

# **OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District:** South Oxfordshire

**Application no:** P14/S2860/O-4

**Proposal:** Residential development comprising 555 dwellings, a one form entry primary school, associated landscaping and open spaces, construction of a new access onto the A3140 Calvin Thomas Way/Bosley Way, construction of a public transport link/emergency access onto Wantage Road and other supporting infrastructure works and facilities. (As amended by revised drawings and supporting information received 16 September 2015 and as amended by additional information - planting schedule, assessment of Mill Brook and highway information rec. on 24.11.2015)

**Location:** Land to the West of Wallingford (Site B) Wallingford (in the parishes of Wallingford and Brightwell cum Sotwell)

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## **Purpose of document**

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local member have responded these have been attached by OCCs Major Planning Applications Team ([planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)).

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## Strategic Comments

### Comments:

The attached comments update the contributions sought to reflect Q3 2015 figures and respond to queries raised in respect of contributions. The contributions are summarised as follows (excluding S278 and S38 contributions):

	<b>Purpose</b>	<b>Amount</b>
<b>Transport</b>	<ul style="list-style-type: none"><li>• Safety improvements to the A4130 between Wallingford and Didcot. This is based on £1,443 per unit x 480 units (total not inc extra care housing provision). The rate per dwelling is half that which is accorded to housing in Didcot.</li></ul>	£692,640 Q3 2015 Baxter's Index
	<ul style="list-style-type: none"><li>• Public Transport bus services</li></ul>	£800,000 Q3 2015 RPIX Index
	<ul style="list-style-type: none"><li>• Bus stop infrastructure</li></ul>	£51,000 estimate of current costs
	<ul style="list-style-type: none"><li>• Travel Plan monitoring</li></ul>	£2,040 not index linked
	<ul style="list-style-type: none"><li>• School Travel Plan monitoring</li></ul>	£1,240 not index linked
<b>Education and Property</b>	<ul style="list-style-type: none"><li>• Fund construction of a 1FE (1 form entry) primary school on site.</li></ul>	£4,980,000 3Q 2015 PUBSEC index
	<ul style="list-style-type: none"><li>• Fund expansion of secondary capacity in the area – Wallingford School</li></ul>	£2,382,792 3Q 2015 PUBSEC index
	<ul style="list-style-type: none"><li>• Fund Special Education Needs – either Bishopswood School or another special school serving the area.</li></ul>	£113,720 3Q 2015 PUBSEC index
	<ul style="list-style-type: none"><li>• Library</li></ul>	£137,102 Q3 2015
	<ul style="list-style-type: none"><li>• Central Library</li></ul>	£27,658.23 Q3 2015
	<ul style="list-style-type: none"><li>• Adult Day Care</li></ul>	£29,353.49 Q3 2015
<b>Admin</b>	<ul style="list-style-type: none"><li>• S106 Monitoring</li></ul>	£13,608 not index linked

**Officer's Name:** Lynette Hughes

**Officer's Title:** Senior Planning Officer

**Date:** 16 March 2016

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## Transport

### Recommendation:

No objection

### Key issues:

- This further amended application is for agreement and clarification on the S106 Legal Agreement elements associated with this scheme.
- The previously accepted submitted documents and layout have not been amended and therefore Transport related comments previously made remain valid.

### Legal agreement required to secure:

#### S106

- Transport contributions of £1,443 per additional dwelling unit required to mitigate the impact of the development on infrastructure for Science Vale Strategic Transport. (Indicatively £692,640 based on 480 units not including extra care units). It is intended that this is used for safety measures on the A4130 between Didcot and Wallingford.
- Commitment to adequate provision for on-site public rights of way and contribution towards mitigation measures on connecting and surrounding public rights of way.
- Contribution of £800,000 (indicatively) towards developing public transport routes to and through the development site.
- Contribution of £51,000 (indicatively) towards provision of bus stop shelters, pole/flag units and real-time information units.
- Contribution of £12,500 towards Traffic Regulation Order amendment for the bus only/emergency access arrangements serving the development site off Wantage Road.
- Contribution of £12,500 towards Traffic Regulation Order amendment to make up the existing pedestrian rights of way on Queens Avenue and Fir Tree Avenue to cycle tracks.

## S278

- Provision of hard-standing areas and connecting footways at bus stops, also the bus gate arrangements and associated busway.
- Provision of offsite improvements to Portway, Crowmarsh and Winterbrook Roundabouts.
- Provision for new site accesses.
- Trigger points to be agreed for the implementation of the early stage bus service between the Development and Wallingford Market Place, and the second stage bus service linking the Development with Didcot.

## **Conditions:**

Conditions as per consultee comments dated 16<sup>th</sup> January 2016 (including Travel Plan monitoring requirements).

## **Informatives:**

Informatives as per consultee comments dated 16<sup>th</sup> January 2016.

## **Detailed comments:**

The County Council previously made Transport related comments on this particular application in a response dated 16<sup>th</sup> January 2016, making no objection, subject to suitable conditions and informatives. This subsequent amended application is for agreement and clarification on the S106 Legal Agreement elements associated with this scheme. It should be noted that the previously submitted documents and layout have not been amended and therefore Transport related comments previously made remain valid.

With regard to S106 Legal Agreement contributions and clarification thereof, see below Transport commentary below:

- The £800,000 figure to pump-prime 2 No. bus routes to serve the development site is still applicable. This should be linked to the RPIX index Q3 2015.
- The £51,000 linked to associated bus stop infrastructure is still applicable.
- The indicated £12,500 to secure an order to convert existing footpaths to a cycle tracks is a ceiling figure. The ultimate costings will be invoiced to the Applicant.
- The increased Transport contribution of £692,640 reflects the amended figure of £1,443 per additional unit, required to mitigate the impact of the development on infrastructure for Science Vale Strategic Transport. It is intended that this is used for safety measures on the A4130 between Didcot and Wallingford.
- The indicated £12,500 to secure amendments to existing Traffic Regulation Orders is a ceiling figure. The ultimate costings will be invoiced to the Applicant.
- Any offsite junction improvements will be required to be identified in any associated S278 Legal Agreement. As such, the Applicant will deliver the required works, rather than make a contribution.
- The Travel Plan as submitted is acceptable and will evolve through time, subject to the approval of the County Council.
- Whilst a pelican crossing on Station Road, between Queens Avenue and Sinodun Road, was not previously included within any S106 requirements, it is nevertheless on

a pedestrian desire line and would therefore serve provisions in the vicinity, i.e. the school. Mindful of this fact, this requirement should be included within the S106 Legal Agreement.

- The Brightwell-cum-Sotwell Parish Council request for the Developer to undertake speed monitoring on the A4130, once the development has been constructed, together with associated signage, is not a request the County Council believe is justifiable. This decision is based upon the fact that currently 85 percentile speeds on the A4130 are at or below the posted 60mph speed restriction along this section of road and that increases in traffic flows and frontage presence along this road would reduce speeds accordingly.

**Officer's Name: Ian Marshall**

**Officer's Title: Senior Transport Planner**

**Date: 14 March 2016**

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## Education

The County Council (OCC) has previously commented (*Single Response to P14-S2860/O-2 dated October 2015 – see Barbara Chillman’s Education element dated the 30<sup>th</sup> September 2015*) on the sufficiency or otherwise of primary, secondary and SEN places in the vicinity of the proposed development and the need for additional places to be created in order to mitigate the impact of the proposed development on education infrastructure. The comments in OCC’s previous response stand save as amended herein.

### **Further comment on primary provision**

In OCC’s previous response the cost of a 1 form of entry (1FE) school is calculated on the basis of £24,424 per pupil place as at 3<sup>rd</sup> quarter 2012 (3Q12) values. Subsequent to that response OCC has agreed with SODC that specific cost per pupil rates (Interim Cost Rates) are to be used for assessment of contributions to New-build schools. The Interim Cost Rates do not reflect the actual full costs of provision but until further notice will be applied in relation to residential development proposals within South Oxfordshire by both the County and District Councils and Vale of White Horse District Council. The agreed Interim Cost Rate for primary provision is £20,000 per pupil place as at 3Q15 values.

The school to be built to mitigate the impact of the proposed development will be a 210 place (pupils aged 4/5 years of age to 10/11 years inclusive) primary school with a 39 place early years provision; in total 249 pupil places. Therefore the contribution, as currently assessed, would be 249 places at £20,000 per place being £4,980,000 as at 3Q15 values.

It should however be noted that OCC has commissioned independent cost consultants to cost a 1 FE primary school with early years provision. Current indications from their work are that such a school would cost (including equipping and start-up costs) £6,934,557 as at 3Q15 values. OCC will be entering into discussion with SODC and if a revised school cost is confirmed prior to this application’s final report to committee OCC would seek to amend the contribution sought to ensure that there is not a funding gap.

OCC has requested a serviced school site of 2.2 ha suitable for school use be provided (freehold and free of charge) at the development to OCC to enable the new facility to be delivered. A site of 2.22ha would enable a 2FE school to be accommodated. The County Council recognises that the pupil generation from the proposed development itself (based on the assumed mix of dwellings) would not justify provision of a school larger than 1FE. Consequently land sufficient for a 1FE provision (1.34 ha) is required to be transferred to OCC for the school to mitigate the host development's impact and an option for a residual 0.88 ha (as part of an overall 2.22ha) is required to be set aside for potential exercised by OCC should the residual land be required to expand the school to accommodate additional growth.

It has been suggested to the county council that as the 0.88 ha of land is required to mitigate the impact of other growth a payment should be made for it. Prior to the operation of SODC's CIL (commences 1<sup>st</sup> April 2016) OCC would have sought a s106 obligation from up to 5 relevant development proposals to meet the costs of acquiring the 0.88 ha. However, with the operation of CIL and the SODC Reg 123 List the funding for primary school provision cannot be sought by way of s106 obligation as the CIL would be expected to facilitate the extra provision. Consequently, any payment for the additional 0.88 ha should be funded (at the time that the land is transferred to OCC) from CIL receipts.

It has been suggested that the appropriate payment for the residual 0.88 ha is £400,000. However, OCC consider that this is too high and that based on agreed school expansion land values at other Oxfordshire development sites an appropriate value is £150,000 per acre, being £325,500 (3Q15) for the 0.88 ha (2.17 acres).

#### **Further comments on secondary provision**

As stated above, OCC has agreed with SODC interim costs per pupil place. The interim costs have also been set for school expansions as well as for the new provision. The secondary pupil place interim expansion cost (@3Q15 values) has been agreed at:

- £19,194 per pupil place (Year groups 7-11 inclusive) and
- sixth form places costing £20,484

It is estimated that a development of 555 dwellings is likely to generate 106 secondary pupils (11-16 years) plus 17 secondary sixth form place. On this basis the secondary contribution would be £2,382,792 at 3Q15 values.

Because the proposed development is in outline form a matrix provision would be appropriate in any S106 to ensure the appropriate contribution is calculated in line with expected pupil impacts. Further, if a revised secondary school expansion cost is confirmed prior to this application's final report to committee OCC would seek to amend the contribution sought in line with the costs per place.

## **Further comments on SEN provision**

Agreed interim cost per place to expand SEN provision is £36,684 as at 3Q15. It is estimated that 3.1 pupils will be generated that will require SEN provision. The s106 contribution required towards expanding SEN provision is therefore £113,720 as at 3Q15. Again a matrix provision would be required to address the outline nature of the development proposal. Further, if a revised SEN school expansion cost is agreed prior to this application's final report to committee OCC would seek to amend the contribution sought to in line with the agreed costs per place.

**Officer's Name: Howard Cox**

**Officer's Title: Infrastructure Funding Manager**

**Date: 16 March 2016**

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## **Property**

### **Recommendation:**

No objection subject to conditions

### **Key issues and Conditions:**

- The primary school site must be free from encumbrances and delivered in accordance with Oxfordshire County Council requirements. Information on the County Council's requirements are provided in the embedded Developer's Guide to Educational Requirements for Residential Developments and particular note should be taken of, Section 4.4.5. Abnormal Costs and Section 4.7 Technical Requirements.
- The primary school site should be made available for educational use in perpetuity through freehold transfer
- Oxfordshire Property and Facilities should be provided with access to visit the proposed education site prior to the completion of any planning obligation securing the site.
- Further Information will be required to enable proper evaluation of the proposed education in consultation with Oxfordshire Property & Facilities:
- The location of the public square in relation to the school is suitable. The parameters suggested with the application indicate that school buildings should be located to form the eastern edge of the main square. The illustrative master plan suggests that there is no fence along the front boundary of the school where it abuts the square. There is potential for the school building to form the boundary, however, safeguarding would need to be fully explored before this possibility could be established. There should not be any parameter or condition which strictly enforces a particular location or design for the education buildings. Assuming the current masterplan is looking to follow principles of using the built form of the school to act to form a public space, we require that the design of the school is not compromised – this means we simply expect parameters to be determined that give the necessary flexibility; it may be that some parts of the frontage of the building could act as the boundary (eg a staff room / office) but other parts such as a classroom would have to have external space between the façade and the public square with a fence to safeguard children

- The application refers only to a 1FE primary with a total site area to enable expansion to provide a 2FE (420 place) school. Therefore, capacity of the street network within and in relation to this development must provide connectivity and access that will futureproof the education site.
- Any joint use of the education facilities can only be agreed following discussion and agreement with the County Council and its consultants as required.
- All guidance in the embedded 26395 *Educational Requirements* must be satisfied.



26395 Educational Requirements for Res

- The County Council considers that the impacts of the development proposal (if permitted) will place additional strain on its existing community infrastructure.
- The following housing development mix has been used:

41 x One Dwellings  
 152 x Two Bed Dwellings  
 163 x Three Bed Dwellings  
 124 x Four Bed Dwellings  
 Plus 75 Extra Care Apartments

- It is calculated that this development would, on the housing mix stated above, 40% affordable housing and a build out over 5 years generate a net increase of:

**1399 additional residents including:**

223 resident/s aged 65+  
 951 residents aged 20+  
 139 resident/s ages 13-19  
 102 resident/s ages 0-4

**Legal agreement required to secure:**

• Library	£137,102.00
• Central Library	£ 27,658.23
• Waste Management (see below )	<i>to be advised once scheme details are firm –</i>
• Adult Day Care	£ 29,353.49
<b>Total*</b>	<b>£194,113.72</b>

\* Total comprised of aggregate's to be Index-linked: see detailed comments

• Administration & Monitoring	£13,608
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The County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured.

## Conditions:

- The County Council as Fire Authority has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There will probably be a requirement to affix fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highway, water main layout and size. We would therefore ask you to add the requirement for provision of hydrants in accordance with the requirements of the Fire & Rescue Service as a condition to the grant of any planning permission

## Informatives:

Fire & Rescue Service recommends that new dwellings should be constructed with sprinkler systems

## Detailed comments:

### **Local Library**

This development is served by Wallingford Library.

This provision is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library service.

Costs for improvements are based upon the costs of extending a library.

The costs of extending a library is £2,836 per m<sup>2</sup> at 3rd Quarter 2015 price base; this equates to

£78 (£2,836 x 27.5 / 1,000) per resident.

This calculation is based on Oxfordshire County Council adopted standard for publicly available library floor space of 23 m<sup>2</sup> per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5 m<sup>2</sup> per 1,000 head of population.

The development proposal would also generate the need to increase the core book stock held by 2 volumes per additional resident. The price per volume is £10.00; this equates to £20 per resident.

- The contribution for the provision of library infrastructure and supplementary core book stock in respect of this application would therefore be based on the following formula:

$$\text{£98 x 1399 (the forecast number of new residents)} = \text{£137,102.00 3rd Quarter 2015 price base}$$

### **Central Library**

Central Library in Oxford serves the whole county and requires remodelling to support service delivery that includes provision of library resources across the county.

Remodelling of the library at 3rd Quarter 2015 base prices leaves a funding requirement still to be secured is £4,620,635. 60% of this funding is collected from development in the Oxford area. The remainder 40% is spread across the four other Districts. 40% of £4,620,635 = £1,848,254

Population across Oxfordshire outside of Oxford City District is forecast to grow by 93,529 to year

2026. £1,848,254 ÷ 93,529 people = £19.77 per person

- The contribution for the provision of central library infrastructure in respect of this application would therefore be based on the following formula:

$$\mathbf{\pounds 19.77 \times 1399 \text{ (the forecast number of new residents)} = \pounds 27,658.23}$$

3rd Quarter 2015 price base

### **Strategic Waste Management**

Under Section 51 of the Environmental Protection Act 1990, County Councils, as waste disposal authorities, have a duty to arrange for places to be provided at which resident in its area may deposit their household waste and for the disposal of that waste.

The demand for Oxfordshire's Household Waste and Recycling Centres (HWRC) exceeds capacity and the County Council is currently consulting on how unmet demand and future demand can be mitigated. As this site will add additional pressure at HWRCs a contribution towards the cost of increasing capacity is required and an appropriate contribution will be notified to the District when the consultation has concluded and costings are known. However as a guide under the previously used methodology a contribution of £107,141.00 (3Q15) would have been required. It should be noted that the likely contribution figure should not be more than this figure.

### **Social & Health Care - Day Care Facilities**

This development is served by South Oxon Day Services Wallingford and this development will place additional pressures on this adult day care facility. To meet the additional pressures on day care provision the County Council is planning to replace the adult day care facility in South Oxon Day Services Wallingford with integrated adult care provision, preferably on the development site as an integrated part of the 75 unit ECH provision.

Contributions are based upon a new Day Care centre offering 40 places per day (optimum) and open 5 days per week; leading to an equivalent costing of £13,163 per place at 3rd Quarter 2015 price base (this in non-revenue). Based on current and predicted usage figures we estimate that

1% of the over 65 population use day care facilities. Therefore the cost per person aged 65 years or older is £131.63.

- The contribution for the provision of adult day care infrastructure in respect of this application would therefore be based on the following formula:

$$\mathbf{\pounds 131.63 \times 223 \text{ (the forecast number of new residents aged 65+)} = \pounds 29,353.49}$$

3<sup>rd</sup> Quarter 2015 price base

This contribution would essentially be used to help facilitate the delivery of the integrated facility at this development site.

The principle of the extra care housing is welcomed. Any provision at the development should have associated with it a requirement for an Extra Care Nominations agreement to be entered into by any Registered Provider (to which the Extra Care Housing Units are transferred) with both the District and County Councils; such agreement should contain the procedures for nominating persons in need of Extra Care Housing to occupy the Extra Care Housing Units.

## Administration

Oxfordshire County Council requires an administrative payment which will be confirmed at a later time for the purposes of administration and monitoring of the proposed S106 agreement, including elements relating to Education. The admin fee may increase depending on the value of any Transport related

## Indexation

Financial contributions have to be indexed-linked to maintain the real values of the contributions (so that they can in future years deliver the same level of infrastructure provision currently envisaged). The price bases of the various contributions are covered in the relevant sections above.

## General

The contributions requested have been calculated where possible using details of the development mix from the application submitted or if no details are available then the County Council has used the best information available. Should the application be amended or the development mixed changed at a later date, the Council reserves the right to seek a higher contribution according to the nature of the amendment.

The contributions which are being sought are necessary to protect the existing levels of infrastructure for local residents. They are relevant to planning the incorporation of this major development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal.

Oxfordshire County Council is **not** seeking a contribution towards museum resource centre infrastructure from this application due to the pooling restrictions contained within Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) which took effect from the 6<sup>th</sup> April 2015. The property response '*No objection subject to conditions*' relies upon funding for infrastructure as critical mitigation being delivered through CIL where there is no opportunity to gain contributions through Section 106 due to current legislation. OCC hold a statutory obligation to deliver services such as education through schools.

**Contributions required to mitigate the impact of the development on infrastructure but which due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) OCC will not require a s106 obligation in respect of:**

Museum Resource Centre	£8,394.00
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**Officer's Name:** Will Madgwick  
**Officer's Title:** Planning Liaison Officer  
**Date:** 14 March 2016

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