

The Oxfordshire County Council Guide to Developer Contributions



April 2021

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Foreword



Oxfordshire County Council has prepared this Guide to Developer Contributions (the Guide) to make clear to all stakeholders the requirements towards infrastructure and services that will be expected alongside new development, providing clarity particularly for landowners and developers but also others, including the District Councils and Town and Parish Councils across the county.

This Guide contributes towards meeting our intentions to deliver a strong and thriving zero-carbon economy, delivering future proofed infrastructure that enables and supports good growth across Oxfordshire.

When developments take place, they frequently bring with them impacts on the local physical and social infrastructure which must be addressed to make the development acceptable in planning terms.

Where the County Council is responsible for delivering specific infrastructure and services, we need to make sure that new developments do not adversely impact upon the capacity of those services, or our ability to deliver them.

The level of infrastructure and services addressed in this Guide are those appropriate to the County Council. It is published to supplement the various infrastructure guidance provided at District level.

Councillor Yvonne Constance OBE
Cabinet Member for Environment (including Transport)
April 2021

PART ONE

Introduction

1. The purpose of this Guide is to:
 - set out the County Council's expectations as to how development should contribute towards the mitigation of its impacts upon Oxfordshire County Council's infrastructure and services; and,
 - provide guidance on the County Council's approach to ensuring that appropriate contributions are secured to help make development proposals acceptable in planning terms;
 - assist Local Planning Authorities (LPAs) in producing their Local Plans and other associated documents
2. This document is a guide to help inform developers and other interested parties as to the likely infrastructure requirements in association with new development. The Guide is not a statutory planning document. The Guide should be read in conjunction with the National Planning Policy Framework (NPPF), relevant Local Plans and their policies, Community Infrastructure Levy (CIL) Documents and Supplementary Planning Documents produced by the City and District Councils (referred to hereafter as 'the District Councils').
3. While three of Oxfordshire's five District Councils currently charge CIL, S106 agreements¹ will continue to be needed in relation to development in all Districts to ensure impacts are properly mitigated and proposals can become acceptable in planning terms. This document focuses primarily on planning obligations (developer contributions) both financial and non-financial, and not on CIL charging rates which is principally a matter in Oxfordshire for the District Councils as CIL Charging Authorities.
4. The Guide does not specify every form of county service-related contribution which may be required to make a development acceptable in planning terms, but provides information covering most cases. The County Council will provide appropriate justification in line with legal tests for any planning obligation it seeks. Contributions, or the provision of infrastructure, will only be sought where, following an assessment of an individual proposal, they are required to mitigate the impacts of the proposal in accordance with the relevant regulatory tests. Developers (also covered by the term 'applicant' in this Guide) will normally be expected to enter into a legal agreement with the County Council regarding the planning obligations required.
5. Potential applicants are therefore requested to engage early with the District Councils and the County Council to ascertain the extent of any mitigation required arising from their proposed development.
6. A number of more detailed supporting documents have been produced alongside this Guide. These are available on the County Council website and

¹ In this Guide, unless stated otherwise, the term "S106 agreements" includes both S106 agreements and S106 unilateral undertakings

are signposted in this document. Additional supporting documents may also be produced, and existing information updated over time.

7. The document comprises two parts – Part One – concerning contextual and general matters and Part Two dealing with specific information about the County Council’s service areas where appropriate contributions may need to be secured.
8. There are eleven annexes (Two for Part One and a further 10 for the ten service areas in Part Two) and a Glossary of terms used in this Guide.
9. The Guide does not address S106 agreements, and their components specifically associated with minerals and waste planning applications. For information regarding minerals and waste proposals please contact planning@oxfordshire.gov.uk

Infrastructure and Services outlined in this guide

10. This Guide applies to the following infrastructure and services related to Oxfordshire County Council responsibilities:
 - Transport
 - Highways infrastructure
 - Travel planning
 - Healthy and Active travel
 - Public Transport and infrastructure
 - Public Rights of Way
 - Education
 - Early Years and Childcare
 - Primary Schools provision
 - Secondary Schools provision including sixth form
 - Special Educational Needs Schools provision
 - Flood and Water Management and Sustainable Drainage Systems
 - Extra Care Housing provision
 - Archaeology
 - Fire and rescue infrastructure including hydrants, fire stations
 - Natural Environment
 - Energy efficiency and use of Natural resources
 - Strategic Waste Management (treatment, disposal, & reuse)
 - Community Services (Libraries, Adult Day Care, etc.)
11. The Guide does not deal with funding and infrastructure sought by District Councils². Advice and guidance can be found in the District Councils’ individual websites and infrastructure documentation.
12. When consulted by an LPA on a planning application, for “major” development proposals the County Council will provide a response through its “Single

² Where the County Council requires the provision of Extra Care Housing &/or Specialist Housing these requirements are for affordable housing provision.

Response”³ process. A Single Response provides the LPA and the applicant with the County Council’s conclusions as to the likely impacts of the proposal upon County-level service infrastructure and services as well as any developer contributions or other measures which may be required to appropriately mitigate the development’s impact.

Review and Monitoring

13. This Guide will be subject to subsequent reviews to ensure that the information presented remains accurate.

Further Information

14. For further information on the Guide, please contact the County Council’s Infrastructure Funding team through its email address:

developer.funding4@oxfordshire.gov.uk

or visit our website at:

<https://www.oxfordshire.gov.uk> – search for the developer contributions guide.

The Planning and Legal Context

15. The Government’s Planning Practice Guidance explains that Planning Obligations are legal obligations entered into to mitigate the impacts of a development proposal. They can be entered into under S106 of the Town and County Planning Act 1990 (hence the common reference to them as S106 / Section 106 agreements / S106 obligations). They are also referred to as Developer Contribution agreements.
16. S106 agreements are attached to some planning permissions to make acceptable development which would otherwise be unacceptable in planning terms.
17. The NPPF (Para 56) makes it clear that planning obligations should only be sought where they meet all the following tests:
 - Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.

These tests are set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 as amended.

Oxfordshire County Council Context

18. Within Oxfordshire, a two-tier system of local government applies. The County Council is responsible for various services including those set out above. Other infrastructure and services, such as the affordable housing, public open space and, waste collection, fall to the District Councils.

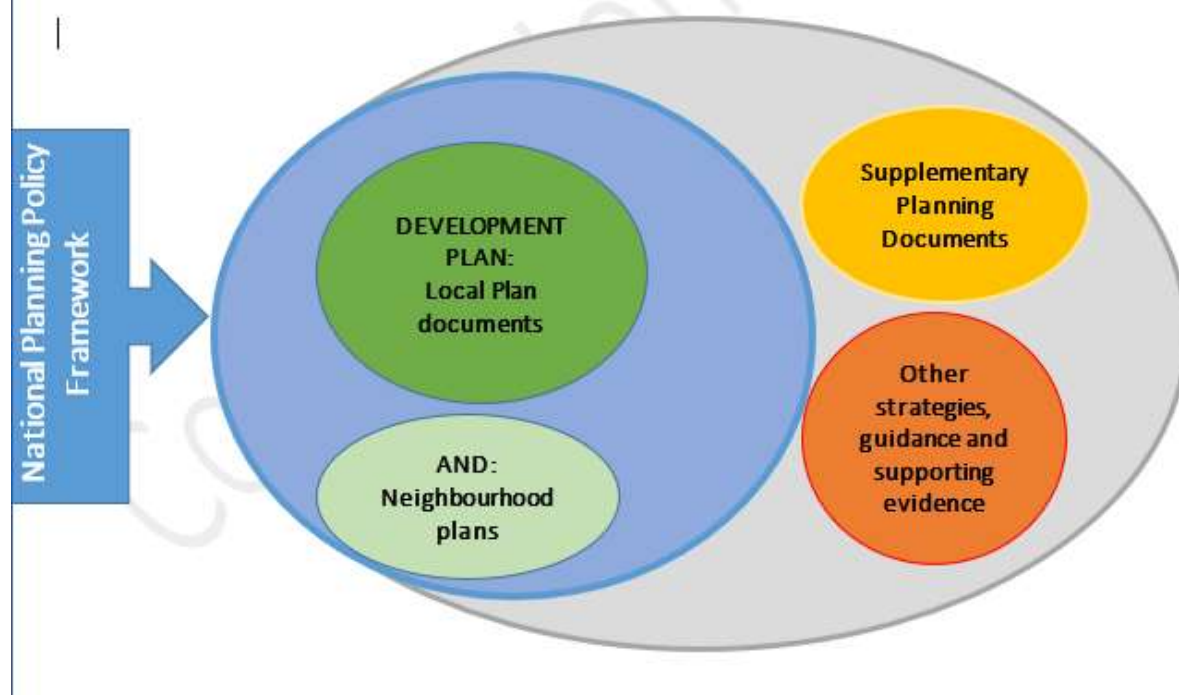
³ The Single Response process may also be used for some “minor” planning applications to convey the County Council’s views to District Councils

19. In a planning context, the District Councils are the relevant Local Planning Authority for determining the vast majority of planning applications and are responsible where appropriate for issuing planning permission. As part of that determination process the District Councils decide (apart from through the appeals process) what requirements should be placed upon a developer through planning conditions and S106 planning obligations. For the purposes of S106 agreements the County Council qualifies as a local planning authority for all applications and therefore planning obligations within a S106 agreement can be made to the County Council for matters which fall within its purview.
20. The County Council has a statutory duty to prepare Minerals and Waste Local Plans. It is the LPA responsible for determining minerals and waste planning applications and is also responsible for determining planning applications for all development proposals related to its functions as a County Council.

District Council Context

21. Development Plans (comprising Local Plans, including site specific Area Action Plans and 'made' Neighbourhood Plans) provide the local policy framework for planning decision making. Local Plans in Oxfordshire are at varying stages of preparation. Where it is intended to allocate sites for development in a Local Plan, an assessment will be required of the impacts of the proposals on infrastructure and services and include any mitigation measures including how they are likely to be funded and delivered. The County Council welcomes early involvement in the site allocation process in Local Plan development.
22. Local Plans may contain policies on infrastructure requirements and planning obligations. In addition, several LPAs have Supplementary Planning Documents (SPDs) covering planning obligations specifically, across a range of issues which relate to District matters such as affordable housing or open space provision, as well as County Council responsibilities. Local Plans are also supported by Infrastructure Delivery Plans indicating the range of infrastructure requirements expected.
23. District Councils are also responsible for preparing a Community Infrastructure Levy (CIL) Charging Schedule where they choose to do so. Further comment on CIL can be found below.
24. Links to each of the Districts' Local Plans can be found through their websites, see Annex 1 – Item A.
25. The County Council is committed to working with Oxfordshire Local Enterprise Partnership (OxLEP) and the District Councils to provide opportunities for local people in terms of skills, training and employment and to develop the economy of Oxfordshire. OxLEP may seek Community Employment Plans (CEP) on new development sites above a defined threshold (1,000 dwellings or 4,000 sqm commercial floorspace). The decision as to whether a CEP is necessary will be made by the corresponding District Council.

Figure 1: The Relationship between National Planning Policy, the Development Plan and supporting guidance



Neighbourhood Plans

26. Many communities across Oxfordshire have taken the opportunity to influence the future development of their local areas through the preparation of neighbourhood plans. Depending on the content of these, but particularly where sites are being allocated for development, there may be an impact upon County Council related infrastructure.

27. Where it is intended to allocate development sites in neighbourhood plans an assessment will be required of the impacts of the proposals on infrastructure and services and include any necessary mitigation measures and how they are likely to be funded and delivered. The County Council has prepared a guide for communities preparing neighbourhood plans which identifies the support and advice that can be provided (see Annex 1 – Item B).

The Legal Framework

28. Planning law recognises that it is reasonable to expect developers to pay for, or contribute towards, the costs of services, infrastructure or resources that would not have been necessary if it was not for their development.

29. Developers may be asked to provide infrastructure, or contributions for infrastructure, or services in several ways. This may be by way of the CIL and /or planning obligations in the form of S106 agreements along also with highway provision via S278 highway agreements and S38 agreements (the latter being primarily for internal estate roads). Developers will also have to

comply with planning conditions attached to their planning permission set by the LPAs.

Funding Delivery Mechanisms

30. There are a number of mechanisms by which infrastructure funding may be sought. These include through S106 agreement, as well as (where it is in operation) through the requirement for CIL payments. These are discussed below.

Types of Agreements, Obligations and Planning Conditions

31. Section 106 of the Town and Country Planning Act 1990 (as amended) provides a mechanism whereby developers can address (through legally binding documents) the impact of their development on the local community through contributions towards, or the provision of infrastructure and services. The mitigation measures may be both offered by a developer and/or required by the LPA (and other parties). The LPA takes into account all such mitigation offered and/or required when deciding whether or not to approve a planning application.
32. S106 legal Agreements⁴ are used to secure planning obligations. A S106 Agreement is entered into between a LPA and parties (such as landowners and developers) which have an interest in the land (i.e. the development site). Legal Agreements are used to secure obligations to deliver contributions and works etc. where both the LPA(s) and the development parties (entering the S106) are agreed as to the extent and detail of such obligations. An Agreement is a bi-lateral or tri-lateral arrangement between the LPA(s) and the parties with an interest in the land; as such it may contain obligations on the part of the LPA(s).
33. A S106 Unilateral Undertaking (UU) is a specific type of S106 legal deed in which planning obligations are given by parties with an interest in the land (e.g. landowner/applicant) to the LPA(s) either the County Council or District Council (or to both) to make a development acceptable in planning terms. They can be offered by the developer/landowner where there is no agreement with the LPA as to whether the obligations contained within the UU are sufficient and/or necessary to make the development acceptable in planning terms. They are frequently but not exclusively used at planning appeals. A LPA in considering a planning application with an associated UU may determine that the planning obligations in the UU are not sufficient to make the development acceptable in planning terms and in such cases may not issue planning permission.
34. A S106 UU may also be used where there is agreement between the LPA(s) and the developer over the extent of any necessary obligations. In Oxfordshire, the County Council has developed (with the support of the Districts) a specially formatted UU called a "SPUR" (standard pre-prepared unilateral route) UU". A SPUR UU is a concise standard templated

⁴ "Agreements" (with an upper case "A") meaning specifically S106 agreements as opposed to S106 unilateral undertakings

undertaking which can be used where the developer contribution is to be paid in full to the County Council contemporaneously with the completion of the deed and where there are no other non-financial S106 obligations to be made to the County Council. Because the financial payment is to be made upfront the SPUR is typically used where the developer contributions are relatively small. As all of the documentation has been pre-prepared in a standard format by the County Council, when using a SPUR with the prior agreement of the County Council, a developer will not incur a requirement to pay the County Council's legal fees which need to be paid in respect of all other forms of S106. There is a standard administration fee for a SPUR UU (see Annex 1 – Item K).

35. Planning conditions are requirements made by the LPA for measures that are needed in order to make a development acceptable in planning terms. They cannot be used to secure financial contributions or to direct the transfer or dedication of land but can be used to ensure that certain elements related to the development proposal, and which may benefit the wider community, are carried out at a certain time.
36. Where a development requires works to be carried out on the existing adopted highway, the County Council must approve and give permission for the works to be undertaken. An agreement will need to be completed between the developer and the County Council under Section s278 of the Highways Act 1980. Examples of such works could be the construction of a new access/junction improvement of the highway/junctions, or safety related works such as traffic calming or improved facilities for pedestrians and cyclists. Whilst for minor highway works the County Council may be content with the delivery of work (and the consequent entering into a S278 agreement) being secured by planning conditions, the County Council will normally require a landowner to enter into a S106 planning obligation imposing a restriction on development such that development cannot progress beyond a certain point (usually commencement) until such time as a S278 agreement had been entered into. The S278 agreement would, amongst other things, include a timescale for the delivery and completion of the highway works.
37. Under S38 of the Highway Act 1980, the County Council can enter into a legal agreement with a developer to adopt a highway built by the developer, this may relate to main spine roads, estate roads and related highway infrastructure. For the highway to be adopted it must be constructed to a satisfactory specified standard and agreed by the County Council.
38. The Highways Act 1980 provides the statutory basis for the County Council to seek a commuted sum as a contribution towards the maintenance of assets which are to be adopted by the Council as maintainable at public expense. Where a commuted sum for highway works is required it will be payable by the developer to the council in accordance with the provisions of a S278 agreement, S38 agreement, or a combination Highway agreement. Please refer to Part Two -Transport of this Guide for more information about the

County Council's Road Agreements Team (RAT) which is responsible for S278, S38, and private street agreements on behalf of the authority.

The Community Infrastructure Levy

39. The Community Infrastructure Levy (CIL) is a local charge on certain new development that local authorities in England and Wales can choose to charge in their area to help fund infrastructure provision to support new development. In order to justify charging CIL the local authority (in Oxfordshire the District Councils can charge CIL but the County Council cannot) must demonstrate that there is an aggregate funding gap in the provision of infrastructure required to support new development in its administrative area. To do this the District Council (as the CIL Charging Authority) must consider what infrastructure is needed in the area to support development and what other funding sources (e.g. S106 contributions etc.) are available to fund the infrastructure. For a CIL charge to be set the LPA has to submit its proposals for public examination where (as well as other issues) the impact of the CIL upon the viability of housing and other development is considered. The CIL is and was not intended to address the entirety of the infrastructure. The rates at which the charge is levied are shown on a CIL "Charging Schedule".
40. The CIL if implemented is set and operated by the appropriate LPA; in Oxfordshire this means the five District Councils. The County Council is not a CIL 'charging authority' and does not have a CIL charging schedule. By January 2021 three of the five district councils had implemented CIL – Oxford City Council (in 2013), South Oxfordshire District Council (in 2016) and Vale of White Horse District Council (in 2017). Each District Council establishes a spending strategy for CIL.
41. How CIL is set and collected is identified within the CIL Regulations. In September 2019 CIL Regulation amendments came into force removing a previous S106 "pooling limit"; a change which means that local authorities are now able (should they so wish) to secure more than five (the previous ceiling) S106 contributions to fund an infrastructure scheme or type of infrastructure. It also enables an LPA to secure S106 contributions towards infrastructure that may also be funded by CIL.
42. Where a District Council LPA charges CIL it may introduce different rates of CIL or a zero rate for certain types of development or parts of the district as well as specific development sites.

Guidance relating to all developments – Pre-application and Application stages

43. The County Council will normally be consulted by the relevant District Council on pre-applications and planning applications. The County Council applies a sub-division to the "major" planning applications into three classifications (small, large & strategic); this further sub-classification is used by the County Council to guide the appropriate type of advice, processes (e.g. Planning Performance Agreements) and consideration in the assessment and

negotiation of a S106. The three major application sub-classifications are set out below:

Table: 1 Planning application classifications and local sub-classifications

Planning application classifications	County Council Single Response Sub-classifications for applications	Residential Development (No of dwellings)	Non-Residential Development (Site area)
Minor		Fewer than 10	Up to 1ha
Major	Small Major	10-199	>1 ha, depending on the nature and the location of the proposal
Major	Large Major	200-399	>1 ha, depending on the nature and the location of the proposal
Major	Strategic	400 and larger	>1 ha, depending on the nature and the location of the proposal

44. A County Council Transport Area Liaison Officer will examine the transport impacts/requirements of minor (e.g., residential development comprising fewer than 10 dwellings) planning applications on behalf of the Highway Authority. In addition, the County Council may assess other infrastructure and service impacts of minor development proposals, if there is other development in the vicinity and where it is considered by the County Council appropriate to assess the cumulative impact of the proposals on the infrastructure.

Population Assessment

45. For residential development proposals the impact assessments (other than transport impacts) are centred on the population likely to be generated by the development, and the likely demands arising from that population on infrastructure and services. Such assessment is made using the County Council's population forecasting tool (PopCal), which uses the results of the surveys by the County Council across new housing throughout Oxfordshire. The most recent survey was undertaken in 2017/18. The PopCal is used to generate a population profile for new development taking into account such as:
- The scale of the development and its dwelling mix (1-bed units, 2-bed units etc.); as well as
 - The likely build-out duration and the market/affordable mix.
46. The PopCal is also used to identify the likely school pupil generation, an assessment which includes an allowance for the fact that a proportion of

children would attend non-state-funded schools. This helps with identifying the necessary planning obligations for education infrastructure.

47. For development below 400 dwellings a standardised PopCal is employed across the county. Table 1 in Annex 1 – Item C provides the latest population yield data. The person yield data will be used in the County Council’s assessment of impacts which informs its Single Response advice to the LPA.
48. For developments proposing 400 or more dwellings bespoke PopCal assessments are undertaken by the County Council, the results of which are provided to the LPA in the Single Response.
49. The housing mix used for calculating impact and possible contributions will either be: as set out in the application (or subsequent amendment) or based on the Oxfordshire Strategic Housing Market Assessment (SHMA) – see Annex 1 – Item D.
50. In the case of outline planning applications where the number and mix of dwellings is unknown/not settled, and there is a requirement for S106 planning obligations, the assessment will be undertaken using a policy compliant mix based on the SHMA, to identify the impact and any corresponding level of financial contributions towards infrastructure provision [and services] where they are warranted. In such cases, the S106 Agreement will include a ‘matrix’ to enable the financial contributions to be re-calculated as and when the details of the housing mix are available (see Annex 1 Item E).

Pre-application advice

51. The County Council recommends that applicants, particularly for large major/strategic proposals should seek pre-application advice. The pre-application services provided by the District Councils and the County Council are intended to provide an early indication to potential applicants of planning issues that will need to be considered and addressed, including the level and range of likely planning obligation requirements. For strategic sites, the County Council encourages the use of Planning Performance Agreements (PPAs) and can provide further information on these on request (Annex 1 – Item F)
52. Discussions over Planning Performance Agreements (PPAs) will normally be coordinated by the relevant District LPA (or the County Council where it is the determining Authority), which will then seek appropriate input from the County or District Councils as the case may be as well as other service providers and/or stakeholders.
53. Any queries about how to seek pre-application advice can be directed through the County Council’s Major Planning Application Team (Annex 1 Item F) at planningconsultations@oxfordshire.gov.uk.

54. Any pre-application advice/ information provided to developers and District Councils by the County Council is based on the information and data that is current and available to the council at the time the advice is given.

The S106 process and Heads of Terms

55. For strategic applications, the S106 agreement process should start with the recommended pre-application discussions on the assessment and potential infrastructure / services required to mitigate a development's impacts.
56. S106 agreement agreed "Heads of Terms" will be sought in relation to strategic applications to outline the infrastructure to which the development may/will contribute, the calculation of any financial contributions, along with any obligations or planning conditions recommended by the County Council. The Heads of Terms document could accompany the planning application to the LPA's planning committee as part of its consideration of the proposals and potential corresponding mitigation measures. If the planning committee is then minded to recommend approval of the application the "agreed Heads of Terms" will be used to progress any proposed S106. However, the Heads of Terms would be caveated that they may be subject to some change through the detailed work on the S106 agreement. For strategic scale development it is usual for the County Council to seek a tri-partite agreement (i.e. one where both the District Council and the County Council are a party along with the developer).
57. Once sufficient progress has been made on Heads of Terms, (this may be before an application has been considered by the LPA's planning committee) the County Council's lead infrastructure/negotiation officer(s) will instruct the County Council legal team to proceed with the drafting of the agreement and commence liaison with the developer's appointed agent/solicitor. The County Council's solicitor (or those acting on its behalf) will expect to prepare the first draft of any documentation. It is generally the case that it is more efficient and cost effective for the County Council's solicitor to prepare the first draft rather than have to spend time carrying out a detailed review of another party's draft. However, for strategic sites, the first draft will often be prepared by the solicitor for the District Council as lead LPA, with the County Council's solicitor drafting those Schedules & provisions relating to County Council matters. Template documents (precedents) are in use with most of the District Councils. Annex 1a provides a list of S106 agreement precedents used by the County Council.
58. For smaller applications and those that do not have pre-application work undertaken with the County Council, the contributions to be secured through the S106 Agreement will be outlined in the County Council's planning application consultation response (the Single Response) to the LPA.
59. The County Council's Legal Service team will require satisfactory title/legal interest documentation. The developer will be responsible for the County Council's legal costs and satisfactory security (solicitor's undertaking to be responsible for the legal costs or payment on account of costs) will be required at the outset.

Phasing of Infrastructure and Timing of Payments

60. Phased payments of financial contributions are acceptable in principle.

However, the details will be dependent upon:

- The type of infrastructure being funded and the quantum of the contribution;
- The anticipated speed of development delivery;
- Size of development; and
- The potential timing of the delivery of the infrastructure.

61. The appropriate trigger(s) for the payment of financial contributions and offer and transfer of land to be included in the S106 Agreement will be advised by the County Council. As a guide the standard requirements for payments to the County Council are:

- a. For non-strategic⁵ development proposals:
50% of financial contributions to be paid prior to/on implementation of the development;
Payment in full of all contributions to be received by the County Council prior to the first occupation/use at the development.
- b. For strategic⁶ development proposals:
A minimum of 10% of the financial contributions to be paid prior to/on implementation of the development;
Payment in full of all contributions to be received by the County Council prior to 2/3rds of the development being built out (or occupied).

For all scales of development, the triggers within the S106 agreement for payments to be made to the County Council should not run in arrears of occupation/completion of the corresponding development.

Land, Buildings and Contributions in Kind

62. There are a number of circumstances where the County Council may need land to be transferred to its ownership in order to accommodate/procure infrastructure to mitigate the impact of a development. Provisions for land transfer will (where appropriate) be incorporated in the S106 agreement for the development applying additional local authority powers. Cases where such transfers are appropriate include, but are not limited to:

- new or expanding schools;
- land to be dedicated as highway;
- shared community buildings.

63. Land may be required to establish a new infrastructure facility on the development itself or in some circumstances it may be needed to provide a new facility, or expand an existing one, off-site. When off-site, if the land is not already within the control of the developer, it may be appropriate to require the developer to acquire the land on the County Council's behalf rather than

⁵ See paragraph 43

⁶ See paragraph 43

make a financial contribution towards the purchase of the land by the County Council.

64. The County Council will work closely with the respective District Council to provide the optimum location for the infrastructure under consideration. Any land that is intended for public use (e.g. a school site) must be safe and fit for purpose, including accessibility and various land factors would need to be investigated, including ground conditions and flood risks (see Annex 1 Item G)
65. In the case of facilities for community use, the land will need to be central to the population it is intended to serve and well connected to walking and cycling routes.
66. Once a potential location for new provision has been identified, the suitability of the land itself will be considered in detail.

Legal Agreements to Transfer Land

67. Legal agreements usually provide for serviced and remediated land (with warranties) to be offered at nominal consideration (£1) by a specified trigger point, with then a three-month window within which the County Council undertakes the processes to accept (or reject) the offer.
68. It is the County Council's policy to require the unencumbered freehold of any new land for infrastructure.
69. Services (utilities) sufficient to enable construction of infrastructure are required on transfer of land and full-service provision and safe and convenient access including, as appropriate, pedestrian and cycleway provision need to be provided prior to completion of construction.

Direct Delivery of Infrastructure

70. Infrastructure can be delivered by the County Council, by developers or an appropriate third party. Whatever the route of delivery the County Council has a duty to ensure appropriate delivery and quality of infrastructure relating to the needs of the services, and also to ensure that it complies with Government's and Oxfordshire County Council's design guidance and is safe for use by the public.
71. Developers may have a strong preference to 'directly deliver' on-site and off-site works (e.g. the construction of a building, usually a school or off-site highway works delivered through S278 works) instead of providing financial contributions. Works carried out by the developer are subject to compliance with a corresponding standard (construction) conditions and technical standards or as applicable with an outline specification and appropriate surety being provided.
72. For the delivery of new schools, the County Council's usual approach is that the host development is to provide "land and funding" through the S106

Agreement⁷. Direct delivery is available but if the County Council is to take on the facility, the developer will be required to work closely with the Council's Education and Property Corporate Landlord teams to ensure that designs comply with the stringent school delivery standard process, procedures and conditions if this route is taken. Further details are outlined in Part Two (Education) of this Guide.

73. Where a developer prefers to direct deliver the education infrastructure, the developer should be aware that the S106 Agreement will be more complex to ensure the appropriate timing, checks and governance are outlined clearly and can be monitored and enforced.
74. The County Council considers that such an arrangement in a S106 Agreement or S278 agreement, conditional on implementation of the development does not constitute a public works contract but the County Council requires that a competitive and transparent procurement process should be undertaken for all construction works for mitigating a development. Further, where the works exceed a certain value set by the Government's procurement regulations the County Council will require additional procedures and commitments to minimise any potential claim of a breach of those regulations and to indemnify the County Council.

Viability

75. The NPPF and associated Planning Practice Guidance requires Local Plans to set out the contributions expected from development with it then being the responsibility of the applicant to demonstrate the need for a viability assessment at the application stage. The County Council recognises it is the responsibility of the LPA to assess the legality of contributions sought.
76. In line with national guidance, any viability assessment must be provided in a way that provides clear interpretation and interrogation by the District and County Council with any assumptions clearly set out. The developer will be required to pay the associated costs of the District Council and the County Council in reviewing the viability assessment. Where a local planning authority has supplementary guidance on viability assessments, the County Council will play a positive role in the assessment and any associated discussions and negotiations in line with that guidance.
77. For further advice see the national planning practice guidance (Annex 1 – Item H) on viability.

Indexation

78. To ensure the real value of a S106 financial contribution is maintained against cost inflation up to the date of payment the contribution will need to be index linked. The S106 agreement will state the index type and base date/index value.

⁷ See footnote 4

79. The contribution (or “principal sum”) will be index inked from this base date/value until the date of payment. The appropriate index for each type of contribution is set out in the Annex 1 – Item I. The principal sum in the agreement will remain the same (subject to any adjustment in accordance with any relevant matrix provisions in the S106) but the additional inflation will be affected by the index fluctuation and contribution amounts paid may vary depending of the value of the index at point of invoicing.
80. Most indices are available on a subscription basis, consequently the County Council cannot provide the comprehensive index data to developers as that would be in breach of copyright. The County Council will, however, provide upon request the calculation of any indexed sums proposed in S106 negotiations or invoiced.

Securing Payment of Deferred Contributions

81. In S106 planning obligations there may be provisions for payment of substantial financial contributions to be triggered after the implementation of the development. With such “deferred contributions” comes a risk of subsequent under or non-compliance with the agreement’s payment obligations and thus there may be a need for appropriate security, in the form of a bond, to be provided and this requirement will be incorporated in the S106 agreement.
82. The County Council will aim to identify the need for a bond to secure deferred contributions in the Single Response advice from the County Council following the submission of a planning application. The council’s current bond policy is set out in Annex 1 Item J.
83. Any requirement for a “deferred contribution” bond would be quite separate from bond requirements associated with any highway agreement (S278/S38) or in relation to the direct delivery of any infrastructure such as a new school.

Fees

84. Fees that the applicant may be required to pay (distinct from Planning Application fees) include:
- Highways Pre-application advice
Fees for pre-application highways advice (See Part Two of the Guide– (Transport)
 - Planning Performance Agreements (PPAs) and other Pre-Application advice including Waste and Minerals – See Annex 1 - Item F
 - S106 Administration/Monitoring fees. The 2019 amendment to the CIL Regulations confirms that local authorities may seek a fee in relation to the monitoring of S106 planning obligations and provisions in relation to such can be included in the S106 agreement. Completion of a planning obligation involves the County Council in various monitoring work which places a cost burden on the County Council and the Council therefore charges proportionate and reasonable fees to cover this cost. The current S106 agreement fee structure is provided in

Annex 1 – Item K. This may be updated and replaced from time to time.

85. The County Council will require a fee for the monitoring of Travel Plans. Information on these fees can be found in Part Two – (Transport)

Legal Fees

86. Applicants will be required to pay the County Council's legal costs incurred in drafting and completing any legal agreement. To this end, the solicitor acting for the County Council will require an undertaking from the solicitor acting on behalf of the applicant to pay the County Council's legal costs, whether or not the agreement is completed. Payment on account of legal costs is also accepted. Any maximum ceiling on a solicitors' costs undertaking/payment on account does not constitute a cost estimate and the County Council will require payment of legal costs in full.
87. The council's legal costs will be charged at an hourly rate and will become payable upon completion of the planning obligation (or earlier in the case of a developer's significant delay on a S106). For large scale agreements periodic payment of legal costs may be required. The amount will inevitably vary depending on the nature and complexity of the agreement, the degree of negotiation required, and the time taken to settle the draft and proceed to completion.
88. In those cases where work on a S106 agreement is terminated prior to completion of the agreement, fees will still be payable for work done.
89. Legal fees are not required for County Council pre-approved Standard Unilateral Undertakings (SPUR).
90. Once an agreement is completed and planning permission issued it is important to note that there may be requirements in the S106 agreement to keep the County Council informed of progress of the development. We ask that such a requirement is noted, and notices are provided.
91. Financial payments can be made by BACs (or cheque). Information can be supplied by the County Council's Planning Obligations team by contacting through its email address: developer.funding@oxfordshire.gov.uk.

Enforcement

92. If any contribution due under the S106 agreement, or any part thereof is paid late, interest at the default rate will be payable from the due date set out in the S106 agreement to the date of actual payment.
93. Any missed payment and breaches are enforceable against the landowner (who may also be a developer) who originally entered into the agreement and any subsequent person acquiring an interest in that land, although it is standard practice to release the original landowner once his/her land interest is disposed of. The S106 agreements will be registered by/with the District

Council as a local land charge and will be noted on the planning register and thus available for public inspection.

94. There may be an initial one-off payment should the County Council need to investigate any breach of the agreement. The County Council may enforce obligations through the relevant legal channels although other reasonable approaches to remedying a failure to comply with the obligations will normally be pursued first. Where legal enforcement is employed the County Council will seek to retrieve its legal costs in taking action against the party that is in breach of its obligations.
95. For queries regarding the operational status of a S106 agreement please contact the County Council's Planning Obligations team via: developer.funding@oxfordshire.gov.uk



PART TWO: SERVICE REQUIREMENTS

Infrastructure Requirements

1. Part Two of this Guide sets out the County Council's potential infrastructure requirements⁸ by service area. For each, it sets out any key policy documents. It also provides links to supporting documents which supplement the requirements set out in this Guide.
2. Developers should read this Guide in conjunction with Local Plans, CIL documents, Infrastructure Delivery Plans and relevant Supplementary Planning Documents prepared by the District Councils which will set out the infrastructure requirements that might be required in addition to those set out in this document such as for affordable housing or open space etc.

⁸ While comprehensive, the list of potential requirements is not necessarily fully inclusive.

Transportation

This section comprises the following sub-sections:

- Highways
- Travel Planning
- Active & Healthy Travel
- Public Transport
- Public Rights of Way

All with a composite Transport annex (Annex 2)

Highways

1. Oxfordshire County Council (the County Council) has responsibilities as the Local Highway Authority and Local Transport Authority. In 2016, the County Council in conjunction with other partners produced “Connecting Oxfordshire: Local Transport Plan 2015 – 2031” (LTP4). (Annex 2 – Item A). This suite of documents⁹ sets out the strategic framework for transport across Oxfordshire.
2. “Connecting Oxfordshire” has been developed with three over-arching transport goals (economy, environment and society) to:
 - Support jobs and housing growth and economic vitality;
 - Reduce emissions, enhance air quality and support the transition to a low carbon economy;
 - Protect and enhance Oxfordshire’s environment and improve quality of life (including public health, safety and individual wellbeing).
3. The County Council as the strategic highways and transportation authority works closely with the Local Planning Authorities (LPAs) to ensure that the transport network supports sustainable growth. The County Council seeks to ensure through cooperation with the District Councils that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport.
4. A crucial element of the LTP4 is the inclusion of an “Active and Healthy Travel Strategy” (AHTS). The strategy aims to contribute to reducing pressure on the road network, contribute to economic growth and the reduction of emissions, quality of life and health, and link active travel with bus and rail options by enabling sustainable door to door journeys, combining cycling or walking with public transport. The LTP4 is supported by Walking & Cycling Design Standards¹⁰, which must be followed by developers – a flow diagram on how they can support through the development process is provided in Annex 2– Item B.
5. As set out below, planning applications may need to be supported by detailed transport assessment work, and development mitigated through measures

⁹ The County Council is working towards producing a revised strategic framework a Local Transport & Connectivity Plan (LCTP) which will be developed following public consultations; links to that will be available on the County Council’s website

¹⁰ Another key supporting document is the Street Design Guide which is programmed to be published in Summer 2021.

including; the provision of sustainable transport infrastructure, works to the public highway and actions such as the use of Travel Plans, as well as financial contributions towards strategic highway projects.

6. Developers will be required to mitigate the direct impacts of their development and have sufficient access arrangements for pedestrians, cyclists, public transport and motor traffic, but also where appropriate, to contribute towards the wider transport impacts on the network to which their development contributes.
7. Local Plans may include policies and requirements relating to highway matters. The Local Plans relevant to the development proposals location should be investigated to understand the planning and transport context for the proposal.
8. The County Council has been successful in securing forward funding from the Government for infrastructure within the county and will seek to bid for other available funds. The infrastructure schemes are necessary to deliver the identified housing and employment growth in the Local Plans for the five Districts and to unlock housing developments along key corridors. If housing or commercial development is reliant on the infrastructure delivered (or to be delivered) through these funds to, in part mitigate its impact, the County Council will seek to recover the forward funding from such developments. S106 agreements will be employed to secure the agreed and appropriate payments.

Early Advice

9. Applicants are encouraged to seek pre-application advice from the County Council (Annex 2– Item C) on major planning applications.
10. As the Local Highway Authority advice is provided on:
 - relevant policies and guidance;
 - the relevant level of detail and supporting information necessary to provide a valid assessment of highways and transport issues;
 - where a Transport Statement / Assessment is required, the content, scope, preparation and presentation that is likely to satisfy the County Council's requirements;
 - whether a contribution towards highways and/or transport improvements is likely to be required;
 - Suitability of access arrangements (may require separate concept design check with associated fees).
11. The County Council has prepared focused guidance to help developers understand the County Council's requirements as Highway Authority, these are all accessible direct through the County Council's website (see Annex 2 - Item D) or through contacting the relevant transport teams. The guidance material includes:
The requirements for Transport Assessments and Transport Statements:

- Position Statement – On the Application of Contemporary Highway Design Guidance in Oxfordshire, 2014 and
- Transport for New Developments: Transport Assessments and Travel Plans, 2014.

The requirements for Highway Design

- Residential Road Design Guide (Second edition), 2015 (*to be superseded in 2021 by a Street Design Guide*)

Note: – the walking and cycling elements of the 2015 Residential Design Guide are superseded by new Walking and Cycling Design Standards.

Guidance for Cycling and Walking provision

- Oxfordshire Cycling Design Standards, 2017, and
- Oxfordshire Walking Design Standards, 2017.

Commuted Sums (for Highways)

- Commuted Sum Policy, 2020, and
- Commuted Sum Procedure Note, 2020.

Assessing the Impact of Development

12. Early discussions with the County Council as the Highway Authority are recommended to determine the requirement for and scope of, any Transport Assessment or Transport Statement. (see Annex 2 – Item D for guidance) Additional guidance is also available through the pre-application advice services Annex 2 - Item C).
13. The County Council will use the Transport Assessment or Transport Statement to help determine the likely impact upon the highway and therefore the scope of any highway works, or other mitigation measures that may be needed.
14. Design requirements will be subject to individual circumstances, but overall guidance is provided in the above documents.

Commuted Sums for Maintenance

15. When the Highway Authority takes on assets from developers it incurs maintenance costs for the life of the assets, and replacement costs at the end of their useful life. These sums are most commonly secured through Section 38 (S38) agreements and Section 278 (S278) agreements of the Highways Act 1980. Typical assets (street lighting, traffic signals etc.) that may require a commuted sum are listed in Annex 2 - Item E.
16. The calculation of commuted sums for maintenance follows the principles set out in the guidance produced for the Department for Transport by ADEPT (Association of Directors of Environment, Economy, Planning and Transport).
17. The issue of long-term maintenance of highways infrastructure should be discussed with the County Council at an early stage. For further information on the County Council's commuted sums policy and procedures please contact the County Council's Road Agreements Team; see Annex 2 – Item F for links.

Mitigation Measures

18. The County Council will encourage priority to be given to sustainable measures promoting 'smarter choices' where mitigation measures are required; i.e. measures to encourage travel by means other than the private car. However, some development schemes will require highway improvement works to be provided as set out below. For all development proposals it is important that the proposals comply with the relevant area transport strategies as well as with the corresponding Local Plan and LTP general policies.

Works and/or Contributions

19. Highway works may be funded through a financial contribution to the County Council or delivered by a developer on approved terms. In mitigating the impact of a development on the highway network, direct mitigation by the developer is generally required through a S278 agreement.
20. In relation to the impact of individual developments, the County Council will require developers to procure the necessary works to mitigate the impact of their development. Where the cumulative impact of a number of developments requires a specific Highway improvement project, the County Council may secure financial contributions through a S106 agreement or through S278/S38 contributions and procure the necessary works.
21. The S106 agreement will identify indicatively any highway works and measures. The agreement will normally prevent development starting until a S278 agreement for these works has been entered into and also specify the trigger for completion of these works. The S278 process addresses detailed design and construction of the measures.
22. Where there is a need for an identified highways scheme resulting from the impact of a number of developments this may be funded by a number of mechanisms including through pooled S106 contributions if appropriate as well as external funding sources such as Government grants and CIL funding (where CIL is operating).
23. The County Council will therefore consider whether a developer contribution to such schemes (including from both residential and commercial developments) will be required, and if so, the level of any contribution based on a number of factors, including:
 - The impact(s) of the proposed development.
 - The cost of the scheme;
 - The level of any funding already secured both from developer contributions and where appropriate, other sources.
24. There may also be a requirement for Road Safety Audits of proposed highway works to be carried out by developers without cost to the County Council.

Highway Works and Surety

25. By requiring developers to undertake works under a S278 agreement (which may encompass some dedication and adoption under Section 38 of the Highways Act 1980 as well), where the work is to be completed as part of the development there is an associated risk that the highway works may not be completed satisfactorily. Consequently, an appropriate surety in the form of either a cash deposit or a bond is required. In the event of default in completing the requisite works this surety can be called on to pay for completion of the works.

Safeguarding Land

26. The County Council may require land to be safeguarded for highway works and associated construction needs with access to be provided without charge, and dedication without charge on the County Council certifying the works are complete. Where appropriate this will generally be secured through a S106 agreement. Road agreements for the alteration to an existing road or the creation of a new one will require a S38, S278 or a private street agreement – further information about these is available through the County Council's Road Agreements Team (Annex 2- Item F).

Management and Legal Fees for Highways Agreements

27. For S278, S38 and private street agreements the County Council will require its costs to be covered; to that extent there are Application fees, Inspection fees as well as commuted sum or maintenance fees. See Annex 2- Item G for further information. The County Council's legal costs incurred in the preparation and completion of S278 agreements, S38 agreements and private street agreements will need to be paid by the developer.

Traffic Regulation Orders (TRO)

28. Where a development envisages a TRO (e.g. to provide waiting restrictions) a fee is payable to the County Council, to cover the costs of consulting on, processing and advertising the order(s) and if approved making it. There is a general requirement for the developer to cover costs for all consents required for a highway scheme.

Travel Planning

29. The encouragement of alternative sustainable uses of transport is necessary to support the environment and promote public health but also to relieve pressure on the highway network. National and local policy aims to encourage patterns of growth and other measures to ensure that maximum use is made of public transport, walking and cycling. The County Council is seeking through the LTP and its Active and Healthy Travel Strategy to contribute to reducing pressure on the road network, to the reduction of emissions, and to link active travel with bus and rail options by enabling sustainable door to door journeys combining cycling or walking with public transport.
30. The County Council will proactively seek ways for active travel and transport to play a role in contributing to the health agenda. This will use opportunities created by new development as well as other funding sources.

31. Travel Plans are long term management strategies which seek to integrate proposals for sustainable travel into the planning process. They enable opportunities for sustainable modes of travel such as walking, cycling and public transport to be integrated into existing and proposed developments.
32. Travel plans will normally be sought on applications for retail, leisure, business, employment, health, residential and educational development. This includes applications for redevelopment, mixed use schemes, changes of use of buildings and applications to extend the duration of an existing planning permission.
33. A Travel Plan should include a range of “SMART” actions and targets that are crucial to establishing its success. Further information on travel plans including when they are required and what types are appropriate in Oxfordshire can be found from the County Council’s Travel Plans team (Annex 2 – Item F) and the various documentation set out in Annex 2 – Item D
34. Under its responsibilities as the local transport authority and under the Education and Inspections Act 2006, the County Council is encouraged to develop Travel Plans with schools.
35. The type of Travel Plan required will depend on the scale and nature of the proposed development; for example, whether the proposed development is for a school, for residential or commercial uses.
36. Both S106 agreements and planning conditions are used to secure the delivery of Travel Plans. Where the County Council considers it more appropriate – for standard simple Travel Plans the County Council will advise the District Council that a Travel Plan should be secured via a planning condition. For the more complex and larger scale Travel Plans a S106 obligation is more appropriate partly because the mechanism enables for financial contributions and/or Travel Plan Monitoring fees more directly to be secured. For certain strategic scale development, the County Council has agreed (for a set fee) to take on the responsibility for managing and implementing the requisite Travel Plan on behalf of the developer. For further information about this approach please consult the Travel Plans team (Annex 2 – Item F)

Active and Healthy Travel

37. Active and healthy travel is more than just another mode of transport. These travel choices have the added benefit of improving personal health and fitness, contributing to cutting congestion and decreasing pollution and can increase community cohesion through greater levels of personal interaction (particularly walking). However, we are aware that many people do not consider walking or cycling due to concerns about safety and personal security.
38. Connecting Oxfordshire 2015-2031 includes the AHTS which aims to create the conditions in which more people choose to walk and cycle for more

journeys, including those where people use a combination of walking, cycling and public transport to reach their destination (also known as door to door).

39. The County Council has produced guidance (Annex 2 - Item D) on walking and cycling design, recognising the unique needs of pedestrian and cyclists and these will need to be considered and addressed when designing development and connections to existing settlements.
40. As the Local Highway Authority and Local Transport Authority, the County Council encourages the use of modes of travel associated with healthy and active lifestyles. Developers are encouraged to use the Oxfordshire Walking and Cycling Design Standards to create good highway design¹¹ and, in conjunction with travel plans, to raise awareness of the benefits of walking and cycling and promote routes that make good provision for pedestrians and cyclists.

Infrastructure Provision/Contributions

41. Contributions secured through a S106 agreement may be required to address the extra demands arising from development towards measures including new and upgraded cycle & pedestrian infrastructure as well as initiatives to promote cycling and walking associated with travel to/from and at the development.
42. Developers must demonstrate through site design and master planning how their site has been planned to make cycling convenient and safe, for cyclists travelling to and from major residential, employment, education, shopping and leisure sites within 5-10 miles, and also, within and through the site.
43. Developers are advised to use and follow the Oxfordshire Cycling Design Standards, and the Oxfordshire Walking Design Standards referred to above (Annex 2 - Item D)
44. The County Council may ask developers to fund Quality Audits, to include cyclability audits, so that the local user view is incorporated into new cycle facilities.

Public Transport Services and Infrastructure

45. The County Council, as the Local Highway Authority and Local Transport Authority, has responsibilities for public transport under the Transport Act 1985, the Transport Act 2000, the Traffic Management Act 2004 and the Local Transport Act 2008. The legislation requires the production and review of a Local Transport Plan which identifies transport policies and how these will be delivered.
46. As with the above elements of transport the key policy document is Connecting Oxfordshire Vol 1 the LTP 2015-2031 (Annex 2 - Item A) with the BRTS included in Vol 2 of Connecting Oxfordshire (Annex 2- Item A).

¹¹ Developers should also consult the County Council's Street Design Guide (programmed to be published Summer 2021)

47. The County Council has developed a Bus and Rapid Transit Strategy (BRTS) which complements and implements elements of the LTP4 referred to in paragraph 1. This Strategy seeks to enhance the role of the bus as a key component of the overall public transport network in the county. Enhancing bus routes, hubs and other interchanges facilitates better public transport connectivity and access; thereby benefitting accessibility to key services, reducing car use and managing car emission levels, and is a contributor to healthier lifestyles.
48. The BRTS identifies that the County Council, working with the bus operators, wishes to take advantage of travel demand from future development (in particular, housing, employment and urban retail) with the aim of increasing the frequency of existing bus routes and introducing new routes where different travel patterns are created in order to minimise car journeys by providing more attractive public transport choices. S106 contributions may therefore be requested from developers in order to 'pump prime' new routes or incremental enhancements to existing routes.
49. Bus services need to be designed such that they will not require ongoing financial support from the County Council in the longer term. To that end the County Council's public transport planners will seek to identify public transport services needed to serve a development and to request financial contributions to establish or improve these.
50. Developers are required to assess the existing and future public transport need of their proposed development. Each development will have a bespoke solution as the decision will be influenced by existing routes and its location. In several areas, the County Council has established contribution rates based on the need for improved bus services to support development growth along the routes. Advice on this will be given by the County Council at pre-application and planning application stages as appropriate.
51. Public transport should be available early in the building-out of developments to ensure that new residents have the opportunity to use sustainable modes of transport to get to employment, education, services and health facilities without the need for a car. Phasing plans and delivery of key infrastructure, for example spine roads, will need to accommodate this.
52. Contributions through S106 agreements may be sought:
- to support the development of new bus services;
 - to increase the frequency of existing bus services;
 - to maintain and develop existing bus services where these would otherwise be subject to reduced frequency or cease to operate and
 - for installation and maintenance of Real Time Passenger Information (RTPI) bus stop infrastructure.
53. Most bus stop infrastructure will be required to be delivered to the County Council's specification by the developer as part of S278 / S38 works. Commuted sums for maintenance will be required in line with other S278 /

S38 works. Whether the provision of bus stop infrastructure will need to be by S106 agreement contribution or provided “in-kind” through the S278/S38 agreement processes will be set out the pre-application and Single Response advice.

Infrastructure Provision/Contributions Calculation

54. Any S106 contribution sought will be assessed on a case by case basis and shall have regard to the factors summarised in Annex 2 – Item H, and to the impact that the development is likely to have on the public transport system.
55. As a guide, development layouts should look to minimise walking distances to bus stops; new homes within residential developments should be within a walking distance of 400m from a bus stop. Longer distances may be acceptable if a much faster, reliable and/or frequent bus service can be provided and deemed to have a reasonable likelihood of being operated without the need for on-going financial support from the County Council.
56. Where a new bus service is identified as being needed within a new development, the development should be designed to be able to support the efficient operation of buses through appropriate road geometry and width. For guidance see the County Council’s street design guidance documentation (Annex 2 – Item D).

Public Rights of Way

57. The Highways Act 1980 places a responsibility on councils to protect and manage Public Rights of Way (PRoW). The County Council is the Highway Authority for all PRoW within Oxfordshire. Consequently, the County Council maintains the statutory record of the PRoW within the Oxfordshire – this is held on the Definitive Map and Statement which is available online (see Annex 2 - Item I).
58. The County Council is also required, under the Countryside and Rights of Way Act 2000, to produce a Rights of Way Improvement Plan (RoWIP). In Oxfordshire the RoWIP document is called the Rights of Way Management Plan; see Annex 2 - Item J.
59. Public Rights of Way are a material consideration when LPAs both consider and determine planning applications. In assessing the development proposal’s impacts the County Council will consider the potential to affect the PRoW network and PRoW users both within the development site itself as well as beyond the development’s boundaries (i.e. off-site). Consequently, the County Council may seek works and/or financial contributions from developers to ensure that the PRoW network is appropriate to accommodate the extra demands or user impacts arising from new development.
60. The County Council’s priorities for PRoW are:
 - Protecting and enhancing access within individual developments;
 - Securing off-site mitigation measures from individual development sites;
 - Seeking contributions towards larger scale PRoW mitigation schemes from more than one related development; and,

- Supporting growth, the economy and quality of place, in the priority development and growth areas.
61. A PRow Planning Information Note (Annex 2 - Item K) has been prepared summarising standard mitigation measures which the County Council may ask the Local Planning Authority to include.
62. It is the responsibility of the developer to ensure that their development proposal takes account of the legally defined route and width of any public right of way as recorded in the Definitive Map and Statement. If a development is likely to need to alter a PRow, then early discussions should be held with the Countryside Records Team. The team can be contacted through the County Council's website (see Annex 2 - Item F).
63. Where the PRow or relevant part thereof, is over land within the control of the developer or the County Council, the developer may be required to complete any necessary works under agreement. However, where the works require the agreement of any third-party owners, the County Council may agree to take a financial contribution towards the funding of the works.
64. Any development proposal's transport assessment or impact mitigation measures which rely upon the delivery of an upgraded PRow (e.g. footpath made legally cyclable or dedicated as a bridleway) must be proven to be feasible by the developer prior to any decision on acceptability by the County Council. This feasibility testing may include prior consultation with residents and user groups (which might form part of the planning application consultation) as well as evidence of costs, landowner approval and timings.
65. Such improvements, where appropriate, may be secured by direct mitigation by the developer through a S278 agreement and/or a S106 agreement restricting development until a public path creation agreement has been entered into. The developer will be expected to fund any legal measures required to alter PRows, including consultation where required. The public path agreement would also require the cycle track (or cycle-able route) to be constructed in accordance with specifications agreed by the County Council as the Local Highway Authority.
66. A financial contribution would normally be looked to be spent on measures in an 'impact' area which could be up to 5km from the development site depending on site and network characteristics. The use of a contribution is normally focused on upgrading the surfaces of key routes to take account of the likely increase in use by residents of the development as well as new or replacement structures, (such as gates, bridges & seating), sub-surfacing and drainage to enable easier access, improved signing and protection measures such as anti-vehicle barriers.
67. New links between existing rights of way or roads may also be required to facilitate convenient access to the PRow network or to provide a safer route. Any contributions sought would be calculated taking on board the actual works costs including associated elements such as - site surveys and

assessments, habitat survey & mitigation, landowner negotiations, materials, plant & equipment, legal processes (e.g. temporary works closures), contract preparation and supervision, administration costs, and follow up repair works.

68. The Oxfordshire Rights of Way Management Plan 2015-2025 identifies some of the key access route assets (Annex 2 - Item L) and access development aspirations within the county. Potential impacts upon these key routes and access to them will be considered when the County Council assesses relevant individual development impacts.
69. As with other service areas, any financial contributions sought and secured will be indexed linked. Any required contributions will be based upon individual assessment of the anticipated costs associated with measures linked to specific development proposals.
70. For most planning applications, (both major and minor) the County Council will propose to the LPA standardised planning conditions to protect and enhance PRoW and public green spaces within an application's boundary. Whether other measures are required will depend on the location and nature of the development and its likely impact on PRoW.

The County Council periodically reviews the way in which the policy and process for developer contributions operates in detail. Any revised process regarding transport will be made available on the website.



Education

1. The Oxfordshire County Council is both the Local Education Authority and Children's Services Authority across the county. Under the 2006 Education and Inspections Act the County Council has a statutory duty to ensure there are sufficient (publicly maintained) school places in the county to meet demands from residents wishing their children to have one. This duty covers children & students aged up to 18 years of age.
2. The County Council is a commissioner rather than a provider of school places, irrespective of the types of school involved. In the county there is a diverse mix of publicly maintained schools including Community Schools, Foundation Schools, Voluntary Schools as well as Academies and Free Schools (a particular type of academy).
3. The County Council also has a responsibility under various Childcare Acts (e.g. 2016 & 2006) and other legislation to ensure, as far as reasonably practicable, that there are sufficient childcare places to ensure that families can:
 - access the funded early education entitlements for their child;
 - take up, or remain in work; or
 - undertake education or training, which could reasonably lead to work.
4. The County Council's duties fall in line with central Government's policy to provide free Early Years and Childcare (See Annex 3 - Item A). Provision may be in the form of nursery, childminders, playgroup or preschool etc.
5. It is the County Council's role as the Education Authority to assess the requirements for school provision as a consequence of development; to determine and plan, in consultation with schools, how sufficient capacity will be provided and seek developer funding via S106 agreements where appropriate. The seeking of such developer contributions is in line with relevant Government guidance (the DfE's "Securing developer contributions for education" – see Annex 3 - Item B).
6. The demands for school places expected to arise from major residential development are assessed against school capacities. Where there is (or expected to be) insufficient capacity to satisfactorily meet those extra demands it may lead to a requirement for S106 contributions. Such requirements towards education provision, arise as a direct result of development proposals.
7. The County Council produces a Pupil Place Plan (PPP - see Annex 3 - Item C) which sets out the expected demand for, and supply of, school places. It also provides information on planning for school places, the establishment of new schools and likely future changes to school provision. This document is a key source of information in considering whether or not education infrastructure can accommodate the extra pressures expected to arise from new housing and consequently, whether and what S106 planning obligations may be required.

The Table (Table A) below sets out the child age and associated Sectors and Year Groups relevant to the assessments.

Table A: Child ages and their corresponding Sectors, Year Groups and Stages

Child Age (Years)		Sector		Year Group (YG)	Stage
Range	Comprising (a)				
2-4	2-3 & 3-4	Early Years		Nursery	Foundation Stage
4-5	4-5	Early Years	Primary	Reception	Foundation Stage
5-7	5-6 & 6-7	Infant	Primary	1 & 2	Key Stage 1
7-11	7-8, 8-9, 9-10 & 10-11	Junior	Primary	3, 4, 5 & 6	Key Stage 2
11-14	11-12, 12-13 & 13-14	Secondary		7, 8 & 9	Key Stage 3
14-16	14-15 & 15-16	Secondary		10 & 11	Key Stage 4
16-18	16-17 & 17-18	Secondary		12 & 13	Key Stage 5

(a) those aged “x” years of age within a school year

Assessing the need for additional provision and S106 contributions

8. The County Council generally only assesses the education impacts from “major” (i.e. 10 dwellings or more) housing proposals. However, “minor” applications may be assessed where their relationship to other housing developments warrants such proposals to be taken into account or the co-location with other sites necessitates an area-wide look at the cumulative impacts.
9. In assessing and determining any needs the net (dwellings currently occupied being deducted) increase in dwellings at a development site is considered. The assessment will address the whole proposal (including both market and affordable housing) and will calculate the expected pupil place demands generated by the housing. The assessment, based upon a population assessment carried out when a planning application/proposal is submitted, using the County Council’s PopCal forecasting tool (See Part One – paragraphs 45 to 50 of this guide).
10. When assessing a development’s impact, the County Council takes account of the type and size (by number of bedrooms) of housing proposed; recognising that differing types/sizes will have different child yield characteristics. Some housing types are considered to not generate/accommodate Early Years and School aged children and therefore will generally be expected to generate zero pupil place demands; see dwelling types in Annex 3 - Item D.

11. For development proposals of fewer than 400 dwellings the impact assessment is based upon standardised pupil yields derived from PopCal (see Annex 3 - Table 1).
12. For developments of 400 dwellings and above a bespoke PopCal assessment will be generated and the resultant profile of pupil generation will be used to assess impacts and consequential needs. The bespoke PopCal will better reflect the probability that likely additional pupil pressures will not occur in one year but will develop over years as the housing development is built out and occupied. The resultant forecast of demands will also inform the timing for any consequential new school provision.
13. Planning applications to vary existing permissions which indicate a material change to the number or type of dwellings, and consequently the pupil yields, will also need assessment. In such cases a review of appropriate contributions would be undertaken. The process undertaken by the County Council in assessing and determining the need for additional education and associated infrastructure is outlined in the Annex 3 - (Item E). It is recommended that developers/applicants contact the County Council's Access to Learning team (Pupil Place Planning) at the earliest possible stage in the process to ascertain whether there would be a requirement for additional education provision associated with their proposed development.
14. If there is a need to expand existing school capacity S106 contributions are sought based on:
 - the estimated pupil generation of each development proposal (using PopCal data) and
 - the "cost per pupil place" for the relevant sector of school;
 - but where the need to expand a school is down to a single development the required contribution will be based upon the full costs of expansion (or the cost per pupil applied to the full pupil capacity increase).

The "cost per pupil place" data, where the actual cost estimate of a project is not available, is based on the national (England) average costs published in the DfE "school place scorecards", as advised by DfE guidance (Annex 3 - Item B)., The "costs per pupil place" for extensions are provided in Annex 3 - Table 2. Where a bespoke costing (approved by the County Council) for a school expansion is available it will be used in place of the standardised extension approach.

15. For housing proposals over 400 dwellings where S106 contributions are required towards expanding existing schools the bespoke PopCal data will be used in conjunction with the "cost per pupil place" (from the DfE scorecard data/actual project cost estimate).
16. For contributions towards new school provision the scorecard data is superseded by more specific new school costing data provided by cost

consultants to the County Council (Annex 3 – Item F). For new schools, the County Council's cost templates provide transparent and comprehensive costings. The cost template model was drawn up after a wide-ranging cost benchmarking exercise. These are reviewed to ensure they reflect the market and construction costs. Examples of generic New-School cost models for primary and secondary schools are provided in the Annex 3 (Item F).

17. Schools operate efficiently and effectively when nearly full, but some margin of spare capacity in the school system is necessary to allow for unexpected influxes of children and expressions of parental preference. To that end the County Council seeks to keep the number of surplus places to a minimum but retain an operational capacity to allow for flexibility in pupil numbers/pressures. Consequently, spare places at a school do not necessarily equate to there being sufficient capacity at that school, see the PPP for further information.

What S106 contributions may be sought?

18. S106 planning obligations which may be sought towards education infrastructure include both solely financial and/or land and infrastructure provision, such as:
 - Land for new schools/school expansion or funding towards land;
 - Funding new school provision (including school start-up costs and initial equipping, e.g. furniture, equipment & ICT);
 - Funding of/towards additional classrooms/Early Years provision;
 - Funding of/towards other school facilities at existing schools (e.g. additional grass/artificial turf sports pitches) to support increased pupil numbers;
 - Transitional issues arising from the impact of a new development, including the cost of providing temporary school places in advance of the completion/opening of a new school required as part of a housing development;
 - Commuted sums for fixed-term on-going maintenance of sports facilities;
 - School Travel Costs – i.e. the cost of transporting children to school for a defined period. (See Annex 3 - Item G).

Early Years and Childcare

19. Local Education Authorities are not expected to deliver Early Years provision directly, but they have a duty to ensure there is sufficient provision available to meet eligible families' needs and to work with providers in creating the places. Developer contributions towards Early Years provision, if sought, will usually be required towards places at existing or new school sites, incorporated within primary or all-through schools. The cost per pupil place of Early Years provision is the same as for a primary school pupil. This calculation of need will be identified during the assessment process.
20. Childcare provision through a local authority-maintained school is not regarded as provision directly delivered by a local authority (Education Authority). Childcare places are delivered through a mixed market of private and voluntary and independent (PVI) providers, as well as schools and

academies. The County Council has identified the pressures in the Early Years and Childcare sector in the county and as a response has enhanced the early years places within new primary schools towards meeting those needs. All new primary schools are expected to include nurseries for children aged 2 and older, in line with the expected demand for funded early education provision. Expansions of existing primary schools will also include enhanced nursery provision where this is appropriate.

21. In some cases, it will be appropriate to deliver the additional early education provision required through expansions of PVI providers. In addition to funded early education provision, for which developer funding will be sought as necessary, new opportunities for the wider provision of sustainable early years or childcare places will be encouraged within new strategic developments, for example through accommodation suitable for PVI nurseries.

Schools and School Places – Provision of New Schools

22. As the Education Authority it is the County Council's responsibility to ensure that any new school is designed to meet Government guidance and can function as a new school. Therefore, any new school that is to be located on a proposed housing development (or elsewhere), funded, or built by the development needs to comply with Government guidance as adopted by the County Council.
23. The County Council's adopted education space standards and policy (Annex 3 - Item H) set out the area requirements. To supplement the standards the County Council has produced a range of supporting guidance documents relating to the provision of educational premises. These are available via a "S106 Property Manual" (see Annex 3 - Item I). The various guidance includes the requirements for information needed to enable the County Council to assess the suitability of provisions put forward (e.g. land) to facilitate new school provision.
24. New school requirements associated with allocated development sites are identified in the relevant Local Plans. Depending upon the neighbouring provisions a new primary school may be required to serve individual developments (or cumulative developments) comprising a minimum of 400 dwellings (assuming capacities of 30 pupils per class and even sized cohorts). A proposed development may not generate enough pupils to fill a whole new school but may be deemed by the County Council (and the LPA) as the appropriate "host" site upon which to locate a school to serve more than one housing development.

New School Construction Costs

25. All S106 contributions sought are considered on a case by case basis. However, the contributions sought are based on a common cost template for the construction of a new school (see Annex 3 – Item F). Where the District's Development Plan requires specific BREEAM¹² standards to be met the

¹² BREEAM – Building Research Establishment Environmental Assessment Method

County Council will seek S106 contributions (or direct delivery) to achieve such standards, as a minimum.

26. As with other infrastructure costs and contributions the school construction costs are index linked (for schools' works the BCIS All-In TPI standard index for construction is appropriate). See Part One (paragraphs 78 – 80) of this Guide for further details.
27. In some cases, the financial contribution sought from a development towards a new school will not equate to the total cost of the school construction; this may occur in the case of the need for a new secondary school provision when the appropriate contribution may relate to pupil generation rather than capacity provision.
28. When the scale of a proposed housing development necessitates the delivery of a new school (rather than an extension to an existing one), the developer/s will be expected to provide (free of charge) an appropriate unencumbered, clean and serviced education site (on the development) meeting the site area needs for the minimum size of school necessary to accommodate the development's pupil yield.
29. The minimum sizes of new schools are:
 - Primary school:
 - a 1 Form of Entry (1FE) school and a site area of 2.22ha
 - Secondary school:
 - a 600-place facility on a site of 4.88ha.

The County Council requires the necessary site area to be provided (unencumbered freehold, serviced & remediated if necessary) at nil cost. In some cases, the County Council may seek an option for further remediated land, abutting the proposed school site, to enable subsequent expansion of the school. Such land would need to be safeguarded for educational and associated use until the end of the option period.

30. For school host-site developments in view of lead in times for delivery of a school, land will generally need to be provided between two and three years in advance of proposed school opening depending on the delivery of primary or secondary school. The PopCal tool will provide information on which to base school delivery profiles.
31. Where a housing development is not a host-site for a new school, but it nevertheless contributes to the need for such a facility, it is likely that the development will be required to provide S106 contributions to fund land acquisition as well as part of the overall school provision costs (design, construction etc. including the infrastructure and the playing fields).

Direct Delivery of a New School by a Developer

32. The County Council recognises that some host-developments, rather than paying financial contributions may seek to deliver a new primary school; while the principle of such "direct-delivery" is acceptable to the County Council this

must be in accordance with the County Council's technical requirements (known as the "Authority's Requirements") and Standard Conditions. These are set out in the S106 Property Manual (see Annex 3 – Item I).

Assessment of a Proposed New School Site

33. The County Council will assess the suitability of a proposed school site land parcel. The assessment will follow the guidance points in the S106 Property Manual, including factors such as; the site's size, shape & orientation, as well as its topography, geo-environmental and geo-technical status, noise levels, proximity to other uses, and location within the development. Indicative sketch layouts must be prepared for the County Council to show a potential layout of school buildings on the site so that the feasibility of satisfactorily accommodating a school on the site can be demonstrated.
34. The various elements of information required by the County Council about the proposed school-site will be set out in the S106 Property Manual, including checklists to guide the developer. If robust information on the proposed site is not provided to the County Council, it may delay any "in-principle" agreement to the proposed school site and also may give rise to objections to the overall housing development.
35. Following agreement in principle over school site matters the actual S106 agreement would need to include specific drawings including:
 - Red line plans defining the school site on an ordnance survey base (This plan(s) is referred to (in the case of primary schools) as the "Primary School Boundary Plan" and needs to be Land Registry compliant);
 - Separate plan showing key features of the school site e.g. approximate entry points; this plan can be produced from sketch plans provided by the County Council. The plan is referred to (in the case of a primary school) as the "Primary School Site Plan"
 - a plan identifying works (e.g. site remediation works) proposed (if applicable) on the school site prior to land transfer. This is referred to as the "Preparatory Works Drawing"

Phasing of Contributions for a New School

36. Where a school-hosting development is to provide "land and funding" (as opposed to land and school delivery) for the procurement of a new school, the phasing of the likely substantial contributions is acceptable in principle. A preferred phasing of payment is set out in the Annex 3 – Item J.
37. If a Developer decides to 'direct-deliver' a school (as per para 32 above), it does not totally remove the need to provide S106 financial contributions. Certain costs collectively termed 'embedded costs' will still need to be funded. These costs are essentially incurred in making the delivered building into a fully functioning school, ready to take pupils generated by the development. The "embedded costs" are set out in Annex 3 - Item K and also in the cost template (see "Anticipated Direct Incurred Costs by client) in Item F.

Expansion of Existing Schools

38. Where the expansion of an existing school is proposed to address the impacts of a housing development the feasibility of such proposals would need to be considered in the light of the County Council's supporting documentation (see para 23). Where a primary school is 1FE or above and expansion is feasible, such expansion would only be acceptable in increments of a full additional 0.5FE or 1FE. Schools should not be expanded above 2FE except in exceptional circumstances, to make it a maximum 3FE in line with the agreed County Council's Education Space Standards and policy. For secondary schools the appropriate elements of expansion are in capacity increases of 150 pupils. In circumstances where there is uncertainty upon the ability for an existing school to expand the County Council may look to the developer to fund feasibility work in order to demonstrate capacity and costs of expansion. It may not always be practical or desirable to use S106 contributions to provide additional capacity at the nearest school because, for example, the site may be constrained or the school may not have the necessary infrastructure, in terms of ancillary accommodation, to support the increased capacity. Also, the County Council cannot compel voluntary aided schools, or academies to expand, consequently, the County Council may need to look further afield. A S106 agreement may therefore need to include flexibility as to how and where a contribution is used in order to be able to deliver the expansion.
39. When determining which school should expand, a number of decision-making criteria will be considered (see Annex 3 - Item L and the Pupil Place Plan).
40. Commuted sums will be required where the additional infrastructure will increase the likely maintenance costs for the school, for example:
- Where a Multi-Use Games Area (MUGA) is to be provided (as part of the measures necessary to provide increased pupil capacity) the costs of maintenance for the MUGA and a 'sink fund' for its future replacement costs in accordance with Sport England's cost guidance will be required (see Annex 3 - Item M).
 - Where gravitational drainage at a school site is not achievable (and verified not to be so by the County Council) and a pumping station is required, to achieve satisfactory pupil capacity provision, the cost of maintenance and 'sink fund' for its future replacement costs.
41. The County Council will not accept as reasonable, proposals to expand schools on to land which is liable to flooding/waterlogging.

Special Educational Needs and Disabilities Provision (SEND)

42. Part 3 of the Children and Families Act 2014 places legal duties on Local Authorities to identify and assess the special educational needs and disabilities (SEND) of children and young people for whom they are responsible. The County Council as an education authority has a duty to promote high standards of education and fair access to education. As well as the general statutory duty to secure sufficient schools in its area, it has to consider the need to secure provision for children with SEND.

43. When the County Council assesses the impact of development proposals on education infrastructure it includes specific assessment regarding impact upon SEND capacity and provision. SEND needs are broadly catered for in two categories, partly through special schools and the remainder through provision in mainstream schools (e.g. via a resource base in a school) or for a few cases by other providers. The County Council may seek provision for discrete SEND schools and if so, the financial contribution requirements are based upon the percentage of pupils who attend special schools derived from pupil census data within the county.
44. To avoid double counting in the assessments of developments, pupils expected to be educated within special schools are deducted from the pupil numbers used as a basis for calculating mainstream education contributions. The SEND contribution plus the provision included in the mainstream school cost will be necessary to address the composite expected SEND demands arising from the development. Any contributions sought will be for the SEND school infrastructure and not the transportation of children.
45. Where the provision required is towards a new special school the contributions sought will be based upon the number of pupils expected to be generated by the housing development and the costs of provision using the County Council's cost model for a special school. If the needs are to be addressed by expanding an existing special school the DfE scorecard approach is applied, where SEND expansion costs are recommended by the DfE as being four times the costs of mainstream places.
46. There may be a requirement for land provision or for a contribution towards land costs for a special school. Again, any such requests toward these costs will be proportionate to the housing development's impact.
47. The special schools directly related to each development could be a local community based special school as well as the schools providing county-wide provision. The potential for expansion in each case will be assessed taking into account site constraints and the operational requirements of each school. The ability of each school to accommodate pupils is agreed with each school governing body based on their accommodation and the specific needs of their pupils.



Flood and Water Management and Sustainable Drainage Systems

1. New development must not increase flood risk and should take the opportunity to reduce flood risk to the existing site and surrounding area.
2. Oxfordshire County Council as the Lead Local Flood Authority (LLFA) within the county has a duty to develop and maintain a strategy for the management of local flood risk in Oxfordshire. The County Council has established a website, the “Oxfordshire Flood Toolkit” to provide information and guidance about flooding and flooding risks in the county. This toolkit is available through the link at Annex 4 – Item A. The Oxfordshire local flood risk strategy can be accessed via this County Council toolkit (see Annex 4 – Item B).
3. The LLFA does provide a pre-application advice service for developers and consultants; providing advice before a planning application is submitted. There is a charge for the service, the details of which can be found using the link in Annex 4 – Item C.
4. While decisions about the suitability of drainage provision concerning a development, proposal are made by the LPA, the County Council as the LLFA is a statutory consultee on all major planning applications (previously a role discharged by the Environment Agency). The County Council works closely with the District Councils together with other partner organisations such as the Environment Agency.
5. Surface water drainage methods that take account of water quantity, water quality and amenity issues are collectively referred to as Sustainable Drainage Systems (SuDS). SuDS manage rainwater runoff in a way more similar to the natural run off process (by slowing and holding back run off from a site) and planning regulations are designed to ensure that where possible SuDS are used on all new development. The NPPF (Para 165) requires that major development, (including sites of 10 or more dwellings) should incorporate SuDS unless there is clear evidence that this would be inappropriate.

6. The District Councils have the duty to ensure that “fit for purpose” SuDS schemes are delivered on new developments unless they are deemed inappropriate.
7. The County Council has produced guidance (Annex 4 – Item D) for developers on the design of surface water drainage systems, this guidance is available as part of the Oxfordshire Flood Toolkit. This adopted guidance (which is a material planning consideration) is also supportive to LPAs in their consideration of drainage proposals in new development. The guide set out standards that are applied by the LLFA for new development proposals in Oxfordshire, which reflect the National Non-Statutory Technical Standards for SuDS.
8. The guide provides information for developers of the LLFA’s expectations relating to the completion of Drainage Assessments. It provides Oxfordshire specific information on the planning, design and delivery of surface water drainage, designed to reduce the risk of flooding and maximise environmental gain, including water quality, water resources, biodiversity, landscape and amenity. The guide also aims to ensure that all new developments and redevelopments in the county are designed to mitigate and adapt to the effects of climate change.
9. Developers must submit surface water drainage details and proposals to the LPA for all construction work that will have an impact on drainage of a site. Planning proposals must be in line with the National Non-Statutory Technical Standards for SuDS and must consider the Local Standards provided in the County Council Guidance (Annex 4 – Item D) referred to above. That Guidance also sets out the requirements that the County Council as LLFA will expect at each stage of the application and adoption and maintenance process.
10. The responsibility for ensuring the long-term maintenance of SuDS in developments will sit with the developer. The LLFA will require evidence and documentation as part of the planning process (for example; through a planning condition) to demonstrate that appropriate provisions are in place (at least in principle) for the entirety of the drainage system to be adopted and maintained for the lifetime of the development.
11. Adoption of SuDS could be agreed through a S106 agreement/separate agreement with the District, Town, or Parish Council and together with a commuted sum secured for the SuDS’ long-term maintenance.

Extra Care and other Specialist Housing

1. The population of older people in Oxfordshire is growing and this creates a need to accommodate the housing and welfare needs of people later in life. This need can be in part met through Extra Care Housing which offers older people their own home in a custom-built scheme with care and support on site.
2. Extra Care Housing is often used as a generic term to describe housing with care and support for adults who are aged 55 years or older. Extra Care housing is a form of 'retirement living' and it is also described as "housing-with-care", "retirement communities"¹³, as well as "assisted living" or "independent living settings"¹⁴.
3. Extra care housing is self-contained housing, primarily for older people, that offers care and support on site. It is different to care homes because people have their own front door and hold their own tenancy while also benefiting from access to communal facilities. One of the benefits of Extra Care housing is that it can adapt to an individual's changing care and support needs.
4. The City and District Councils are responsible for securing affordable housing (including through the use of S106 agreements) but Oxfordshire County Council has responsibilities for securing housing with care and support, not only for people aged 55 years and older, but for other vulnerable groups of all ages who have other specialist accommodation needs. Consequently, the County Council works closely with the City and District Councils and developers in securing and delivering the provision of Extra Care and other specialist housing in the affordable housing sector.
5. Although designed to cater primarily for people aged 55 years and older the County Council assesses the demand for Extra Care housing across Oxfordshire by using the following metric:
 - the number of Extra Care units per 1,000 people aged 75 years and older.The current demand ratio is 25 Extra Care housing units per 1,000 people aged 75 and over.
6. This level of need is used by the County Council to inform District Council's Local Plans and set the level of Extra Care housing units required across each of the five District areas.
7. The County Council may require land and/or provision of Extra Care/Specialist housing at development sites to meet the increasing demands arising from population and housing growth and the consequential increase in the older population and associated housing with care needs.

¹³ Government Guidance – Housing for older and disabled people (June 2019)

¹⁴ Associated Retirement Community Operators (ARCO), 'Living Options for Older People',

www.arcouk.org

8. The County Council's Market Position Statement provides a picture of the county in terms of demand, supply and opportunity for a range of specialist housing. Across Oxfordshire there is a need for additional Extra Care housing.
9. The latest Oxfordshire Market Position Statement (Extra Care Housing Supplement) can be accessed through the council's website (See Annex 5 – Item A)
10. A number of outline specification documents for Extra Care housing units and other specialist housing facilities have been produced by the County Council. These set out the requirements for the relevant types of accommodation within Oxfordshire: The documentation covers:
 - Standard ECH type
 - Specialist housing types:
 - Learning disabilities
 - Physical disabilities
 - Dementia
 - Complex autismThese will be available via the County Council's S106 Property Manual (Annex 5 – Item B).
11. Information on these outline specifications is available initially through the County Council's Infrastructure Funding team (see Annex 5 – Item C)

Archaeology

1. The National Planning Policy Framework (NPPF) states that;
 “In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected [by their development] including any contribution made by their setting.”
 (NPPF para 189).
 This description and explanation should normally be set out by the applicant in a Heritage Statement submitted to the LPA with a planning application.
2. The NPPF further advises that as a minimum the Historic Environment Record (HER) will need to be consulted. The local HER, the Oxfordshire Historic Environment Record, is an index (primarily digital) of all known archaeological and historic sites in the county. This HER is maintained by the County Council.
3. In addition to known archaeological sites and historic features across the county, new sites continue to be discovered, often as a result of development activities. It is therefore important that measures are taken when planning permission is considered to investigate, record, analyse and protect these non-renewable assets. These actions can usually be secured via a planning condition, although where necessary the County Council may advise the LPA that additional measures may need to be secured within a S106 agreement.
4. As well as maintaining the Oxfordshire Historic Environment Record the County Council provides advice to the District Councils within Oxfordshire. Information for applicants is provided on the County Council’s website at: <https://www.oxfordshire.gov.uk/cms/content/archaeological-planning-guidance>
5. Applicants should contact the County Council’s Archaeology Team at the pre-application stage so that it can advise of any requirements that may be made by the County Council prior to or when an outline or full planning application is made.
6. If there are areas of archaeological significance, then the developer will be required to mitigate and plan how to protect assets in consultation with the Archaeology team.
7. Archaeological advice is provided by the County Council for any planning applications that may affect the historic environment regardless of scale.
8. Examples of the type of measures which may be required include:
 - Site investigation, recording, analysing, archiving and reporting on archaeological structure or remains;
 - Site management, interpretation schemes and public access;
 - The provision of open space, to protect archaeological remains that are of sufficient importance to warrant preservation in situ, and the maintenance of the open space to prevent any form of ground disturbance.

Fire and Rescue Infrastructure

1. Oxfordshire County Council, in its capacity as the Fire and Rescue Authority has a statutory duty to respond to emergencies, and to ensure that all development is provided with adequate water supplies for firefighting. It also has other additional responsibilities under the Fire and Rescue Services Act 2004.
2. New development has the potential to increase fire risk and place additional demands on the County Council as the Oxfordshire Fire and Rescue Service (OFRS). It is therefore appropriate to ensure that the necessary infrastructure is delivered alongside new development.
3. Adequate access for fire-fighting vehicles and equipment from the public highway must be available and may require additional works on or off the proposed development site.
4. Developer contributions towards new fire service infrastructure facilities may be required where a specific need arising from a development proposal is identified. Any such contributions may be by way of land provision and/or financial contribution towards new infrastructure.
5. The assessment of need for new infrastructure will take into account the location of facilities in relation to planned developments and response times to deal with emergencies. The fitting of new buildings with sprinkler systems, smart meters in houses and other such facilities will also be considered in any assessment for S106 agreement contributions.
6. New development may require the provision of additional fire hydrants. Where there is a need for new fire hydrants and associated infrastructure, developers will need to agree a scheme with the OFRS. The contact for initial inquiries is provided in Annex 7 – Item A. The submission of proposals must take place before the development commences and dwellings should not be occupied until the hydrant(s) required to serve the relevant housing has been provided to the satisfaction of OFRS.
7. Fire hydrants works may be needed to ensure the provision of an adequate supply of water for firefighting. Requirements for the provision of fire hydrants affixed to water mains and the carrying out of other works that are necessary to ensure adequate supplies of water, in terms of both volume and pressure, may be sought, usually by means of a planning condition or possibly through a legal agreement.
8. Developers are expected to initiate the installation of hydrants to the appropriate standards by contacting the water authority as early as practicable and be responsible for funding this provision.
9. Once infrastructure (e.g. new hydrants) is installed at (or for) a development site, this should be protected whilst development is taking place on the site.

10. Appropriate requirements will generally be sought through the development's design process or by means of a planning condition during consideration and determination (by the LPA) of a planning application. On some occasions, necessary mitigation measures may need to be secured through the use of a planning obligation. This may occur where there is a requirement for financial contributions or for off-site infrastructure provision due to the individual or cumulative effects of development or where it is considered that a planning condition may not suffice.
11. Headline requirements within Oxfordshire include those in Annex 7 – Item B

Natural Environment

1. Oxfordshire is a beautiful county boasting three internationally important, designated Areas of Outstanding Natural Beauty (AONB), the iconic river Thames winding through the county, and a wide range of special places to visit such as the Oxford Canal, historic parklands, ancient woodlands, downlands and riverside meadows.
2. The NPPF recognises that the planning system should contribute to and enhance the natural environment (NPPF Para. 170). Alongside the development of houses, businesses and infrastructure it is essential that communities have access to high quality landscapes, green spaces and a natural environment rich in wildlife. More widely, the range of environmental assets that provide benefit to people – the county’s ‘natural capital’ must be conserved and enhanced to meet the needs of future generations. There is a wide range of national and local legislation and policy that relates to the natural environment. The framework for this continues to develop, notably within the context of the government’s “A Green Future: Our 25 Year Plan to Improve the Environment” (2018).
3. The County Council is the Minerals and Waste Planning Authority for Oxfordshire. It is also the determining authority for schemes which the County Council may undertake e.g. major highways.
4. Applicants for permission to develop Minerals & Waste sites will need to contact the County Council for advice on Green Infrastructure, Landscape and Ecology. Such advice is also provided within the County Council itself for Regulation 3 applications. For all other development, including housing sites the relevant District Council will advise.
5. Oxfordshire contains a range of statutory wildlife sites such as Sites of Special Scientific Interest and other identified important Local Wildlife Sites. Development should provide for opportunities to protect and enhance wildlife within these and the county-wide network of areas of high biodiversity potential - Conservation Target Areas - and potentially future “nature recovery strategy areas”. Proposals for strategic developments may need to consider opportunities to protect and enhance the environment at a “landscape scale” (See Annex 8 - Item A). The County Council has a duty to have regard to the purpose of conserving and enhancing the natural beauty within our three areas of outstanding natural beauty (Annex 8 - Item B).
6. The District Councils will take the lead in ensuring that natural capital and green infrastructure is taken into account within the planning process particularly in relation to housing development.
7. The County Council through its Natural Environment team (Annex 8 - Item C) will take the lead in ensuring that natural capital and green infrastructure (including ecology, protected species and landscape) is taken into account particularly in relation to minerals and waste proposals and “Regulation 3” developments.

8. Developers are required to demonstrate no net loss of biodiversity associated with their proposals and show how a net gain might be achieved. A biodiversity metric to be shared with the County Council is recommended to help this process. The County Council currently supports the use of the biodiversity metric provided by DEFRA. The Thames Valley Environmental Records Centre (TVERC)) provides the central point of contact for the collation, analysis and sharing of information on biodiversity and geodiversity within the county. Developers wishing to assess their impact on the natural environment should access the information held by TVERC. There is a presumption in the NPPF that development will result in a net gain in biodiversity where possible.
9. Developers will be required to comply with the relevant Local Plan policies and guidance. Developers will be expected to design new developments in ways that seek to enhance the landscape and biodiversity and provide benefits to communities through consideration of green infrastructure and natural capital at an early stage in the design process. This may include consideration of off-site impacts on high value areas including AONBs and Conservation Target Areas.
10. In relation to applications to be determined by the County Council, developers are required to assess the environmental impacts of their development and to follow the mitigation hierarchy of avoiding, reducing and mitigating any adverse environmental impacts.
11. Where detrimental environmental impacts of a development cannot be avoided or fully mitigated within a development, funding may be sought to address residual adverse impacts. A developer may be able to deliver compensation directly; where this is not the case the support of third parties such as other landowners or conservation organisations may be required to achieve the agreed outcome.
12. Where the County Council is the determining planning authority and compensation for unmitigated environmental impacts requires payment in lieu of direct action, developer contributions (through S106 agreements) will be sought. In addition to the specific costs of compensating for the environmental impacts, a developer contribution will be expected to cover the reasonable costs of designing, administering and monitoring the compensation scheme to ensure the desired outcomes are achieved.
13. There is a wide range of environmental legislation that defines the County Council's responsibilities relating to the natural environment (Annex 8 - Item E).
14. The list of sites of nature conservation importance and of Conservation Target Areas can be found via the links in Annex 8 – Item F. This annex item also provides a link to guidance on landscape character (through the Oxfordshire Wildlife and Landscape Study - OWLS) as well as to other project information such as the Wychwood Project, the Lower Windrush Valley Project and the Trust for Oxfordshire's Environment.

15. General guidance on the sensitivity of the natural environment to future change is available within Oxfordshire County Council's analysis of Environmental Sensitivity (see also Annex 8 - Item F). This is likely to be developed further through future recovery and natural capital strategies.
16. Contributions may be sought to compensate for environmental impacts which cannot be mitigated within the development in relation to wildlife, landscape and maintaining the overall level of environmental benefits provided by natural capital assets. Where contributions relate to works undertaken by other parties the contribution sought will include elements related to the costs of designing, administering and monitoring such works.
17. As with other service areas any secured contributions will be indexed linked and based on a bespoke assessment of the anticipated costs of individual schemes linked to a specific development site.

Energy Efficiency and Use of Natural Resources

1. Creating sustainable development is a requirement of national planning policy. Planning policies are set out in Local Plans by individual District Councils which can provide guidance and advice on the development plan framework relevant to the development proposals.
2. Oxfordshire County Council is committed to be a zero carbon/carbon neutral organisation by 2030 and play its part in creating a zero carbon Oxfordshire by 2050. To that end the County Council will seek to support the delivery of sustainable development which itself supports the Government's target of 100% reduction of greenhouse gas emissions by 2050; towards the reaching the Net Zero Target.
3. To help achieve carbon neutrality the County Council will, where appropriate, ensure that S106 contributions sought towards the delivery of new schools, libraries and other community buildings (delivered by or for the County Council) reflect the need to achieve net zero carbon standards.
4. In working towards this zero-carbon target the County Council considers the London Energy Transformation Initiative (LETI) Climate Emergency Design Guide (see Annex 9 – Item A) a key source against which to assess development. As outlined in the LETI Climate Emergency Design Guide, to achieve ultra-low energy demand through design, energy budgets (Energy Use Intensity (EUI) targets) using predicted energy modelling should demonstrate the targets set out in Annex 9 – Item B (of this S106 Guide).

Waste Management

1. The County Council is both the Waste Planning Authority (WPA) and the Waste Disposal Authority (WDA) for Oxfordshire.
2. As the WPA the County Council must:
 - plan for future waste development needs in Oxfordshire and
 - determine planning applications for waste facilities.
3. As the WDA the County Council's Waste Management Group has responsibilities including:
 - providing Household Waste Recycling Centres (HWRCs) and
 - arranging for the disposal of household waste collected across the county.
4. In Oxfordshire, the five Districts (including Oxford City Council) are each Waste Collection Authorities (WCAs) whose responsibilities include:
 - the collection of all household waste and arranging for recyclables to be processed.
5. The Waste (England and Wales) Regulations 2011 requires local authorities to manage waste according to the waste hierarchy (Reduce, Reuse, Recycle, Recover and Dispose).
6. Oxfordshire's Resources and Waste Strategy 2018-23 (RWS) (Annex 10 - Item A) has been developed for the County and District Councils by the Oxfordshire Resources and Waste Partnership (ORWP). The strategy has been adopted by each and all of the authorities. It focuses on local authority collected waste setting out the vision for managing waste across the county and has three broad aims:
 - to keep the growth of household waste to zero (per person per year)
 - to increase the amount of household waste which is recycled to 70% by 2030
 - to send less than 3% of household waste to landfill by 2020.
7. The County Council's HWRC Strategy (approved December 2015 – see Annex 10 – Item B) identifies that the current HWRC network of seven waste and recycling sites is not fit for purpose for the future. Many existing site locations are not strategically placed near centres of population. Individual sites have physical, contractual or planning constraints that results in the inability to increase tonnage capacity in the future. This means incremental infrastructure modifications, to increase capacity for future requirements, is not possible. In addition, very little repair and reuse is currently undertaken on these sites. The HWRC Strategy agreed by Cabinet is to adopt a site rationalisation approach based on fewer, larger sites, located close to centres of population to reduce drive times, site design to maximise re-use and recycling, and working in partnership with District Councils and local communities.

8. The forecast increase in new homes to be built across Oxfordshire will significantly increase the amount of waste for the Council to manage, including the amount to be managed at the HWRC's. A new housing development will impact the HWRC closest to the development as well as the overall HWRC network. When HWRC's reach capacity, queuing times become unacceptable, and pollution increases as vehicles queue for longer. Residents may respond by choosing to dispose of waste in different ways, for example; by placing materials in the wrong kerbside bins, causing contamination, fly-tipping or change their preferred choice of HWRC to use, causing a domino impact on capacity issues across the HWRC network.
9. The 2015 strategy recognised the need for fewer larger HWRC sites located close to centres of population. The County Council's waste management team is working to identify how this might be achieved. Suitable sites may be allocated in the Oxfordshire Minerals and Waste Local Plan Part 2 – Site Allocations Plan.
10. The County Council may require developers to mitigate the impact of their development on HWRC facilities by contributing towards the cost of providing a new HWRC site that will serve the development. The assessment of contributions will be undertaken on a case by case basis and will take into account:
 - The cost of increasing the required total HWRC network acreage;
 - The cost of increasing the HWRC building & hard infrastructure footprint;
 - The total number of new dwellings proposed across Oxfordshire that are contributing to the increase in waste.
11. The County Council would welcome working with developers, and District Council partners, to identify potential sites for new HWRC's.
12. New developments should be planned to minimise waste arising in the first instance. The Waste (England and Wales) Regulations 2011 require local businesses and other bodies to ensure that all aspects of waste management are governed by the waste hierarchy. This means that architects and developers must make provision for waste to be reduced or reused prior to being put out for a recycling or refuse collection.
13. Developers must adhere to the Building Regulations 2010 (revised 2015) and ensure that there is sufficient area for the number and size of receptacles prescribed by the relevant WCA under Sections 46 and 47 of the Environmental Protection Act 1990.

Community Service Infrastructure

1. The County Council has a broad scope of responsibilities across various community (cultural and support) services which are essential in supporting growing communities. Growth in housing and the related increases and changes in population lead to correspondingly increased needs to be addressed.
2. The County Council's responsibilities across the community services include provision such as:
 - Adult day care
 - Children's and Family intervention
 - Children's Homes
 - Libraries
 - Museums.

The County Council's responsibilities come under various pieces of legislation including those outlined in Annex 11 – Item A.

3. The NPPF (Paragraph 92) recognises the importance of positively planning to provide the social, recreational and cultural facilities and services the community needs to enhance the sustainability of communities and residential environments. Where proposed residential developments are likely to result in the need for an enlarged or new community building the County Council would request that the accommodation provided is designed in such a way to embed flexibility of end-use in the building, so that it is capable of being used to deliver support services for local communities (e.g. for family safeguarding etc.).
4. The County Council would therefore encourage that the accommodation provision to include the elements listed in Annex 11 - Item B. The County Council would look to support the District with regard to the timing of delivery of the provision (and any interim provision) and would wish to be engaged regarding the detailed briefing, design and specification to help ensure it holds the flexibility and durability in light of the multiple uses.
5. The County Council will undertake an assessment of impact and potential needs arising from major residential planning applications and advise the District Council through the Single Response process. The County Council's advice would set out where the needs arising from the development could be best addressed through a flexible use community building or, where necessary, by means of a separate facility.

Adult Day Care Services

6. The County Council operates¹⁵ eight community support service centres (also known as Community Hubs or "Health and Wellbeing Centres"). These centres offer a range of activities to support adults of all ages with physical disabilities, older frail adults, and older adults with dementia, mental health

¹⁵ at Spring 2021.

problems and learning disabilities. The centres provide activities and support from computer classes to lunches, exercise groups to film clubs. They serve as community hubs where people can get social care and health advice and information and can provide a valuable break for carers. The provision of adult day care services is vital to allow adults and in particular older people to stay healthy and independent.

7. Some of the centres are restricted in their ability to deliver the appropriate support by their size and/or configuration. The County Council's standard level of provision would look to offering 40 person places per day (across Monday – Friday inclusive). The County Council may require contributions to enhance or replace existing facilities to enable the increased needs arising from development to be addressed.
8. Contributions required towards facilities are based upon a predicted use of/demand for day care facilities estimated at 10% of the population aged over 65 years.

Children's and Family Intervention

9. The County Council provides support for children under five years of age and their families. There are currently ten Children and Family Centres across Oxfordshire which deliver a range of targeted and open-access sessions alongside the network of libraries; bringing cultural and education support to communities. The impact upon service provision arising from residential developments and any potential need to expand facilities will be assessed as part of the County Council's assessment of major developments. It is likely that any identified need will be sought to be addressed by improving and/or expanding community joint use facilities.

Children's Homes

10. The County Council Children's Service has a wide range of statutory functions to support and safeguard children. Increases in the under 18 years population are likely to add to the demand for these services. The need for additional infrastructure such as Children's Homes may be generated (at least in part) by more housing development and consequently, appropriate mitigation of those increasing pressures may be sought by the County Council.

Libraries

11. The County Council has a statutory duty under the Public Libraries and Museums Act 1964 'to provide a comprehensive and efficient library service for all persons' in the area that want to make use of it. An increase in demand upon library and associated services may mean that additional provision needs to be accommodated. While it is recognised by the County Council that facilities (e.g. Community Buildings) providing for a combination of multiple community uses is often appropriate, the County Council through its Library Service will also take account of local existing community views in determining a preferred solution.

12. The County Council's adopted standards for publicly available floorspace at libraries are set out in Annex 11 Part C. As well as providing a suitably equipped facility within which a library service can be provided the increased demands arising from a residential development may mean that the local library-stock¹⁶ provision will also need to be increased to mitigate the development's impact; Annex 11 Part C also provides the current library-stock contribution rate.

Museum

13. The County Council's Museum Resource Centre (at Standlake in west Oxfordshire) provides the principal storage facility for local County and District Council museums throughout the county. It provides a major reserve facility for archaeological, history and natural history collections for the museums as well as providing direct support for communities and schools throughout the county for educational, research and leisure activities.
14. The existing archaeological storage capacity at the facility is unlikely to be able to accommodate increasing demands arising from development sites. Where appropriate, financial contributions may be sought from developments to facilitate expanded provision at the facility.



¹⁶ The library-stock includes books and other items such as e-media/audio-books/DVD/CD etc.

Annexes

Annex 1: Items arising from Part One of the Guide

Item A

District Council's websites

Cherwell District Council
<https://www.cherwell.gov.uk/>

Oxford City Council
<https://www.oxford.gov.uk/>

South Oxfordshire District Council
<https://www.southoxon.gov.uk/>

Vale of White Horse District Council
<https://www.whitehorsedc.gov.uk/>

West Oxfordshire District Council
<https://www.westoxon.gov.uk/>

Item B

Link to the County Council's Neighbourhood Planning Guide
[OCC Neighbourhood Plan \(oxfordshire.gov.uk\)](https://www.oxfordshire.gov.uk/occp/occp-plan)

Item C

Person yield per dwelling – for developments below 400 dwellings.

Table 1: Population yields for developments of fewer than 400 dwellings

Size of dwelling	Population of all ages	Population aged 20 years and older
(by number of dwellings)	(persons per dwelling)	(persons per dwelling)
1	1.39	1.32
2	2.11	1.49
3	2.77	1.78
4 or more	3.15	2.06

These person yield rates apply to residential development proposals across Oxfordshire. For further information about the above data and/or use of PopCal please contact the County Council's Infrastructure Funding team through its email address: developer.funding4@oxfordshire.gov.uk

Item D

SHMA housing data: available through:

<https://www.oxfordshiregrowthboard.org/projects/oxfordshire-strategic-housing-market-assessment-shma/>

Item E

Re-assessment of Population (within the provisions of a S106 agreement)

When the details of the development (number and mix of dwellings) are confirmed prior to commencement of the development via approval of 'reserved matters' the contributions will be re-assessed at that juncture applying the matrix and if a different sum is assessed, then this amount will then become payable. If there is a change to the number and/or mix of dwellings through a subsequent reserved matter application/permission there will be a further assessment of contributions and if the amount applying the matrix is higher, the higher amount will become due. The S106 agreement will include a 'matrix' to enable the financial contributions to be re-calculated. For larger phased developments, minimum contributions may be inserted in the agreement and top up payments will be required if warranted by the number and mix of dwellings being delivered.

Item F

Pre-application advice & Planning Performance Agreements

General pre-application advice and guidance as to how PPA processes operate within the county is available through the County Council's Major Planning Application Team at:

- planningconsultations@oxfordshire.gov.uk

For pre-application advice on specific service areas:

Regarding Minerals and Waste applications: via

[Planning application advice | Oxfordshire County Council](#)

Regarding transport & highways matters advice (including fees for such advice)

<https://www.oxfordshire.gov.uk/cms/content/pre-application-highways-advice-major-planning-applications>

Item G

When considering land transfers to the County Council issues needing to be investigated include, but are not limited to:

- Ground conditions;
- Features that may constrain development such as trees, hedges, ditches etc;
- Sources of contamination;
- Flood risks;
- Topography of the land and the proximity of incompatible land uses;
- Noise levels;
- Proximity to high voltage cables, sewage works, substations and the like;
- Proximity to other land uses.

For further information see Part Two of this Guide and references to the “S106 Property Manual”

Item H

Viability

See PPG viability at:

<https://www.gov.uk/guidance/>

Item I

Indexation – Indices Used and an example of an indexation calculation

The table below sets out the various indices that will apply:

Contribution towards	Index (common name)	Index (Detailed name)	Source of the Index	Frequency of revision / publication
Education and other non-Transport infrastructure	All-In Tender Price Index or TPI	BCIS All-In Tender Price Index	RICS	Quarterly
Transport infrastructure	BAXTER	Price Adjustment formulae indices used on Civil Engineering (infrastructure) projects.	RICS	Monthly
Public transport (& land)	RPIX	ONS Retail Price index: Includes all the components included in the RPI but excludes mortgage interest payments.	Office for National Statistics	Monthly

Example Calculation: To work out the amount to be paid after applying an index:

Step 1:

Calculate the indexation change, i.e.;

$$\frac{\text{Indexation value at date due}}{\text{Indexation value base}}$$

Step 2:

Then apply this indexation factor to the Principal sum (the established contribution).

Payment due = Principal x (Index Value at Payment Date / Index Value at Base Date)

e.g.

- Assume Principal = £10,000
- Index Value at Base Date = 178
- Index Value at Payment Date (Due date) = 183

- Payment due
= £10,000 x (183/178)

= £10,281

Note: This calculation is predominantly used for All-In TPI and RPIX (see Glossary). For complex indices such as “Baxter” the calculation of the index fluctuation should be carried out before applying to the Principal – this will be done by the County Council and details of the calculation made available.

Item J

Bond policy for S106 agreement deferred contributions.

The County Council's policy regarding the necessary security to safeguard the future payment of S106 agreement deferred contributions is set out below.

Please note: The policy is specific to S106 agreement financial contributions and does not reflect the County Council's position vis a vis either bonds required in association with S278 and/or S38 agreements¹⁷.

Bonds will be required where:

- Where a piece of infrastructure to which a developer is required to contribute is expected to cost at least £7.5m (including indexation) and
 - the developer is the required to contribute 25% or more of that cost, and
 - the triggers for the payment of the contributions to the County Council are or are likely to be after the letting of the contract for the infrastructure works

- Where the developer is providing or contributing to a new or enhanced bus service supporting the development, and the aggregate value of the bus service contribution payable post implementation of the development exceeds £1m (including indexation).

¹⁷ See Part Two (Transport – paragraph 25)

A bond may also be required where:

- Where, contrary to the County Council's standard requirements vis a vis phased deferred contributions the triggers for payments are significantly in arrears of occupations at a development
- There is a concern about the financial position of the developer
- There is a history of late or non-payment by the developer (or associated companies) to the County Council
- Any other reason that in the opinion of the Assistant Director of Finance and Assistant Director of Growth and Place that a bond is required to protect the County Council's position.

Calculation of the value of the bond takes place once contributions and timings are further clarified.

The bond sum shall be calculated considering the due timing of the relevant contribution payments to be bonded together with the likely indexation on those contributions up to the expected due date of payment; to ensure that the real value of the contribution at the time of payment is secured.

The bond must be provided by a third party who is approved by the Council's Finance Team as a reputable financial institution which is invariably a bank or an insurance company whose business includes the provision of bonds, and they will underwrite the contributions required to be paid to the County Council.

There are various S106 agreement bond models which the County Council can apply to assist the developers to keep costs low such as:

- Reducing bonds
these are the County Council's standard approach (vis a vis S106 agreement bonds) i.e. the bonded sum is reduced as and when payments are made but taking account of the need to retain sufficient bond to cover the real value of the outstanding payments or in the case of primary schools – delivering the works (i.e. the payments including indexation).
- Rolling bonds
These are fixed term bonds (say over 3/5 years) which need to be replaced before the end of the term (if they are not replaced by the deadline, the bonded sum will be called in). The replacement bond will take account of potentially lower liabilities at the time of replacement.

Item K

Monitoring fees for S106 agreements

At the time of this Guide the charges for monitoring the S106 agreements are as set out below. The increasing scale of charges reflects the likely longevity and complexity of the monitoring all the financial and non-financial obligations as the value of the agreement increases. However, fees will be reviewed at the time a S106 agreement is drafted to ensure the fee reflects the complexity of the S106 agreement and the level monitoring it will require. Where an applicant submits a unilateral undertaking in the County Council standard form (SPUR), there is a monitoring fee of £150.

The S106 agreement monitoring fee is normally payable on the signing of the S106 agreement however, for larger developments the fee may be phased across completion of the planning obligation and implementation of development.

Scale of secured contributions in the S106 agreement	Corresponding S106 agreement monitoring fee
Up to £10,000	£ 120
>£ 10,000 to £ 25,000	£ 300
>£ 25,000 to £ 50,000	£ 600
>£ 50,000 to £ 150,000	£1,800
>£ 150,000 to £ 500,000	£4,500
>£ 500,000 to £1,000,000	£6,000
>£1,000,000 to £2,000,000	0.6% of the aggregate contributions <i>For example: Where the aggregate contributions secured towards County Council infrastructure and services = £1.4m The corresponding S106 monitoring fee = £8,400 (i.e. 1,400,000 x 0.006)</i>
Over £2,000,000	£12,000 plus 0.06% of the aggregate of contributions secured in excess of £2m; <i>For example: Where the aggregate contributions secured towards County Council infrastructure and services = £5m The corresponding S106 monitoring fee = £13,800 (i.e. £12,000 + (3,000,000 x 0.0006))</i>

The above fees are subject to review.



Annex 2: Transportation

Item A

Key policy documentation:

Connecting Oxfordshire: Local Transport Plan 2015 – 2031” (LTP4):

Vol 1- Policy and overall strategy

<https://www.oxfordshire.gov.uk/cms/content/ltp4-policy-and-overall-strategy>

Vol 2 - Bus & Rapid Transit Strategy:

Via: <https://www.oxfordshire.gov.uk/residents/roads-and-transport/connecting-oxfordshire/county-and-corridor-strategies>

Vol 3 - Rail Strategy

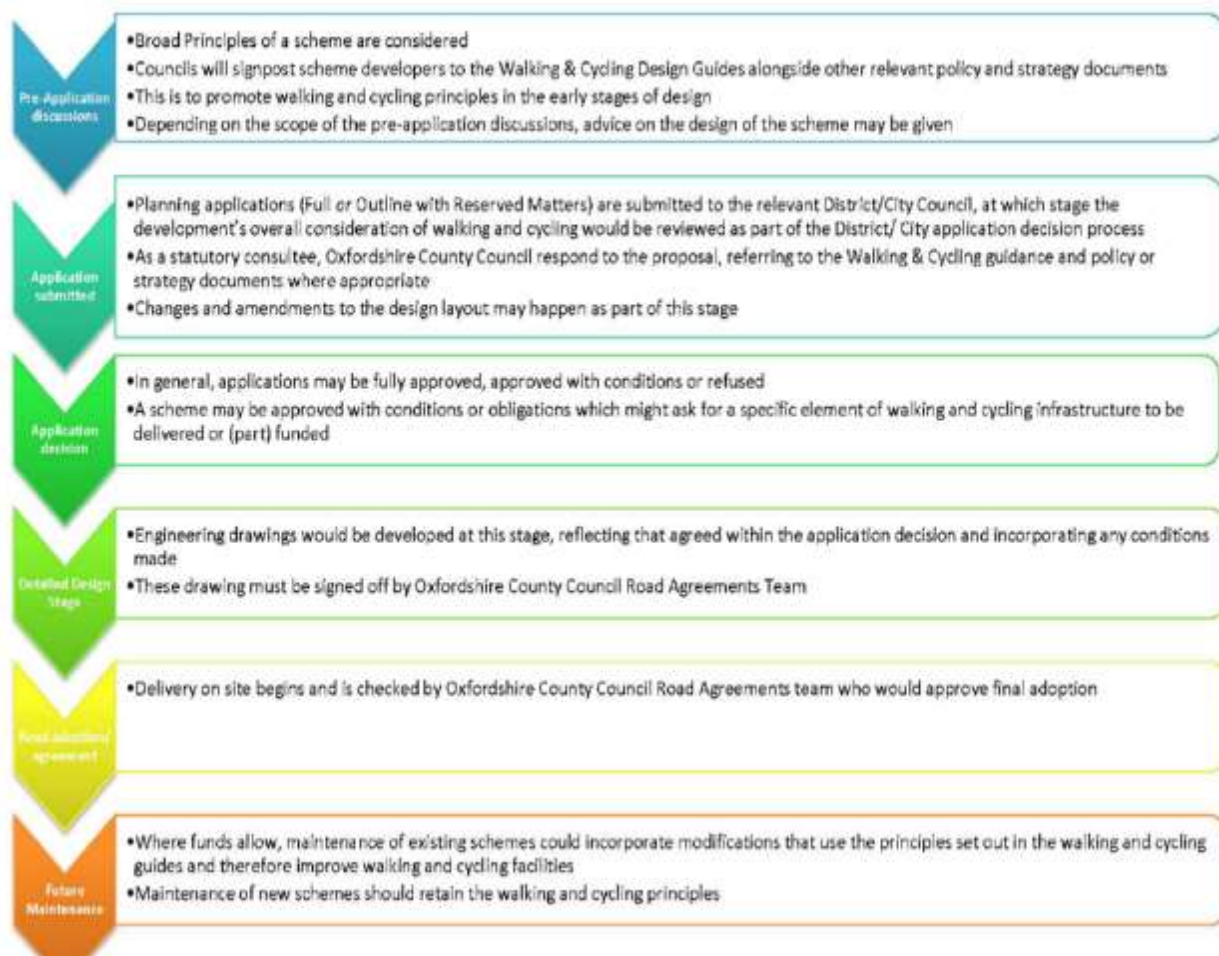
Via: <https://www.oxfordshire.gov.uk/residents/roads-and-transport/connecting-oxfordshire/county-and-corridor-strategies>

Vol 4 -Active and Healthy Travel Strategy

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/connecting-oxfordshire/active-and-healthy-travel>

Item B

The role of the Walking & Cycling Design Standards in the Planning Process



The above flowchart is available on the Council's website – LTP4 Active and Healthy Travel Strategy pages' advice on using design standards.

Item C

Highways - Pre-application advice

<https://www.oxfordshire.gov.uk/cms/content/pre-application-highways-advice-major-planning-applications>

Item D

Key supporting documentation:

Guidance on the requirements for Transport Assessments & Transport Statements

Position Statement – On the Application of Contemporary Highway Design Guidance in Oxfordshire, 2014'

<https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/PositionStatement.pdf>

Transport for New Developments: Transport Assessments and Travel Plans (2014)

<https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/TATPGuidance.pdf>

Residential Road Design Guide (2003) – Second Edition (2015):

<https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/DesignGuidePublication.pdf>

(the walking and cycling elements of the Residential Design Guide are superseded by new Walking and Cycling Design Standards – below)

This 2015 Guide will be superseded in 2021 by a County Council “Street Design Guide” which will be available on the County Council’s website (expected Summer 2021).

Oxfordshire Cycling Design Standards 2017

<https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/cyclingstandards.pdf>

Oxfordshire Walking Design Standards 2017

<https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/walkingstandards.pdf>

Travel Plans

Travel Plan types and templates for a Travel Plan Statements and Framework Travel Plans and various other information including the Travel Information Pack

<https://www.oxfordshire.gov.uk/cms/content/travel-plans-statements-and-advice>

Travel Plan and Monitoring Fees Thresholds

<https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/Travelplanrequirementsmonitoringfees.pdf>

Note: where the fee information on the webpage cites either £1,240 or £2,040 please substitute the following amounts (at Dec’2020 values)

£1,446 and £2,379 respectively. The page will be updated in due course.

Item E

Types of highways asset which may trigger a need for a commuted sum (this is not an exclusive list):

- Street lighting;
- Traffic signals and illuminated signs;
- Controlled and uncontrolled pedestrian crossings;
- Highway structures such as retaining walls, bridges and gantries;
- Landscaping, including trees and adopted land;
- Public transport infrastructure;
- New Pavements;
- Street furniture and bollards;
- Drainage infrastructure including SuDS;
- Traffic management features
- New carriageways.

Item F

Key teams contacts:

Transport Development Control (TDC) team

transport.development.control.majors@oxfordshire.gov.uk

Road Agreements Team

roadagreements@oxfordshire.gov.uk

Travel Plans team

Contactable via: travelplan@oxfordshire.gov.uk

Website information:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/transport-new-developments/travel-plans-advice>

Public Transport Planners

IDpublictransport@oxfordshire.gov.uk

Contacting the Countryside Records Team

Use this link

<https://www.oxfordshire.gov.uk/contactus/contact-countryside-records>

Item G

Road Agreements Team - Fees;

Application fee

This is required to enable the Road Agreements Team to process an application and start the technical auditing process.

Inspection fee

This will be equivalent to 10% of the value of the surety (either a cash deposit or a bond, equivalent to the expected costs of the works)

Maintenance fee

These are also known as commuted sums. They are payments towards the costs of future maintenance of new highway assets which the council as Highway Authority will be adopting. The fee is calculated once technical approval has been issued.

For further information see the council's website – Section 38, Section 278 and Private Street Agreements @:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/section-38-and-section-278>

Item H

Factors in identification of bus service and infrastructure improvements.

(Source: BRTS – Table 7)

Improvement	Factor
New bus service or improvement in existing frequency / daily coverage	<ul style="list-style-type: none"> • Size of development • Location of development (i.e. distance from existing frequent public transport corridor) • Frequency/commercial viability of existing bus services • Proximity to existing urban centres and travel generating destinations • Potential links to other proposed developments • For commercial (non-residential) developments, knowledge of operating hours <i>and shift times, where applicable</i>¹⁸
Bus priority measures	<ul style="list-style-type: none"> • Evidence of current problems and/or future congestion resulting from development-related travel demand. • Requirement to minimise journey times to adjacent settlements/developments.
Bus stops and associated accessibility improvements (walking routes and road crossings)	<ul style="list-style-type: none"> • Size and geographic extent of development • Minimising the required walking time from the development • Proximity of existing or proposed bus routes

Note: ¹ This *italicised* wording is additional to that set out in the LTP; it has been added into this Guide for clarity.

Item I

Definitive Map and Statement of public rights of way

This is available through the following link:

<https://www.oxfordshire.gov.uk/residents/environment-and-planning/countryside/countryside-access/public-rights-way/changing-public-rights-way/about-definitive-map>

Item J

Rights of Way Improvement Plan (RoWIP).

The County Council's RoWIP is called the:

“Oxfordshire Rights of Way Management Plan 2015-2025”

A link to this is: www.oxfordshire.gov.uk/rowip

Item K

Planning Information Note re PRow

[What local communities can do to improve access | Oxfordshire County Council](#)

Item L

List of particularly important local area countryside access route assets.

For further information on these see: Rights of Way Management Plan 2015-2025.

Additional growth area aspiration access maps can be found in Appendix 2¹⁹ in the document (see link in Item J) .

County-wide routes

- Thames Path National Trail corridor,
- Ridgeway National Trail corridor,
- Oxford Canal Walk corridor,
- Wilts and Berks Canal Towpath corridor,
- Oxfordshire County Council promoted walks and rides.

Cherwell District

- Cherwell District Council circular walks and rides,
- Claude Duval riding route,
- Oxford Green Belt Way

Oxford City

- Oxford Green Belt Way,
- Oxford Green Spaces Walk,
- Bablock Hythe crossing

South Oxfordshire

- South Oxfordshire District Council, Chilterns AONB and North Wessex Downs AONB promoted circular walks and rides,
- Oxford Green Belt Way,
- Judges Ride,
- Swans Way,
- Chilterns Way.

Vale of White Horse

- Vale of White Horse District Council and Wessex Downs AONB promoted walks and rides,
- Oxford Green Belt Way,
- Bablock Hythe crossing.

West Oxfordshire

- West Oxfordshire District Council and Cotswolds AONB promoted circular walks and rides,
- Lower Windrush Valley Path,
- Wychwood Way,
- Oxford Green Belt Way,
- Bablock Hythe crossing,
- d’Arcy Dalton Way.

Annex 3: Education

¹⁹ The Appendix 2 is, once opened, headed “Appendix B”

Item A

Early Years Childcare – Government funded provision

As at 01 January 2021 the local authority has a statutory duty to ensure parents can access their funded early years entitlement, which comprises three elements:

- Targeted offer of 570 hours per year for the most vulnerable 2-year old children – estimated as 40% of the age group;
- Universal offer of 570 hours per year for children from the school term after their 3rd birthday;

570 hours per year equates to 15 hours per week over 38 weeks;

- Extended offer – most working parents of 3- and 4-year olds are eligible for a total 1,140 hours per year (equating to 30 hours per week over 38 weeks).

These are subject to compliance with eligibility criteria.

Item B

Government guidance on securing S106 contributions for education

A link to the DfE's guidance "Securing developer contributions for education" (Nov 2019) is below:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/909908/Developer_Contributions_Guidance_update_Nov2019.pdf

Page 4 of the guidance states:

"Government is committed to ensuring that there are enough good new school places to meet local needs, while also driving forward an ambitious housing agenda to increase housing delivery, home ownership and the creation of new garden communities. The timely provision of infrastructure with new housing is essential in meeting these objectives to secure high-quality school places where and when they are needed.

DfE expects local authorities to seek developer contributions towards school places that are created to meet the need arising from housing development."

This guidance is accompanied by "Local Authority school places scorecards". The scorecards provide, in the absence of bespoke costings for school extensions, data on the calculation for the amount of contributions on a "per pupil place" basis towards school extension schemes (see Table 2 below). As with all guidance this source of costs may change in line with changes in future government guidance or County Council policy.

Item C

Pupil Place Plan

The County Council's Pupil Place Plan is available on the council's website via:

<https://www.oxfordshire.gov.uk/residents/schools/our-work-schools/planning-enough-school-places>

Item D

Dwellings with nil pupil yield

Dwelling types where the pupil yield is deemed to be zero in terms of assessing S106 contributions:

- Sheltered or elderly housing;
- Student accommodation for single people;
- Other specialist housing where it can be demonstrated that the accommodation will not be occupied by children.

Notes:

The County Council may require a planning condition restricting the occupation of dwellings to those that are unlikely to have school age children at home i.e. to those over 55 years.

For one-bedroom dwellings – the surveys within Oxfordshire show that there is a small Early Years pupil yield, however the yield is very minimal, consequently in Table 1 below the corresponding yield is deemed zero.

Table 1: Pupil Yields across Oxfordshire

Pupil Yield (by Sectors/Year Groups) per dwelling type for proposed developments of fewer than 400 dwellings

Dwelling type (by No. of bedrooms) Note (a)	Sectors & Year Groups (YG)			
	Early Years	Primary	Secondary	
	Nursery (b)	Reception YG 1 & 2 and YG 3 to 6	YG 7 to 11	YG 12 & 13
Pupils/Dwelling				
1 Bed	0	0	0	0
2 Bed	0.07	0.28	0.18	0.03
3 Bed	0.08	0.37	0.24	0.05
4 (+) Bed	0.08	0.39	0.27	0.05

(a) 4(+) dwelling - These are dwellings which have 4 or more bedrooms

(b) Nursery children = 40% of those aged 2 years and 100% of those aged 3 years at the start of school year

Item E

Assessment process for quantifying education impacts of development

The following items are relevant to the consideration as to whether extra school accommodation is necessary (and therefore to the calculation of potential S106 contributions for primary and secondary education):

- relevant School(s) Admission Policy,
- the assessment of Net Capacity (non-academy schools) or funding agreement capacity (academies) and
- the Home-School Transport Policy.

The need or otherwise for a contribution will be established by analysing the number of pupils generated by the development in relation to: -

- The capacity of the designated (catchment) school and early years and childcare providers in the area of the development proposal;
- The capacity of schools within the statutory walking distance calculated from the development to school and for children aged 8 or under (i.e. up to and

including Year 3) being 2 miles and for children over 8 years old, being 3 miles. Where appropriate, other schools within the statutory distance may also be considered;

- Current pupil numbers at the school(s) and recent trends in those numbers;
- The forecast number on roll for the catchment school, and in particular the forecast number going into Reception each year;
- Number of children in catchment school and schools within statutory walking distance that are from out of catchment, and whether those pupils could have been appropriately accommodated elsewhere without additional capacity being provided;
- Any planned changes to the school building which will affect the capacity, and the funding status for those changes;
- Any other housing developments with outline or full planning permission (not already included in the forecasts) which are expected to generate the need for pupil places at the catchment school for the development;
- The need to assume an operational capacity of unfilled primary and secondary school places of 5-10% spare places in line with National Audit Office guidance. Only capacity which is expected to remain in excess of that necessary spare capacity will be considered surplus, and thus available to meet the needs of housing development.

Temporary accommodation (e.g. mobile classrooms) is excluded when assessing the suitable capacity available at the school for meeting the needs of housing development. If housing development is expected to result in pupil generation that will require capacity currently provided in temporary accommodation to be available on a longer-term basis, contributions will be required for the making permanent of that temporary capacity.

If pupil forecasts show a pressure or bulge for a limited accepted period then temporary classrooms may be required to cope with the peak, and additional contributions may be required to cover the costs of doing so.

If forecasts indicate that surplus capacity/places will exist in the catchment school by the time the development can reasonably be expected to have fully generated additional new demand for places, then this will be taken into account when determining the need for additional places and funding. It will however be considered in the context of other planned housing in the area and any potential cumulative impact.

Having taken all the above factors into account, where it can be demonstrated that the number of pupils generated by a development is greater than the expected surplus capacity in the local schools the County Council will require planning obligations to ensure the provision of sufficient capacity to meet future needs. This will normally be in the form of a financial contribution, but it may also require the transfer of land or the direct delivery of infrastructure.

Table 2: Costs per pupil place of School Extensions and New Build

Costs per pupil place in Oxfordshire			
£/pupil place			
School Extensions	Primary	16,856	based on England average
	Secondary	23,207	based on England average
New Schools	Primary	22,459	based on a 2FE
	Secondary	34,047	based on 600 place facility
All costs at BCIS All-In TPI = 327			

The above information is for mainstream schools.

The Extension costs/place are based on

DfE's Local Authority School Places Scorecards 2019 data (published June 2020)

The New Build costs/place are based on

Oxfordshire County Council's new school cost template

Item F

New school costs and the Cost Templates

To reassess the costs of new schools, in 2019 Oxfordshire County Council commissioned a full review of new school building costs by Gleeds in collaboration with Mott MacDonald. The latest outcome, provided in 2021, forms the basis of the developer contributions sought by the council towards new school provision (as distinct from expansions to existing schools – where the DfE's scorecard data is used).

For background, the original cost model had been developed by cost and value management consultants (Gleeds). Their benchmarking exercise inherent in the update included data sourced from:

- Education & Skills and Funding Agency (ESFA) Cost Data – this is widely available data from the Government and gives guidance about the cost of construction and regional differences.
- Sports England standard costs – this cost data has been produced independently by Sports England to give guidance on cost of sports facilities and ongoing maintenance liabilities. This is used to ensure consistency of costs for sports provisions.
- Gleeds cost data- data from a leading global property and construction consultancy which looks at more broad ranging detailed data which Gleeds Cost Management has derived from historic project cost data and the company's own experience of delivery of similar facilities.
- BCIS Cost data – data from the Building Cost Information Service of the Royal Institution of Chartered Surveyors (RICS). It provides data to the construction industry and associated parties.
- National School Cost Benchmarking data (2015) - a national cost benchmarking study undertaken by County Councils and supported by the ESFA.

The use of Mott McDonald to audit the Gleeds review also enabled the former to bring its information on costings to the table thereby further bolstering the depth and spread of data used to inform the cost model.

The new school costs include fees, legal costs, furniture and equipment, and the initial set-up costs of new schools. They do not include abnormals (these are catered for separately within a S106), nor land acquisition costs.



**Examples of the cost template output:
For a 2FE primary school.**

2 Form Entry Primary School delivering 420 (incl. 8 SEND) places and a 90 place nursery

Notes on Pricing

Provision of new Two Form (17 class) Primary School in one phase
 The areas are based upon Oxfordshire County Council's space standards.
 Note: These are the MINIMUM recommended areas for this building
 The costs provided are for the construction of the primary school building with sprinklers and an external covered play area, together with a generic allowance for external works. More detailed external works costs will be required on a site by site basis to provide for actual external works requirements.
 Total build cost per m2 is based upon the area of the building
 VAT is excluded
 Any items coloured in tan need further input from OCC

Anticipated Build Costs

OCC Primary School Building
External Covered Play Areas
External Works Allowance
Energy Standard Zero Carbon
Total (Base Date 2Q2019 TPI325)

Area (m2)	Cost / m2	
2,565	2,791	7,159,000
360	525	189,000
19,275	60	1,157,000
2,565	125	320,625
	3,441	8,825,625

Anticipated fees on Build costs including planning and Building Regs
Contingency on Building Costs
monitoring fee for abnormals

Uplift	Cost	
11.0%	8,825,625	971,000
5.0%		442,000
	Excl	Excl

Anticipated Direct Incurred Costs by Client

ICT broadband, hardware & actives costs
Loose Furniture & Equipment (based upon ESFA allowances)
OCC costs (Capitalized)
School start up costs

510	600	306,000
510	270	138,000
3.0%		320,000
		380,500

Nett Outturn cost @ TPI - 325

11,383,000

Anticipated allowance for inflation
Review mid point for construction - Add inflation as BCIS TPI forecast

0.62%	11,383,000	71,000
TPI	327	

Total Project Costs

11,454,000

For a 600-place secondary school the cost template output is:

11 to 16 4FE - 600 incl 8 SEND pupils			
Notes on Pricing			
Provision of new 11-16 Four Form Secondary School in one phase			
The areas are based upon Oxfordshire County Council's space standards.			
Note: These are the MINIMUM recommended areas for this building			
The costs provided are for the construction of the secondary school building with sprinklers and an external covered play area, together with a generic allowance for external works. More detailed external works costs will be required on a site by site basis to provide for actual external works requirements.			
Total build cost per m2 is based upon the area of the building			
VAT is excluded			
Any items coloured in tan need further input from OCC			
Anticipated Build Costs		Area (m2)	Cost / m2
OCC Secondary School Building		5,204	2,471
External Covered Play Areas		60	525
External Works Allowance		43,536	51
Energy Standard Zero Carbon		5,204	203
Total (Base Date 2Q2019 TPI325)			3,107
			16,167,000
Anticipated fees and contingency on Build costs		Uplift	Cost
Planning and Building regs monitoring fee for abnormal		11.0%	16,167,000
			1,778,000
		5.0%	808,000
			Excl
			Excl
Anticipated Direct Incurred Costs by Client			
ICT broadband, hardware & active costs		600	600
Loose Furniture & Equipment (based upon EFA allowances)		600	270
OCC costs (Capitalized)		3.0%	578,250
School start up costs			449,500
Nett Outturn cost @ TPI - 325			20,303,000
Anticipated allowance for inflation		0.62%	20,303,000
Review mid point for construction - Add inflation as BCIS TPI forecast		TPI	327
Total Project Costs			20,428,000

As illustrated above new “mainstream” schools within the county include provision for Special Educational Needs and Disabilities (SEND) places, (as well in the case of primaries – nursery provision).

Item G

School travel costs

The County Council will provide free transport from Oxfordshire homes to the nearest available school where;

- The shortest designated route is more than the statutory walking distance of 3 miles for children aged 8 and over; or,
- The shortest designated route is more than 2 miles where the child is aged under 8; or,
- The route has been assessed as unsafe to walk, even if accompanied by a responsible adult.

It is the council's view that it is not sustainable (having regards to the impact upon social cohesion and environmental costs) in the long term for children living in a new housing development in a settlement with a primary school to have to travel outside the settlement to attend a school with sufficient space for them. However, there may be a need to transport children for a limited period of time if, for example, a school expansion/provision is programmed later than the start of the housing development.

Where development is proposed in locations that would require the County Council to provide free school transport, developer contributions are sought to fund provision for a minimum of seven years for primary and secondary.

The temporary transport costs to bus children to the nearest school contribution is calculated by using the equation (for a single coach/bus):

$$A \times B \times C = \text{£ ?}$$

Where:

A = cost of transport (£200) per day

B = number of academic days in a year (190)

C = the period of time over which the funding is required.

- 7 years

Example, over a period of 7 years, the cost would be:

$$\text{£}200 \times 190 \times 7 = \text{£}266,000$$

N.B. The transport cost is for a single average sized coach – if there is more than one coach needed for transporting children then this cost will increase.

Price base – As per advice in the corresponding Single Response.

Item H

Education space standards

The County Council's education space standards were initially adopted by the Council's Cabinet in 2013 and then further updated and approved (Cabinet Member decision) on 15th December 2016. The approved space standards for a 2FE primary school equate to a build area at the minimum of the DfE's Building Bulletins 103 & 104 (all of the primary schools' space standards are either at or marginally above the

corresponding Building Bulletins' minimum areas). The relevant 2016 papers can be found at:

<http://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=790&MId=5242>

The adopted space and area requirements are used in the new school cost templates.

Item I

S106 Property Manual

The S106 Property Manual is being produced to help interested parties (available Autumn 2021). It has a section related to education infrastructure matters associated with S106 agreements.

Included in the documentation on the S106 Property Manual will be design criteria for new schools, building and site area requirements, school site survey requirements as well as site suitability checklists and Schedules of accommodation; For example; School site assessment information required

- Masterplan of the overall housing development;
- Topographical survey (CAD format) with all site features including flood zones (where relevant) and the proposed school sites boundaries clearly defined;
- Geo environmental desk top study;
- Existing and anticipated noise levels plan;
- Location, details and status of all existing services and drainage runs across the site and within 1 kilometre of the site;
- Flood risk maps superimposed onto the masterplan to show clearly where there is flooding potential;
- Hydrological and flood risk assessment. - Flood risk assessments with plans showing the
 - 1,000 year plus 40% climate change,
 - 100 year plus 40% climate change and
 - 50 year plus 40% climate change;
- Initial search information including evidence that there are no claimed rights of way, related to the site and that easements, wayleaves and the like do not exist upon the proposed site;
- Surface water strategy when available;
- Site investigations when available.

Queries about the detail within the S106 Property Manual should be initially addressed to the Council's Infrastructure Funding team

via: developer.funding4@oxfordshire.gov.uk

Item J

Contribution phasing towards a new school:

Payment 1 –

on implementation of the housing development (usually this is 10% of the cost of the school) to progress design

Payment 2 –

(30% of the residual agreed sum) on due date of transfer of the school site

Payment 3 –

(30% of the residual agreed sum) 6 months after the due date of school site transfer

Payment 4 –

(30% of the residual agreed sum) 12 months after the due date of the school site transfer.

Item K

Embedded Costs

The embedded costs comprise: the school start-up costs as well as furniture & equipment, ICT provision and the County Council's client costs.

School start-up costs

A provision is included to cover school set-up costs to be incurred pre-opening and post-opening prior to the school's funding model kicking in. It is a requirement of the DfE that the local authority funds these costs. The start-up costs are based on the funding methodology used by the DfE for central route free schools.

The council's identified costs (which are included in the cost templates) are updated as and when the DfE updates their rates. As at January 2021 the various costs are:

- Primary school £380,500
- Secondary school £449,500
- All through school £540,000
- Special school £267,500

Furniture & initial equipping

This is a per pupil place cost based upon the capacity of the school (i.e. 1FE or 2 FE etc.) required to provide for furniture and equipment.

ICT

To fund the inputting of the ICT network connection, servers and hardware to run the school. Again, this is a per pupil place cost.

County Council "client costs"

In the delivery of new schools, the County Council will be required to fund post-S106 legal costs, client costs in managing the delivery of the schemes and other miscellaneous costs which inevitably the authority would face.

- Where the new school/facility is delivered through S106 agreement funding the client costs element is 3%.

- Where a developer “direct delivers” a school the Client costs are at a lower rate of 2%.

The current costs/rates are included within the school cost template outputs.

Item L

Expansion of existing schools

Factors included in the assessment as to whether or not a school can/should expand;

- Designated area (catchment): most, but not all, schools have a designated area to prioritise admissions to local pupils. Schools whose designated areas include the housing development would be considered for expansion, subject to the following factors below
- Location: to allow the option of children walking or cycling to school, it is preferable for children to be able to attend a school no more than 2 miles (aged 8 or under) or 3 miles (over 8 years old) from home.
- Travel infrastructure: to ensure that safe routes for walking and cycling are provided by providing safe footways for walking, good crossing points and a well-designed permeable street network that prioritises pedestrians and cyclists.
- Popularity: the County Council seeks to ensure a high percentage of parents can secure a place for their child(ren) at their first preference school.
- Quality of provision: expansion of successful, high attaining schools supports the council’s commitment to improving educational outcomes and is in line with DfE expectations.
- Effective organisation of schools: where possible, expansion which moves schools towards being able to teach in single age classes is preferred.
- Choice and diversity: church schools and academies are considered equally with local authority-maintained schools for expansion.
- Existing accommodation and site area: in some cases, a school’s existing accommodation may already include infrastructure to support a higher number of pupils (for example, it may have a large hall, or a large total site area).
- Feasibility of current and subsequent expansion: the cost of expanding a school will be affected by its current layout of accommodation. Local consultation will inform the decision to expand a school.

The appropriate school expansion solution directly related to any housing development may therefore not be the nearest or designated school, and is at the discretion of the local authority, working in partnership with schools, multi-academy trusts and the DfE and Regional Schools Commissioner as appropriate.

Item M

Link to Sport England design & cost guidance:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance>

Key contacts;

Education:

Access to Learning team – Pupil Place Planning

This team can be contacted through the following email address:

school.planning@oxfordshire.gov.uk

Annex 4: Flood & Water Management & SuDS

Item A

Oxfordshire County Council Flood Toolkit

This toolkit can be accessed via:

<https://www.oxfordshirefloodtoolkit.com/planning/>

Item B

Oxfordshire Local Flood Risk Management Strategy

The Flood and Water Management Act 2010 requires the County Council as the Lead Local Flood Authority (LLFA) to lead the coordination of flood risk management for surface water, ground water and smaller water courses in their area. The strategy is available (as part of the Flood Toolkit) through:

<https://www.oxfordshirefloodtoolkit.com/wp-content/uploads/2016/04/OxfordshireFloodRiskManagementStrategy.pdf>

Item C

Pre-application flood advice on major planning applications.

Information about the service and the corresponding charges is available through:

<https://www.oxfordshire.gov.uk/residents/roads-and-transport/street-maintenance-z/flooding/pre-application-flood-advice>

Item D

Local Standards and Guidance for Surface Water Drainage in Oxfordshire

This adopted guidance is available through:

<https://www.oxfordshirefloodtoolkit.com/wp-content/uploads/2018/12/LOCAL-STANDARDS-AND-GUIDANCE-FOR-SURFACE-WATER-DRAINAGE-ON-MAJOR-DEVELOPMENT-IN-OXFORDSHIRE.pdf>

The guidance is part of the County Council's *Oxfordshire Flood Toolkit* information.

Annex 5: Extra Care Housing

Item A

Oxfordshire Market Position Statement (Extra Care Housing Supplement) 2019-2022:

https://www.oxfordshire.gov.uk/sites/default/files/file/adult-social-and-health-care/MPS2019-22_0.pdf

A revised supplement for 2021-2023 is expected to be published in summer 2021.

Item B

The Outline Specifications will available on the S106 Property Manual.

Item C

For initial queries regarding the S106 Property Manual and the Outline Specifications please contact the County Council's Infrastructure Funding team through its email address:

developer.funding4@oxfordshire.gov.uk

Annex 6: Archaeology

No content in this Annex



Annex 7: Fire & Rescue

Item A

To initiate enquires with the Oxfordshire Fire and Rescue Service (OFRS) regarding hydrant schemes and provision, contact:

fire.businesssupport@oxfordshire.gov.uk

Item B

Water Supplies for Fire Fighting

Residential development requirements

- No residential property should be more than:
 - 150 metres (unobstructed distance) from a fire hydrant (existing or new)
 - on a water main of no less than a 90 millimetres nominal diameter.
- The location and number of fire hydrants will be determined by the OFRS following a risk based operational assessment once a water scheme has been received or once a copy of the existing water infrastructure has been supplied.

Commercial development requirements

- Commercial properties within development should be no more than:
 - 100 metres (unobstructed distance) from an existing (at the time of the assessment by OFRS) hydrant, otherwise;
 - 90 metres (unobstructed distance) from a new hydrant.

The above distances should be from the hydrant(s) in question to an entry point of the property (building) and

The hydrants serving the development should be no more than 90 metres apart (unless specifically stated within the guidelines on flow requirements for firefighting – see below).

All developments

- The location and number of additional fire hydrants will be determined by the OFRS following a risk assessment once a water scheme has been received or once a copy of the existing water infrastructure has been supplied.
- Where no piped water supply is available or there is insufficient pressure and flow in the existing water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with the following recommendations:
 - A charged static water tank of at least 45,000 litre capacity; or
 - A spring, river, canal or pond capable of providing or storing at least 45,000 litres of water at all times of the year, to which access, space and a hard standing are available for a pumping appliance; or
 - Any other means of providing a water supply for firefighting operations considered appropriate by the fire and rescue authority.

Guidelines on water flow requirements for fire fighting

The following flows represent the ideal requirements on new developments (and also during permanent system changes with respect to existing developments). In some locations it is accepted that the existing water distribution system will not allow the delivery of such flows.

- Residential Development

Minimum of 8 litres/sec (480 litres/minute) for detached, semidetached or terraced homes of not more than two floors and 35 litres/sec (2,100 l/min) for units of more than two floors, from any single hydrant on the development.

- Non-residential Development

Transportation - Lorry/coach parks - multi-storey car parks - service stations etc. All of these amenities should have a water supply capable of delivery a minimum of 25 litres/sec through any single hydrant on the development or within a vehicular distance of 90 metres from the complex.

Industrial developments

In order that an adequate supply of water is available for use by the Fire and Rescue Service in case of fire, it is recommended that the water supply infrastructure to any industrial estate (of the site areas set out below) is as follows with the mains network on site being normally at least 150 mm nominal diameter -

For sites having an area:

Site area (hectares)	Water supply (litres/second)
Less than 1	20
From 1 to less than 2	35
From 2 to less than 3	50
3 or more	75

Shopping, offices, recreation and tourism

Commercial developments of this type should have a water supply capable of delivering a minimum flow of 20 to 75 litres/sec to the development site.

Education, health and community facilities (e.g. Village halls)

Should have a water supply capable of delivering a minimum flow of 15 litres/sec through any single hydrant on the development or within a vehicular distance of 100 metres from the complex.

Primary schools and single storey health centres -

Should have a water supply capable of delivering a minimum flow of 20 litres/sec through any single hydrant on the development or within a vehicular distance of 70 metres from the complex

Secondary schools, colleges, large health and community facilities -

Should have a water supply capable of delivering a minimum flow of 35 litres/sec through any single hydrant on the development or within a vehicular distance of 70 metres from the complex.

However, these requirements may be lessened (subject to prior approval of OFRS) with the provision of suitable suppression systems within the dwellings/premises (see below).

Fire Suppression Systems

Fires in the home still account for the greatest number of fire deaths and injuries each year and, therefore, the installation of automatic fire suppression systems, such as sprinklers, in domestic premises is something that the OFRS strongly advocates.

More and more vulnerable people with less mobility are remaining in their own homes and the evacuation policy of “*get out, stay out, call 999*” is becoming increasingly less appropriate as a result of an ageing demography. Additionally, automatic fire suppression systems can increase the sustainability and life expectancy of buildings by limiting fire development and significantly reducing the amount of smoke, CO₂ and other pollutants.

For any system that has the potential to improve safety in the communities, the OFRS will provide a commitment of early dialogue with developers to explore the potential use and the level of compensatory features this would provide.

Arson & Deliberate Fires

The OFRS supports the police’s ‘Secured by Design’²⁰ principles and design guides in aiming to minimise opportunities for antisocial behaviour (ASB) through good design and layout that can also reduce arson and deliberate fire setting.

Deliberate fires have a significant impact on communities. Whilst the financial cost for all public services, can be calculated, what is more difficult to quantify is the wider adverse impact on communities.

Types of fires and their causation range from; ASB (re small refuse fires) through to vehicle fires and property fires.

Areas for consideration within the design scope should include the following:

- Security of premises both internal and external
- Disposal of refuse and location of refuse bins
- Lighting and movement of people through the complex
- CCTV in public spaces
- Open spaces, layout, construction (type of materials used) and community equipment placed into them
- Visibility designing out secluded locations
- Through-roads and cul-de-sacs.

²⁰ Established by the Association of Chief Police Officers (ACPO) in 1989.

Annex 8: Natural Environment

Item A

Examples where “landscape scale” opportunities may exist include:

- the Wildlife Trusts’ Living Landscape Target Areas,
- the Wychwood Project and
- Lower Windrush Valley Project in West Oxfordshire,
- the Earth Trust within South Oxfordshire, and
- within individual AONBs or at a cross-district catchment partnership level.

Item B

Areas of Outstanding Natural Beauty (AONB) extending into Oxfordshire:

- The Cotswolds
- Chilterns
- North Wessex Downs.

Item C

(The council’s Natural Environment team can be contacted via:

[Natural environment | Oxfordshire County Council](#)

Item D

The Thames Valley Environmental Records Centre (TVERC) can be contacted via:

www.tverc.org

Item E

Details of the County Council’s “natural environment” responsibilities can be found in the guidance “Biodiversity and Planning in Oxfordshire” available at:

[Biodiversity and planning | Oxfordshire County Council](#)

Item F

For information on:

- Sites of nature conservation importance: - www.tverc.org
- Conservation Target Areas:
<https://www.wildoxfordshire.org.uk/biodiversity/conservation-target-areas>
- Oxfordshire Wildlife and Landscape Study (OWLS):
<https://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home>
- Requirements for developers:
 - See Item E above Biodiversity and Planning in Oxfordshire and
 - [Environmental policy and planning | Oxfordshire County Council](#)

- The sensitivity of the natural environment to future change, see: Oxfordshire County Council's analysis of Environmental Sensitivity: [Environmental sensitivity to change | Oxfordshire County Council](#)
- Wychwood Project: www.wychwoodproject.org
- Lower Windrush Valley project: www.oxfordshire.gov.uk/cms/public-site/lower-windrush-valley-project
- The Wildlife Trusts:
(for Oxfordshire as part of the Berks, Bucks & Oxon Wildlife Trust – BBOWT) <https://www.bbowt.org.uk/wildlife/living-landscapes>
- The Earth Trust: <https://earthtrust.org.uk>
- Trust for Oxfordshire's Environment: <http://www.trustforoxfordshire.org.uk/>

Annex 9: Energy Efficiency

Item A

London Energy Transformation Initiative (LETI) Climate Emergency Design Guide can be accessed via:

<https://www.leti.london/cedg>

Item B

Ultra-low energy demand targets (Energy Use Intensity - EUI targets)

Type of development	Target
Residential	<35 kWh/m ² .yr
Offices	<55 kWh/m ² .yr
Research labs	<55-240 kWh/m ² .yr
Retail	<80 kWh/m ² .yr
Community space (e.g. health care)	<100 kWh/m ² .yr
Sports and Leisure	<80 kWh/m ² .yr
Schools	<65 kWh/m ² .yr

kWh/m².yr = KiloWatt-hour/m² per year

Annex 10: Waste Management

Item A

Oxfordshire's Resources and Waste Strategy 2018-23

This is available on the County Council's website and can be accessed via:

<https://www.oxfordshire.gov.uk/sites/default/files/file/waste-and-recycling/OxfordshiresResourcesandWasteStrategy.pdf>

Item B

The County Council's 2015 Household & Waste Recycling Centre (HWRC) Strategy

This is available on the County Council's website and can be accessed via:

[https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MId=4345&Ve
r=4](https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MId=4345&Ve
r=4)

Annex 11: Community Services

Item A

Responsibilities

Children's Service have a wide range of statutory duties to support and safeguard children. These duties are set out in primary legislation and government guidance. Key legislation includes the Children Act 1989 and the Adoption and Children Act 2002

The statutory duties placed upon the County Council by the Public Libraries and Museums Act 1964 Local authorities "... to provide a comprehensive and efficient library service for all persons .." in the area that want to make use of it also provides the County Council with the power to offer wider library services beyond the statutory service to other user groups, and the 1964 Act allows for joint working between library authorities.

The Public Libraries and Museums Act 1964 and 1972 Local Government Act provide the powers for local authorities to provide museums.

Item B

Community Buildings

Elements sought by the County Council to optimise flexible end-use:

- a community hall
- secure hall storage for multiple groups
- "changing spaces" toilet facilities
- A large meeting room
- A small meeting room
- kitchen / café / foyer facilities.

Library

Elements of library infrastructure requirements would include:

Public Spaces

- Open space with free-flow access to library shelving and ICT which can for example be part of or adjacent to a community café with seating.
- Flexible-use space to host a varied programme of activities generated by the library, as well as the local community, schools and heritage services, to include targeted lectures / adult education classes / family activities / art & craft-based activities, and enable third party / community involvement, learning and skills sessions and makerspace activities.
- Lockable store for stacking tables, chairs and large equipment.

Staff Spaces

- A workroom/office with space for storage for books and resources
- A kitchenette with space for soft seating for lunchbreaks
- Two 'staff only' toilets including an accessible toilet.

Item C

County Council adopted space standards

The County Council's adopted standards (March 2001) for publicly available library space are:

- 23m² per 1,000 head of population

To appropriately serve the needs of users of the facility, other (non-public) support areas (staff workrooms etc.) are required, these amount to 19.5% in addition to the 23m² provision. The combined requirement equates to 27.5m² per 1,000 head of population.

The library-stock provision needs are based on a need for:

- 1.5 library-stock/items per head of population
- A cost of £7.50 per volume (average).

This equates to £11.25 per person to initially equip the library-stock provision to mitigate increased demands arising from development.



Annex 12: S106 agreement legal precedents

The following legal precedents are to be published in a separate document. This will be labelled Annex 12 and will be accessible via the S106 Developer Contributions web page early 2022.

1. S106 Agreement boilerplate provisions.
2. Highways Works.
3. Financial Contributions.
4. Primary School Provision – land and funding plus annexes.
5. Primary School Provision – direct delivery.
6. Provision of the S106 agreement bond (contributions/non-highway works)
7. Application of Contributions.
8. Extra Care Housing.
9. Land Transfers and Leases.

Glossary

Affordable Housing

Housing for sale or rent, for those whose needs are not met by the market sector provision. See the corresponding District Council for further information regarding provision within Oxfordshire. Extra Care Housing (a County Council issue) may fall within this category of provision.

Biodiversity (offsetting)

Provision to delivers a quantifiable amount of biodiversity benefit to offset the loss of biodiversity resulting from a development.

Bond

A surety provided by a third party (e.g. a major bank or insurance company) or a cash deposit that can be called on, to complete works, if the developer is not able to complete them satisfactorily.

In the context of a S106 agreement the County Council require

- Bonds in connection with Highway works (via S278 & S38 agreements)
- Bonds in connection with other infrastructure delivery by a developer (e.g. a school)
- Bonds for certain deferred contributions.

Community Infrastructure Levy (CIL)

A planning charge which can be levied by local authorities on new development in their area to fund supporting infrastructure. It came into force in April 2010. Within Oxfordshire, District Councils (including Oxford City Council) may, provided various criteria are met, implement CIL; the County Council may not implement/charge the CIL.

CIL Regulations

The 2010 Regulations by which the Community Infrastructure Levy (introduced in the Planning Act 2008) came into force. The Regulations have been amended since their introduction.

Department for Education (DfE)

Central Government Department responsible for Education.

Development Plan

As defined in the Government's Planning and Compulsory Purchase Act 2004 (section 38). It includes adopted Local Plans and Neighbourhood Plans that have been made.

Direct Delivery

The delivery of infrastructure by a developer; as opposed to the delivery of infrastructure procured/delivered by the County Council (including via the employment of developer contributions).

District

A lower tier non unitary authority / District or City Council, which acts as the Local Planning Authority for most development. Within Oxfordshire a District is anyone of; Cherwell District Council, Oxford City Council, South Oxfordshire District Council Vale of White Horse District Council or West Oxfordshire District Council.

Education and Skills Funding Agency (ESFA)

Central Government agency accountable for funding education and skills for children, young people and adults. It also regulates academies, further education and sixth-form colleges.

Environment Agency (EA)

The Central Government agency responsible, amongst other things, for flood prevention.

Early Years (EY)

The sectors of children which are aged 2 to 4 years (nursery years) and 4 to 5 years of age (reception years).

Extra Care Homes (ECH)

Self-contained housing, primarily for older people, that offers flexible care and support on site.

Highway Authority/Local Highway Authority

The County Council is the Local Highway Authority for all public roads (except those governed by Highway England) and public rights of way within Oxfordshire. As the LHA the County Council is responsible for the operation, maintenance and improvement of the public roads and public rights of way. The LPA has a statutory duty to consult the Local Highway Authority on appropriate planning applications (including major applications). Highways England (Central Government department) is responsible for operating, maintaining and improving the M40 motorway as well as some major A roads (e.g. A34) in Oxfordshire.

Host Development (Site)

A term applied by the County Council when referring to a development which incorporates land and provisions for the delivery of a new school at the development (e.g. a Strategic residential development site may include area(s) of land identified for the accommodation of a school to serve the development).

Infrastructure

Physical infrastructure (e.g. roads, schools, libraries, fire stations etc.) service provision and amenity.

Infrastructure Delivery Plan (IDP)

The IDPs are produced by the District Councils and contain the various infrastructure required to support Local Plan growth within the corresponding areas.

Lead Local Flood Authorities (LLFA)

Upper tier authorities (such as Oxfordshire County Council) responsible for managing risks from local sources and act as a statutory consultee to local planning authorities in relation to surface water and Sustainable Drainage Systems (SuDS) proposals put forward in relation to major planning applications.

Local Plan

A plan for the future development of an area, drawn up (and subject to public consultation) by the Local Planning Authority. It sets out the strategies, policies and supporting documents which the Local Planning Authority adopts.

Local Planning Authority (LPA)

An authority which is invested with the power to make binding planning decisions, such as a District, Borough, City Council.

The County Council is also a LPA in two contexts:
106 Agreements – planning obligations.

Major Development

For housing, development where 10 or more homes will be provided. Or the site has an area of 0.5 hectares. For non-residential development it means additional floorspace of 1,000m² or more, or a site of at least 1 hectare, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Material consideration

A matter which can be taken into account by Local Planning Authorities in decisions on planning applications.

Ministry of Housing, Communities and Local Government (MHCLG)

The Central Government department whose activities include the land-use planning system. Its objectives include delivering homes across the country.

National Planning Policy Framework (NPPF)

The Government's key document on setting out planning policies in England and how they are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be provided.

Neighbourhood Forum

A body empowered by a local planning authority that organises the production of a Neighbourhood Plan. Where an area is "unparished" (e.g. because it is within a city) local people may seek to create a neighbourhood forum.

Neighbourhood Plan

A plan prepared by a community (Parish or Town Council or a Neighbourhood Forum) for a designated neighbourhood area. An approved Neighbourhood Plan forms part of the development plan (Local Plan etc.) used in determining planning applications, unless the LPA decides that the Neighbourhood Plan should not be made.

Parish/Town Councils

Third tier of local government (below a District). They carry out a number of very local services and provide some local infrastructure. Parish (and Town) Councils may receive a proportion of the CIL revenue from developments in their area; refer to CIL advice from the corresponding District Council.

Planning Condition

A requirement attached to a planning permission to limit or direct the manner in which a development is carried out.

Planning Obligations

A legal deed entered into under Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal. A developer may have to comply with certain obligations to make a development acceptable in planning terms, which could include section 106 financial contributions, land, buildings or work-in-kind.

S106 – Section 106 (S106)

The Section in the Town and Country Planning Act 1990 which gives Local Planning Authorities the right to seek contributions from developers to make their development acceptable in planning terms.

Section 278 (S278)

This Section of the Highways Act allows the Highway Authority to make an agreement with the developer permitting the developer to carry out improvement works in the highway.

Section 278 agreement

A legal agreement made between the Highway Authority and a developer regarding improvements to the public highway.

Section 38 (S38)

The Section in the Highways Act regulating the adoption of estate roads by the Highway Authority.

Section 38 agreement

A legal agreement made between the Highway Authority and a developer regarding the adoption of estate roads at a development

SPUR Unilateral Undertaking

See Unilateral Undertaking.

Supplementary Planning Document (SPD)

Supplementary Planning Document, a document which adds detail to the policies in the development plan, but it does not form part of the development plan. SPDs should be in line with the NPPF and are capable of being a material consideration in a planning decision. Topics often include; detailed advice or guidance on a District's policies on affordable housing or planning/developer contributions.

This County Council Guide on Developer Contributions is not an SPD.

Sustainable Drainage Systems (SuDS)

Sustainable Drainage Systems aim to manage water quantity, water quality, amenity and biodiversity. They are designed to manage stormwater locally, to mimic natural drainage and encourage its infiltration, attenuation and passive treatment.

Town Councils

See Parish/Town Councils

Transport Authority

See Highway Authority

Transport Assessment - Transport Statement

Studies (following a comprehensive and systematic process) which set out transport issues relating to development proposals and often submitted alongside planning applications of varying sizes setting out the developer's projections of the transport/traffic impacts of a development. It can be used as a basis for negotiations over if and how those impacts can be alleviated.

Transport Statement

A simplified version of a Transport Assessment covering a more limited set of issues than a full Transport Assessment.

Unilateral Undertaking

A type of S106 planning obligation (distinct from a S106 agreement) in which only one party makes express undertakings without reciprocal undertakings from the other party.

The County Council has developed a standard form of Unilateral Undertaking (a SPUR) which can be used with prior agreement of the County Council by developers to pay contribution (in full) to the County Council contemporaneously with the completion of the deed and where there are no other non-financial S106 obligations to be made to the County Council. (SPUR: Standard pre-Prepared Unilateral undertaking Route).