration/mitigation.
- 9.32. On the basis of the considerations and proposals set out (including the assumptions and limitations set out above and within the comments in the spreadsheet tool, along with the condition assessment summarised at Appendix 5176/5), the DEFRA 3.0 Metric calculator indicates a net habitat biodiversity unit change for the proposals within the site boundary representing a gain of 13.31% within the site boundary.
- 9.33. Officers are satisfied, whilst noting the comments of BBOWT and the Council's Ecologist have been given full consideration, that the submitted evidence and the delivery of in excess of national requirements for biodiversity net gain, 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.

Mitigation towards Climate Change

- 9.34. 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.
- 9.35. 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 adaptation measures to ensure that development is more resilient to climate change impacts by proposing sustainable drainage methods and increased green infrastructure provision.
- 9.36. 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.

- 9.37. 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.
- 9.38. 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.
- 9.39. 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.
- 9.40. The application is supported by a Sustainability and Energy Statement which sets out how the proposals will achieve climate change mitigation. Whilst the detailed design of housing is not submitted at this stage the application sets out that the development will ensure the homes will minimise carbon emissions and achieve a high standard of energy efficiency.
- Buildings designed to achieve the 2025 Future Homes and Buildings Standard delivering at least 75% less carbon emissions than homes delivered under current regulations through the use of a fabric first approach and all electric energy strategy.
 - The Development will incorporate low carbon renewable energy technologies including Air Source Heat Pumps. Roof spaces across the site designed to accommodate Solar Photovoltaics.
 - The development will include provision for smart electric vehicle charging for each dwelling.
 - Incorporating high efficiency lighting targeting 100% of all light fittings as low energy lighting.
- 9.41. In addition the statement also highlights that buildings which will be designed to make use of sustainable materials to reduce environmental impacts of construction including sustainable timber from FSC (or equivalent) sources and materials specified using the BRE Green Guide to construction. There will also be efforts to reduce waste through a site waste management strategy that avoids overordering to reduce offcuts and identifies materials that can be reused and recycled and will seek to use locally sourced and recycled materials.
- 9.42. Overall the proposals are considered to provide an appropriate basis for the consideration of the outline planning application and would be in accordance with Policies ESD1-5 of the CLP 2015 and aims and objectives of the National Planning Policy Framework.

Noise, Air Quality and Ground Conditions

- 9.43. 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.

9.44. 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.

9.45. The comments of the Council's Environmental Health Officers are noted. In respect of contamination and ground conditions, there is no reason to suggest that the application site could not come forward.

9.46. In respect of noise appropriate reserved matters submission and that landscaping to the boundary with residential properties is appropriate and a satisfactory residential environment can be achieved for future residents. 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.

9.47. In respect of air quality, it would be important in ensuring that the residential environment created should also be appropriate. Management of the construction process through dust suppression, for example would also be important through the CEMP.

9.48. 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.

Access and Highway Safety

9.49. Policy SLE4 seeks to support proposals in the movement strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth. It identifies that new development in the district will be required to provide financial and/ or in kind contributions to mitigate the transport impacts of the development. The Policy also identifies that new development should facilitate the use of sustainable modes of transport to make the fullest use of public transport, walking and cycling. The policy reflects the NPPF in that it advises that development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.

9.50. The application has been the subject of the Transport Assessment and further technical notes which support the allocation in the Cherwell Local Plan Part 1 Partial Review submission document which aims to accommodate 4400 homes of Oxford's unmet housing need. The comments of Kidlington Parish Council have been

considered however it is agreed that the transport impact and access arrangements have been appropriately assessed and are agreed.

- 9.51. This being a Partial Review (PR) site whose cumulative impact with other PR sites triggered the need to consider an infrastructure strategy – a package of measures or improvements was deemed necessary to support these developments; The revised table below is a list of infrastructure schemes that the development needs to make proportional financial contributions to (to be secured through a s106 Agreement) as have been identified in the adopted Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review.
- 9.52. In addition to the elements listed in Appendix 4 of the Local Plan. Acknowledging that the application for PR7b is well advanced relative to PR8, and because PR8 shall bear the heavier (proportional) burden, it is reasonable to move this consultation forward with the following presumptions. Because the bridge design is yet to be agreed, the physical footprint of the bridge must not be constrained. With that, sufficient land shall need to be safeguarded for the erection of the bridge structure including the ramp. With regards to the S106 contribution it has been agreed that these can be determined post planning Committee which should give PR8 time to work on the bridge design. The costs of implementing the bridge including design and construction shall be pro-rated.
- 9.53. In respect of a link to Croxford Gardens This connection is a desired one but not essential and omitting it would not severely affect how the development is accessed. Whilst efforts would be made to deliver the link, it is not necessary to make development acceptable.
- 9.54. In respect of a controlled parking zone as requested by the Highway Authority, as the design and layout of the development has not been agreed at this stage, it is not appropriate to formally require such measures as a satisfactory parking provision may be otherwise provided. A condition requiring details of a parking strategy is therefore proposed.
- 9.55. Overall, the supporting information and the impact of the highway has been fully assessed and concluded to be acceptable.

Flooding and Drainage

- 9.56. 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'*.
- 9.57. 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.
- 9.58. 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.

- 9.59. The application is supported by a Flood Risk Assessment. The comments of the LLFA and CDC Drainage Officers are noted in this respect.
- 9.60. 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.
- 9.61. 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.
- 9.62. 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.
- 9.63. 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. There are also some isolated areas of low risk.
- 9.64. Development is not proposed within these 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.
- 9.65. The comments and concerns 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, the proposals are considered to be acceptable and in accordance with Development Plan policy and national planning policy guidance with the concerns capable of being addressed through conditions and appropriate Reserved Matters submissions.

S106 Contributions

- 9.66. 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.
- 9.67. 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.

- 9.68. Policy PR2 and PR7b 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 stating 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.
- 9.69. 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.
- 9.70. 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 118 residential units on the site which would represent a major application in terms of definition. For this reason, the application should provide an element of affordable housing as part of the proposal.
- 9.71. The policy requirement is for 50% affordable housing as set out in Policy PR2 in the Partial Review Local Plan and the allocation of the site (Policy PR7b).
- 9.72. 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.
- 9.73. The County Council have also requested a contribution towards public transport services, as well as entering into a S278 agreement.
- 9.74. *On Site Infrastructure and Enhancement to Open Space and Sport*
- 9.75. The key on-site infrastructure includes the following which will be secured under planning conditions and s106s:
- Affordable Housing (50%)
 - Space reserved for the canal bridge and connection to the PR8 site and a proportionate contribution.
 - Green space and recreational routes to the south and west of the site and appropriate maintenance arrangements.
 - Access improvements as part of the access to Oxford Road.
- 9.76. It
- 9.77. With regard to the canal bridge, positive discussions have taken place with the developers of the PR8 site and it is the view of officers that a proportionate contribution (c. £150-250k) would be appropriate for the delivery of the bridge with appropriate safeguarding for a pedestrian/cycleway to the bridge with appropriate infrastructure works (e.g. a ramp to achieve an appropriate gradient).

9.78. The precise detail of the bridge would form part of detailed approval of the land to the east of the railway and would be delivered eventually by the PR8 developer (OUD) in consultation with officers, the County Council and the Canals and Rivers Trust. It is noted that OUD is exploring an enhanced version of the bridge to accommodate automated pods as public transport to Oxford Parkway, however this would not form part of the contribution and the area safeguarded as the scale, nature and design of the pods and associated infrastructure needed is not clear.

9.79. *Offsite S106 Contributions*

9.80. Principal contributions sought are set out in Appendix 1 of this Report which include:

- Proportionate highway contributions as set out in Appendix 4 of the Partial Review Local Plan - £528,793.59 plus Travel Hub and Cycle Superhighway contributions.
- Canal Bridge – Estimated at £150-250,000 (to be agreed)
- Canal Towpath Enhancement - £47,489.40
- Community, Outdoor and indoor sport contributions - £517,144.46
- Healthcare - £101,800
- Education - £849,759
- Library Services - £12,700
- Police – £25,180
- Public Realm and Public Art contributions £26,432.00 plus 7% maintenance
- Open Space Maintenance contributions as set out in Appendix 1.

9.81. It is also desirable (not essential) from a highway perspective that a link to the Garden City development (through Croxford Gardens) is also achieved. The Parish Council consider that this requires amendment to the covenant on the land. The applicant has indicated that they are willing to deliver this enhancement as part of the delivery of the scheme or place a contribution (c.£5-10k) towards the delivery of the route (which is c. 3m) in terms of a public footpath route. If proven to not be deliverable in a reasonable timescale the contribution would not be collected.

9.82. In total therefore the contributions total c.£2.25m-£2.5m plus further contributions towards the Travel Hub and Cycle Superhighway or approximately £18,800 per dwelling.

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 Oxford Unmet Housing Need Supply in the short term due to the size and duration of the project. Notwithstanding the Cherwell Housing Land Supply (which is published at 5.4years), the Council cannot demonstrate a five year supply in relation to Oxford's Unmet Need. This therefore carries very significant positive weight.
- 10.3. The proposals would create construction jobs and also support the wider facilities in Kidlington and shopping facilities and employment. This is afforded very significant weight. Further the proposals would support the adopted Local Plan allocation growth strategy for the District which is a fundamental criteria for delivering sustainable economic growth which carries significant positive weight.

Positive benefits - Social

- 10.4. The proposals would create the opportunity for affordable housing provision, new open space and the creation of links and improved recreational opportunity and a number of other s106 contributions. The contributions, in particular towards education and enhanced sport facilities are also positive elements. Together this would have a very significant positive impact. Supplying housing for those in need also carries very significant positive weight.

Positive benefits - Environmental

- 10.5. Environmentally the proposals would deliver biodiversity net gain above the legislative requirements. 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. Negative economic impacts include the increased pressure on local services and the area however this is mitigated by the s106 contributions. The impact can only be afforded limited weight.

Negative Impacts – Social

- 10.7. Whilst the development is progressing there would be an impact on neighbouring well-being from the construction activity and impact from the new housing. This impact is given moderate weight.

Negative Impacts – Environmental

- 10.8. 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.
- 10.9. 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 moderate.

Conclusion

10.10. 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.

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) Space reserved for the canal bridge and connection to the PR8 site and a proportionate contribution.
- c) Green space and recreational routes to the south and west of the site and appropriate maintenance arrangements.
- d) Payment of a financial contribution towards proportionate highway contributions as set out in Appendix 4 of the Partial Review Local Plan for approximately £528,793.59 plus Travel Hub and Cycle Superhighway contributions.
- e) Payment of proportionate Canal Bridge contribution estimated at £150-250,000 Payment of a financial contribution towards Canal Towpath Enhancement of £47,489.40 to OCC and £372,000 (Canals and Rivers Trust)
- f) Payment of a financial contribution towards Community Hall and Development, Outdoor and indoor sport contributions of £517,144.46
- g) Payment of a financial contribution towards Healthcare of £101,800
- h) Payment of a financial contribution towards Education of £849,759
- i) Payment of a financial contribution towards Library Services of £12,700
- j) Payment of a financial contribution towards Police of £25,180
- k) Payment of a financial contribution to Public Realm and Public Art contributions £26,432.00 plus 7% maintenance
- l) Payment of a financial contribution towards Open Space Management
- m) Payment of the Council's monitoring costs of £5000 plus OCC Monitoring Costs

FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 13 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, PR7b 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 access detail approved under this permission) 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:

Illustrative masterplan (reference 40975-012 Rev A) and
Site location plan (40975-001 Rev A).

Documents:

- Statement of Community Involvement produced by Carter Jonas LLP;
- Planning Statement by Carter Jonas LLP;
- Design & Access Statement produced by RG&P Architects;
- Arboricultural Impact Assessment by Aspect
- Archaeological Evaluation by Thames Valley Services;
- Heritage Impact Assessment by Asset Heritage Consulting;
- Landscape & Visual Impact Assessment by Aspect Landscape Planning;

- Flood Risk assessment by MAC Consulting;
- Transport Assessment by MAC Consulting;
- Framework Travel Plan by MAC Consulting;
- Air Quality Assessment by Redmore Environmental;
- Noise Impact Assessment by Professional Consult;
- Sustainability and Energy Statement by Manor Oak Homes Limited;
- Ecological Appraisal by Aspect.

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 application submission, the Reserved Matters submission shall follow the principles and parameters of the Illustrative masterplan (reference 40975-012 Rev A) and in the established parameters for future development. In particular:
- A housing mix to be agreed to reflect the Unmet housing needs of Oxford City Council and to ensure that affordable housing and market housing are delivered in a manner that is tenure blind.
 - Details of parking provision, where possible avoiding parking courts
 - Appropriate security and surveillance measures to public and private space to accord with the principles of Designing out Crime.
 - Retention of Green Belt land
 - Delivery of the identified Biodiversity Net Gain
 - Pedestrian/Cycle Links across the site
 - Active and Passive measures to mitigate the impact of the development against climate change
 - Appropriate space for the future access and delivery of a pedestrian/cycle bridge across the Oxford Canal.

Reason: In order to achieve a satisfactory form of development as part of the Reserved Matters in accordance with the requirements of Policies PR2 and PR7b 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, guidance contained in the Council's adopted Development Brief and Residential Design Guide and the aims and objectives of the National Planning Policy Framework.

Remediation/Contaminated Land

5. 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 shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' 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 scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use 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' 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 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)

6. No development shall take place until a Construction Environment Management Plan (CEMP) and Construction Traffic Management Plan (CTMP), have 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 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 shall be submitted to and approved in writing by the Local Planning Authority.
 - 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 PR7b 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

7. 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 LEMP shall be carried out in accordance with the approved details.

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.

Landscaping Strategy and Management

8. a) As part of the Reserved Matters submission 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 approved information.

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 Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

Housing Sustainability standard

9. 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.

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 PR7b of the Cherwell Local Plan 2011-2031 (Partial Review), Policies ESD1-5 of the Cherwell Local Plan 2011-2031 and guidance contained in the Council's adopted Development Brief and Residential Design Guide.

Noise Mitigation

10. 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 Oxford Road, Stratfield Break sports pitches 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 and achieve an appropriate residential environment in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policy ESD15 of the Cherwell Local Plan 2011-2031 (Part 1), saved policy C28 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework

Housing Mix, Self/custom build Strategy

11. As part of the submission of the first application for approval of Reserved Matters relating the Development a housing mix strategy shall be submitted to and agreed in writing by the Local Planning Authority. The submitted strategy shall set out:

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 in accordance with Policy PR2 Cherwell Local Plan 2011-2031 (Part 1, Partial Review)

Residential Space Standards

12. 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 residential environment in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policy ESD15 of the Cherwell Local Plan 2011-2031 (Part 1), saved policy C28 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework.

Construction – no burning of waste, no reversing alarms, working hours

13. As part of the Construction of Development there shall be:

- i) No burning of waste on the site.
- ii) No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08.00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.
- iii) No use of the audible 'beeping' reversing alarms on construction or construction delivery vehicles. Alternative vehicle alarms should be used such as the use of white noise, infrared, or visible alarm systems.

Reason: To ensure that the amenities of neighbouring residents are not unduly inconvenienced by development of the site construction operations and in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policy ESD15 of the Cherwell Local Plan 2011-2031 (Part 1), saved policy C28 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework

Lighting

14. No development above slab level shall take place until a detailed lighting strategy has been submitted to and agreed in writing by the Local Planning Authority. 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.

All lighting shall be installed in accordance with the approved details.

Reason: To minimise light pollution from the construction and operational phase of development and to ensure that the proposals are in accordance with the principles of the outline submission in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policies ESD10 and ESD15 of the Cherwell Local Plan

2011-2031 (Part 1), saved policy C28 of the Cherwell Local Plan 1996 and the aims and objectives of the National Planning Policy Framework

Water supply and Foul water drainage

15 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. 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 that development shall not be occupied or used until such time as the approved detailed surface water measures serving that building 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 Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

LAP details

16. Any Reserved Matters submission which incorporates Local Areas of Play (LAPs), Sites for Imaginative Play (SiPs) or other areas of informal play in accordance with the Site-Wide Youth and Play Strategy 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 illustrative masterplan in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policies BSC11 and ESD15 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

Site levels and Groundworks details

17. a) Notwithstanding the approved plans, as part of the Reserved Matters, details 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 PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policies ESD15 and BSC11 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

Fibre Optic Implementation

18. As part of the Reserved Matters submission for any Development Parcel, 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 timescales and retained thereafter.

Reason: To provide appropriate and sustainable infrastructure for high speed internet connection in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policy ESD15 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

Tree/Hedgerow management during construction and replacement and new planting

19. 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 or adjacent to 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 PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

Parking and sustainable travel strategy – including EV charging

20. 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.
 - iii) 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 ensure the satisfactory functioning of the development, to promote the use of a range of modes of transport and minimise the use of the car in accordance with Policy PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

Waste and Recycling Facilities

21. 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 PR7b of the Cherwell Local Plan 2011-2031 (Part 1, Partial Review), Policy ESD15 of the Cherwell Local Plan 2011-2031 (Part 1) and the aims and objectives of the National Planning Policy Framework

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>	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 an allocation to deliver Oxford's Unmet Housing Need</p> <p>Directly related – Yes. This would be delivered on site.</p> <p>Fairly and reasonably related in scale and kind – Yes. The level of affordable housing is policy compliant.</p>

	All affordable housing to be developed to nationally described space standards (NDSS)		
OCCG	£101,800	50% occupation (59 th Dwelling) 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 a nearby medical practice are therefore proposed through the contribution</p> <p>Directly related – Yes. The proposals would be used towards a nearby medical practice – The identified medical practice in the consultation response – the White Horse Medical Practice, Faringdon is not a closely related practice and an alternative medical practice would need to be identified (e.g. Gosford Hill Medical Practice).</p> <p>Fairly and reasonably related in scale and kind – Yes</p>
Thames Valley Police Contribution	£25,180 towards: £1,388 towards officers set up costs (e.g. uniforms and disk space) £2,631 towards vehicles	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 –</p>

	<p>£2,750 towards ANPR cameras</p> <p>£16,711 towards premises and desk space</p>		<p>The contributions are towards impacts from the development and would relate to national funding issues rather than</p> <p>Fairly and reasonably related in scale and kind – Yes</p>
Public Art, Public Realm and Cultural Wellbeing	£26,432.00 plus 7% 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</p>

			<p>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 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 plus 5% for management and 7% to be proportionate to the scale and location of the development</p>
Outdoor Sports Provision	£238,009.54		<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 – A contribution towards the development of outdoor sports provision at PR7a, to provide grass pitches, 3G football pitch with floodlighting, pavilion and car parking. The development of the larger outdoor sport facility at PR7a (4 hectares of pitches) will be a sustainable</p>

			<p>site aimed at serving all the partial review sites into the future.</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	£98,532.72	The amount to be phased across the delivery of the scheme. 50% to be delivered on first occupation, 50% on 50% occupation (59 th Dwelling) 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 in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD</p> <p>Directly related – indoor sport contribution towards improvements at Kidlington & Gosford Leisure Centre which include the building of a new teaching pool.</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	£134,921.52	50% Occupation (59 th Dwelling) or alternative agreed trigger	<p>Necessary - Seeking a contribution towards improvements at a community facility within the locality in accordance with Policy BSC 12 and Policy PR11 and the Developer Contributions SPD.</p> <p>Directly Related – Yes</p>

			Fairly and Reasonably related in scale and kind- Yes
Community Development Worker	£16,938.68	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	£5,310	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>
A public transport contribution	£133,458	First occupation or alternative agreed trigger.	<p>Necessary – The contribution is necessary to provide sustainable transport options to the site and as part of the overall public transport strategy for Heyford Park.</p> <p>Directly related –</p>

			<p>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>
Travel Plan Monitoring contribution towards the cost of monitoring the framework and individual travel plans over the life of the plans	£1,558	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>
Secondary Education	£712,040	To be agreed by OCC	<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 –</p>

			<p>Related to the education needs arising from the site.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The figure is calculated based on the level of development and the educational needs</p>
Secondary Education Land Costs	£74,900	To be agreed by OCC	<p>Necessary –</p> <p>A contribution is also required towards secondary school site acquisition land costs, proportionate to Local Plan allocated dwelling numbers.</p> <p>Directly related –</p> <p>Related to the education needs arising from the site.</p> <p>Fairly and reasonably related in scale and kind –</p> <p>The figure is calculated based on the level of development and the educational needs.</p>
SEN Development	£62,819	To be agreed by OCC	<p>Necessary –</p> <p>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 –</p> <p>Related to the pupil yield anticipated from the development.</p> <p>Fairly and reasonably related in scale and kind –</p>

			The contribution is calculated in a manner to reflect a contribution based on pupil yield and cost per pupil. As such the contributions is considered appropriate.
Canal Towpath Works	£47,489.40 (County Council) £372,000 (Canals and Rivers Trust)	Occupation of 50% of the dwellings or alternative agreed trigger.	<p>Necessary –</p> <p>Directly related – Improvements in walking enhancement to the western boundary of the application site.</p> <p>Fairly and reasonably related in scale and kind – Both contributions seek enhancements to the towpath between the A44 and the application site. The improvements to the towpath however are sought proportionally in the County Council response, taking account of the future contribution of the PR8 allocation. As such, the County Council contribution is the appropriate amount in this instance.</p>
OCC Transport (final requests tbc)	<p>The extension of the combined cycleway/ footway to the Kidlington roundabout. (£185,567)</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 – (£90,571.34)</p>	First occupation or alternative agreed trigger.	<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>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>A4260 Southbound bus lane from Bicester Road/A4260 junction to Kidlington roundabout (£91,366.25)</p> <p>A4260/Bicester Road Signalised Junction – RT detection and advanced stop line (£7329.50)</p> <p>A4260/Lyne Road - Signalised Junction – RT detection and advanced stop line and toucan crossing (£7,329.50)</p> <p>Public Realm Improvements between Benmead Road and Yarnton Road (£11,614)</p> <p>Cycle superhighway between Kidlington Roundabout to Cuttleslowe Roundabout (TBC)</p>		
Canal Bridge to PR8	Estimated £150,000 and £250,000	75% Occupation of the Development	<p>Necessary – To promote walking and cycling from the development.</p> <p>Directly related – Improvements in walking enhancement to the western boundary of the application site.</p> <p>Fairly and reasonably related in scale and kind – A proportionate contribution taking account of the future contribution of the PR8 allocation.</p>

Open Space Maintenance	Mature Trees): £280.04/tree New Woodland Maintenance 35.02/sq. m Hedgerow: £26.60/lin. m Attenuation Basin: £66.05/sq. m Swales: £120.32/lin. m Informal Open Space: £12.65/sq. m	On completion/transfer of open space	<p>Necessary – It is the Council’s strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in agreement with the relevant town or parish council with a commuted sum.</p> <p>Directly related – Related to the open space on site as part of the application proposals.</p> <p>Fairly and reasonably related in scale and kind – The final amount will be related to the open space delivered on site.</p>
OCC Library Service	£12,700	First occupation or alternative agreed trigger.	<p>Necessary – 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 – 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.</p> <p>Fairly and reasonably related in scale and kind –</p>

			The contribution is related to a wider project and is a proportionate amount.
CDC and OCC Monitoring Fee	CDC: £5,000 OCC: TBC	On completion of s106	The CDC charge is based upon its agreed Fees and Charges Schedule