

WEST OXFORDSHIRE DISTRICT COUNCIL

**The LPA's Appendices relating to Compliance with
Regulation 122(2) of the CIL Regs of its requested
Affordable Housing, Financial Contributions**



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

Appeal by Catesby Strategic Land Ltd

**Against the Decision of West Oxfordshire District Council
to Refuse Outline Planning Permission for:**

Development of up to 134 Dwellings (Use Class C3)

**including means of access into the site (not internal roads) and associated
highway works, with all other matters (relating to appearance, landscaping,
scale and layout) reserved (amended description) (amended plans) at**

**Land South of Burford Road,
Minster Lovell**

Appeal ref. APP/D3125/W/23/3331279

LPA Application ref. 22/03240/OUT

21 February 2024

List of Appendices (Bound separately)

- Appendix A1** The most recent “final” version of the S.106 Agreement, relating to the current appeal
- Appendix A2** Email from Murry Burnett, the District Council’s Strategic Housing & Development Officer, to Chris Wood dated 2 January 2024, relating to the current position of the CSBH Register
- Appendix A3** Memo from Rachel Biles, Strategic Projects Lead (Leisure) at West Oxfordshire District Council to Chris Wood, the LPA’s Senior Planning Appeals Officer dated 16 June 2023, relating to the basis of calculation of the contributions requested towards Formal Sporting Facilities (Sports Hall, Swimming Pool and Outdoor Pitch provision)
- Appendix A4a** 20 December 2022 Consultation Response from the Oxfordshire Clinical Commissioning Group (“OCCG”), as submitted in relation to the current appeal proposal at planning application stage
- Appendix A4b** *Oxfordshire Primary Care Estates Strategy 2020-2025*: Website Top Page, Summary and Full Document, as referred to in the OCCG consultation response to the application that is the subject of the current appeal (NB page 36 refers)
- Appendix A4c** July 2017 *Primary Care Estates* update document (S.5 on page 10 refers)
- Appendix A4d** Appeal Decision, the LPA’s Decision Notice and Part Plans for Appeal ref. APP/D3125/W/23/3315391, at Land east of Hill Rise, Woodstock Appeal, determined by Inspector Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC on 10 October 2023

Appendix A1

**The most recent “final” version of
the S.106 Agreement, relating to the current appeal**



DATED **2024**

WEST OXFORDSHIRE DISTRICT COUNCIL

-and-

THE OXFORDSHIRE COUNTY COUNCIL

-and-

PHILIP ERIC KINCH and ALAN ROY KINCH

-and-

CATESBY STRATEGIC LAND LIMITED

draft

PLANNING OBLIGATION

relating to development at Land South of Burford Road, Minster Lovell
Application No 22/03240/OUT
Appeal ref. APP/D3125/W/23/3331279

Reference JC/59914

Anita Bradley
Director of Law & Governance and Monitoring Officer
Oxfordshire County Council
County Hall
New Road
Oxford OX1 1ND

THIS DEED is made on the

day of

Two

Thousand and Twenty Four

BETWEEN:-

- (1) **WEST OXFORDSHIRE DISTRICT COUNCIL** whose main office is at Council Offices, Woodgreen, Witney, OX28 1NB (“the District Council”)
- (2) **THE OXFORDSHIRE COUNTY COUNCIL** whose main office is at County Hall, New Road, Oxford, OX1 1ND (“the County Council”)
- (3) **PHILIP ERIC KINCH** of Buscot Wick Farm, Buscot Wick, Faringdon SN7 8DJ and **ALAN ROY KINCH** of Hermitage Court, Canon Pyon, Hereford HR4 8NN (“the Owner”)
- (3) **CATESBY STRATEGIC LAND LIMITED** (Co. Regn. No. 03231740) of Orchard House, Papple Close, Houlton, Rugby CV23 1EW) (“the Promoter”)

INTRODUCTION

- A. The District Council is the local planning authority for the purposes of the Act for the area in which the Site is situated.
- B. The County Council is the county planning authority for the purposes of the Act; and the local highway authority and the traffic authority for the purposes of the Highway Act 1980, the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004; and the education authority for the area in which the Site is situated.
- C. The Owner is the freehold owner of the Site free from encumbrances subject to the interest of the Promotor but otherwise free from encumbrances as set out in the First Schedule.
- D. The Promoter has the benefit of a promotion agreement dated 13 December 2021 registered on the freehold title as set out in the First Schedule
- E. By notice of refusal dated 21 July 2023 the District Council has refused planning permission for the Planning Application for the reasons set out therein and the Promoter has submitted an appeal against that refusal to the Secretary of State (“the Appeal”).

NOW THIS DEED WITNESSES as follows:

OPERATIVE PART

1. DEFINITIONS

For the purposes of this Deed the following expressions shall have the following meanings:

Expression	Meaning
“Act”	the Town and Country Planning Act 1990 (as amended);
“Application”	the application for outline planning permission submitted to the District Council for the Development and allocated reference number 22/03240/OUT
“Commencement of the Development”	<p>occurs on and means the carrying out of any material operation (as defined in Section 56(4) of the Act) forming part of the Development other than (for the purposes of this Deed and for no other purpose) operations consisting of:</p> <ul style="list-style-type: none">• site clearance• demolition work;• archaeological investigations;• investigations for the purpose of assessing ground conditions;• remedial work in respect of any contamination or other adverse ground conditions;• erection of any temporary means of enclosure; and• the temporary display of site notices or advertisements <p>and “Commence” “Commenced” and “Commencing” or any other derivation of this term shall be construed accordingly;</p>
“County Monitoring Fee”	means the sum calculated in accordance with the spreadsheet attached at Appendix 2 where the contribution secured is the aggregate of the financial contributions payable to the County Council in accordance with the Fourth and Fifth Schedules disregarding Index Linking, which is indicatively £14,392;

Expression	Meaning
“Development”	the development of the Site for up to 134 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved or as may be approved by any Section 73 Permission;
“Due Date”	the date on which any sum payable hereunder is required to be paid or if any sum is to be paid before an event the day before that event occurs
“Dwelling”	a building (including a house flat or maisonette) constructed or proposed to be constructed on the Site as part of the Development or part of such building designed for residential Occupation by a single household pursuant to the Planning Permission or any Section 73 Permission and including any affordable housing;
“Implementation”	means the carrying out of any development which implements any planning permission as set out in Section 56 of the Act and “Implement” and “Implemented” shall be construed accordingly
“Interest”	Interest at the rate of 4% above the base lending rate of Lloyds Bank PLC from time to time;
“Occupation”	occupation for the purposes permitted by the Planning Permission (or any Section 73 Permission) but not including occupation by personnel engaged in construction; fitting out or decoration or occupation for marketing or display or occupation in relation to security operations and “Occupied” and “Occupy” shall be construed accordingly;
“Plan”	the plan attached to this Deed at the Appendix 1;
“Planning Permission”	any planning permission subject to conditions to be granted by the Secretary of State pursuant to the Appeal which where the context admits shall include any non-material amendment pursuant to section 96A of the Act.
“Reserved Matters”	details of any one or more of access, appearance, landscaping, layout and scale reserved under the terms of the Planning Permission or under the terms of any Section 73 Permission for subsequent approval;
“Secretary of State”	the Secretary of State for the Department of Levelling Up, Housing and Communities including any successor in function for the purposes of the Appeal and (where the context provides in this Deed) any inspector appointed by him to determine the Appeal;

Expression	Meaning
“Section 73 Permission”	A planning permission which may be granted by way of approval of an application under section 73 of the Act permitting the Development or any part of the Development subject to conditions which differ from the conditions of the Planning Permission and for the avoidance of doubt including a planning permission granted by way of an approval of an application under Section 73 of the Act to vary or remove condition(s) on any Section 73 Permission issued after the Planning Permission and in all cases including any non-material amendments pursuant to section 96A of the Act;
“Site”	the land against which this Deed may be enforced as shown edged red on the Plan;
“Trigger Event”	any event that when it occurs requires any party to this Deed to pay any sum or carry out any works or take (or desist from taking) any other action including service of any notice;
“Working Days”	Mondays to Fridays (excluding bank and other public holidays) and any day which is on or between 27 th and 31 st December in any Calendar Year;

2. CONSTRUCTION OF THIS DEED

- 2.1 Where in this Deed reference is made to any clause, paragraph or schedule or recital such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule or recital in this Deed.
- 2.2 Words importing the singular meaning where the context so admits include the plural meaning and vice versa.
- 2.3 Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeably in that manner.
- 2.4 Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced

against all of them jointly and severally unless there is an express provision otherwise.

- 2.5 “Including” means including without limitation or prejudice to the generality of any preceding description defined term phrase or word(s) and “include” shall be construed accordingly.
- 2.6 Words denoting an obligation on a party to do any act or matter or thing include an obligation to procure that it is done and words placing a party under a restriction include an obligation not to cause, permit or allow infringement of that restriction.
- 2.7 Any reference to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it.
- 2.8 References to any party to this Deed shall include the successors in title to that party and to any person deriving title through or under that party and in the case of the District Council and County Council the successors to their respective statutory functions.
- 2.9 The headings and contents list are for reference only and shall not affect construction.

3. LEGAL BASIS

- 3.1 This Deed is made pursuant to Section 106 of the Act, Section 111 of the Local Government Act 1972, Section 1 of the Localism Act 2011 and all other enabling powers.

- 3.2 The covenants, restrictions and requirements imposed upon the Owner under this Deed create planning obligations pursuant to Section 106 of the Act
- 3.3 Those covenants, restrictions and requirements set out in this Deed are enforceable by both the District Council and the County Council but those set out in the Second and Third Schedules and the Seventh Schedule are enforceable by the District Council as district planning authority and those set out in the Fourth Schedule and the Fifth Schedule are enforceable by the County Council as county planning authority against the Owner and in accordance with Section 106(3)(b) against any person deriving title from that person.

4. CONDITIONALITY

- 4.1 The obligations in this Deed are conditional upon:
- 4.1.1 the grant of the Planning Permission; and
- 4.1.2 Commencement of Development
- save in respect any obligations expressly requiring compliance prior to Commencement of Development, which shall come into effect immediately upon completion of this Deed and further save for the provisions of this Clause 4 and Clauses 1, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18 and 19 which shall come into effect immediately upon completion of this Deed.
- 4.2 In the event that the planning inspector on behalf of the Secretary of State states in his appeal decision either that:
- 4.2.1 a planning obligation contained in this Deed (or relevant part of a planning obligation) is not a material consideration in the granting of the Planning Permission pursuant to the Appeal; or

4.2.2 a planning obligation contained in this Deed (or relevant part of a planning obligation) is incompatible with any one or more of the tests for planning obligations set out in Regulation 122 of the Community Infrastructure Levy Regulations 2020,

and accordingly attaches no weight to that obligation in determining the Appeal then that planning obligation (or part of the planning obligation as appropriate) shall from the date of the decision cease to have effect and the Owner shall not be required to comply with that obligation AND for the avoidance of doubt this shall not affect the lawfulness of the balance of covenants and obligations in this Deed which shall continue to be enforceable AND it shall not be necessary to vary this Deed in order that its terms have the effect and enforceability as determined by reference to the Secretary of State's appeal decision

5. THE OWNER'S COVENANTS

5.1 The Owner covenants with the District Council as set out in the body of this Deed and in the Second and Third Schedule and the Seventh Schedule.

5.2 The Owner covenants with the County Council as set out in the body of this Deed and in the Fourth Schedule and the Fifth Schedule

6. THE DISTRICT COUNCIL'S COVENANTS

The District Council covenants with the Owner as set out in the Sixth Schedule.

7. THE COUNTY COUNCIL'S COVENANTS

The County Council covenants with the Owner as set out in the Eighth Schedule.

8. PROMOTER'S CONSENT

The Promoter acknowledges and declares that this Deed has been entered into by the Owner with its consent and that the Site shall be bound by the obligations

contained in this Deed and that the promotion agreement over the Site shall take effect subject to this Deed PROVIDED THAT the Promoter shall otherwise have no liability under this Deed unless it takes possession of the Site or any part of it or undertakes any part of the Development of the Site in which case it too will be bound by the obligations as if it were a person deriving title from the Owner.

9. MISCELLANEOUS

9.1 The Owner shall

- 9.1.1 pay to the District Council on the execution and completion of this Deed the reasonable legal costs of the District Council incurred in the negotiation, preparation and execution of this Deed;
- 9.1.2 pay to the County Council on the execution and completion of this Deed the reasonable legal costs of the County Council incurred in the negotiation, preparation and execution of this Deed
- 9.1.3 reimburse the District Council and the County Council in respect of all legal and administrative costs reasonably and properly incurred in connection with any enforcement of any of the provisions in this Deed should the need for enforcement arise in the reasonable opinion of the District Council or the County Council; and
- 9.1.4 within 10 Working Days of the grant of Planning Permission pay
 - (a) to the County Council the County Monitoring Fee: and
 - (b) to the District Council the sum of £5,500.00 (five thousand five hundred pounds)towards the cost of monitoring and administering compliance with the obligations in this Deed

9.2 No provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999.

9.3 This Deed shall be registrable as a local land charge by the District Council and by the County Council and the District Council and the County Council shall procure such registration as soon as reasonably practicable following completion of this Deed.

9.4 Where the agreement, approval, consent or expression of satisfaction is required by the Owner from the District Council or County Council under the terms of this Deed such agreement, approval or consent or expression of satisfaction shall not be unreasonably withheld or delayed and in the case of the District Council or the County Council, any such agreement, consent, approval or expression of satisfaction shall be given on behalf of:

9.4.1 the District Council by the Assistant Director: Planning Policy and Development; and

9.4.2 the County Council by the Director for Environment and Place,

9.5 Insofar as any clause or clauses of this Deed are found (for whatever reason) to be invalid illegal or unenforceable then such invalidity illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Deed and insofar as reasonably practicable the parties shall amend that clause or clauses in such reasonable manner as achieves the intention of the parties without illegality.

9.6 If the Planning Permission and every Section 73 Permission is

9.6.1 quashed by any Court or Tribunal of competent jurisdiction as a result of any legal proceedings (and refused upon re-determination);
or

9.6.2 revoked pursuant to Section 97 of the Act; or

9.6.3 expires prior to being implemented (within the meaning of section 56 of the Act)

then save for those clauses relating to for any obligations that were complied with or were due to be complied with before the date of occurrence of any of the above events this Deed shall cease to have effect and no party shall be under any further duty to comply with it.

9.7 No person shall be liable for any breach of any of the planning obligations or other provisions of this Deed after it shall have parted with its entire interest in the Site but without prejudice to liability for any subsisting breach arising prior to parting with such interest.

9.8 Except for any provision hereof that restricts or prevents Commencement of Development or any Dwelling being Occupied or prevents a number of Dwellings being Occupied until another provision hereof is complied with this Deed shall not be enforceable against owner-occupiers or tenants of any Dwelling nor any mortgagee or chargee of the interest of any such owner-occupier nor against those deriving title from them Provided Always that the terms of the Second Schedule shall be enforceable against such persons.

9.9 This Deed shall not be enforceable against any public utility company or statutory undertaker having an interest in the Site for the sole purpose of providing utility services to the Site.

9.10 Nothing contained or implied in this Deed shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission other than the Planning Permission and/or Section 73 Permission granted (whether or not on appeal) after the date of this Deed.

9.11 In the event that a Section 73 Permission is granted (or if any condition of the Planning Permission is varied or released following an appeal under section 78 of the Act) this Deed shall (unless the County Council determine that revised planning obligations are required as a result of such Qualifying Permission or variation or release) apply to the development pursuant to the said Section 73 Permission or varied Planning Permission and the covenants and provisions of this Deed shall be deemed to apply in equal terms to the development further to that Section 73 Permission and the Planning Permission as varied without the need for a further Deed to be entered into pursuant to Section 106 of the Act and for the avoidance of doubt where a different section 106 obligation is agreed by the County Council as being binding on any development further to a Section 73 Permission or varied Planning Permission this Deed shall not apply to that development if that separate section 106 obligation expressly states that it is in substitution for all of the obligations in this Deed.

10. WAIVER

No waiver (whether expressed or implied) by the District Council or the County Council of any breach or default in performing or observing any of the covenants terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the District Council or the County Council from enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default.

11. NO FETTER

Nothing in this Deed shall prejudice or affect the rights powers duties and obligations of the District Council or the County Council in the exercise of their respective functions in any capacity.

12. CHANGE OF OWNERSHIP

12.1 The Owner agrees with the District Council and separately with the County Council to give the District Council and the County Council written notice of any change in the ownership of any of its interests in the Site within 10 working days and in any event before the next Trigger Event that arises following such change in ownership if sooner occurring before all the obligations under this Deed have been discharged such notice to give details of the transferee's full name and registered office if a company or usual address if not together with the area of the Site or unit of occupation purchased by reference to a plan provided that this clause shall not apply to:

12.1.1 the sale of individual Dwellings on the Development; or

12.1.2 any disposal of any part or parts of the Site for servicing or utility requirements or to a statutory body or service supply company of an electricity substation gas governor pumping station water pumping station or other statutory service which have been constructed or installed in or on the Site

13. NOTIFICATIONS

The Owner agrees with the District Council and the County Council:

13.1 to notify the District Council and the County Council in writing

- 13.2 no later than 5 Working Days prior to Commencement of the Development of the anticipated date of Commencement of the Development and not to Commence until 5 Working Days have passed since service thereof; and
- 13.3 within 10 Working Days of the date of the Commencement of the Development the date on which such Commencement of Development occurred; and
- 13.4 to notify the District Council and the County Council in writing no later than within 10 Working Days prior to the anticipated date of the following events and after the event to specify in a further notification the date on which it occurred:
- 13.5 first Occupation of the Development;
- 13.6 first Occupation of the 67th Dwelling on the Site
- 13.7 first Occupation of the 100th Dwelling on the Site
- 13.8 and not to Occupy or cause or permit Occupation until the appropriate notice has been given pursuant to clause 12.1.1 and the time therein has expired. to notify the District Council and the County Council within ten Working Days of the each of the usual quarter days (25 March, 24 June, 29 September and 25 December) the number of Dwellings on the Development which have been Occupied on that quarter day and their addresses/plot numbers together with a plan showing the plot numbers

14. INTEREST

- 14.1 If any payment due under this Deed is paid after the Due Date, Interest will be payable on the amount owed from the Due Date to the date of full payment.

14.2 Interest shall be calculated and accrue daily and if any payment is made more than three months after the Due Date shall be compounded monthly

15. VAT

All consideration given in accordance with the terms of this Deed shall be exclusive of any value added tax properly payable and the Owner shall pay to the District Council and separately to the County Council any value added tax properly payable on any sums paid to the District Council and/or the County Council or works undertaken under this Deed upon presentation of any appropriate value added tax invoice addressed to the Owner.

16. NOTICES

16.1 Any notice or notification to be given to the District Council under this Deed shall be sent to the District Council (quoting reference 22/03240/OUT) for the attention of Head of Planning and Strategic Housing at Council Offices, Woodgreen, Witney, OX28 1NB or to such other person at such other address as the District Council shall direct from time to time.

16.2 Any notice or notification to be given to the County Council under this Deed shall be sent to the Director of Environment and Place of the County Council (quoting reference 22/03240/OUT]) at County Hall, New Road, Oxfordshire, OX1 1ND or to such other person at such other address as the County Council shall direct from time to time.

16.3 Any notice to be given to the Owner shall be sent to the Owner at the Owner's address at the head of this Deed or to such other person at such

address as the Owner shall notify to the District Council and separately to the County Council in writing from time to time.

16.4 Unless the time of actual receipt is proved, a notice, demand or communication sent by the following means is to be treated as having been served:

16.4.1 if delivered by hand, at the time of delivery;

16.4.2 if sent by post, on the second Working Day after posting; or

16.4.3 if sent by recorded delivery, at the time delivery was signed for.

16.5 If a notice, demand or any other communication is served after 16:00 on a Working Day, or on a day that is not a Working Day, it is to be treated as having been served on the next Working Day.

16.6 For the avoidance of doubt, where proceedings have been issued in the Courts of England and Wales, the provisions of the Civil Procedure Rules must be complied with in respect of the service of documents in connection with those proceedings.

16.7 Any notice or notification to be given pursuant to this Deed shall be in writing and shall, unless otherwise agreed, be delivered by hand or sent by post.

17. JURISDICTION

This Deed is governed by and interpreted in accordance with the law of England and Wales and the parties submit to the exclusive jurisdiction of the courts of England.

18. DELIVERY

The provisions of this Deed (other than this clause which shall be of immediate effect) shall be of no effect until this Deed has been dated.

19. DATA PROTECTION

The parties to this Deed acknowledge and agree that information as to compliance with obligations pursuant to this Deed (including as to whether or not contributions have been paid) may be passed to:

- 19.1 persons who make enquiries on such matters and who advise that they or their clients are proposing to acquire an interest in the Site and it is acknowledged that the recipients of such information may then disseminate it further
- 19.2 any person when so required in order to comply with statutory requirements including the Freedom of Information Act 2000

IN WITNESS whereof the parties hereto have executed this Deed on the day and year first before written.

FIRST SCHEDULE

ALL THAT land South of Burford Road, Minster Lovell shown edged in red on the Plan
being the freehold land registered at the Land Registry under title number ON356730

SECOND SCHEDULE

AFFORDABLE HOUSING AND CUSTOM/SELF BUILD

Definitions

In this Schedule

1.1 "**Additional First Homes Contribution**" means in circumstances where a sale of a First Home other than as a First Home has taken place in accordance with paragraphs 13.8, 13.9 or 15 of this Schedule, the lower of the following two amounts:

- (a) 30% of the proceeds of sale; and
- (b) the proceeds of sale less the amount due and outstanding to any Mortgagee of the relevant First Home under relevant security documentation which for this purpose shall include all accrued principal monies, interest and reasonable costs and expenses that are payable by the First Homes Owner to the Mortgagee under the terms of any mortgage but for the avoidance of doubt shall not include other costs or expenses incurred by the First Homes Owner in connection with the sale of the First Home

and which for the avoidance of doubt shall in each case be paid following the deduction of any SDLT payable by the First Homes Owner as a result of the disposal of the First Home other than as a First Home.

1.2 "**Affordable Housing**" has the meaning given to it in Annex 2 of the NPPF (the National Planning Policy Framework as amended or replaced from time to time).

1.3 "**Affordable Housing Units**" means (unless otherwise agreed in writing by the District Council) 40% of the Dwellings to be built as part of the Development on the Site as Affordable Housing and constructed and provided on the Site in accordance with the Affordable Housing Plan and the provisions of this Deed

1.4 "**Armed Services Member**" means a member of the Royal Navy the Royal Marines the British Army or the Royal Air Force or a former member who was a

member within the five (5) years prior to the purchase of the First Home, a divorced or separated spouse or civil partner of a member or a spouse or civil partner of a deceased member or former member whose death was caused wholly or partly by their service

1.5 “**Affordable Housing Scheme**” means a scheme including a plan setting out the numbers, location, size, type, specification and Tenure of the Affordable Housing Units on the Site to be agreed in writing with the District Council (or such other scheme to be agreed in writing with the District Council)

1.6 “**Affordable Rent**” means a rent up to 80% of the local market rent (including service charges where applicable) for an equivalent property for the size and location, based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors and set in accordance with current Government policy for Affordable Rent and with regard to local market context including and not higher than the relevant Local Housing Allowance maximum amount set for eligibility for housing benefit for a property of that size and type provided that rent must comply with the Regulator for Social Housing Rent Standard or as agreed in writing with the Council

1.7 “**Affordable Rented Units**” means (unless otherwise agreed in writing by the District Council) the Affordable Housing Units let by a Registered Provider and offered at an Affordable Rent (and subsequently varied in line with those rents from time to time)

1.8 “**Compliance Certificate**” means the certificate issued by the Council confirming that a Dwelling is being disposed of as a First Home to a purchaser meeting the Eligibility Criteria (Local)

1.9 “**Contract**” means a contract to be entered into between the Owner and a Registered Provider in which Owner contracts to construct and sell and the Registered Provider contracts to purchase the Affordable Housing Units (except for those

Affordable Housing Units that are First Homes) provided in accordance with this Agreement

1.10 “**District Council’s Waiting List**” means the list and procedure for allocating Affordable Rented Units and Social Rented Units as set out in the Homeseeker Plus Policy and Service Level Agreement Document or any equivalent or similar replacement from time to time in existence

1.11 “**Disposal**” means a transfer of the freehold or (in the case of a flat only) the grant or assignment of a leasehold interest in a First Home other than:

- (a) a letting or sub-letting in accordance with paragraph 2.14
- (b) a transfer of the freehold interest in a First Home or land on which a First Home is to be provided before that First Home is made available for occupation except where the transfer is to a First Homes Owner
- (c) an Exempt Disposal

and “Disposed” and “Disposing” shall be construed accordingly

1.12 “**Eligibility Criteria (Local)**” means criteria (if any) published by the Council at the date of the relevant disposal of a First Home which are met in respect of a disposal of a First Home if:

- (a) the purchaser’s annual gross income (or in the case of a joint purchase, the joint purchasers’ joint annual gross income) does not exceed the Income Cap (Local) (if any); and
- (b) any or all of criteria (i) (ii) and (iii) below are met:
 - (i) the purchaser meets the Local Connection Criteria (or in the case of a joint purchase at least one of the joint purchasers meets the Local Connection Criteria); and/or
 - (ii) the purchaser is (or in the case of a joint purchase at least one of the joint purchasers is) an Armed Services Member and/or
 - (iii) the purchaser is (or in the case of a joint purchase at least one of the joint purchasers is) a Key Worker

it being acknowledged that at the date of this agreement the Council has not prescribed any Eligibility Criteria (Local) in respect of the disposal of a First Home.

1.13 “**Eligibility Criteria (National)**” means criteria which are met in respect of a purchase of a First Home if:

- (a) the purchase is a First Time Buyer (or in the case of a joint purchase each joint purchaser is a First Time Buyer); and
- (b) the purchaser’s annual gross income (or in the case of a joint purchase, the joint purchasers’ joint annual gross income) does not exceed the Income Cap (National).

1.14 “**Exempt Disposal**” means the Disposal of a First Home in one of the following circumstances:

- (a) a Disposal to a spouse or civil partner upon the death of the First Homes Owner
- (b) a Disposal to a named beneficiary under the terms of a will or under the rules of intestacy following the death of the First Homes Owner
- (c) Disposal to a former spouse or former civil partner of a First Homes Owner in accordance with the terms of a court order, divorce settlement or other legal agreement or order upon divorce, annulment or dissolution of the marriage or civil partnership or the making of a nullity, separation or presumption of death order
- (d) Disposal to a trustee in bankruptcy prior to sale of the relevant Dwelling (and for the avoidance of doubt paragraph 2.15 shall apply to such sale)

Provided that in each case other than (d) the person to whom the disposal is made complies with the terms of paragraph 2.13

1.15 “**First Homes**” means (unless otherwise agreed in writing by the District Council) the Affordable Housing Units that may be disposed of as a freehold or (in the case of flats only) as a leasehold property to a First Time Buyer at the Discount Market Price and which on its first Disposal does not exceed the Price Cap

1.16 “**First Homes Owner**” means the person or persons having the freehold or leasehold interest (as applicable) in a First Home other than:

- (a) the first Owner; or
- (b) another owner or other entity to which the freehold interest or leasehold interest in a First Home or in the land on which a First Home is to be provided has been transferred before that First Home is made available and is disposed of for occupation as a First Home; or
- (c) the freehold a tenant or sub-tenant of a permitted letting under paragraph 2.14

1.16 “First Time Buyer” means a first time buyer as defined by paragraph 6 of Schedule 6ZA to the Finance Act 2003

1.17 “**Head of Planning and Strategic Housing**” means the officer of the District Council who is responsible for the affordable housing in the District Council’s area or such other officer as may be appointed from time to time

1.18 “**Help to Buy Agent**” means the organisation appointed by Homes England responsible for providing to the Registered Provider a list of people interested in purchasing a Shared Ownership Unit or such other organisation exercising the same functions from time to time appointed by Homes England

1.19 “**Homes England**” means Homes England of One Friargate, Coventry, CV1 2GN who exercise the functions in relation to the funding of affordable housing and includes any successor body exercising similar functions

1.20 “**Homes England Model Lease**” means a lease in a form which has been approved and or prescribed by Homes England for shared ownership which allows a lessee to acquire up to and including 100% of the equity of the Shared Ownership Unit and the freehold as may be amended or updated from time to time

1.21 “**Homeseecker Plus Policy Document and Service Level Agreement**” means the prevailing District Council choice based lettings scheme or such other housing

allocation scheme as approved by the District Council which sets out eligibility for Qualifying Persons on the District Council's Waiting List and the procedure for nominations from the waiting list to Affordable Rented Units and Social Rented Units within the District Council's administrative area at the time when allocations are made as may be amended or updated from time to time

1.22 "**Income Cap (Local)**" means £80,000.00 or such other local income cap as may be published from time to time by the Council and is in force at the time of the relevant disposal of the First Home it being acknowledged that at the date of this agreement the Council has not set an Income Cap (Local)

1.23 "**Income Cap (National)**" means eighty thousand pounds (£80,000) or such other sum as may be publishable for purpose from time to time by the Secretary of State and is in force at the time of the relevant disposal of the First Home.

1.24 "**Key Worker**" means such categories of employment as may be designated and published by the Council from time to time as the "First Homes Key Worker criteria" and is in operation at the time of the relevant disposal of the First Home and for the avoidance of doubt any such replacement criteria in operation at the time of the relevant disposal of the First Home shall be the "Key Worker" criteria which shall apply to that disposal it being acknowledged that at the date of this agreement the Council has not designated any categories of employment as Key Worker

1.25 "**Local Connection Criteria**" means such other local connection criteria as may be published by the Council from time to time as its "First Homes Local Connection Criteria" and which is in operation at the time of the relevant disposal of the First Home and for the avoidance of doubt any such replacement criteria in operation at the time of the relevant disposal of the First Home shall be the "Local Connection Criteria" which shall apply to that disposal.

1.26 "**Market Value**" means the open market value as assessed by a Valuer of a Dwelling as confirmed to the Council by the First Homes Owner and assessed in accordance with the RICS Valuation Standards (January 2014 or any such replacement

guidance issued by RICS) and for the avoidance of doubt shall not take into account the 30% discount in the valuation

1.27 “**Mortgagee**” such mortgagee or chargee or any receiver or manager (including an administrative receiver) (including a Housing Administrator under the provisions of the Housing and Planning Act 2016) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver) of the whole or any part of the Affordable Housing

1.28 “**Price Cap**” means the amount for which the First Home is sold after the application of the Discount Market Price which on its first Disposal shall not exceed Two Hundred and Fifty Thousand Pounds (£250,000) or such other amount as may be published from time to time by the Secretary of State

1.29 “**Practical Completion**” means actual completion of the construction of the Affordable Housing Units in accordance with the Contract which save for minor defects permits beneficial use and occupation of the same

1.30 “**Protected Tenant**” shall mean any tenant who: (a) has exercised any statutory or voluntary right to buy (or any equivalent contractual right) in respect of a particular Dwelling; or (b) has been granted a shared ownership lease of a particular Dwelling and the tenant has subsequently purchased all the remaining shares so that the tenant owns the entire Dwelling; (c) has purchased a Rent to Buy Unit; or (d) any mortgagee chargee and or successor in title to anyone falling with categories (a) to (c) above

1.31 “**Qualifying Person**” means an individual who is on the District Council’s Waiting List and in need of Affordable Housing

1.32 “**Registered Provider**” means an affordable housing provider as provided for in the Housing and Regeneration Act 2008 and which is registered with Homes England (or its replacement body) and which has been approved by the District Council PROVIDED ALWAYS that if Registered Providers shall have ceased to exist or have been superseded then the expression shall be taken to mean such nearest equivalent body whose objectives include the provision of low cost housing for renting or ownership by local people as the District Council may reasonably approve for the purposes of this Deed

1.33 “**Rent to Buy Unit**” means (unless otherwise agreed in writing by the District Council) the Affordable Housing Units provided by a Registered Provider where they are let at an Affordable Rent for a minimum period of five years during which period the Registered Provider has the option to:

1.33.1 sell the Affordable Housing Unit giving the existing tenant a right of pre-emption should they be in a position to buy the same;

1.33.2 sell part of the Affordable Housing Unit and convert the Rent to Buy Unit to a Shared Ownership Unit giving the existing tenant a right of pre-emption should they be in a position to buy the same; or

1.33.3 regain possession of the Rent to Buy Unit (which would then be let to a new tenant on a new tenancy (as either a Rent to Buy Unit or Affordable Rented Unit)

1.34 “**Shared Ownership Unit**” means (unless otherwise agreed in writing by the District Council) the Affordable Housing Units provided by a Registered Provider where a proportion of the equity is sold on a long lease to the purchaser and the remainder of the equity is initially retained by the Registered Provider subject to rent being charged on the retained equity on terms that are set out in the Homes England Model Lease or

such other form of lease reasonably requested by the Registered Provider and which shall be first approved by the District Council and in accordance with the following:

1.34.1 the initial percentage of equity sold is between 10% (or such other percentage as may be agreed by the District Council) and 75% which shall be calculated to ensure the Shared Ownership Units are affordable to those in housing need with regard to local incomes and local house prices;

1.34.2 the annual rent on unsold equity is initially set at no more than 2.75% or such other percentage as may be agreed by the District Council (acting reasonably) of the value of the equity retained by the Registered Provider or such other rent as complies with the requirements from time to time of Homes England; and

1.34.3 charges for services are levied in accordance with the good practice guidance issued by Homes England but provided always that this provision shall not prevent each such unit being responsible for contributing of a fair and reasonable proportion of any service charge levied for the Development and/or that part of the Development within which such each unit shall be situate

1.35 “**SDLT**” means Stamp Duty Land Tax as defined by the Finance Act 2003 or any tax replacing it of like effect

1.36 “**Size Standard**” means compliance with the Government’s Nationally Described Space Standard for each and every unit type of Affordable Housing Unit

1.37 “**Social Rent**” means a maximum weekly rent for a tenant who is granted a tenancy of the accommodation for the first time is formula rent calculated in accordance with the Government’s current Rent Standard guidance or equivalent thereof (exclusive of any service charges)

1.38 “**Social Rented Units**” means (unless otherwise agreed in writing by the District Council) the Affordable Housing Units let by a Registered Provider and offered at a Social Rent

1.39 “**Tenure**” means Affordable Housing Units which comprise one or more of the following tenure types

1.39.1 Affordable Rented Unit;

1.39.2 First Homes Unit

1.39.3 Shared Ownership Unit;

1.39.4 Social Rented Units; and/or

1.39.5 Rent to Buy Units

1.40 “**Valuer**” means a Member or Fellow of the Royal Institution of Chartered Surveyors being a Registered Valuer appointed by the First Homes Owner and acting in an independent capacity

2. The Owners covenant with the District Council as follows:-

2.1 Not to cause or permit the Commencement of Development until an Affordable Housing Scheme has been submitted to and approved by the District Council

2.2 To provide the Affordable Housing Units on the Site in accordance with the Affordable Housing Scheme and the provisions of this Deed.

2.3 Unless otherwise agreed in writing between the Owner and the District Council not to cause or permit Commencement of Development until a Contract has been entered into with a Registered Provider

2.4 To transfer the Affordable Housing Units (excluding those Affordable Housing Units which are First Homes) to the Registered Provider with:

2.4.1 a good and marketable title free from any financial charge;

2.4.2 full title guarantee;

2.4.3 full and free rights of access both pedestrian and vehicular from the public highway to the land provided for the Affordable Housing Units;

2.4.4 full and free rights to the passage of water, soil, electricity, gas and other services through the pipes, drains, channels, wires, cables and conduits in the adjoining land up to and abutting the boundary to the Affordable Housing Units, all such services to be connected to the mains;

2.4.5 a reservation of all rights of access and passage of services and rights of entry necessary for the purposes of the Development as the Owner shall reasonably require.

3 Save as otherwise provided in this schedule from the date of Practical Completion the Affordable Housing Units shall remain Affordable Housing Units available for future Qualifying Persons, PROVIDED THAT if an Affordable Housing Unit is released from the provisions of this Schedule then the subsidy that enabled the affordability (as calculated at the date of release) shall be recycled for alternative affordable housing provision in West Oxfordshire District and in accordance with National Planning Policy Framework guidance unless otherwise agreed by the Council in writing

4 The Affordable Rented Units and the Social Rented Units shall on the first and any subsequent let be allocated to Qualifying Persons in accordance with the District Council's Homeseeker Plus Policy Document and Service Level Agreement PROVIDED THAT if the unit has not been let on completion of 2 letting cycles the Registered Provider shall be permitted to allocate a vacant unit to someone from its own waiting list

5 Unless otherwise agreed with the District Council, the Rent to Buy Units shall be managed and occupied in accordance with the requirements of Homes England

6 Unless otherwise agreed with the District Council, the Shared Ownership Units shall be sold to applicants that have registered with the Help to Buy Agent PROVIDED THAT where possible (and only if this does not contradict or breach the grant funding conditions as set by Homes England) priority shall be given to people with a local connection to West Oxfordshire for a period of 6 weeks from when the Dwelling is first marketed (on initial and shared ownership resales)

7 The obligations in this Deed shall not be binding upon:

7.1 A Protected Tenant

7.2 A Mortgagee PROVIDED THAT: (i) such Mortgagee shall first give written notice to the Council of its intention to dispose of the Affordable Housing Unit(s) and shall have used reasonable endeavours over a period of three months from the date of the written notice to complete a disposal of its Affordable Housing Unit(s) to another Registered Provider or to the Council for a consideration not less than the amount due and outstanding under the terms of the relevant security documentation including all accrued principal monies, interest and costs and expenses; and (ii) if such disposal has not completed within the three month period, the Mortgagee shall be entitled to dispose of the Affordable Housing Unit(s) free from the affordable housing provisions in this Deed (as set out in the Second Schedule hereof), which provisions shall determine absolutely.

8 FIRST HOMES

Unless otherwise agreed in writing by the Council, the Owner covenants with the Council as set out in paragraphs 9 to 15 save that

- 8.1 paragraphs 9, 10, 11 and 12 shall not apply to a First Homes Owner;
- 8.2 paragraphs 13 and 14 apply as set out therein but and for the avoidance of doubt where a First Home is owned by a First Homes Owner they shall apply to that First Homes Owner only in respect of the First Home owned by that First Homes Owner ; and
- 8.3 Paragraph 15 applies as set out therein.

9 DELIVERY MECHANISM

- 9.1 The First Homes shall be marketed for sale and shall only be sold (whether on a first or any subsequent sale) as First Homes to a person or person(s) meeting:
 - 9.1.1 the Eligibility Criteria (National); and
 - 9.1.2 the Eligibility Criteria (Local) (if any).
- 9.2 If after a First Home has been actively marketed for 3 months (such period to expire no earlier than three (3) months prior to Practical Completion) it has not been possible to find a willing purchaser who meets the Eligibility Criteria (Local) (if any), paragraph 9.1.2 shall cease to apply.
- 9.3 Subject to paragraphs 9.6 to 9.10, no First Home shall be Disposed of (whether on a first or any subsequent sale) unless not less than 50% of the purchase price is funded by a first mortgage or other home purchase plan with a Mortgagee
- 9.4 No First Home shall be Disposed of (whether on a first or any subsequent sale) unless and until:
 - 9.4.1 The Council has been provided with evidence that:
 - 19.4.1.1 the intended purchaser meets the Eligibility Criteria (National) and unless paragraph 9.2 applies meets the Eligibility Criteria (Local) (if any)
 - 9.4.1.2 the Dwelling is being Disposed of as a First Home at the Discount Market Price and

9.4.1.3 the transfer of the First Home includes:

- a) a definition of the "Council" which shall be West Oxfordshire District Council
- b) a definition of "First Homes Provisions" in the following terms:

"means the provisions set out in Schedule 2 of the S106 Agreement a copy of which is attached hereto as the Annexure."

- c) A definition of " S106 Agreement" means the agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated [] made between (1) the Council (2) Oxfordshire County Council (3) Philip Eric Kinch and Alan Roy Kinch and (4) Catesby Strategic Land Limited
- d) a provision that the Property is sold subject to and with the benefit of the First Homes Provisions and the Transferee acknowledges that it may not transfer or otherwise Dispose of the Property or any part of it other than in accordance with the First Homes Provisions
- e) a copy of the First Homes Provisions in an Annexure

9.4.2 The Council has issued the Compliance Certificate and the Council hereby covenants that it shall issue the Compliance Certificate within twenty eight (28) days of being provided with evidence sufficient to satisfy it that the requirements of paragraphs 9.3 and 9.4.1 have been met

9.5 On the first Disposal of each and every First Home to apply to the Chief Land Registrar pursuant to Rule 91 of and Schedule 4 to the Land Registration Rules 2003 for the entry on the register of the title of that First Home of the following restriction:

"No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by West Oxfordshire District Council of Council Offices Woodgreen Witney Oxfordshire OX28 1NB or their conveyancer that the provisions of clause XX (the First Homes provision) of the Transfer dated [Date] referred to in the Charges Register have been complied with or that they do not apply to the disposition"

9.6 The owner of a First Home (which for the purposes of this clause shall include the Owner and any First Homes Owner) may apply to the Council to Dispose of it other than as a First Home on the grounds that either:

9.6.1 the Dwelling has been actively marketed as a First Home for six (6) months in accordance with Clauses 9.1 and 9.2 (and in the case of a first Disposal the six (6) months shall be calculated from a date no earlier than six (6) months prior to Practical Completion) and reasonable endeavours have been made to Dispose of the Dwelling as a First Home but it has not been possible to Dispose of that Dwelling as a First Home in accordance with paragraphs 9.3 and 9.4.1; or

9.6.2 requiring the First Homes Owner to undertake active marketing for the period specified in paragraph 9.6.1 before being able to Dispose of the Dwelling other than as a First Home would be likely to cause the First Homes Owner undue hardship

9.7 Upon receipt of an application served in accordance with paragraph 9.6 the Council shall have the right (but shall not be required) to direct that the relevant Dwelling is disposed of to it at the Discount Market Price

9.8 If the Council is satisfied that either of the grounds in paragraph 9.6 above have been made out it shall confirm in writing within twenty eight (28) days

of receipt of the written request made in accordance with paragraph 9.6 that the relevant Dwelling may be Disposed of:

9.8.1 to the Council at the Discount Market Price; or

9.8.2 (if the Council confirms that it does not wish to acquire the relevant Dwelling) other than as a First Home

and on the issue of that written confirmation the obligations in this Deed which apply to First Homes shall cease to bind and shall no longer affect that Dwelling apart from paragraph 9.10 which shall cease to apply on receipt of payment by the Council where the relevant Dwelling is disposed of other than as a First Home

9.9 If the Council does not wish to acquire the relevant Dwelling itself and is not satisfied that either of the grounds in paragraph 9.6 above have been made out then it shall within twenty eight (28) days of receipt of the written request made in accordance with paragraph 9.6 serve notice on the owner setting out the further steps it requires the owner to take to secure the Disposal of a Dwelling as a First Home and the timescale (which shall be no longer than six (6) months). If at the end of that period the owner has been unable to Dispose of the Dwelling as a First Home he may serve notice on the Council in accordance with paragraph 9.6 following which the Council must within 28 days issue confirmation in writing that the Dwelling may be Disposed of other than as a First Home

9.10 Where a Dwelling is Disposed of other than as a First Home or to the Council at the Discount Market Price in accordance with paragraphs 9.8 or 9.9 above the owner of the First Home shall pay to the Council forthwith upon receipt of the proceeds of sale the Additional First Homes Contribution

9.11 Upon receipt of the Additional First Homes Contribution the Council shall:

9.11.1 within 20 Working Days of such receipt, provide a completed application to enable the removal of the restriction on the title set

out in paragraph 9.5 where such restriction has previously been registered against the relevant title

9.11.2 apply all monies received towards the provision of Affordable Housing

9.12 Any person who purchases a First Home free of the restrictions in this Second Schedule of this Deed pursuant to the provisions in paragraphs 9.9 and 9.10 shall not be liable to pay the Additional First Homes Contribution to the Council.

10 USE OF FIRST HOMES

Each First Home shall be used only as the main residence of the First Homes Owner and shall not be let, sub-let or otherwise Disposed of other than in accordance with the terms of this Deed PROVIDED THAT letting or sub-letting shall be permitted in accordance with paragraphs 10.1 – 10.4 below.

10.1 A First Homes Owner may let or sub-let their First Home for a fixed term of no more than two (2) years, provided that the First Homes Owner notifies the Council in writing before the First Home is Occupied by the prospective tenant or sub-tenant. A First Homes Owner may let or sub-let their First Home pursuant to this paragraph more than once during that First Homes Owner's period of ownership, but the aggregate of such lettings or sub-lettings during a First Homes Owner's period of ownership may not exceed two (2) years.

10.2 A First Homes Owner may let or sub-let their First Home for any period provided that the First Homes Owner notifies the Council and the Council consents in writing to the proposed letting or sub-letting. The Council covenants not to unreasonably withhold or delay giving such consent and not to withhold such consent in any of circumstances (a) – (f) below:

- a) the First Homes Owner is required to live in accommodation other than their First Home for the duration of the letting or sub-letting for the purposes of employment;
- b) the First Homes Owner is an active Armed Services Member and is to be deployed elsewhere for the for the duration of the letting or sub-letting;
- c) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting in order to escape a risk of harm;
- d) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting as a result of relationship breakdown;
- e) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting as a result of redundancy; and
- f) the First Homes Owner reasonably requires to live elsewhere for the duration of the letting or sub-letting in order to provide care or assistance to any person.

10.3 A letting or sub-letting permitted pursuant to paragraph 10.1 or 10.2 must be by way of a written lease or sub-lease (as the case may be) of the whole of the First Home on terms which expressly prohibit any further sub-letting.

10.4 Nothing in this paragraph 10 prevents a First Homes Owner from renting a room within their First Home or from renting their First Home as temporary sleeping accommodation provided that the First Home remains at all times the First Home Owner's main residence.

11 MORTGAGEE EXCLUSION (FIRST HOMES)

The obligations in paragraphs 9 - 10 of this Second Schedule in relation to First Homes shall not apply to any Mortgagee or any receiver (including an administrative receiver appointed by such Mortgagee or any other person appointed under any security documentation to enable such Mortgagee to realise its security or any administrator (howsoever appointed (each a Receiver)) of any individual First Home or any persons or bodies deriving title through such Mortgagee or Receiver PROVIDED THAT:

- 110.1 such Mortgagee or Receiver shall first give written notice to the Council of its intention to Dispose of the relevant First Home; and
- 110.2 once notice of intention to Dispose of the relevant First Home has been given by the Mortgagee or Receiver to the Council the Mortgagee or Receiver shall be free to sell that First Home at its full Market Value and subject only to paragraph 11.3
- 11.3 following the Disposal of the relevant First Home the Mortgagee or Receiver shall following the deduction of the amount due and outstanding under the relevant security documentation including all accrued principal monies, interest and reasonable costs and expenses pay to the Council the Additional First Homes Contribution.
- 11.4 following receipt of notification of the Disposal of the relevant First Home the Council shall:
 - 11.4.1 forthwith issue a completed application to the purchaser of that Dwelling to enable the removal of the restriction on the title set out in paragraph 11.5; and
 - 11.4.2 apply all such monies received towards the provision of Affordable Housing

12: CUSTOM/SELF BUILD

INTERPRETATION

In these paragraphs 12 and 13 of this Second Schedule the following additional words and expressions below shall mean as follows (for the avoidance of doubt any definition which does not appear below shall be given the meaning allocated to it in the main body of this Deed):

“Custom/Self Build Dwelling”	a Dwelling which is provided in general accordance with the Self-Build and Custom House Building Act 2015 and the Self-Build and Custom Housebuilding Regulations 2016 is constructed on a Custom/Self Build Dwelling Plot;
“Custom/Self Build Dwelling Plots”	means the plots within the Development on which the Custom/Self Build Dwellings are to be constructed;
“Custom/Self Build Dwelling Marketing Scheme”	<p>means a document to be submitted in writing to the District Council for approval setting out details of the proposed marketing of the Custom/Self Build Dwelling Plots including:</p> <ul style="list-style-type: none">(a) the date upon which the Marketing Period shall begin;(b) the anticipated date(s) that the Custom/Self Build Dwelling Plots will be available for purchase and the date that each will be Fully Serviced;(c) details of the proposed advertised price of each of the Custom/Self Build Dwelling Plots;(d) details of the marketing mediums to be used, including relevant websites and making the Custom/Self Build Dwelling Plots available to entrants on the Council’s self/custom build register;(e) the information to be supplied to parties expressing any interest in acquiring the Custom/Self Build Dwelling Plots; and(f) the protocol for informing the District Council of all expressions of interest in acquiring the Custom/Self Build Dwelling Plots;
“Fully Serviced”	means the relevant Custom/Self Build Dwelling Plot has access to a public highway and at least water, foul drainage, telecommunications and electricity supply available at the plot boundary;
“Initial Owner”	Means, unless otherwise agreed in writing with the District Council, a person or persons who:

	<p>(a) is aged eighteen (18) years old or over;</p> <p>(b) is a British Citizen, a national of an EEA State other than the United Kingdom, or a national of Switzerland; (b) is seeking (either alone or with others) to acquire a Custom/Self Build Dwelling Plot in the authority's area;</p> <p>(c) will have a primary input into the final design and layout of the relevant Custom/Self Build Dwelling;</p> <p>(e) has the intention of Occupying the relevant Custom/Self Build Dwelling for at least three (3) years from when it is completed; and</p> <p>(f) will Occupy the relevant Custom/Self Build Dwelling as their primary residence;</p>
"Market Dwellings"	means those Dwellings to be provided as part of the Development that are not Affordable Housing Units;
"Marketing Period"	means a period of not less than twelve (12) months;
"Open Market Valuations"	<p>means the amount which could be reasonably expected to be realised in the open market on a sale of a freehold interest in the relevant Custom/Self Build Dwelling Plot if it had been offered for sale unconditionally for cash consideration on the date of valuation assuming:</p> <p>(a) a willing seller and willing buyer; and</p> <p>(b) that no account is taken of any additional bid by a prospective purchaser with a special interest.</p>

13 SELF OR CUSTOM-BUILD PLOT

The Owner covenants with the District Council:

13.1 Unless otherwise agreed in writing with the District Council, to provide no less than 5% of the total number of Dwellings as a Custom/Self Build Dwelling Plots;

13.2 the first sale of each of the Custom/Self Build Housing Plots shall be to an Initial Owner;

13.3 prior to the commencement of marketing of the Custom/Self Build Housing Plots, the Owner shall submit to the District Council for approval:

13.3.1 a proposed Custom/Self Build Dwelling Marketing Scheme

13.3.2 two (2) Open Market Valuations of the Custom/Self Build Housing Plots from independent estate agents or valuers who:

13.3.2.1 operate in the Minster Lovell area; and

13.3.2.2 are either Members of the Royal Institute of Chartered Surveyors or the National Association of Estate Agents;

13.4 Where the District Council does not expressly approve or reject the Open Market Valuations and Custom/Self Build Dwelling Marketing Scheme referred to in Paragraph 13.3 above within fifteen (15) Working Days of receipt of the same then the Open Market Valuations and Custom/Self Build Dwelling Marketing Scheme shall be deemed to be approved on the expiry of the said fifteen (15) Working Day period;

13.5 Where the District Council serves notice on the Owner that it does not approve the Open Market Valuations and/or Custom/Self Build Dwelling Marketing Scheme within fifteen (15) Working Days of receipt of the same then the Owner shall either submit further details for approval and the provisions of 13.4 and this paragraph shall apply to the resubmitted details mutatis mutandis or the matters shall be referred for determination in accordance with this Schedule;

13.6 The commencement of the Marketing Period shall be interpreted as the date stated in the approved Custom/Self Build Dwelling Marketing Scheme but for avoidance of doubt the Marketing Period shall commence no earlier than three months prior to Implementation;

13.7 The Owner covenants not to Occupy more than 80% of the Market Dwellings comprised in the Development until the Custom/Self Build Housing Plots are being marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme;

13.8 If at the end of the Marketing Period the Owner has been unable to sell (through the exchange of contracts for transfer) the Custom/Self Build Housing Plots in accordance with the Custom/Self Build Dwelling Marketing Scheme the Owner may elect for the Custom/Self Build Housing Plots to remain on the open market as Custom/Self Build Housing Plots or may follow the release procedure set out in paragraph 13.9 below;

13.9 If at the end of the Marketing Period the Owner has been unable to sell (through the exchange of contracts for transfer) one or more Custom/Self Build

Housing Plot and the Owner would like to release the unsold plot(s) from the provisions of this Agreement then:

13.9.1 the Owner shall serve written notice on the District Council that it has marketed appropriately the relevant Custom/Self Build Housing Plots for the Marketing Period such notice to include sufficient and suitable evidence to demonstrate that the said plot has been marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme ("**Owner's Notice**")

13.9.2 The District Council shall have twenty one (21) Working Days from the date of the Owner's Notice to decide whether or not that the said plot has been marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme

13.9.3 Within those twenty (21) Working Days referred to in Paragraph 13.9.2 above the District Council may request further information from the Owner in which case the District Council has a further seven (7) Working Days from receipt of that further information to give its decision.

13.9.4 In the event that the District Council does not respond to:

13.9.4.1 the Owner's Notice within twenty one (21) Working Days of the Owner's Notice; or

13.9.4.2 the further information referred to in Paragraph 13.9.3 above within the seven (7) Working Days of the date of receipt thereof;

the relevant plot shall be deemed to have been marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme;

13.9.5 The District Council shall not unreasonably withhold or delay its confirmation as to whether the relevant Custom/Self Build Housing Plots have been marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme;

13.9.6 In the event that the District Council does not consider the relevant Custom/Self Build Housing Plots to have been marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme, the District Council shall provide full written reasons to explain its decision following which the Owner shall either (i) have the option to refer the matter to the Expert for determination where the Owner does not agree with the Council's decision or (ii) agree with the District Council to a further marketing period ~~(for no more~~

~~than 3 months~~) taking into consideration the extent and duration of any marketing undertaken during the Marketing Period and during which time the relevant Custom/Self Build Housing Plots shall be marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme;

13.9.7 In the event that the District Council confirms (or as determined by the Expert) that the relevant Custom/Self Build Housing Plots have been marketed in accordance with the approved Custom/Self Build Dwelling Marketing Scheme in accordance with either paragraphs 13.9.2, 13.9.4 or 13.9.6 then the Owner shall be released from its obligations for the relevant Custom/Self Build Housing Plots to be provided as such and shall be free to deal with the relevant Custom/Self Build Housing Plots as it sees fit (subject to obtaining any necessary planning permission) and the relevant Custom/Self Build Housing Plots shall be released from the terms of this Agreement;

13.10 The Owner further covenants with the District Council to undertake preparatory site works up to the boundary of the Custom/Self Build Housing Plots to enable it to be transferred (or otherwise disposed of) as Fully Serviced;

13.11 In the event of a disposal of the Custom/Self Build Housing Plots to an Initial Owner, the Owner will notify the District Council in writing within 28 days of such Disposal the said details to include

13.11.1 the location of the relevant Custom/Self Build Housing Plot;

13.11.2 the terms of the disposal including the sale price;

13.11.3 confirmation the Initial Owner will have a primary input into the final design and layout of the Custom/Self Build Dwelling; and

13.11.4 confirmation the Initial Owner has the intention of Occupying the Custom/Self Build Dwelling as their primary residence for at least three (3) years from when it is Completed.

THIRD SCHEDULE
DISTRICT COUNCIL CONTRIBUTIONS

1. DEFINITIONS

In this Schedule the following additional definitions shall apply (for the avoidance of doubt any definition which does not appear below shall be given the meaning allocated to it in the main body of this Deed):-

Expression	Meaning
“Care Board”	means the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board or any other successor body undertaking the same functions
“Care Provision Contribution”	means a contribution of one hundred and fifteen thousand seven hundred and seventy six pounds (£115,776.00) Index Linked for utilisation by the Care Board for the alteration of existing surgeries or capital projects to existing surgeries at Bampton Surgery, Broadshires Health Centre, Burford Surgery, Charlbury Surgery or at Windrush Health Centre
“Index Linked”	means the calculation of any financial contribution (upwards only) between the date of this Deed and the quarter period in which payment is due to the District Council in the BCIS All in One Tender Price Index published by the Royal Institution of Chartered Surveyors or any successor organisation
“Outdoor Pitch Provision Contribution”	means a contribution of two hundred and thirty nine thousand eight hundred and sixty pounds (£239,860.00) Index Linked for the upgrading of existing or provision of new outdoor sports pitches within the vicinity of the Development

Expression	Meaning
“Sport Hall Provision Contribution”	means a contribution of sixty five thousand five hundred and eighty eight pounds (£65,588.00) Index Linked for the upgrading of existing or provision of new sports halls within the vicinity of the Development
“Swimming Pool Provision Contribution”	means a contribution of seventy two thousand five hundred and nineteen pounds (£72,519.00) towards the upgrading of existing or provision of new swimming pools within the vicinity of the Development Index Linked
“Village Hall Contribution”	means a contribution of four hundred thousand pounds (£400,000.00) Index Linked towards the provision of a new village hall at the Parish of Minster Lovell

2. The Owner covenants with the District Council that they will:

- 2.1 pay to the District Council the Care Provision Contribution prior to the Commencement of Development;
- 2.2 pay to the District Council 50% of the Outdoor Pitch Provision Contribution prior to the Occupation of 50% of the Dwellings;
- 2.3 pay to the District Council the remaining 50% of the Outdoor Pitch Provision Contribution prior to the Occupation of 75% of the Dwellings;
- 2.4 pay to the District Council 50% of the Sport Hall Provision Contribution prior to the Occupation of 50% of the Dwellings;
- 2.5 pay to the District Council the remaining 50% of the Sport Hall Provision Contribution prior to the Occupation of 75% of the Dwellings;

2.6 pay to the District Council 50% of the Swimming Pool Provision Contribution prior to the Occupation of 50% of the Dwellings;

2.7 pay to the District Council the remaining 50% of the Swimming Pool Provision Contribution prior to the Occupation of 75% of the Dwellings;

2.8 pay to the District Council 50% of the Village Hall Contribution prior to the Occupation of 50% of the Dwellings;

2.9 pay to the District Council the remaining 50% of the Village Hall Contribution prior to the Occupation of 75% of the Dwellings.

FOURTH SCHEDULE

FINANCIAL CONTRIBUTIONS PAYABLE TO THE COUNTY COUNCIL

1. DEFINITIONS

- 1.1 In this Schedule the following additional definitions shall apply (for the avoidance of doubt any definition which does not appear below shall be giving the meaning allocated to it in the main body of this Deed):

Expression	Meaning
“Approval (Initial)”	means the approval of a Qualifying Application which first establishes the Composition of the Development
“Approval (Variation)”	means any approval (further to an application for approval of reserved matters or approval of a non-material change to a Qualifying Permission, the Planning Permission or otherwise) which alters the Composition of the Development as established further to the Approval (Initial) or as applicable preceding Approval (Variation)
Bedroom	<p>means a room in a Dwelling designed as a bedroom or study/ bedroom and</p> <ul style="list-style-type: none">• 1 Bed Dwelling means a Dwelling with 1 Bedroom• 2 Bed Dwelling means a Dwelling with 2 Bedrooms• 3 Bed Dwelling means a Dwelling with 3 Bedrooms• 4 Bed Dwelling means a Dwelling with 4 or more Bedrooms
Composition of the Development	means the aggregate number of Dwellings comprised in the Development and the number of each Dwelling type classified by reference to the number of Bedrooms in the Dwelling
Education Payment	means any instalment of the Primary Education Contribution, the Secondary Education Contribution and the SEN Contribution due to be paid pursuant to paragraph 2 of this Schedule;

Expression	Meaning
Education Contribution	means together the Primary Education Contribution, the Secondary Education Contribution and the SEN Contribution
Index Linked	<p>means in relation to</p> <ul style="list-style-type: none"> the Public Transport Contribution adjusted according to any increase occurring between December 2021 and the date when the relevant payment is made to the County Council in the all Items Retail Prices Index excluding mortgage interest payments (RPIX) published by the Office of National Statistics.; and the Travel Plan Monitoring Contribution adjusted according to any increase occurring between April 2023 and the date when the relevant payment is made to the County Council in the all Items Retail Prices Index excluding mortgage interest payments (RPIX) published by the Office of National Statistics.; and the Education Contribution and any payments made in accordance with paragraph 4.1 below adjusted according to any increase occurring between index value 327 and the index value for the quarter period in which the contribution is paid in the BCIS All in-Tender Price Index published by the Royal Institution of Chartered Surveyors or if at any time for any reason it becomes impracticable to use any such index such alternative index as may be agreed between the Owner and the County Council
Matrix	<p>means the formula:</p> $£(A \times W) + (B \times X) + (C \times Y) + (D \times Z)$ <p>When</p> <p>A means the number of 1 Bed Dwellings</p> <p>B means the number of 2 Bed Dwellings</p>

Expression	Meaning
	<p>C means the number of 3 Bed Dwellings</p> <p>D means the number of 4 Bed Dwellings</p> <p>W, X, Y and Z are as set out in the table in Annex 1 to this Schedule</p>
Notification (Initial)	means written notification of the Approval (Initial) containing a copy of that approval and details of the Composition of the Development established by that approval
Notification (Variation)	means written notification of an Approval (Variation) containing a copy of that approval and details of the Composition of the Development established applying that approval
Primary Education Contribution	<p>means the sum determined in accordance with paragraph 5 of this Schedule Index Linked towards primary education capacity serving the Site payable in two instalments as follows:</p> <ul style="list-style-type: none"> • Primary Education Instalment 1 being 50% Index Linked of the Primary Education Contribution and • Primary Education Instalment 2 being the remaining 50% Index Linked of the Primary Education Contribution
Public Transport Contribution	means the sum of one hundred and fifty one thousand eight hundred and twenty two pounds (£151,822) Index Linked towards maintaining and improving the bus services serving Minster Lovell and the Site
Qualifying Application	an application for reserved matters approval pursuant to the Planning Permission or a Section 73 Application or an application for full planning permission
Qualifying Permission	a reserved matters approval or planning permission issued pursuant to a Qualifying Application as may from time to

Expression	Meaning
	time be amended by the approval of a non-material amendment pursuant to Section 96A of the Act
Revised Education Contribution	means the sum calculated by applying the Composition of the Development as identified in the Notification (Variation) to Matrix where this is higher than the Education Contribution or in the event that there is more than one Approval (Variation) the Revised Education Contribution means the sum calculated by applying the Composition of the Development established further to the later Approval (Variation) to the Matrix if that sum is higher than the previous sum calculated by reference to the earlier Approval (Variation)
Secondary Education Contribution	means the sum determined in accordance with paragraph 5 of this Schedule Index Linked towards secondary education capacity serving the Site payable in two instalments as follows: <ul style="list-style-type: none"> • Secondary Education Instalment 1 being 50% Index Linked of the Secondary Education Contribution and • • Secondary Education Instalment 2 being the remaining 50% Index Linked of the Secondary Education Contribution
SEN Contribution	means the sum determined in accordance with paragraph 5 of this Schedule Index Linked towards special education capacity serving the Site
“Single Phase”	means a Qualifying Application for not less than 130 Dwellings
Travel Plan Monitoring Contribution	means the sum of one thousand eight hundred and ninety pounds (£1,890) Index Linked towards the cost of monitoring the travel plan for the Development

Expression

Meaning

2. COVENANTS

The Owner covenants with the County Council as follows:

- 2.1 to pay the Public Transport Contribution and the Travel Plan Monitoring Contribution and Primary Education Instalment 1 and Secondary Education Instalment 1 to the County Council prior to first Occupation of any Dwelling; and
- 2.2 not to cause or permit the first Occupation of any Dwelling until it has paid the Public Transport Contribution and the Travel Plan Monitoring Contribution and Primary Education Instalment 1 and Secondary Education Instalment 1 to the County Council
- 2.3 to pay Primary Education Instalment 2 and Secondary Education Instalment 2 and the SEN Contribution and the Household Waste Recycling Contribution to the County Council prior to first Occupation of more than 50 Dwellings; and
- 2.4 not to cause or permit the first Occupation of more than 50 Dwellings until it has paid Primary Education Instalment 2 and Secondary Education Instalment 2 and the SEN Contribution and the Household Waste Recycling Contribution to the County Council

3. OWNER'S COVENANTS (NOTIFICATION AND ASSESSMENT)

3.1 The Owner covenants with the County Council as follows:-

- 3.1.1 to give to the County Council the Notification (Initial) within 14 days of the issue of the Approval (Initial)
- 3.1.2 not to cause or permit Commencement of the Development until the Notification (Initial) has been given to the County Council
- 3.1.3 to give to the County Council a Notification (Variation) within 14 days of the issue of each Approval (Variation)

3.1.4 where a Notification (Variation) has been given (or is required to be given further to clause 3.1.3) and the relevant Approval (Variation) results in the establishment of a Revised Education Contribution then

(a) for the purposes of calculating any Education Contribution which will payable subsequent to the date of issue of the relevant Approval (Variation) the Revised Education Contribution shall be applied in place of the Education Contribution

(b) there shall be calculated the difference between the Education Contribution paid prior to the issue of the relevant Approval (Variation) and the amount that such Education Contribution would have been if it had been calculated by reference to the Revised Education Contribution (disregarding index linking)

4. COVENANTS – PAYMENT (ADDITIONAL COVENANT)

4.1 The Owner covenants with the County Council to pay to the County Council any sum or sums (as the case may be) calculated further to paragraphs 3.1.4(b) Index Linked with the next Education Payment subsequent to the date of grant of the relevant Approval (Variation) or if all the Education Payments have been paid to pay such sum Index Linked within 14 days of the grant of the Approval (Variation)

5. DETERMINATION OF THE EDUCATION CONTRIBUTION

5.1 The Owner covenants with the County Council that

5.1.1 in the event that the Dwellings comprised in the Development are brought forward in a Single Phase as part of a Qualifying Application then;

(a) the Primary Education Contribution shall be sum calculated by applying the Matrix to the Composition of the Development as identified in that Qualifying Application where W,X, Y and Z are the Primary figures set out in the first line of the table at Annex 1 of this Schedule and

- (b) the Secondary Education Contribution shall be sum calculated by applying the Matrix to the Composition of the Development as identified in that Qualifying Application where W, X, Y and Z are the Secondary figures in the second line of the table at Annex 1 of this Schedule
- (c) the SEN Contribution shall be sum calculated by applying the Matrix to the Composition of the Development as identified in that Qualifying Application where W, X, Y and Z are the SEN figures in the third line of the table at Annex 1 of this Schedule

5.1.2 in the event that the Dwellings comprised in the Development are not brought forward in a Single Phase then:

- (a) the Primary Education Contribution shall be the sum of seven hundred and fifty five thousand one hundred and twenty pounds (£755,120)
- (b) the Secondary Education Contribution shall be the sum of eight hundred and five thousand seven hundred and fifty two pounds (£805,752)
- (c) the SEN Contribution shall be the sum of seventy one thousand seven hundred and ninety three pounds (£71,793)

ANNEX 1

	<u>1 Bed</u>	<u>2 Bed</u>	<u>3 Bed</u>	<u>4 + Bed</u>
Primary	£0.00	£5,293.78	£6,995.35	£7,373.48
Secondary	£0.00	£5,428.55	£7,496.57	£8,272.08
SEND	£0.00	£494.71	£666.34	£716.82
TOTALS	W= £0.00	X=£11,217.04	Y=£15,158.26	Z=£16,362.38

FIFTH SCHEDULE

HIGHWAYS SCHEDULE

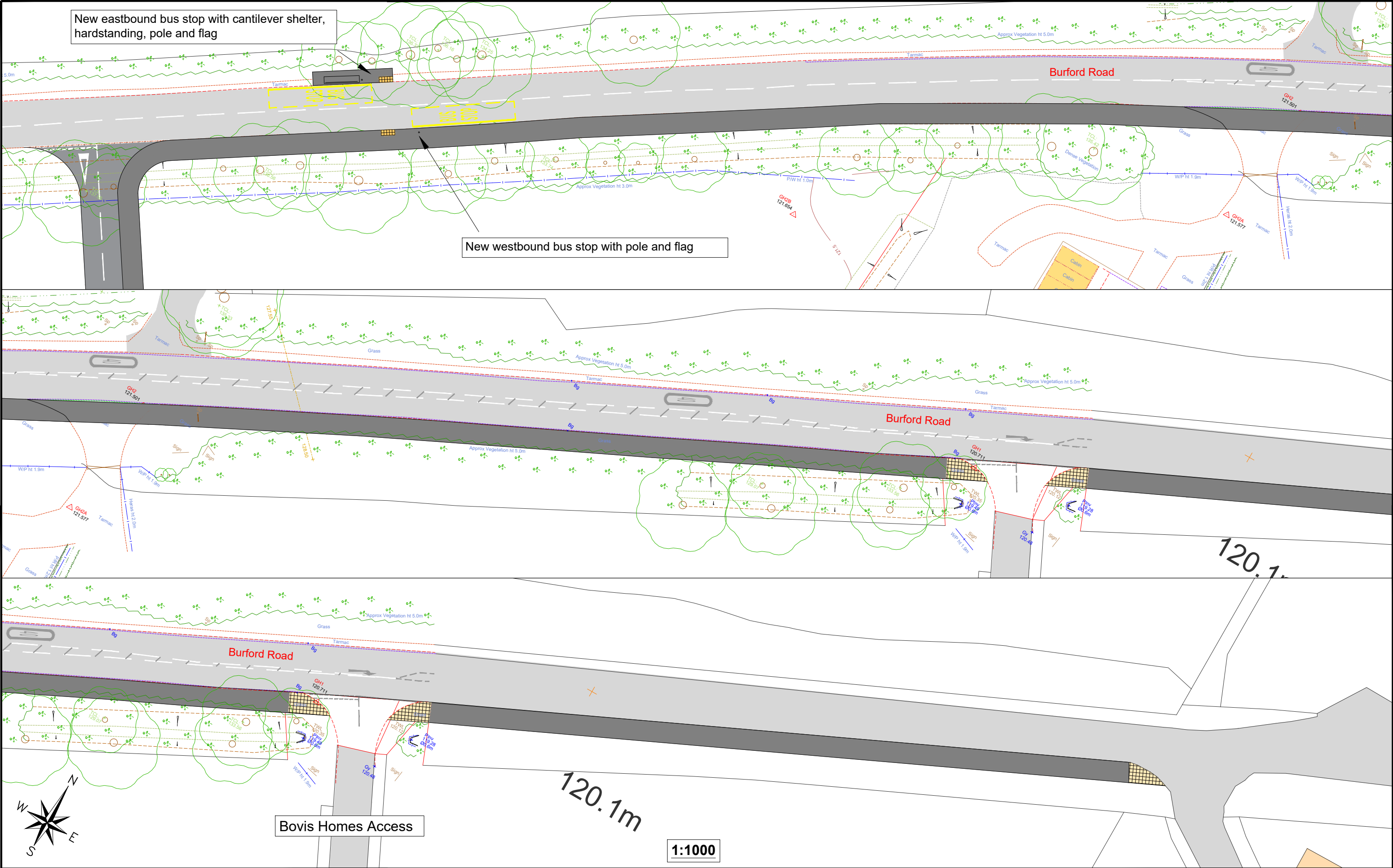
PART 1

1. DEFINITIONS

- 1.1 In this Schedule the following additional definitions shall apply (for the avoidance of doubt any definition which does not appear below shall be giving the meaning allocated to it in the main body of this Deed):

Expression	Meaning
the 1980 Act	means the Highways Act 1980 (as amended)
Highway Agreement	means an agreement under Section 278 (and if appropriate section 38) of the 1980 Act in accordance with the Council's standard form as at the date of the agreement which provides for the execution of the Works by the Owner at the Owner's expense.
Works Plans	means the drawing reference number 23178-02-2_REV_B (entitled 'Proposed 3m Shared Footway/Cycle) and 23178-02-1 REV B (entitled 'Proposed Site Access') attached to this Deed
Works	means the principal works being items 1(a), 1(b) and 1(c) as set out in Part 2 of this Schedule (together with associated preparatory and ancillary works and the amenity and accommodation works set out in Part 3 of this Schedule)

- 1.2 The Works are works which the County Council is authorised to execute by virtue of Part V of the 1980 Act
- 1.3 The parties intend to enter into the Highway Agreement



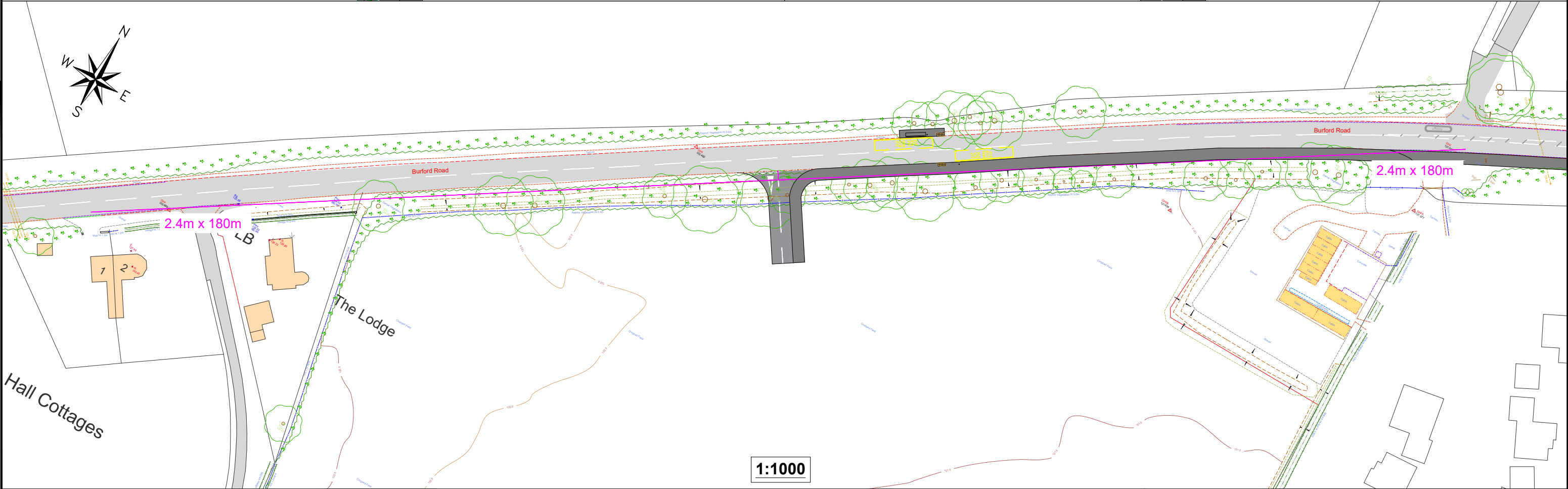
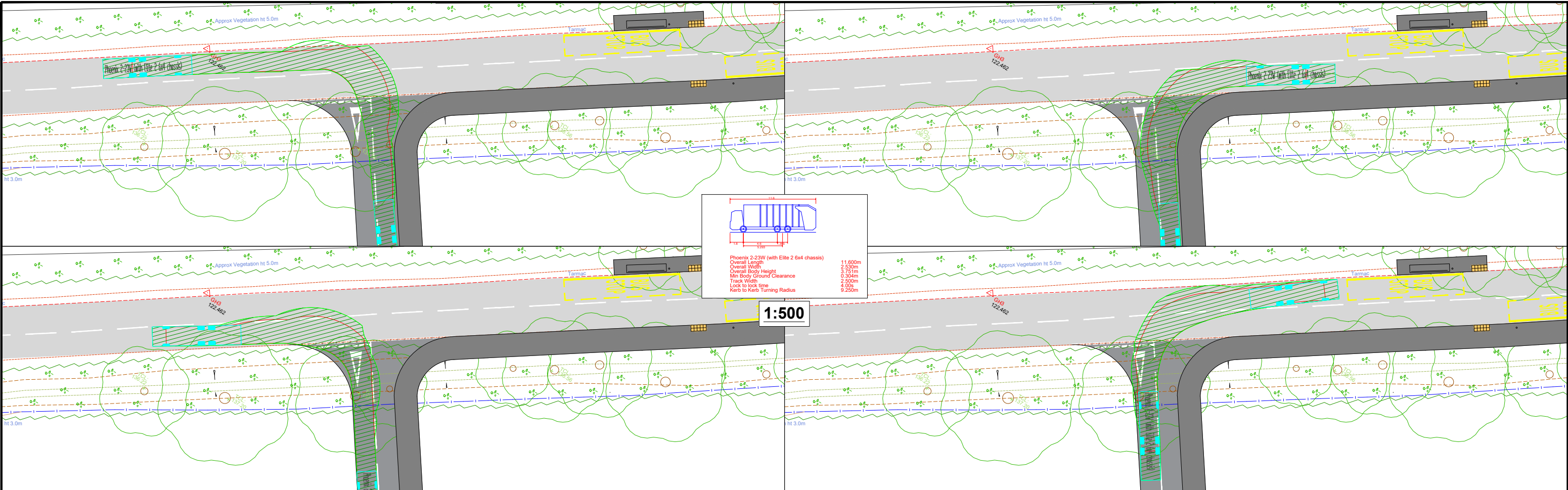
Based upon the ORDNANCE SURVEY MAPS with the permission of THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE
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REV	DESCRIPTION	DRAWN	INITIALS	DATE

Forester House, Doctors Lane,
Henley in Arden, Warwickshire B95 5AW
Tel: +44(0)1564 793598
Fax: +44(0)1564 793983
www.dtatransportation.co.uk

JOB TITLE		CLIENT	
Burford Road, Minster Lovell		Catesby	
DRAWING TITLE			
Proposed 3m Shared Footway/ Cycleway			
SCALE	DRAWN BY	DATE	REVISION
1:500@A3	DN	Jan 24	B

DRAWING No 23178-02-2



2. WORKS OBLIGATIONS

2.1 The Owner covenants with and undertakes to the County Council not to cause or permit the Commencement of the Development until:

2.1.1 there has been submitted to the County Council and approved by it in writing in principle drawings for the Works together with associated drawings and technical information as set out in the County Council's Section 278 application form as adjusted from time to time;

2.1.2 there has been submitted to the County Council and approved by it in writing plans detailing the land (if any) to be dedicated following completion of the Works and there has been deduced to the satisfaction of the County Council title in respect of any such land to be dedicated;

2.1.3 The anticipated duration of construction of the Works has been agreed with the County Council together with the longstop date for completion of the Works and commuted maintenance sum in respect of the cost of future maintenance, and as applicable replacement of the Works, has been agreed; and,

2.1.4 a Highways Agreement incorporating in principle drawings and plans and other matters approved and agreed pursuant to paragraphs 2.1.1 to 2.1.3 has been entered into by the Owner in respect of the Works together with all parties with an interest in any land to be dedicated further to the Highways Agreement and any mortgagee of such land has released it fully and effectively from its charge.

2.2 Not to cause or permit the Commencement of the Development unless and until item 1(a) of the Works has been completed pursuant to and in accordance with the Highway Agreement

2.3 Notwithstanding the terms of paragraph 2.2 above not to cause or permit the first Occupation of any building/Dwelling on the Site until item 1(a) of the Works has been completed pursuant to and in accordance with the Highway Agreement

2.4 Not to cause or permit the first Occupation of any Dwelling on the Site unless and until the items 1(b) and 1(c) of the Works have been completed pursuant to and in accordance with the Highway Agreement;

PART 2 THE WORKS

(1) PRINCIPAL WORKS

The provision and construction of the following works as shown indicatively on the Works Plans ("the Principal Works"):

- a) new site access junction with the B4047 Burford Road
- b) new 3m wide footway/cycleway on the southern side of Burford Road between the Site and Upper Crescent
- c) two new bus stops with one bus stop on either side of Burford Road to include new shelter and (ducting for) real time information unit

PART 3

SUPPLEMENTAL WORKS

(2) PREPARATORY AND ANCILLARY WORKS

The provision and construction of all such preparatory and ancillary works (or in the case of existing works or features necessarily affected by any part of the Principal Works such alteration thereof) as the Council shall consider requisite for the proper construction and functioning of the Principal Works including:-

- a) all earthworks and other things necessary to prepare the site and provide proper support for the Principal Works
- b) all culverts ditches and other things necessary to ensure the satisfactory movement of surface water
- c) all gullies channels grips drains sewers and other things necessary for the permanent drainage of the Principal Works
- d) all ducts cables columns lamps and other things necessary for the permanent lighting of the Principal Works and the illumination of traffic signs

- e) all kerbs islands verges and reservations including the grading and seeding of grassed areas
- f) all measures necessary to ensure visibility for drivers at any bend or junction
- g) all traffic signs road markings bollards and safety barriers
- h) all tapers joints and reinstatements necessary where the Principal Works abut the existing highway

(3) AMENITY AND ACCOMMODATION WORKS

The provision and construction of all such amenity and accommodation works as the County Council shall consider requisite for the protection of the local environment and private and public rights and property in consequence of the Principal Works including:-

- (a) any earth bunds and/or planting necessary to screen the Principal Works
- (b) all fences gates hedges and other means of separation of the Principal Works from adjoining land
- (c) any necessary alteration of any private access or private or public right of way affected by the Principal Works
- (d) any necessary embankments retaining walls or other things necessary to give support to adjoining land

SIXTH SCHEDULE

DISTRICT COUNCIL'S COVENANTS WITH THE OWNER

REPAYMENT OF CONTRIBUTIONS

1. The District Council covenants with the Owner to use the Outdoor Pitch Provision Contribution the Sport Hall Provision Contribution the Swimming Pool Provision Contribution and the Village Hall Contribution received from the Owner under the terms of the Third Schedule to this Deed for the purposes specified in this Deed for which they are to be paid or for such other purposes for the benefit of the Development as the Owner and the District Council shall agree.
2. The District Council further covenants with the Owner that within 14 days of receipt of a written request from the Care Board to forward the Care Provision Contribution to the Care Board.
3. The District Council covenants with the Owner that following written request from the person who made the relevant payment the District Council will repay to that person the balance (if any) of the Care Provision Contribution (where such contribution has not been forwarded to the Care Board in accordance with paragraph 2 above), Outdoor Pitch Provision Contribution the Sport Hall Provision Contribution the Swimming Pool Provision Contribution and the Village Hall Contribution made by that person to the District Council under the terms of the Third Schedule to this Deed in accordance with the provisions of this Deed which has not been expended or committed at the date of such written request together with interest which has accrued on the balance after deduction of tax where required and any other sum required to be deducted by law provided always that no such request will be made prior to the expiry of ten years of the date of receipt by the District Council of such payment. Any contribution or part of a contribution which the District Council has contracted to expend prior to the date of receipt of such request shall be deemed to have been expended by the District Council prior to that date. Any payment or part thereof which the District Council has contracted to expend prior to the date of receipt of such request shall be deemed to have been committed by the District Council prior to that date

4. The District Council shall provide to the Owner such evidence as the Owner shall reasonably require in order to confirm the expenditure of the sums paid under the terms of this Deed upon a written request by the Owner such request not to be made more than once in any year.

DISCHARGE OF OBLIGATIONS

5. At the written request of the Owner, the District Council shall provide written confirmation of the discharge of the obligations contained in this Deed when satisfied that such obligations have been performed.

SEVENTH SCHEDULE

PUBLIC OPEN SPACE

1. DEFINITIONS

In this Schedule the following additional definitions shall apply (for the avoidance of doubt any definition which does not appear below shall be giving the meaning allocated to it in the main body of this Deed):

Expression	Meaning
"Final Completion Certificate"	means a certificate issued by the District Council confirming final completion of the laying out, landscaping and equipping of the Open Space in accordance with the relevant scheme or specification approved pursuant to this Deed and the making good of all defects and completion of the Maintenance Period to the District Council's reasonable satisfaction
"Index Linked"	means adjusted according to the fluctuations between the date of this Deed and the quarter period in which payment is due to the District Council in the BCIS All in one Tender Index (or such other item reference as may from time to time replace the item reference) published by the Office for National Statistics or any successor ministry or department of government or any such alternative index or comparable measure of price inflation as the Owner and the District Council may agree in writing
"Informal Open Space"	means areas of informal open space to be provided on the Development as identified within any Qualifying Permission
"Maintenance Period"	means a period of twelve (12) months following the issue by the District Council of a Practical Completion Certificate

Expression	Meaning
“Management Company”	<p>means a body established by the Owner to carry out the long term management and maintenance of any of the Open Space to be managed by it in accordance with the provisions of this Deed and whose objectives shall include (but not be limited to):-</p> <ul style="list-style-type: none"> • Setting the level of charges for funding the running of the body and collecting such charges; • Ensuring accountability to residents of the Development;
“Management Company Structure Scheme”	<p>means a scheme that addresses the following in relation to the Management Company;</p> <ul style="list-style-type: none"> • Details of the proposed constitution of the Management Company which shall be a private company limited by shares or guarantee or such other formal governance arrangements as may be approved in writing by the District Council; • Proposed banking arrangements for the Management Company; • Details of and arrangements for maintenance of such insurances as shall be appropriate in respect of the use of any of the Open Space managed by the Management Company and against damage to those comprehensive risks as are reasonable to insure against in the circumstances then prevailing;
"Open Space"	<p>means the areas within the Site to be provided for recreation and amenity space and which is to be retained and</p>

Expression**Meaning**

maintained as open space to serve the Development in accordance with the provisions of this Schedule and which shall include the Informal Open Space;

"Open Space Scheme"

means a scheme for the provision, laying out, landscaping and equipping (as appropriate) of the Open Space to be submitted to the District Council for approval in accordance with paragraph 1.1 below which shall include:

- (1) details of the locations of any Open Space to which the respective scheme relates; and
- (2) a timetable for carrying out the works and the planting comprised in the laying out landscaping of the Open Space to which the respective scheme relates

"Practical Completion Certificate"

means a certificate issued by the District Council confirming the practical completion of the laying out, landscaping and equipping of the land in question in accordance with the relevant scheme or specification approved pursuant to this Deed

2. OPEN SPACE

The Owner covenants with the District Council that they will:

- 2.1 not Occupy any Dwellings within the Development until there has been submitted in writing to and approved in writing with the District Council the Open Space Scheme FOR THE AVOIDANCE OF DOUBT such approval by the District Council may be through the discharge of a condition of the Planning Permission or a Qualifying Permission including the approval of Reserved Matters;

- 2.2 construct lay out and seed the Open Space, in accordance with the approved Open Space Scheme;
- 2.3 plant the Open Space in accordance with the Open Space scheme during the next planting season following the completion of the Development (including the construction, laying out and seeding of the Open Space);
- 2.4 not at any time use the Open Space or cause or permit the Open Space to be used for any purpose other than as public open space land (PROVIDED THAT the words "any other purpose" shall not prevent the use of the subsoil of the Open Space for the laying of services or for the storage of materials (including during the construction period), the parking of cars and/or any other vehicles associated with the construction period or use of the Open Space or the reservation of any necessary rights of access over the Open Space to any adjoining land) and for the avoidance of doubt, the provision of public access to the Open Space shall not be an indication of intention to dedicate the land as open space maintainable at the public expense;
- 2.5 Unless otherwise agreed with the District Council, will not cause or permit the Occupation of more than 75% of the Dwellings until the Practical Completion Certificate has been issued for the Open Space;
- 2.6 Notify the District Council upon completion of the Open Space and invite the District Council to inspect the Open Space within 21 days of receipt of the invitation and shall within the 21 days with a view to either issue a Practical Completion Certificate OR issue a notice (Defects Notice) which states the Open Space has not been provided in accordance with the Open Space Scheme to the District Council's reasonable satisfaction and set out details of the work required to reach that standard
- 2.7 Reasonably endeavour to complete the works specified in the Defects Notice (if any) as soon as reasonably practical and in and in any event no longer than 8 weeks from receipt of a Defects Notice (or such longer period as may be agreed by the District Council) and then invite the District Council to re-inspect the Open Space within 21 days of receipt of the further invitation and shall within the 21 days with a view to either issue a Practical Completion Certificate

OR issue a further Defects Notice which states the Open Space has not been provided in accordance with the Open Space Scheme to the District Council's reasonable satisfaction and set out details of the work required to reach that standard and the provisions of this paragraph shall continue to apply until such time as the District Council issues a Practical Completion Certificate

- 2.8 maintain the Open Space to the reasonable satisfaction of the District Council for the Maintenance Period or until the transfer of the Open Space to the Management Company has completed whichever is the sooner
- 2.9 provide an unrestricted right of access for the general public to the Open Space at all reasonable times following the issue of the Practical Completion Certificate for those areas save as necessary to carry out maintenance and in the interests of health and safety; and
- 2.10 at all reasonable times and upon reasonable notice permit the District Council's officers servants and agents to enter onto any necessary part of the Site for the purpose of inspecting the Open Space upon those officers first giving reasonable notice and complying with all necessary and reasonable health and safety requirements whilst on Site.
- 2.11 Notify the District Council upon expiry of the Maintenance Period and invite the District Council to inspect the Open Space within 21 days of receipt of the invitation and shall within the 21 days with a view to either issue a Final Completion Certificate OR issue a Defects Notice which states the Open Space has not been provided to the District Council's reasonable satisfaction and set out details of the work required to reach that standard.
- 2.12 Upon completion of the Maintenance Period and the issuing of the Final Completion Certificate to continue to maintain the area of Open Space until its transfer to the Management Company such transfer to be with full title guarantee, vacant possession on completion and free unrestricted rights of access for the general public at all reasonable times;

3.MANAGEMENT COMPANY

3.1 Where any of the Open Space is to be managed and maintained by the Management Company in accordance with the terms of this Schedule the Owner will:

3.1.1 prior to any transfer of the Open Space to the Management Company, submit in writing to the District Council and gain written approval from the District Council to the Management Company Structure Scheme and not to cause permit or allow the transfer of the Open Space prior to having received written approval from the District Council of the details of the Management Company Structure Scheme; and

3.1.2 Upon approval of the Management Company Structure Scheme, the Owner will establish the Management Company in accordance with the approved Management Company Structure Scheme.

3.1.3 In the event that the Management Company fails to maintain the Open Space that is transferred to it or the Management Company goes into liquidation or otherwise ceases to exist where a replacement Management Company is not immediately put in place, the District Council may enter on to the relevant area of any of the Open Space together with relevant personnel and equipment to ensure the performance of the obligations contained in the covenants contained in this Schedule and/or carry out any works it considers reasonably necessary to maintain or make good any defect or damage or reinstate the relevant area of any of the Open Space (that has been transferred to the Management Company) and shall be entitled to full reimbursement by the Management Company of all costs and expenses incurred in performing the said obligations. In the event the Management Company does not have adequate funds to cover these works in default, the District Council shall be entitled to recover such costs and expenses from the owner for the time being of the Open Space or and any successor in title thereto including (notwithstanding clause 9.9) individual owners of Dwellings required to contribute to the

Management Company. The District Council shall not be entitled to take action under this paragraph nor recover reimbursement unless the District Council before taking action to enforce any of the terms of this Schedule shall have given at least two month's written notice to the Management Company stating the nature of the breach, the steps required to remedy the breach, and a reasonable time period for remedying the breach and shall afford the Management Company the opportunity to remedy the breach in accordance with the steps and time period in the written notice.

EIGHT SCHEDULE

COUNTY COUNCIL'S COVENANTS WITH THE OWNER

APPLICATION OF MONIES RECEIVED

1. The County Council shall not apply any of the contributions referred to in the Fourth Schedule for any purpose other than as set out in the definition of each contribution therein in such form and at such time as the County Council shall in its discretion decide or for such other purposes for the benefit of the Development as the Owner and the County Council shall agree in writing

REPAYMENT

2. Following written request from the person who made the relevant contribution the County Council will repay to that person the balance (if any) of such contribution which at the date of the receipt of such written request has not been expended together with interest which has accrued on the balance after deduction of tax where required and any other sum required to be deducted by law provided always that no such request shall be made prior to the expiry of 10 years from the due date for payment of the contribution or the date of receipt by the County Council of the last instalment of any such contribution (whichever is the later).
3. Any contribution or part of a contribution which the County Council has committed to expend prior to the date of receipt of such request shall be deemed to have been expended by the County Council prior to that date.
4. The County Council shall provide to the Owners and/or the Promoter such evidence, as the Owners shall reasonably require in order to confirm the expenditure of the sums paid by the Owners and/or the Promoter to the County Council under this Deed upon receiving a written request from the Owner and/or the Promoter such request not being made more than once in any year.

THE COMMON SEAL of THE)

OXFORDSHIRE COUNTY COUNCIL)

was affixed to this Deed)

in the presence of:-)

Director of Law & Governance/
Authorised Officer

THE COMMON SEAL of WEST)

OXFORDSHIRE DISTRICT COUNCIL)

was affixed to this Deed in the)

presence of:-)

Director

Secretary

Executed as a deed by **CATESBY
STRATEGIC LAND LIMITED** acting by a
director and a director or its secretary

.....
Signature of, Director

.....
Signature of, Director/Secretary

Executed as a deed by

PHILIP ERIC KINCH

in the presence of:

Signature of Witness:

Name of Witness:

Address of Witness:

Occupation of Witness:

Executed as a deed by

ALAN ROY KINCH

in the presence of:

Signature of Witness:

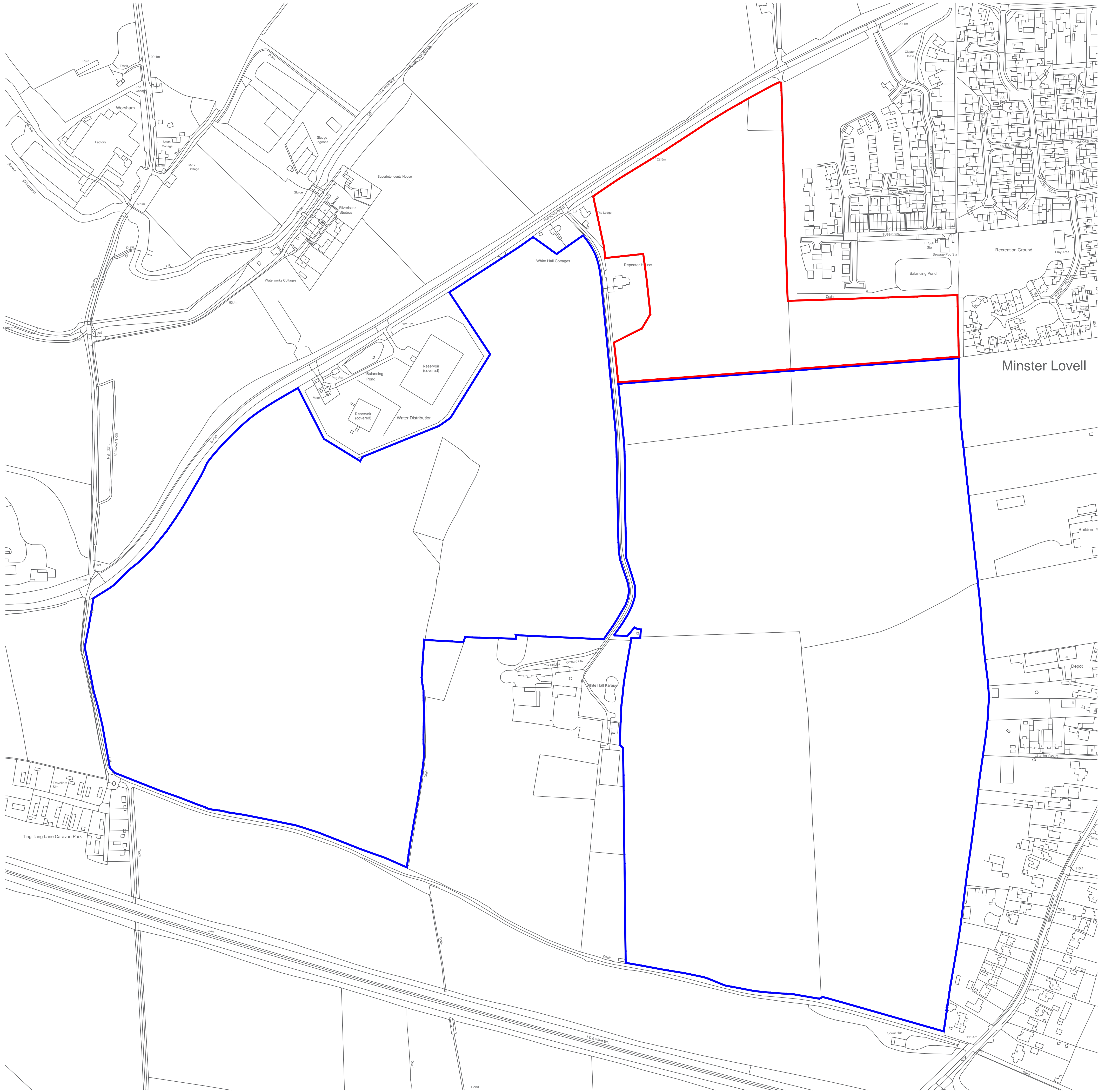
Name of Witness:

Address of Witness:

Occupation of Witness:

APPENDIX 1

SITE LOCATION PLAN



LEGEND

Site Boundary - 8.54Ha / 21.10 Ac

Other Land in Applicants Control - 64.66Ha / 159.78 Ac

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a	11/11/2022	land owner advised blue line boundary amendment	AKP
Rev:	Date:	Description:	Initial:
Project:			
Land South of Burford Road Minster Lovell			
Drawing:			
16b - Site Location Plan			
Scale:			Drawn:
1:2,500 @ A1			AKP
Date:			Checked:
17/10/2022			--

APPENDIX 2

ADMIN & MONITORING FEES

Annex

Admin Fees for period 1st April 2023 to 31st March 2024

Approved by Cabinet 24th January 2023

Aggregate amount of contributions secured in S106	Up to £10,00	£10K - £25K	£25,001 - £50K	£50,001 - £150K	£150,001 - £500K	£500,001 - £1m	£1,000,001 - £2m	Over £2m
Administration and Monitoring Fee	£130	£320	£635	£1,910	£4,700	£6,350	0.8% of aggregate contribution amount	£16K + 0.08% of any amount over £2m

Appendix A2

**Email from Murry Burnett,
the District Council's Strategic Housing & Development Officer,
to Chris Wood dated 2 January 2024,
relating to the current position of the CSBH Register**



Chris Wood

From: Murry Burnett
Sent: 02 January 2024 13:38
To: Chris Wood
Subject: self custom build info

Hi Chris
Hope this helps.

Figures for ‘Total expressing Witney or Hailey’ column will include applicants that have also stated other settlements (common).

The separated individual totals for Witney and Hailey will include crossover between the settlements

I think this shows that applicants who have expressed Hailey will pretty much have stated Witney too.

(Part 1 - We are only required to grant sufficient planning permissions for serviced plots to meet the demand from this part of the register.)

	Total register			
Part 1 applicants	365			
Part 2 applicants	139			
		Total expressing Witney and Hailey	Total Witney	Total Hailey
Part 1 applicants		188	179	98
Part 2 applicants		72	70	41

Murry Burnett
Strategic Housing & Development Officer



ENHANCED
LEVEL AWARD

Appendix A3

**Memo from Rachel Biles, Strategic Projects Lead (Leisure) at
West Oxfordshire District Council
to Chris Wood, the LPA's Senior Planning Appeals Officer
dated 16 June 2023,
relating to the basis of calculation of
the contributions requested towards Formal Sporting Facilities
(Sports Hall, Swimming Pool and Outdoor Pitch provision)**

West Oxfordshire District Council
MEMORANDUM

From: WODC – Leisure and Sports Facilities

Leisure
Woodgreen
Witney
Oxon

To: David Ditchett

Principal Planner
david.ditchett@westoxon.gov.uk

CONSULTATION RESPONSE

Date: AMENDED 16.6.23

APPLICATION NO:	22/03240/OUT
PROPOSAL:	Outline planning permission for the development of up to 134 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved.
LOCATION:	Land South Of Burford Road Minster Lovell
APPLICANT:	Catesby Strategic Land Limited

After reviewing this application, in line with the Council's Facility Planning Models (FPM) for sports halls and swimming pools (conducted by Sport England in June 2021) and the Playing Pitch Strategy (2022) should this proposal be granted planning permission then the Council would require an off site contribution towards leisure and sports facilities in the catchment area.

134 new homes in the LA area is estimated to generate a population of 322 people (using the average household size for the area of 2.4).

Sports Hall provision

There are six sports halls within Sport England's 20 minute drive time catchment area to Minster Lovell, although of these four relate to educational stock, the nearest is Windrush Leisure Centre which is classified as aging stock and is also nearing Sport England's recommended capacity of 80%, at 71% and second is Carterton Leisure Centre which is at 65% capacity.

With the additional 134 dwelling in the Minster Lovell the Sports Facility Calculator (SFC) suggests the development will generate a need of an additional 0.09 badminton courts.

A need has been highlighted in the Council's FPM to look into a development plan for the future of the current main sports hall at the Windrush Leisure Centre. This is required due to the centres age and also the need to cater for increased demand in the area, including from housing growth in the catchment area

Based on Sport England's latest costings the SFC estimates that the cost of providing the identified need of 0.09 badminton courts is £65,588.

Swimming pool provision

At present there is two indoor pools within the 20 minute drive time catchment area. The pool at the Windrush Leisure Centre was built in 1975 therefore is classified as an aging facility.

With the additional 134 dwelling in Minster Lovell the Sports Facility Calculator (SFC) suggests the development will generate a need of an additional 3.42 square meters of water space.

Based on Sport England's latest costings the SFC estimates that the cost of providing for the identified need of 3.84 square meters of water space is £72,519.

Outdoor pitch provision

Based on the cost of provision and future maintenance of football pitches (the cheapest form of outdoor sports facility) over a 15-year period at the Fields in Trust standard of 1.6ha per 1,000 population.

A football pitch of 0.742ha, a provision cost of £105,000 (Sport England Facility Costs third Quarter 2022) and a commuted maintenance cost of £240,975 per pitch (Sport England Life Cycle Costings Natural Turf Pitches second Quarter 2021), would equate to £746,038 per 1,000 population or £1,790 per dwelling (at an average occupancy of 2.4 persons per dwelling).

Based on Sport England Facility costs and lifecycle costings the cost for providing the required playing pitch provision is £239,860.

Summary of Contributions

The Council seeks to secure, by way of planning obligations off site contributions for:

- a. Sport Hall provision of £65,588 toward the cost of a replacement or improvement to Sports Halls in the catchment area
- b. Swimming pool provision of £72,519 towards the cost of a replacement or improvement to pools in the catchment area
- c. Outdoor pitch provision £239,860 towards improvements to pitch provision in the catchment area.

Total request = £377,967 towards off site contribution towards leisure and sports facilities in the catchment area.

Figures are index-linked to third quarter 2022 using the BCIS All in Tender Price Index published by RICS.

Rachel Biles
Strategic Projects Lead (Leisure)
West Oxfordshire District Council
Woodgreen
Witney
OX28 1NB
www.westoxon.gov.uk

Appendix A4a

**20 December 2022 Consultation Response from
the Oxfordshire Clinical Commissioning Group (“OCCG”),
as submitted in relation to the current appeal proposal
at planning application stage**





Buckinghamshire, Oxfordshire
and Berkshire West
Integrated Care Board

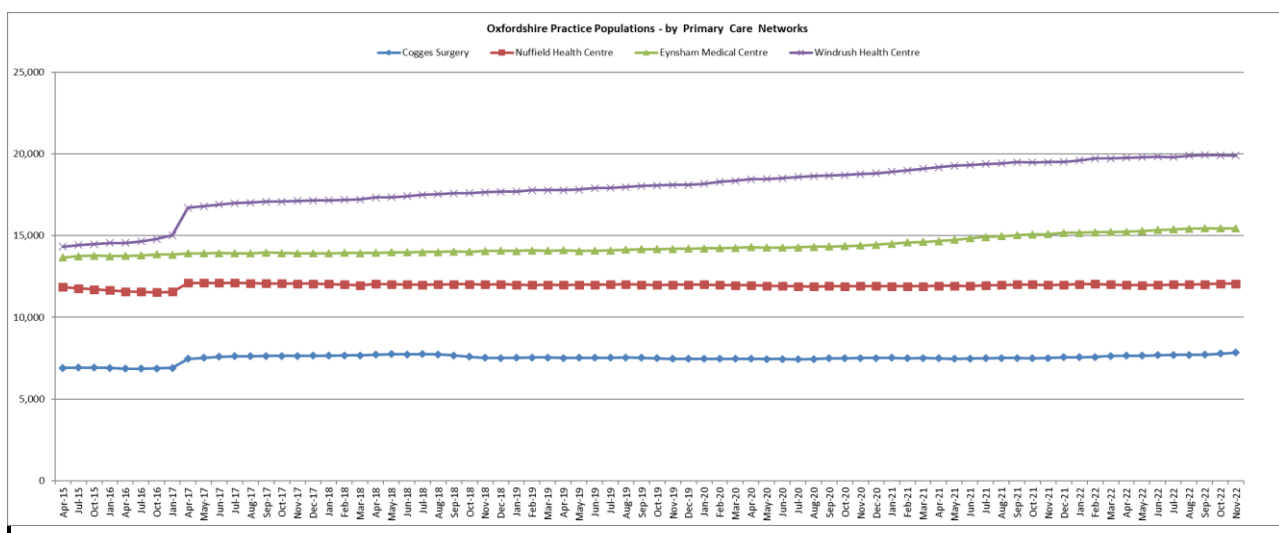
Planning Application Response

Council:	West Oxfordshire District Council (WODC)
Application reference number:	22/03240/OUT
Description:	Outline planning permission for the development of up to 140 dwellings (Use Class C3) including means of access into the site (not internal roads) and associated highway works, with all other matters (relating to appearance, landscaping, scale and layout) reserved.
Location:	Land South Of Burford Road Minster Lovell Oxfordshire
Proposal type:	Residential Dwellings
Number of dwellings:	140
Stage of development:	Outline Planning (OUT)
Expected start date:	

Local Primary Care Network:	Eynsham and Witney		
GP practices:	Practice population as at: 01/11/2022		
	Cogges Surgery	Population:	7,841
	Nuffield Surgery	Population:	12,056
	Eynsham Medical Centre	Population:	15,443
	Windrush Health Centre	Population:	19,892
	Total:	55,232	
Secondary Local PCN (Optional)	Rural West		
GP practices:	Practice population as at: 01/11/2022		
	Bampton Surgery	Population:	9,066
	Broadshires Health Centre	Population:	11,792
	Burford Surgery	Population:	7,096
	Charlbury Surgery	Population:	5,496
	Total:	33,450	
Nearest practice to the location:	Windrush Health Centre		
Predicted population increase: Calculated by the formula (2.4 x number of proposed dwellings).	336		
Capacity issues:	Significant		
Accomodation issues:	Insufficient Consulting rooms to cope with increased population growth as a direct result of the increase in dwellings.		
Proposed planning solution:	BOB ICB requests CIL and / or s106 financial contribution		

s106 contribution requested:	0 x 1 bed at £504 per dwelling	£0.00
If there is no housing mix available, this is calculated by this formula (predicted population increase x £360). Funding to be index linked.	0 x 2 bed at £720 per dwelling	£0.00
	0 x 3 bed at £1,008 per dwelling	£0.00
	0 x 4 bed at £1,260 per dwelling	£0.00
	0 x 5 bed at £1,729 per dwelling	£0.00
	Total:	£120,960.00

BOB ICB Policy Document Link:	https://www.bucksoxonberks.w.uk/media/2406/oxfordshire-primary-care-estates-strategy-2020-2025-v20.pdf
Date response sent:	20/12/2022
Sent by:	Will Johnsen
Additional comments:	<p>This PCN area is already under pressure from nearby planning applications, and this application directly impacts on the ability of the Windrush Medical Practice surgery in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services.</p> <p>The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming.</p>



Document Author: Will Johnsen, Assistant Project Manager for Primary Care, BOB ICB
will.johnsen@nhs.net

Appendix A4b

**Oxfordshire *Primary Care Estates Strategy 2020-2025*:
Website Top Page, Summary and Full Document,
as referred to in the OCCG consultation response
to the application that is the subject of the current appeal
(NB page 36 refers)**



Primary Care Estates Strategy 2020-25

The CCG has worked with colleagues in primary care and across the local community to develop a five year strategy that incorporates a county-wide review of the existing Primary Care Estate in Oxfordshire, at this time, and identifies both key and critical investment priorities.

Across Oxfordshire there are several drivers (including significant population growth) that mean new primary care developments do make strategic and operational sense.

There have been previous attempts to capture the need for investment in primary care estate within the former six Locality Plans for Oxfordshire published in 2017 and in various Oxfordshire CCG Papers, notably the OCCG Primary Care Estates Framework Discussion Document of 2018 and an effort to have estates developments prioritised through weighted scoring criteria during the 2017/18 bidding process for Estates Technology and Transformation Funding (ETTF) monies.

This Oxfordshire Primary Care Estates Strategy 2020 - 2025 builds on that previous work and updates it into a single document.

A summary document of the strategy is available [here](#)

© 2017 NHS Oxfordshire Clinical Commissioning Group

Primary Care Estates Strategy 2020-25



Key points

This document is a review of where Oxfordshire Clinical Commissioning Group (OCCG) is in relation to the buildings currently in use for Primary Care (GP services) across the county, and where we need to be to cope with our expanding population, the ageing population and the changes in the way that our future healthcare will be provided.

It is also a guide for planning teams to co-ordinate the changes which are happening in medicine and in technology. It will form the basis of justification of our requests for funding and prove that plans have been thought out logically and pragmatically.

It aims to make members of the public aware of what the next few years will bring for primary care estates across Oxfordshire.

What it represents?

The five-year Oxfordshire Primary Care Estates Strategy 2020-2025 incorporates a county-wide review of the existing primary care estate and identifies both key and critical investment priorities, using a prioritisation scoring system. The full version of the document can be found at:

www.oxfordshireccg.nhs.uk/about-us/primary-care-estates-strategy-2020-25.htm

OCCG does not have estates capital money and needs funds to invest in the short to medium term so that convenient access to primary care services can be maintained and extended for the growing population.

By April 2022 OCCG will have moved into an Integrated Care Board and be working with Buckinghamshire and parts of Berkshire West. It is anticipated that we will need a system-wide estates strategy for all health and care services. This strategy is now evolving and so far has tended to focus on acute and secondary care (hospital and community services). This Primary Care Estates Strategy is a vital piece of the jigsaw to provide a complete picture of the overall strategy for the longer term.

OCCG is collaborating with the six local authorities in Oxfordshire (the County Council, Oxford City Council and four District Councils) which are currently working on a local plan known as the Oxfordshire Plan 2050 (www.oxfordshireplan.org). This plan includes housing / economic developments and the infrastructure required to support this growth. The plan will also look at health and wellbeing needs of the population. OCCG therefore inputs where needed to Neighbourhood and Community plans to ensure health interests are included.

In addition, OCCG is working within the NHS Long Term Plan (www.longtermplan.nhs.uk/publication/nhs-long-term-plan) which includes the prevention of hospital admission, where at all possible. This will clearly rely on community resources.



In April 2020 there were **774,860 patients**



Who were registered with **67 GP practices** in Oxfordshire



By 2028 we expect to have a further **112,264 people** living in Oxfordshire

The largest population growth will be of people aged 70+, with the lowest growth in working age population. This will have a significant effect on the county's economic potential and will bring extra demand for support services, both health and social care (page 9 of the Primary Care Estates Strategy).

Primary care, which sees around 90% of NHS patients, will need to work even more closely with other providers and professionals to meet demand for these services.

As new housing estates are built, and business expands in the county, a larger population is expected which will need primary care services. Although online consultations will continue, and development of digital technology advances, it is expected that other services will be developed requiring face-to-face appointments and more physical space for additional staff.

Around a quarter of GP practices are located in converted houses, while 40% are in purpose-built premises which are more than 20 years old. Full details of all our GP practice buildings are in appendix E of the strategy.

What will we need to do

Reconfigure, extend or replace some of existing healthcare premises which are not suitable for purpose, because:

- They are older converted houses with high maintenance costs and insufficient space
- They do not have space for additional clinics, face-to-face appointments and other treatments.

Provide better facilities, closer to home where possible - and value for money;

Avoid duplication and conflict;

Provide clear and excellent cases for changed facilities to the funding bodies. These may include internal reconfigurations, extensions, or in some cases new builds. It will also involve PCNs (Primary Care Networks - groups of GPs working together to provide a wider range of services as a group than they could do as individual practices). These PCNs may decide to pool resources to ensure patient access is maintained.

Collaborate with national and community organisations to work with us and bring their own expertise into healthcare.

Ensure that you are informed of the plans, and aware of the progress we are making as a county in keeping your healthcare needs at the forefront of our work.

What differences could we see?

New buildings

In their entirety – to replace GP practice buildings which are no longer fit for purpose and not suitable for conversion.

New locations for services

As technology allows acute hospital clinics to be held in the community. OCCG is working actively with many organisations to meet these needs.

New ways of working

As our GPs offer us virtual consultations and the ability to measure our vital signs in our own homes.

What will we need for the plan to succeed?

Funding

Although OCCG is responsible for primary care in the county, it does not hold any funds for improving or building new primary care premises. This is why seeking developer contributions and Council support is so important to us.

However, there are avenues which we can go down: NHS England and Improvement (NHSEI), local funding sources etc. Applications can be made for money for these projects, but those funds are in short supply.

We receive routine notification of all major planning developments via our portal occg.planning@nhs.net.

You may know that we can then ask the developers to pay an appropriate amount towards health infrastructure – but this is a contribution and does not cover the full cost of the facilities needed.

However, given the scale of the developments around the county, we aim to work closely with our Local Authority colleagues in planning to ensure primary care infrastructure funding is available to support the GP services for that area.

Collaboration

- With existing PCNs
- With patients as they learn the benefits of the new ways of working
- With local authority colleagues and partner organisations.

Full details on our Primary Care Estates Strategy can be found here:

www.oxfordshireccg.nhs.uk/about-us/primary-care-estates-strategy-2020-25.htm

Oxfordshire Clinical Commissioning Group Primary Care Estates Strategy 2020 – 2025



V15 JAH 29.10.20

Draft - V15 final for Engagement

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Glossary of Terms, Abbreviations, and Acronyms can be seen on page 58.

Executive Summary

This 5 year strategy incorporates a county-wide review of the existing Primary Care Estate in Oxfordshire, at this time, and identifies both key and critical investment priorities.

Across Oxfordshire there are several drivers (including significant population growth) that mean new primary care developments do make strategic and operational sense.

There have been previous attempts to capture the need for investment in primary care estate within the former 6 Locality Plans for Oxfordshire published in 2017 and in various Oxfordshire CCG Papers, notably the OCCG Primary Care Estates Framework Discussion Document of 2018 and an effort to have estates developments prioritised through weighted scoring criteria during the 2017/18 bidding process for Estates Technology and Transformation Funding (ETTF) monies. This Estates Strategy builds on that previous work and updates it into a single document.

Following the NHS Long Term Plan published in January 2019 twenty* Primary Care Networks (PCNs) have formed. These PCNs are integrated multi-disciplinary teams covering 30,000 to 50,000 registered populations and are now the operational building blocks of the new models of care. Whilst these PCNs have not yet developed their own strategies for this primary care estate document, the national requirements for PCNs to create additional staffing, the continuing new housing developments in the county, and the lack of any new premises extensions/developments since 2017, have meant that the existing estate is under pressure like never before. However, with OCCG only holding a limited revenue budget it means that a transparent prioritisation process, such as the one provided in this Estates Strategy, is a critical tool to facilitate strategic decision-making and drive more effective management of OCCG's primary care estate.

Over the last 5 years, the factors of population aging and growth, the need for more integrated services and the development of PCNs (and their requirement for more staff) are creating pressure on the Oxfordshire GP estate, which is non-optimal estate with approximately a quarter of the estate in converted houses and 40 % of the estate in purpose built buildings more than 20 years old. The effect of online consultations and different methods of working have yet to be properly assessed in terms of the freeing up of existing space within the estate, however without investment in the short to medium term in premises developments in certain key areas (Oxford, Didcot, Bicester and Wantage) and without developments following close behind in Kidlington and Abingdon, access to primary care services and GP practice resilience may be adversely affected.

The formation of a Buckinghamshire, Oxfordshire, Berkshire West (BOB) Integrated Care System (ICS) will likely lead to the need for a system-wide ICS Estates Strategy for all services. Currently, the ICS estates strategy is still evolving and has tended to focus more on acute and secondary care estates. For the system-wide estates strategy to be meaningful, primary care estate needs must be well-articulated, together with possible solutions to overcome inadequacies. This

Oxfordshire Primary Care Estates Strategy document is therefore a vital piece of the jigsaw to better inform, and become part of, the overall ICS Estates Strategy.

This OCCG Estates Strategy demonstrates the current over-utilisation of the estate in detail, describes where population growth is at its most intense and the problems that buildings which are no longer fit for purpose create. It also includes a Prioritisation Scoring Criteria to enable a robust prioritisation of the GP development projects being proposed in the county. The Strategy also illustrates the opportunities and challenges around utilising developer contributions for health infrastructure via S106 Agreements and Community Infrastructure Levy (CIL).

Understanding the full impact of COVID-19 on the estate usage is difficult and national guidance is awaited. The extensive rise in telephone triage for many patients is a convenient change, however for those patients who still need to be seen face to face the issue of distancing, patient flows through buildings, and air systems can be difficult. Until vaccines are in place, practices will need (where possible) to have isolated areas for suspected covid19 patients and robust infection control procedures for those shielding. The NHS Long Term Plan requires additional staffing to be recruited through PCNs, and this will also contribute to pressures on estate capacity.

1.0 Introduction and Background to Oxfordshire's Population, Primary Care Services, and the existing Estate

As of April 2016 OCCG, took on delegated authority for primary care commissioning including responsibility for management and decision making regarding the primary care estate, determining new primary care priorities, and ensuring that sufficient primary care provision is commissioned to meet the needs of the local population. The CCG's responsibilities, with regard to premises, are set out in the NHS (General Medical Services (GMS) Premises Costs Directions 2013, and include:-

- Managing the rents reimbursed to practices for the provision of general medical services in buildings owned by Practices or another body, where the Practice is a tenant and is charged a lease;
- Managing the reimbursement of business rates for the provision of general medical services in buildings owned by Practices or another body, where the Practice is a tenant and is charged a lease;
- Determining improvement grant priorities- the NHS is able to provide some funding to help surgeries improve, or extend their building;
- Determining new primary care premises priorities;
- Consideration of funding new premises annual revenue requirements as a result of additional/ new rent reimbursement requirements of new premises, subject to funding being available;

Capital funding allocations are not delegated to the CCG and NHS England approval is required. As requests for bids against national funding allocations often come at short notice, it is helpful for practices to have a) made their intentions known to OCCG, and b) to have an outline bid semi-prepared so a rapid response can be made against any NHSE funding opportunities.

In order to shift activity into the primary care sector (in order to align with the NHS Long Term Plan), Commissioners and Providers need to consider how to:

- Make the most of the utilisation of existing primary care buildings
- Minimise or eliminate empty space and "void" costs, and close or remodel premises that are not up to standard
- Work with health and wider partners to better use all publically owned or leased estate in the same communities to include collaboration in the One Public Estate Project
- Consider new build schemes to achieve rationalisation of historical estate to enhance service delivery and cost effectiveness

Oxfordshire's Population Age Profile

The following graph identifies OCG residents and their age profile. The larger numbers in the 20-24 age bracket is due to the significant student population as would be expected of a university city.

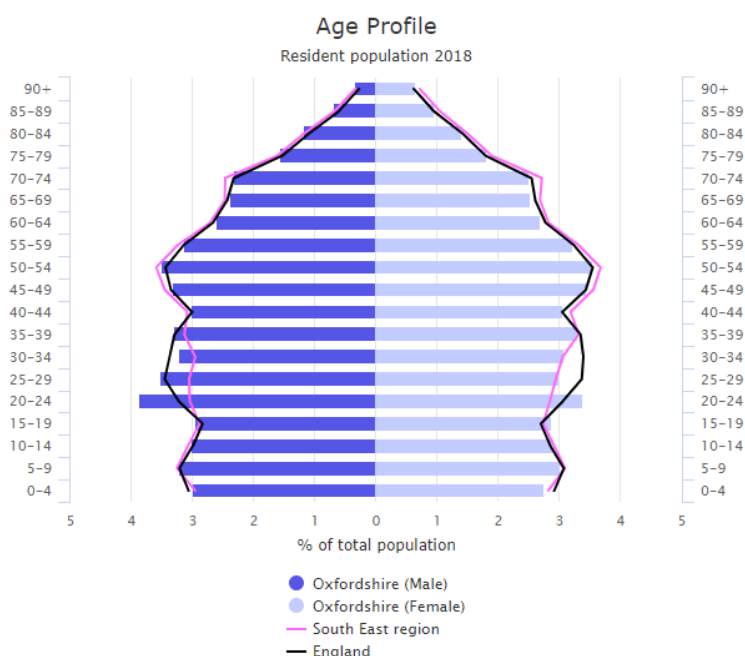


Fig 1 – source OCCG Locality Plans

1.1 Oxfordshire's Population Growth

As at 1 April 2019 there were 759,020 patients registered with GP practices within Oxfordshire. As at 1.4.2020 this figure has increased to **774,860** – an increase of 15,840, or 2% in 12 months.

The Oxfordshire County Council (OCC), uses a slightly different count based on residents in the area rather than registered patients. Their housing-led forecasts predict a total population in Oxfordshire of 801,700 by 2028, a growth of 110,300 (+ 16%) from 2018. Over the same period the Office for National Statistics projections show an increase of + 5% in Oxfordshire in that same period.

Source : <https://insight.oxfordshire.gov.uk/cms/oxfordshire-housing-led-population-forecasts-interim-2018-2028>

DATA TABLE: Count of residents 2017 and 2027, by settlement and broad age

	#	aged 0-17		aged 18-64		aged 65+		TOTAL			
		2017	2027	2017	2027	2017	2027	2017	2027	2017 to 2027	
Cherwell	19	32,661	39,260	88,556	108,072	26,385	34,551	147,602	181,888	34,286	23%
Banbury	8	14,184	17,120	36,853	44,945	11,025	14,097	62,062	76,165	14,103	23%
Bicester	6	11,635	15,781	32,284	45,358	7,757	11,103	51,676	72,241	20,565	40%
Kidlington	3	3,716	3,123	11,264	8,598	4,153	4,870	19,133	16,593	-2,540	-13%
Rest of Cherwell	2	3,126	3,236	8,155	9,171	3,450	4,481	14,731	16,889	2,158	15%
Oxford	18	29,882	33,277	111,178	121,887	18,538	20,987	159,598	176,149	16,551	10%
South Oxfordshire	20	29,945	35,567	80,966	93,021	28,856	36,084	139,767	164,670	24,903	18%
Didcot	5	8,426	13,015	22,709	31,225	5,288	7,163	36,423	51,403	14,980	41%
Henley	3	3,855	3,501	9,718	9,522	4,404	5,208	17,977	18,231	254	1%
Wallingford	1	2,037	2,954	5,231	7,684	1,977	2,239	9,245	12,877	3,632	39%
Rest of South	11	15,627	16,097	43,308	44,590	17,187	21,474	76,122	82,159	6,037	8%
Vale of White Horse	14	28,342	36,600	76,626	96,478	26,259	34,109	131,227	167,188	35,961	27%
Abingdon	5	10,074	10,508	27,361	27,862	8,657	11,168	46,092	49,538	3,446	7%
West of Didcot (in Vale)	1	2,691	5,768	6,520	13,899	2,271	3,390	11,482	23,057	11,575	101%
Wantage and Grove	2	3,573	5,784	10,040	16,175	3,682	5,000	17,295	26,958	9,663	56%
Rest of Vale	6	12,004	14,540	32,705	38,542	11,649	14,551	56,358	67,635	11,277	20%
West Oxfordshire	15	22,614	26,829	63,513	76,236	23,139	29,286	109,266	132,349	23,083	21%
Carterton	3	4,636	5,901	14,479	18,195	3,471	4,713	22,586	28,809	6,223	28%
Chipping Norton	1	1,310	1,835	3,769	5,571	1,525	1,977	6,604	9,383	2,779	42%
Witney	4	7,467	8,083	20,645	22,716	6,960	9,294	35,072	40,092	5,020	14%
Rest of West	7	9,201	11,010	24,620	29,754	11,183	13,302	45,004	54,065	9,061	20%
Oxfordshire TOTAL	86	143,444	171,533	420,839	495,694	123,177	155,017	687,460	822,244	134,784	20%

#= count of MSOAs

Table 1

The increasing number and proportion of the older population will increase demand for primary care services and the specific areas where the increase in demand will be seen are in people affected by dementia and the prevalence of other long term conditions. Primary care, where around 90% of patient interaction with the NHS occurs, will need to operate at a greater scale and in greater collaboration with other providers and professionals in order to meet demand for services

The largest areas of population expansion will be in the following areas :

Areas of planned population expansion

Area	Apr-15	Jan-20	Expected increase in population to 2028	% change based on April 2015, or Jan 2020
Didcot	37,137	43,472	21,500	58
Bicester	45,987	50,669	20,324	44
Banbury	64,440	67,072	19,000	29
Wantage	24,296	30,449	16,000	66
Abingdon / Berinsfield + Culham Science Centre	61,103	64,494	12,480	19
Kidlington (including Oxford unmet need)	34,432	35,326	10,560	30
Oxford City (incl Kassam stadium and Bayswater Brook	192,279	220,171	7,200	3
Charlgrave (excl. Watlington)	2,830	2,729	7,200	264
	462,504	514,382	114,264	25
Charlgrave population in 2011 census				
Charlgrave population estimate for 2018				
https://www.citypopulation.de/en/uk/southeastengland/oxfordshire/E34000959_chalgrave/				
% change based on April 2015 for Didcot, Bicester, Banbury, Wantage and Total - remainder are based on January 2020				

Table 2

Oxfordshire County Council Research and Intelligence team forecast a population increase of 267,700 people between 2016 and 2040, an increase of 39%. This population growth will result in an absolute increase in population number for all age groups. However, the age cohort structure will change considerably in terms of the proportion represented by certain cohorts.

The largest proportional growth (pre COVID-19) will be in the over 70 year old cohort with the least growth in working age population. These two changes will have a significant impact upon the economic and income generating potential of the

Oxfordshire population and the need for support services, health and social care to support a naturally aging population.

Noting that there will be an update of the Oxford infrastructure strategy document early in 2021, the current areas where there have been /will be major population growth are identified in the document

[https://www.oxford.gov.uk/downloads/file/5770/mov6 -
_oxfordshire_infrastructure_strategy_oxis](https://www.oxford.gov.uk/downloads/file/5770/mov6_-_oxfordshire_infrastructure_strategy_oxis)

1.2 The existing Oxfordshire Primary Care Estate

The following table identifies each PCN, the practices within that PCN, their location, their known net internal areas, and their registered patient population status as at 2014 and 2020, to show growth. Further details can also be seen at Appendix E.

Oxfordshire Primary Care Estate

PCN	Practice Code	Practice Name	Town	Current Net Internal Area (as supplied by District Valuer)	Practice Patient Population (2014)	Practice Patient Population (2020)
Abingdon and District	K84023	Berinsfield HC	Berinsfield	359.22	4,814	4,940
Abingdon and District	K84034	Clifton Hampden Surgery	Clifton Hampden	182.03	3,267	3,302
Abingdon and District	K84041	Marcham Road HC	Abingdon	616.47	12,154	12,178
Abingdon and District	K84079	Long Furlong MC	Abingdon	357.71	9,044	9,620
Abingdon and District		Total		1,515.43	29,279	30,040
Abingdon Central	K84027	Malthouse Surgery	Abingdon	521	18,781	17,292
Abingdon Central	K84054	Abingdon Surgery	Abingdon	291.23	13,043	17,162
Abingdon Central		Total		812.23	31,824	34,454
Banbury Alliance	K84062	Woodlands Surgery	Banbury	187.19	6,888	7,385
Banbury Alliance	K84024	Windrush Surgery (Banbury)	Banbury	339	7,725	8,376
Banbury Alliance	K84059	Hightown Surgery	Banbury	236.87	10,449	11,435
Banbury Alliance		Total		763.06	25,062	27,196
Banbury Cross	Y02754	Banbury Cross - Bridge St site	Banbury	403.14	4,768	
Banbury Cross	K84040	Banbury Cross - Horsefair site	Banbury	1275	17,645	14,259
Banbury Cross	K84028	Banbury Cross - West Bar site	Banbury	1431	16,965	25,617
Banbury Cross		Total		3,109.14	39,378	39,876
Bicester	K84038	Montgomery House Surgery	Bicester	981.29	12,450	15,314
Bicester	K84052	Bicester HC	Bicester	611.39	12,430	15,035
Bicester	K84073	Alchester MP - Victoria site	Bicester	710	7,494	included below
Bicester	K84613	Alchester MP - Langford site	Bicester	587	9,359	20,320
Bicester		Total		2,889.68	41,733	50,669
Didcot	K84002	Didcot Health Centre	Didcot	1159	17,346	18,441
Didcot	K84043	Woodlands MC	Didcot	577.81	10,361	14,667
Didcot	K84624	Oak Tree HC	Didcot	669.64	9,430	10,364
Didcot		Total		2,406.45	37,137	43,472
East Oxford	K84013	St Bartholomews MC - Cowley site	East Oxford	887.36	22,874	23,918
East Oxford	K84617	St Barts - South Oxford site	Oxford	236.37	in above	in above
East Oxford	K84032	Bartlemas Surgery	East Oxford	557.3	9,158	8,738
East Oxford	K84060	St Clements Surgery	Iffley	131.51	4,448	5,263
East Oxford	K84063	East Oxford HC (aka Cowley Rd MP)	East Oxford	487	7,801	10,202
East Oxford		Total		2,299.54	44,281	48,121
Eynsham and Witney	K84006	Eynsham MC	Eynsham	740.65	13,659	14,211
Eynsham and Witney	K84017	Windrush HC (Witney)	Witney	1430	14,337	18,176
Eynsham and Witney	K84072	Nuffield HC	Witney	728	11,847	12,004
Eynsham and Witney	K84618	Cogges Surgery	Witney	383.97	6,906	7,467
Eynsham and Witney		Total		3,282.62	46,749	51,858
Healthier Oxford City	K84011	Summertown Med. Group	Summertown	660.9	15,569	17,935
Healthier Oxford City	K84016	19 Beaumont Street	Oxford	617.7	14,329	16,430
Healthier Oxford City	K84021	Banbury Road MC	Summertown	212.57	7,946	9,557
Healthier Oxford City Network		Total		1,491.17	37,844	43,922
Henley SonNet	K84001	Hart Surgery	Henley on Thames	463.28	10,212	10,542
Henley SonNet	K84015	Nettlebed Surgery	Henley on Thames	464	3,585	4,057
Henley SonNet	K84020	Sonning Common HC	Sonning Common	638	8,543	9,848
Henley SonNet	K84035	Bell Surgery	Henley on Thames	492.01	8,823	8,940
Henley SonNet		Total		2,057.29	31,163	33,387
KIWY	K84003	Islip Surgery	Islip	682	5,859	5,952
KIWY	K84042	Woodstock Surgery	Woodstock	266.72	9,203	9,094
KIWY	K84045	Gosford Hill MC	Kidlington	288.23	6,883	7,223
KIWY	K84082	Kidlington & Yarnton (KEY) Med. Pr	Kidlington	973.25	12,487	13,057
KIWY		Total		2,210.20	34,432	35,326
NORA	K84030	Chipping Norton HC	Chipping Norton	1624	7,147	15,712
NORA	K84046	Wychwood Surgery	Shipton-u-Wychwo	622	5,782	5,966
NORA	K84055	Deddington HC	Deddington	480.3	9,574	11,977
NORA	K84056	Cropredy Surgery	Cropredy	290.2	3,408	4,005
NORA	K84058	Bloxham Surgery	Bloxham	625.43	7,153	7,902
NORA		Total		3,641.93	33,064	45,562

PCN	Practice Code	Practice Name	Town	Current Net Internal Area (as supplied by District Valuer)	Practice Patient Population (2014)	Practice Patient Population (2020)
OX 3 PLUS	K84620	Hedena - Wood Farm site	Headington	426	in below	in below
OX3 PLUS	K84009	Hedena - Bury Knowle site	Headington	1042.5	14,659	29,374
OX3 PLUS	K84076	Hedena = Marston site	Marston	199.34	4,869	in above
OX3 PLUS	K84044	Manor Surgery	Headington	411.18	14,505	17,611
OX3 PLUS		Total		2,079.02	34,033	46,985
Oxford City Cental	K84605	King Edward Street	Oxford	184	4,335	5,849
Oxford City Cental	K84049	27 Beaumont Street	Oxford	291.36	6,382	7,505
Oxford City Central	K84026	Observatory MP - in Jericho	Oxford	559.90	11,069	11,539
Oxford City Central	K84078	Jericho HC (Leaver)	Oxford	371.33	6,396	9,489
Oxford City Central	K84080	28 Beaumont Street	Oxford	241.92	4,732	5,553
Oxford City Central		Total		1,648.51	32,914	39,935
Rural West	K84010	Bampton Surgery	Bampton	406.89	8,156	8,655
Rural West	K84047	Burford Surgery	Burford	614.86	6,604	6,643
Rural West	K84075	Broadshires HC	Carterton	588.19	9,800	11,136
Rural West	K84610	Charlbury Surgery	Charlbury	649.57	5,361	5,458
Rural West		Total		2,259.51	29,921	31,892
SEOx HA	K84004	Donnington MP	Iffley	636.07	14,880	13,337
SEOx HA	K84007	Temple Cowley HC	East Oxford	468.32	7,893	8,099
SEOx HA	K84031	The Leys HC	Blackbird Leys	927.5	10,805	10,701
SEOx HA	K84048	Hollow Way MC	East Oxford	693.07	8,217	9,113
SEOx HA		Total		2,724.96	41,795	41,250
Thame	K84008	Watlington & Chalgrove Surgery	Chalgrove	716	7,416	7,202
Thame	K84014	Morland House Surgery	Wheatley	632.72	10,511	11,027
Thame	K84050	Rycote Surgery	Thame	509.68	11,366	12,427
Thame		Total		1,858.40	29,293	30,656
Wallingford and surrounds	K84036	Mill Stream Surgery	Benson	358	4,770	5,440
Wallingford and surrounds	K84037	Wallingford MC	Wallingford	558.06	16,459	17,121
Wallingford and surrounds	K84071	Goring & Woodcote HC	Goring on Thames	702.45	9,474	9,942
Wallingford and surrounds		Total		1,618.51	30,703	32,503
Wantage	K84019	Newbury Street Practice	Wantage	908.68	11,378	15,471
Wantage	K84033	Church Street Practice	Wantage	974.52	12,918	14,978
Wantage				1,883.20	24,296	30,449
White Horse Botley	K84025	Botley MC	Botley and Kennint	796.2	15,417	15,600
White Horse Botley	K84005	Botley MC - Kennington site	Kennington	in BMC	in BMC	in BMC
White Horse Botley	K84051	White Horse Med. Practice	Faringdon	1161	10,450	15,970
White Horse Botley		Total		1,161.00	10,450	15,970
		TOTALS		41,711.85	665,351	753,523
<i>Sibford, MHS, Alchester, EOHC are aligned to PCNs rather than signed up, however are listed for estates information purposes.</i>						
Some PCN sites are listed to provide clearer information						

Table 3

Overall, Oxfordshire has 67 General Practices countywide as at April 2020, which have formed into 20 Primary Care Networks¹.

Of the 68 practices, there are 83 practice buildings, not including 5 village halls or other such buildings, and of these approximately:

- 23% are converted residential buildings
- 77% are purpose built premises (with approximately 60 % of the purpose built surgeries being more than 20 years old
- 55% are owner occupied

¹ OCCG has 19 full PCNs, with 1 PCN limited in size but subcontracting to local practices which brings it above the 30,000 requirement. For estates purposes OCCG recognise the 20 PCNs.

- 45% are leased (including the village hall types)

13 have their lease expiry date or a break clause within the next 5 years. This includes 3 Central Oxford Practices with leases ending in the next 12 months
9 have their lease expiry date or a break clause within the next 10 years.

Smaller Practices (less than 5,000 list size)

There are five practices that have a list size of 5,000 or less, (Sibford, Cropredy, Nettlebed, Berinsfield, Clifton Hampden), and 9 practice branch buildings which are less effectively utilised than main surgery premises².

Smaller practices face particular pressures, including:

- Greater inefficiencies/ relatively high costs
- The effect of a retiring Partner/ difficulty of recruiting other Partners
- “Last person standing” syndrome
- Enabling opening times which allow intense utilisation of Practice premises
- Premises are often converted houses/ not suitable for modern healthcare services
- Ex (owning) Partners may want to sell the asset, or require unfavourable lease terms

Should such practices either cease or merge with others, their practice buildings are likely to become redundant and their patient lists transferred elsewhere, impacting on the remaining practices ability to absorb further population growth.

Approximately 772,000 patients are served by a primary care estate of c. 42,000 square metres (an average of 18 patients per m²). NHS Property Services provides advice on the indicative square meterage calculations used to determine the core GMS space required for a practice. Their data shows a range from 12 patients per m² for smaller practices (4,000 list size) to 17 patients per m² for larger practices (approx. 20,000 and above) which are able to gain from economies of scale. Within the County, the most cramped estate is in central Oxford is where the average number of patients per m² is 26.

The 2018 Primary Care Estates Framework Discussion Paper estimated that over 200 new consulting rooms would be needed to accommodate new population growth to 2031 (an approximate increase of 20 %).

Current estates provision often tends to inhibit the ability of practices to act as training practices. The NHS Long Term Plan calls for an expanding workforce, not just in terms of additional roles, but also doctors and nurses. To have a training facility within the practice supports this, and helps with attracting further staff.

1.3 Previous Estates Strategies

There have been previous attempts to capture the need for additional P

² This is based on the 6 Facet Survey undertaken in 2017 so it is recognised the status will have changed, but is the latest information available countywide.

primary care estate within the former 6 Locality Plans for Oxfordshire published in 2017. A summary of the Locality Plans is as follows:

“The Primary Care estate across Oxfordshire needs considerable investment to make it fit for the future: some practices require capital investment now and large areas of housing growth mean that infrastructure will need to be improved in order to deal with the population increase. The CCG will need to prioritise schemes for estates developments in line with the overall resourcing available. Some practices need to improve or extend their premises so that they can continue to deliver mainstream primary care more sustainably and to a larger number of patients. Other practices have larger-scale ambitions to deliver services over and above what is generally provided in general practice, often in collaboration with other practices and in partnership with other NHS organisations, local authority and voluntary sector agencies. Both types of scheme will need to demonstrate innovation and maximise opportunities to work collaboratively”.

For more information on what the Locality Plans have described as being Estates needs, refer to <https://www.oxfordshireccg.nhs.uk/about-us/locality-plans.htm> .

In summary, and moving on from the 6 Facet estates surveys carried out in 2017, much of the GP estate was expected to be close to full capacity in 2020/2021 unless significant changes in working patterns occur (for example more remote working, extended hours utilisation of estate) and release clinical space, (full documents available on the OCCG public website under each Locality area <https://www.oxfordshireccg.nhs.uk/your-local-area/>).

OCCG produced a [“Primary Care Estates Framework Discussion Document”](#) in May 2018 that stated:

‘The locality place based plans all identified estates requirements to achieve a sustainable primary care and to support the system wide strategy to move care out of hospital.’

It also stated:

‘It is clearly identified that there is a need for a more co-ordinated approach to primary care estates due to key drivers such as:

- Unprecedented levels of housing development and population growth across many areas of Oxfordshire over the next 10-15 years (and longer), much of which is either underway or in detailed planning and commitment stages*
- The intrinsic need to determine and provide health care infrastructure (and services) to support the existing and expanded local communities as sustainable developments*
- To reflect and accommodate commissioning intentions as part of the Oxfordshire Transformation, including to develop and implement new models of care aligning with the Primary Care Framework and Locality Place based plans, involving a prioritised shift of care activity (as appropriate) from acute (hospital) settings to Community Care and Primary Care settings*
- Maintaining and improving access to primary and community clinical & medical services and extended (locally commissioned) care services to the patient*

populations of Oxfordshire – including the suitability and sufficiency of the Primary Care estate (buildings and facilities)

- *Maintaining and strengthening links with District and County Councils.'*

Primary Care estates principles were also discussed, having been previously agreed by the Oxfordshire Primary Care Commissioning Committee (OPCCC) as part of the prioritisation of the locality-place based plans in September 2017. They form the basis on which development of our primary care estates will be prioritised. They are:

- Fits with OCCG strategy for sustainable primary care
- Ensures best use of existing NHS estate
- Supports whole system estate development where relevant eg: One Public estate
- Aligns with existing and planned neighbouring developments
- Supports practices working together, sharing space and facilities and conducive to practice mergers now or in the future
- Provides required capacity in areas of population growth and where current space is less than needed for the practice list size
- Addresses where current premises unsuitable for delivery of primary care
- Delivers value for money in capital investment or revenue implications
- Maximises use both in and out of hours
- Makes optimum use of available infrastructure funds
- Low risk to sustainability of practice over time
- Affordable within limits of GMS Premises Reimbursement Budget

The Paper also proposed some prioritisation criteria for primary care estates. It stated that:

“Prioritisation for primary care estates development was previously agreed at OPCCC in September 2017. Further work has now been done to quantify scoring on the criteria and feedback is welcome. It is clear that there may be other priority areas to consider and as such the scoring criteria will be updated to reflect this where possible”.

These criteria have been recently reviewed via Oxfordshire’s Primary Care Commissioning Committee to ensure consideration of current issues facing primary care, and the weighted scoring criterion template produced below.

Note:

- (a) This scoring criteria is a useful business support tool, however it does not mean that the CCG must abide by its conclusions in terms of how projects score
- (b) separate criteria are in place to determine if a scheme is value for money – this comes via the District Valuer, and schemes can only go ahead if there is sufficient funding available to do so.

The prioritisation criteria need only be applied to schemes which produce a net revenue increase of more than £50,000 to ensure the process is proportional.

OCCG Scoring Criteria

DRAFT Oxfordshire Estates Development Prioritisation Criteria - Scoring v4											
CRITERIA AGREED	Measurement	SCORE 0	SCORE 5	SCORE 10	SCORE 15	SCORE 25	SCORE 40	SCORE 75	Other comments	Max score	Drivers
Current space is less than needed for the practice list size	m2 / list size (NHSE 2013 criteria)	Current space is adequate for existing list		Space is currently less than needed in practice (10% to 25 % more is needed)	Space is currently less than needed in practice (26% to 39% more is needed)	Space is currently less than needed in practice (40% to 49% more is needed)	Space is currently less than needed in practice (> 50% more is needed)			40	estates drivers max score of 185 (34.5% of total)
Addresses where current premises unsuitable/ not fit for delivery of primary care	Oakleaf 6 Facet survey	No C in any facet	1-2 "C" items	3-4 or more C	5 or more C + over crowded				X the number of Practices relocating	45	
Solves a significant Estates resilience issue/ sustainability issue	Significant current lease issues that can't be dealt with on lease renewal/ by reasonable negotiation	No significant current lease issues			Lease expiring within 5 years with prospect of being renewed on unfavourable terms	Lease with no security of tenure			X the number of leases relocating	75	
Project deliverability (positive)	Planning and legal constraints/risks	planning and other development risks deemed significant and no			Practice financial commitment with Developers on board	clear and rapid deliverability evidently possible				25	
Fits with OCCG strategy for sustainable primary care - working at scale	Projected list size (taking into account population growth)	Practice < 8000 list size	Practice/ combined Practice 8001 to 12000	Practice/ combined Practice 12001 to 20000	Practice/ combined Practice 20001 to 30000	Practice/ combined Practice 30001 to 40000	Practice/ combined list size >40000			40	population drivers max score of 190 (35.5% of total)
Provides required capacity in areas of population growth and where current space is less than needed for the anticipated practice list size	Population growth to 2031 as % of current population	No discernable population growth until 2031	Practice population likely to grow by 5 - 15%		Practice population likely to grow by 16- 22%	Practice population likely to grow by 23- 30%	Practice population likely to grow by 31% to 40%	Practice population likely to grow by >40%		75	
Practice in an area of high deprivation	% of practice list in lowest 20% IMD	<2%	2.01 to 10%	10.01 to 20%	20.01 to 40%	>40 %			X the number of practices relocating	75	
Part of PCNs Plans	PCN plans (assumed as previously described in Locality Plans)	NO			YES					15	strategic fit max score of 160 (30% of total)
Supports whole system estate development where relevant eg: One Public estate	A development sympathetic to ICS aims/ principles	NO - isolated project (just GMS space)				Supports 2+ NHS organisations working together	Supports 2+ NHS organisations working together, and is an OPE/ Local Authority Project			40	
Supports practices co-locating, sharing space and facilities and conducive to practice mergers now or in the future	Supports practices co-locating, resulting in more services/better access	Delivers solution for only one practice				Delivers solution for two practices	Delivers solution for three or more practices			40	
Makes optimum use of available infrastructure funds	Developers contributions or NHS capital funding	Capital funding available to build (NHS E and/or Developer contributions)	No funding available	Funding available to abate rent by 10% or less	Funding available to abate rent by 11 % to 24%	Funding available to abate rent by 25 % to 40%	Funding available to abate the rent by 40 % to 55%	Funding available to abate rent by >55%		75	
									TOTAL	545	

Table 4

1.4 Other Healthcare Provision within Oxfordshire

The healthcare services and provision also comprises estates of partner organisations. This comprises³:

- **Oxford University Hospital Foundation Trust (OUHFT)** encompasses the John Radcliffe Hospital, Churchill Hospital, Nuffield Orthopaedic Hospital, and Horton General Hospital in Banbury, map link here: www.ouh.nhs.uk/hospitals/
- **Oxford Health Foundation Trust (OHFT)** the local community and mental health services provider, with the 8 Oxfordshire community hospitals services detailed in appendix A, with an overview of services on their website : www.oxfordhealth.nhs.uk/about-us/overview/ . Note the Oxford City Hospital is part of the OUHFT and is located at the Fulbrook Centre on the Churchill site. Nine of the sites where OHFT have a community hospital presence also contain a GP practice in a nearby facility, so could be considered as 'co-located'. Therefore there is an element of aligned working by virtue of site location. This is beneficial as organisational integration is probably not necessary, although working together as part of the ICS is. Moving GP practices outside of the vicinity of these colocations would be considered a retrograde step.
- **Care home beds:** as of August 2020, there are 5,124 registered care home beds for older people across 120 care homes.
- **Supported living:** OCC supports 662 people in Supported Living services as of August 2020.
- **Younger people with learning disability / mental health needs:** as of August 2020 there are 13 residential long term care home in place, with 98 beds. There are also 6 residential learning disability respite homes registered with CQC in Oxfordshire.
- **Extra care housing :** OCC have 17 schemes in 2020 that are open and advertised, which provide a total of 932 individual units. They comprise a mixture of tenures i.e. homes for rent, shared ownership and private ownership. It is anticipated a further 522 units will be open by 2026 and an additional 838 to follow by 2031.
- Oxfordshire Infrastructure Strategy (pg 16) modelled forecasts indicate a gross requirement for the equivalent of 3,174 additional nursing care beds, 4,584 additional residential care beds and 3,879 additional extra care beds across Oxfordshire between 2016 and 2040.

³ Source – Oxfordshire Market Position Statement 2019 - 2022

1.5 Local Authorities in Oxfordshire and their Indirect Contribution to Healthcare Infrastructure

These Local Authorities are:

- Oxford City Council
- Oxfordshire County Council
- Cherwell District Council (CDC - covering the north of the County including Bicester and Banbury)
- South Oxford District Council (SODC - covering the southern towns of Didcot, Abingdon, Wallingford)
- Vale of White Horse District Council (VoWHDC - covering the west of Didcot, Wantage)
- West Oxford District Council (WODC - covering the western towns of Witney).

Contributions to health infrastructure administered by Local Authorities:

Financial Contributions from residential developers are via the Town Planning system.

The Local Authorities have varying approaches in their support of primary care infrastructure funding which can be through either CIL or s106 as follows:

1.5.1 Community Infrastructure Levy (CIL)

(if the Council have an adopted CIL Charging Schedule)

The Planning Act 2008 introduced the CIL Levy. Where Local Planning Authorities have a CIL policy, CIL will replace S106 planning obligations for many forms of infrastructure, although S106 agreements will still be used for site specific mitigation measures. CIL is a tariff on new development and imposed at a certain cost per square metre with each Council that has a CIL policy being able to prescribe a certain rate which is generally between £100 and £150 per sq metre for new housing. CIL has been described as 'a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area'. Where Local Authorities have a CIL Policy (e.g. South and Vale District Councils), discussions with those Authorities have either led to a proportion of CIL being committed to Health infrastructure or are in the process of negotiation.

1.5.2 Section 106 Agreements

Section 106 (S106) of the Town and Country Planning Act 1990 (as amended by Section 12 of the Planning and Compensation Act 1991) outlines the power of a Local Planning Authority (LPA) to enter into a Planning Obligation with anyone having an interest in land in their area. Health is listed as one of the main service areas where monies are received through the use of Section 106 planning obligations. Section 106 agreements are negotiated legal contracts between the developer seeking planning consent for a development, and the relevant LPA. Affordable housing is generally considered the most important provision in a S106 Agreement, but other infrastructure such as Schools, Highways, Public Open Space/Play areas, Community and Health Centres have also been provided for in such Agreements. Existing Section 106 Agreements that cover health infrastructure

have tended to be historic agreements and tend to follow a traditional model of GP practice provision of a small non-viable GP premises serving that development only. In these situations, OCCG is forced to consider either implementing these agreements or seeking Deeds of Variation to them - this is time consuming and requires both the Local Authority and Developer concerned to agree the variation.

Section 106 Agreements are most effective for health when Local Plans [Supplementary Planning Documents (SDPs) or Infrastructure Development Plans (IDPs)] provide the context for the following elements:

- the amount of S106 Health Contribution and (where there is also an adopted CIL policy within a particular Council)
- the threshold for the number of new residential units in a development where S106 is the only way of receiving developer contributions to contribute to health infrastructure.
- If the number of units falls below that threshold providing developer contributions come via CIL.
- S106 funding has a requirement for spend to occur within 10 years, or reverts back to Council allocations.

Both **SODC and VWHDC** have Community Infrastructure Levy (CIL) charging schedule and are currently allocating 20% of all CIL collected for Health Infrastructure. SODC and VWHDC have an Infrastructure Development Plan (IDP) which specifically mentions that a number of larger housing developments will contribute substantial sums towards Primary Care Health infrastructure via Section 106 Agreements. Other smaller developments will provide developer contributions via CIL, but with a challenging condition requiring CIL to be spent on health infrastructure within the Parish in which it was generated “as much as possible”. A large amount of CIL has been collected for Health Infrastructure but not yet spent, mainly due to the above constraints. Without the use of CIL monies to defray capital costs, proposed extensions and reconfigurations continue to be extremely challenging.

Cherwell District Council have no CIL charging schedule, but have a Developer Contributions Supplementary Planning Document (SPD) which states that new residential development will attract a levy of £360 per new person as a S106 contribution towards health infrastructure provided that capital contributions are towards a specific and deliverable health infrastructure scheme. This SPD is due to be updated and the Council are aware that OCCG will in due course be updating the current £360 per person basis for developer contributions to take account of the cost of recent Primary Care Development Schemes in the region.

Oxford City Council has a CIL Policy but no agreement with OCCG to provide any CIL monies for Health infrastructure. Due to a lack of housing developments in their area, there is little scope to obtain Section 106 capital contributions for this Council, with the exception of Wolvercote where there is a S106 Agreement to provide a shell and core facility at the former Paper Mill site. This would only be big enough to provide a small surgery (requiring Summertown Practice to continue to operate from two premises not one) but this Agreement does nevertheless represent a capital contribution towards a GP Premises development. There is a proposed

development, still in its initial stages, at Diamond Place in North Oxford. Master planning has yet to formally begin, but this could possibly be an opportunity to provide capital contributions to a new Primary Care facility there, albeit it is considered that the capital contribution is unlikely to be significant.

OCCG receives routine email notification of all major planning developments via its portal occg.planning@nhs.net. OCCG seeks to make representations to Developers for planning applications for key residential units to ensure that developers pay an appropriate amount towards health infrastructure. Given the scale of the developments around the county OCCG is closely engaged with their Local Authority colleagues in Planning to ensure primary care infrastructure funding is available to support the GP service provision for that area.

Across the Local Planning Authorities in Oxon, there are significant challenges in successfully incorporating developer contributions via Section 106 or CIL for the provision of Health Infrastructure. These challenges are:

- a lack of capacity to engage with Local Authorities to enable changes to be made to their Local Plan Policies that provide for adequate Health Infrastructure via developer contributions
- The provision of an accepted evidence-based cost estimate for a suitable Health Infrastructure development (new build and extension) that meets 3 necessary planning tests, namely:
 - necessary to make the development acceptable in planning terms,
 - directly related to the (mainly residential) development,
 - fairly and reasonably related in scale and kind to the (mainly residential) development,
- OCCG have now produced evidence to support a level of £360 per person (of new population growth) using cost data from schemes in an adjoining county
- It is difficult, particularly where smaller (residential) developments are phased in time over an area, to coordinate the different developer contributions towards a single and meaningful health infrastructure project.

1.6 The One Public Estate

One Public Estate (OPE) programme is an established national programme delivered in partnership by the Local Government Association and the Cabinet Office Government Property Unit (GPU). It provides practical and technical support and funding to councils to deliver ambitious property focused programmes in collaboration with central government and other public sector partners. Oxfordshire County Council, as the accountable body joined the programme in 2018 when health was awarded the first set of funding to explore opportunities for joint working across organisations, with the aim to optimise the use of land assets and to maximise the delivery of affordable housing, thus supporting the Oxfordshire Growth Deal.

However, the ability of Oxfordshire's OPE to be able to generate transformational service provision through estates developments/ reconfigurations has been challenged by viability issues – completed development values (with some non-commercial end uses such as libraries and community centres) have not been

sufficient to be able to justify the costs of redevelopment. Furthermore the ability to incorporate health services in such developments has at times been hindered by financial viability issues, particularly where infrastructure where community centres and libraries are to be built on the site. In addition, at times there has been funding to work up schemes, but no capital to bring them to fruition.

1.7 The Oxfordshire Plan 2050

The District Councils in Oxfordshire have agreed to produce a Joint Statutory Spatial Plan. The Plan is being prepared in partnership with Oxfordshire County Council and the Oxfordshire Local Enterprise Partnership (LEP). The Joint Plan and joint working will build on the partnership arrangements of the Housing and Growth Deal between the Government and the leaders of the six Oxfordshire authorities and the Chairman of the Oxfordshire LEP.

In return for guaranteed funding for affordable housing, infrastructure and economic growth, the Oxfordshire authorities agreed to submit a local plan for each District by 29th March 2019, which committed to deliver 100,000 new homes by 2031 through their local plans, and committed to produce a Joint Plan. This represents potential population growth of c. 250,000 for Oxfordshire, which may increase over time as the Plan develops : www.oxfordshireplan.org

The Joint Plan – known as the Oxfordshire Plan – will provide the strategic planning policy framework for the county area of Oxfordshire to 2050. The key matters that it will address are as follows:

- the overall strategy for the pattern and scale of development in Oxfordshire to 2050,
- the number of new market and affordable homes and level of economic Growth,
- the appropriate spatial strategy and the locations of strategic growth areas based on an understanding of environmental quality and natural capital,
 - strategic transport and other infrastructure needed to support sustainable growth.

As part of the Oxfordshire Plan 2050 work, a Health Impact Assessment will be undertaken of its spatial options for growth to ensure that they address existing health and wellbeing challenges in the county. In addition, Local Planning Authorities will be encouraged through their Local Plans to require developers to undertake health impact assessments of their major developments to ensure that they will provide a built environment that promotes good health and wellbeing. Whilst these assessments will not address primary care estates needs they will consider the impact of proposed development on the wider determinants of health.

The strategic policies to be covered in the Oxfordshire Plan are set out in the [Oxfordshire Plan Scoping Document](#) (paragraph 3.7). The Oxfordshire Plan will not deal with detailed matters that are more appropriately dealt with at a local level through local and neighbourhood plans or other non-strategic policies. It will not therefore allocate sites except at the request of the relevant local planning authority.

The Oxfordshire Plan is scheduled for adoption in Spring 2021 (subject to examination) and will be a formal Development Plan Document that will form part of the Development Plan for each District in Oxfordshire, and will be used in the formulation of more detailed plans locally, and in determining planning applications where appropriate. OCCG will work closely with the relevant local planning authorities to ensure that health infrastructure is fully represented in this Development Plan Document.

2.0 Strategic Context

2.1 Population growth and associated housing need

Population growth is described on page 7 above and the health needs associated with housing growth can be seen in appendix B.

2.2 NHS Long Term Plan – prevention and out of hospital

The NHS five year forward view envisages NHS estates as having a key role to play in supporting implementation of new care models, in improving efficiency and which meets the current and future needs for healthcare in an area.

It sets out how the NHS will move to a new service model in which patients get more options, better support, and properly joined-up care at the right time in the optimal care setting. This includes the right to online 'digital' GP consultations and redesigned hospital support which will avoid up to a third of outpatient appointments. GP practices through Primary Care Networks will be funded to work together to deal with pressures in primary care and extend the range of convenient local services, creating genuinely integrated teams of GPs, community health and social care staff. New expanded community health teams will be required under new national standards to provide fast support to people in their own homes as an alternative to hospitalisation, and to ramp up NHS support for people living in care homes.

The Long term plan focuses on:

- Strengthening the NHS contribution to prevention and health inequalities
- the NHS's priorities for care quality and outcomes improvement for the decade ahead.
- Tackling current workforce pressures which will bring new staff into primary care
- upgrading technology and digitally enabled care across the NHS.
- Outlining a NHS funding settlement to ensure the NHS is on a sustainable financial path.

These changes will have significant impact on primary care estate

Whilst the above demand factors cannot be ignored, better utilisation of the Estate can be achieved through:

2.3 Buckinghamshire, Oxfordshire and Berkshire West Integrated Care System

Oxfordshire CCG, together with 6 NHS Trusts, 2 further CCGs, 14 local authorities and 175 GP surgeries form the BOB ICS which will play an important part in improving the health and care of its 1.8M population.

Health and social care organisations across Buckinghamshire, Oxfordshire and Berkshire West (BOB) have developed an ambitious draft plan to improve the health and wellbeing of the 1.8m people living in the area (<https://www.bobstp.org.uk/>) with a vision to achieve the ‘triple aim’ set out in [Next Steps On The NHS Five Year Forward View](#) published in March 2017 and close the health and wellbeing, care and quality and financial gaps.

Aims include developing a strategic investment programme for our estates and the use of capital to enhance the health and care environment and sharing the learning across our three systems to:

- Increase our ability to support people in their own homes and avoid an urgent & emergency visit to hospital
- Plan for more capacity and enhance the quality of maternity care for our growing population
- Improve the health outcomes and increase the access of patients using mental health services, ensuring services are operating efficiently.
- Improve access to the highest quality primary care services

This strategy will inform the BOB Estates Strategy and ensure that primary care estates in Oxfordshire are best placed to access available NHS capital funding.

More information on the Development of the BOB estates strategy can be found at <https://www.bobstp.org.uk/workstreams/estates/>.

2.4 CCG Strategic fit and PCNs

Part of the new contract for GPs under the [Long Term Plan](#) is the Enhancing the Additional Roles Reimbursement Scheme, established in 2019. These roles include clinical pharmacists, Occupational Therapists, Social Prescribing Link Workers, Dieticians and Podiatrists.

Expanding the workforce is the top priority for primary care, for three reasons:

- to alleviate workload pressures on existing staff, and thereby ensure primary care is sustainable and can thrive;
- to improve patient experience of access, cut waiting times and meet the Government’s commitment to provide 50 million more appointments within general practice; and
- to improve the quality of care and implement NHS Long Term Plan goals, including the integration of care as set out in the [January 2019 five-year GP contract](#).

Whilst some staff may work from other operational sites, or from home bases, It can however be concluded that most PCNs may require some level of physical clinical space to absorb this staff increase in the next 4 years, if they cannot work from home or sessionally within the existing Primary Care Estate, or if otherwise alternative accommodation cannot be found for them.

2.5 Post COVID-19

Early indications from NHSE/I around changes to premises requirements following the impact of COVID-19 and new ways of working are as yet not known, but are being worked on.

COVID-19 support has come predominantly from practices adapting their existing premises, where possible, to facilitate a flow of patients to suspected COVID-19 areas, and non COVID-19 areas. As time has gone by there is recognition that all patients need to be treated as suspected patients, as the numbers who are asymptomatic but test positive are rising as more testing is carried out. This means that practices need to maintain the ability to isolate patients and staff, and be prepared if numbers increase again.

Distancing and patient flow process through practice premises can be extremely difficult, if not impossible particularly with GP practices formed from the conversion of private dwellings, and where corridors in older purpose built buildings are very narrow.

Discussion with primary care practices is highlighting the complexity of patients who are returning for routine care. This is both for telephone triage, online consultations, and face to face visits which are now on the rise to clear the backlog of patients who have delayed treatment.

Practice capacity needs to be flexible to undertake clinical care at volume, for example with influenza vaccinations. Learning from examples elsewhere will be considered alongside this strategy.

2.6 Unfit (for purpose) GP Buildings

Premises that are unfit for delivery of modern primary care are mainly houses converted to GP use, which often have narrow stairs, cramped consulting rooms with no Disability Discrimination Act compliance, inadequate toilet facilities and multiple levels. They can also be older purpose built surgery buildings which do not reflect modern methods of working.

Unfit buildings create the following problems:

- poor patient experience
- an inability to operate successfully in pandemics (evidenced recently during the covid19 pandemic)
- often associated with smaller Practices which cannot provide a wide array of services
- whether leasehold or owner-occupied, create an issue of “last man standing”

- may be in danger of a poor CQC report
- May have landlords who seek GP tenants to be tied into long full repairing and insuring leases.

3.0 Better Utilisation of the Estate

3.1 Online and video Consultations

The impact of COVID-19 has been significant in supporting a cultural change in both primary care and public usage of online and video consultations. The percentage of Oxfordshire practices using online and video consultations stands at 99% as at 30.4.2020, although the actual number of online/video consultations as a percentage of all consultations is still very low.

Early discussions with Oxford Academic Health Science Network identifies that in early October 2020 practices delivered 293 VCs (on average 4 each) although recording may be low. This needs to be set against the number of appointments a practice could expect to deliver however at this low rate space is unlikely to be released.

Video consultations are not the whole picture. The percentage of “remote” consultations, which includes telephone consultations, probably sits at more than 20 % of all consultations currently.

Work is being undertaken nationally to determine the extent to which online or video consultations, if operated effectively, would free up existing consultations. National workshops will be conducted which will examine the effects of online consultations. However, it is unlikely that this will result in a significant additional supply of consulting rooms when set against the need for additional staff roles.

Many of the Practices in Oxfordshire are already utilising their clinical space at 100% of capacity as identified in the 6 Facet Survey, with online and video consultations being undertaken in GP admin space or even in GPs’ own houses, to help support other clinical staff within the practice.

3.2 The digitalisation of Lloyd George Notes

NHSE/I supports the digitalisation of notes but have not yet confirmed whether Practices can dispose of their paper note systems. This has meant that many Practices still have (a) room(s) dedicated within their Practices for storage of notes or b) storage space off site. If NHSE confirm that these notes can be destroyed and there is capital to pay for the conversion of the practice based storage rooms to clinical use, then at least one new Clinical/Consulting can be created in most main GP Premises buildings.

3.3 Longer Premises opening hours (with a 3 sessions day)

To consider all of the options available to the CCG, the use of existing premises opening hours being extended needs to be calculated alongside the cost and disruption of a new build (total premises or extension).

Typical costs of a salaried GP and locum shown on the table below (comparison is for 3 GPs):

Salaried GP		Annual Salary	13.80% Ers NIC	14.38% Ers Pension	Annual Total
WTE	Hrly Rate				
1.00	£47	£91,229	£12,590	£13,119	£116,937
3.00		£273,687	£37,769	£39,356	£350,812

GP Locum

Session Rate	Session per day	Session days	Session weeks	Session Total	Annual Total
250	6	5	50	1500	£375,000

Assumptions

Salaried GP Annual Salary £91,229 - data source

<https://www.bma.org.uk/pay-and-contracts/pay/other-doctors-pay-scales/salaried-gps-pay->

GP locum Rate per session - £250 per session

NHSE/I COVID 19 Support Fund for general practice letter 4/8/20

Table 5

The following tables calculation have many variables, however to set the above costs against a build model the estimates are:

"3 session practice example"			
base on 2 full-time GPs and 2 available consulting rooms			
Option is to:			
A	either create an additional room occupied by another 2-session a day salaried GP		
B	or two locums doing a session each day in each of the available 2 consulting rooms		
A	One additional salaried GP	£116,987	pa
	newly built room estimate	13,500	pa
		£130,487	Option A cost
B	locum rates* (*can fluctuate)	£250	per session pd per locum
	two locums doing the third session	£500	
		£2,500	5 dpw
		52	weeks pa
	(Costs increase if weekend working introduced)	£ 130,000	Option B cost

Table 6

Pro's for a 3 shift pattern	Cons
<p>Existing premises so increased space utilisation.</p> <p>Additional patients are seen.</p> <p>Convenience for working patients.</p> <p>Many practices are already utilising space in a flexible way so clinicians use a room – not 'their' room.</p> <p>Environmental savings re no building supplies or disruptive working.</p> <p>Same 'rental' costs to OCCG.</p>	<p>Recruitment difficulties as a cultural change.</p> <p>Staff may not wish to work in shift patterns re work life balance (although some might prefer it).</p> <p>National model of weekend working was not welcomed by many patients but was based on a central model not 'my' practice, which may differ.</p> <p>Cultural change for clinical staff having neutral space.</p> <p>Shift patterns and weekend working will require additional support staff costs.</p> <p>Some landlords don't allow building access for late night working.</p>

The conclusion from this rapid review is that the costs of locums to provide additional capacity to a practice is broadly equivalent to the cost of salaried GPs and providing additional estates. However, in terms of practice stability, GP practices may prefer the salaried GP route, particularly as that route provides workforce stability, and assuming it includes additional estate, will have the estates element reimbursed by the CCG.

It is expected that over time many practices will utilise their existing clinical space in a shared model to maximise access for patients, and to support further more staff working from the practice. To move to a three shift model is something which PCNs will no doubt consider as part of their resilience plans.

4.0 Funding an Increase in Estate Supply

OCCG do not hold capital funding for estates development; this is obtained through capital bids to NHSE/I. This ability is limited and is a barrier to new supply. Funding currently comes through the provision of the following areas.

4.1 Additional Capital from Developer Contributions (Section 106 and/or CIL payments) towards Health Infrastructure

Please see Page 17 above for an explanation of CIL and Section 106 contributions

The most significant (legacy) S106 Agreement in Oxfordshire is in Didcot in respect of the part funding of a proposed GP development at the Great Western site where the developer has a legal duty to gift a 0.2 ha/0.5 Ac site to the NHS as well as a current financial contribution of c £0.85M. Other contributions are in the pipeline for other areas if they can be brought to fruition.

4.2 Capital contributions from NHSE/I:

OCCG is totally reliant on NHSE/I capital funding being made available in order to develop any estates project. This is usually made available via:

- **ETTF funding** – the Estates Technology and Transformation Funding stream is part funding 23 projects in Buckinghamshire but none in Oxfordshire/ Berkshire West and closes in March 2021. There is no current understanding of any replacement schemes.
- **STP Capital** - STP capital funding is believed to be on hold pending a better understanding of the future service delivery and current estates position.

Both ETTF and STP Capital projects require a very robust business case regime, predicated on a sound estates strategy.

4.3 Premises Improvement Grants

Each year NHS E releases funds to CCGs for premises improvement grants. The projects that may be funded through these grants and the conditions attached to them are clearly laid out in the General Medical Services – premises Costs Directions 2013 available

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/184017/NHS_General_Medical_Services_-_Premises_Costs_Directions_2013.pdf

Annually the CCG will collect 'bids' from the practices and submit the most appropriate for consideration by the national team. Schemes submitted vary in cost between £5,000 and £100,000. Currently improvement grants are provided to a maximum of 66% of total costs with the remainder covered through practice contributions

Premises improvement grants are an economic and effective way of achieving small scale estates improvements in general practice. However, funding is often released with tight turn round for bid submission or with the condition that projects complete over a few months. They are therefore not suitable for some of the larger scale developments.

Going forward the Primary Care estates strategy will support the Premises Improvement grant schemes.

4.4 Additional revenue - (through rent reimbursement payable directly by the CCG).

NHSE/I Revenue Funding of current Primary Care Premises:

The Primary Care delegated co-commissioning budget for GP Premises is currently **£11,803,538** pa.

This revenue pays for:

- "notional rent" (based on a notional lease of 15 years with a tenant internal repairing liability and 3-yearly rent reviews), where Practices are owner-occupied

- Lease rent reimbursement, based on the actual rent payable, subject to certain conditions*
- Business Rates reimbursement
- Clinical Waste cost reimbursement

The District Valuer assesses all rental values, with the frequency of review being 3 yearly for owner-occupied estate and generally 3 to 5 years (depending on the review pattern in the lease and the desire of a landlord to implement a rent review).

With new Premises developments, the above delegated budget will require an increase. Each project will have its own business case and estimated additional revenue and other associated project costs.

5. Overarching Principles

1. OCCG will collaborate with ICS system partners to ensure that Oxfordshire's primary care estate needs are known and communicated and where possible will seek to co-locate services that consolidate services onto fewer sites, maximising the use of existing infrastructure. This includes exploring the development of out-of-hospital services provided in community hub-type settings.
2. OCCG will where possible ensure primary care premises are developed in Oxfordshire to support the implementation of OCCG commissioning plans and in particular the ICS Primary Care Strategy and aligned to One Public Estate where appropriate.
3. OCCG will enable primary care services that cater for population growth, particularly around centres of significant growth to ensure new populations have a viable Primary Care service.
4. OCCG planned developments will make best use of the external funding - NHSE/I funding, CIL funding and s106 funding.
5. OCCG will work with practices so that they remain or can become resilient and sustainable; the CCG will not support the establishment of single-handed GP practices and would only wish to fund new practices that can cater for at least 10,000 population (5-6 FTE GPs). As a general rule the development of new branch surgeries are no longer clinically or financially viable, so will only be considered where there are exceptional circumstances.
6. OCCG will strive to fund modern, fit for purpose premises that are accessible to local populations and ideally close to public transport and/or with reasonable parking facilities, with a preference for sustainable travel arrangements.

7. OCCG will increasingly commission services that can be delivered in primary care that have traditionally been delivered in secondary care, thus promoting care closer to home.
8. OCCG will need to develop an evaluation process and criteria for assessment of options and development opportunities to ensure the right estate is delivered in the right place and are cost effective to make best use of funds available.
9. OCCG will allow Developer Contributions in excess of the limit imposed by the Premises Costs Directions of 66% subject to agreed ICS-wide Criteria (to be agreed) to enable rent reimbursement to be minimised, subject to the adoption of an agreed exceptionalities criteria for funding above 66%, and subject to any new guidance/ premises costs directions
10. New developments will be at “value for money” Rents as confirmed by the District Valuer, whether under the “Current Market Rent” basis or as under Direction 6 of the 2013 Premises Costs Directions (covering situations which cannot reasonably be foreseen).

OCCG has two considerations when prioritising spend across estates. One is the current ‘fit for purpose’ state of existing premises including lease issues, and the second is estimated population growth.

Planning also encompasses GP sustainability - those practices who have imminent lease issues.

6. CONCLUSIONS

This document details the current Oxfordshire CCG estates position so this is known across the BOB footprint. The significant population growth across so many areas of Oxfordshire is increasing the pressures on primary care services, patient needs are rising and new PCN staff will require a base to work, whether in a clinical setting or otherwise.

With the expanding housing growth and subsequent population rise, there are significant estate pressures across Oxfordshire, with limited ability to put in place robust plans for development without developer contributions from CIL / S106 funding or NHSE capital, bearing in mind the additional revenue burden to OCCG.

Within Oxfordshire the immediate (2-3 years) priorities for primary care premises development plans to be finalised are:

- Oxford City Didcot
- Bicester Wantage

Due to significant housing growth the following local areas are also under pressure and require health infrastructure development plans in the short to medium term, subject to future funding:

- Kidlington /Yarnton Wallingford
- Abingdon Eynsham
- North Oxford Banbury

Both population growth and the GP contract will increase pressure on primary care estates and unless new ways of working are more intensively adopted across the county and/or additional revenue and capital funding is obtained, OCCG may not be able to adequately fulfil its statutory duty to support patient services”.

Finally, alignment of the three CCG estates strategies within the BOB ICS estates strategy is required in order to fully understand the wider system priorities.

DRAFT

Oxford Health NHS Trust - Historic Integration within the Oxfordshire NHS Estate

Oxford Health NHS Trust (OHFT) are the main Community Services Provider in Oxfordshire and specialise in mental health services. They have a number of Community Hospital sites that are effectively co-located in GP surgeries in Abingdon, Didcot, Wallingford and Witney.

OHFT also have a cottage hospital in Wantage relatively close to the only GP Practices there. OHFT also have a significant presence in 2 NHS PS Hospital sites at Bicester, Chipping Norton and Henley with GPs in close proximity. OH service provision at these locations is shown in the below table:

Hospital	Services
Abingdon	Children's integrated therapy service, Community Nurses, MSK Physiotherapist, Countywide-Podiatry, ILT, Urgent Care, Countywide SaLT, tissue viability
Bicester (NHS PS)	Physio, 1 ward, out of hours & integrated locality hub
Chipping Norton (NHS PS)	SaLT, Podiatry, Physio, 14 intermediary beds, Older Adult mental health office, MSK & DNs
Didcot	Older adult inpatient, podiatry clinic, dental clinic, occupational therapy & DNs
Henley (Townlands - NHS PS)	1 ward, HV's, DNs, SaLT, podiatry, MSK physio, MiU, RACU - Rapid Access Care Unit
Wallingford	Adult and Older Adult community mental health teams, dental & Children's integrated therapy service, memory clinics, falls, SaLT, podiatry, MSK
Witney	MIU, Emu, Dental, 2 wards, 7 consulting rooms, MSK physio, OT gym & SaLT
Wantage	School health nurses, SaLT and podiatry

Green shading denotes closest/adjoining proximity to current GP Practices.

Oxford University NHS Hospitals Trust is the only acute provider in Oxfordshire – they have secondary care provision on the Churchill hospital site, the Nuffield Orthopaedic site, and the Banbury hospital site and do have some 'co-location' with Primary Care within a reasonable vicinity:

Site	Based	Nearest GP practice to Acute site
John Radcliffe Hospital	Oxford city	0.4 miles - Manor Surgery on site
Churchill Hospital	Oxford city	0.7 miles – Manor Surgery
Nuffield Orthopaedic Hospital	Oxford city	0.6 miles – Manor Surgery or 0.7 miles - Hedena Surgery
Horton Hospital	Banbury town	0.3 miles - High Town Surgery

OUHFT is expected to publish a Horton Hospital Plan in the future; this will be considered alongside this estates strategy in due course.

Health needs associated with Housing growth

The link between planning and health is long established. The planning system has an important role in creating healthy communities; it provides a means both to address the wider determinants of health and to improve health services and infrastructure to meet changing healthcare needs. Consultation between District Councils (as Local Planning Authorities (LPAs)), public health and health organisations is a crucial part of the process.

The Oxfordshire Strategic Housing Market Assessment (2014) concluded that 93,560 – 106,560 additional homes will be needed across Oxfordshire in the period 2011 – 2031. Assuming an occupancy rate of 2.4 people per new dwelling, this equates to an additional population of 215,000 – 245,000 people, or a 35% increase from the 2011 census baseline.

NHS Property Services have estimated that an additional 128 WTE GPs and over 16,000 square metres of GP floor space would be needed to cope with this level of population growth (assuming the mid-point of the growth estimate). Given the current financial position of the NHS it is difficult without additional roles staff to see how this will be delivered without either securing funding or infrastructure from the developers building the homes or accessing other sources of funding available to meet the demands associated with significant growth.

The sums of money potentially available via CIL or s106 are significant. Based on the mid-point of expected growth and calculations included later in this report, the level of housing expected in Oxfordshire could generate in the region of £230 million for primary care facilities from developer contributions. Depending on the size of the development, valuable land could also be made available for new healthcare premises.

This paper provides an overview of where housing growth is expected, Section 106 planning obligations and the Community Infrastructure Levy; outlines the steps that need to be taken to put the CCG in a stronger position to influence and realise opportunities in relation to housing and population growth; progress to date; and a suggested approach to securing funding and infrastructure.

Integrated Care System (ICS) Provision

The NHS and local councils formed Sustainability and Transformation Partnerships (STP) in 44 areas in 2016, all of England, to improve health and care.

<https://www.england.nhs.uk/integratedcare/stps/> Each area has developed proposals built around the needs of the whole population in the area, not just those of individual organisations.

In 2019, NHS England/NHS Improvement approved the formation of the BOB ICS from the BOB STP. <https://www.bobstp.org.uk/> This brings together health and care organisations and local authorities across Buckinghamshire, Oxfordshire and Berkshire West with the aim of working more closely to serve the needs of the 1.8million people within the BOB area. The work of BOB ICS will be driven by the commitment to provide a person centred approach to health and care services, making sure they are delivered and planned as locally as possible.

The BOB ICS has developed a local plan that sets out how affordable, good quality health and social care will be provided across the footprint in the future.

<https://www.bobstp.org.uk/bob-ics-five-year-plan/> The BOB STP footprint is made up of Clinical Commissioning Groups (CCGs), Local Authorities, NHS providers and other health and care services across the geographic area. It covers a population of 1.8 million and has a budget of £2.5 billion. The key priorities for the BOB STP are:

- Shifting the focus of care from treatment to prevention.
- Providing access to the highest quality primary, community and urgent care.
- Collaboration between acute trusts to deliver equality and efficiency.
- Developing mental health services to improve the overall value of care provided.
- Maximising value and patient outcomes from specialised commissioning.
- Establishing a flexible and collaborative approach to workforce.
- Making better use of digital technology to improve information flow, efficiency and patient care

ICS Estates Strategy

The BOB ICS Estates Strategy is a “work in progress” with various ICP Estates Strategies needing to be in place first and with ICS strategies on Primary and other Care services to be better developed.

<https://www.bobstp.org.uk/workstreams/estates/>

The BOB ICS Estates Strategy has a basic prototype – the BOB STP Estates Strategy, created in 2018 which sought to capture a discussion document that described the existing estate, the challenges that clinical services face and recognises there has been a lack of funding in the past.

In principle the Strategy supports investments (to include the reduction in backlog maintenance), subject to funding to enable a more efficient use of the estate,

supported through digital consultations, care closer to home and with primary and community care transformation.

There were some basic costs captured for the existing estate which exclude the GP estate:

- STP total estate cost of c.£116m pa (excluding GP Premises)
- Over 90% of footprint is clinical use
- c.£203m backlog maintenance
- c.£36m high-risk backlog maintenance

With regard to capital requirements, the Strategy approached the investment prioritisation in a “whole system” approach and identified key investment requirements as being:

- 2 over £100M each (outside of Oxfordshire)
- 47 under £100M (some in Oxon)

The total anticipated STP Capital investment across the estate for the period 2018 to 2023 was estimated at £846 M and following a due diligence process in July, 18 Wave 4 STP bids were submitted for a total of £106M. However, the STP Capital Committed (as at July 2018) was as follows:

- £8.8m STP wave 2: Primary Care Access Centres (Bucks ICS)
- £5m STP wave 2: A&E Stoke Manderville Hospital (Bucks ICS)
- £3m Wave 3 STP capital for 8 beds at Highfield PICU (Oxford Healthcare FT)
- £25.8m of projects at FBC stage (July 2018)

The primary and secondary care estate in Oxfordshire has not received any of this funding to date and whilst the GP estate and GP services are recognised, the main focus of the Strategy was primarily around the Acute care estate.

In January 2019, initial discussions were held with primary care leads to start drafting an ICS-wide primary care estates strategy, recognising that each place (Berkshire West, Oxfordshire and Buckinghamshire) were at different stages in understanding their existing primary care estate and setting priorities and investment plans for the future. With the advent of Primary Care Networks as the building blocks of all future service delivery, and the launch of a primary care strategy across BOB by the Autumn of 2019, it was agreed that a working group tasked with drafting the primary care estate strategy would be convened post September 2019, with a view to presenting a first draft to STP Estates Working Group.

A table of “desired” projects (referred to as “the current and planned primary care capital pipeline”) was put forward to the ICS and is under consideration.

A Primary Care Estates Strategy for each County within the ICS will serve to better inform the ICS towards the development of a “system-wide” Estates Strategy, albeit it is recognised that without further capital (and revenue) funding, such a Strategy will be difficult to bring to fruition.

OCCG Board Paper adopting the Oxfordshire Model for Primary Care Estates

The Oxfordshire model for dealing with primary care infrastructure development was adopted by OCCG in 28 September 2017, following agreement at the Oxfordshire Primary Care Commissioning Committee (OPCCC) meeting, paper 6, here:

<https://www.oxfordshireccg.nhs.uk/documents/meetings/opccc/2017/07/2017-07-25-Paper-6-Primary-Care-Infrastructure.pdf>

This document remains in place until reviewed following national NHS England / Digital advice on new ways of working which may affect premises, following the covid19 pandemic.

The average occupancy of 2.4 persons is used in the initial health calculation until such time as the size of the units are confirmed at which point the final costs/health calculation would be confirmed. For example if the proposal was for a 400 dwelling development the initial calculation would be –

2.4persons x 400 dwelling units x £360* = £345,600.

When the size of the units is confirmed the table below is used:

Size of unit	Occupancy assumptions based on size of unit	Health need / sum requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

*Note the £360 sum is index linked so will rise with inflation as the SDP ages.

OCCG have reviewed the £360 per person and are confident that this is a robust figure having analysed two recent projects in Buckinghamshire that are commencing shortly.

The £360 per person is calculated on a cost of GP development that includes land, build costs, professional fees and VAT.

Primary Care Estates Meeting – Terms of Reference are available in the following OPCCC estates update document here:

<https://www.oxfordshireccg.nhs.uk/documents/meetings/opccc/2019/11/2019-11-05-Paper-4-1-Oxfordshire-Primary-Care-Estates-an-update.pdf>


Practice estate position per PCN area

The following tables are shown in North, City, South order, then by PCN in alphabetical order. They show the current information available on each practice as per the District Valuer square meterage, the lease position as advised by NHS Property Services, or practices, and any known growth or intentions to make alterations.

These are working documents and will change as practice positions alter.

DRAFT

North - Banbury Alliance PCN

PCN Practice Profiles				
Banbury Alliance PCN				
Name:	Hightown Surgery	Windrush Surgery		Woodlands Surgery
Address:	Hightown Gardens, Banbury OX16 9DB	Windrush Surgery, 21 West Bar St, Banbury OX16 9SA	The Surgery, Bretch Hill, OX16 0LS	4 Burchester Place, Banbury, Oxon, OX16 3WT
Branch surgery:	main	main	branch	main
PCN area:	Banbury	Banbury	Banbury	Banbury
Practice Population: 1.1.20	11435	8376	part of Windrush	7385
Owned / Leased:	Owner / Occupied	Owner / Occupied	Leased	Owner / Occupied
Lease commenced:	n/a	n/a	04.10.99 25	n/a
Lease expiry:	n/a	n/a	03.10.24	n/a
Break Clause:	n/a	n/a	10 yrs	n/a
Lease type:	GP practice loan	n/a	full repairing	GP practice loan
Owner / Landlord:	GPs	Various	Cherwell District Council	GPs
Building type:	purpose built	converted house	converted commercial	purpose built
Population growth:	significant	steady		steady
Expansion planned:	Yes, portacabin as interim measure	no, no space to expand	no	no, no space to expand
S106 sought:	Banbury population expansion	Banbury population expansion	Banbury population expansion	Banbury population expansion
Status:				
6 Facet status (2017)	100% space utilisation - overcrowded Compliance with statutory regulations - D	100% space utilisation - fully used Compliance with statutory regulations - D	Space utilisation - 50% under used Complicant with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D
Net internal area 2017	236.87	259	split with main	187.19
Parking	18	20 spaces		8
Other ?				
Net internal area	683.06			
Total PCN population	27196			
Sq metre per person	0.025			



North - Banbury Cross PCN

PCN Practice Profiles	BANBURY			
Banbury Cross PCN				
Name:	Banbury Cross Health Centre			
Address:	previously known as West Bar, Surgery, South Bar House, Banbury, OX16 9 AD	previously known as Horse Fair, South Bar House, S Bar St, Banbury OX16 9AD	Bridge Street Surgery, OX16 5QB	Hardwick, OX16 1XE
Branch surgery:	main site	main	branch	branch - CURRENTLY CLOSED
PCN area:	Banbury	Banbury	Banbury	Banbury
Practice Population: 1.1.20	25617	14259	part of Banbury Cross HC	part of Banbury Cross HC
Owned / Leased:	Leased	Leased	Leased	Leased
Lease commenced:	17.6.2009 25 years	5.4.2008 25 years	??	15.3.2005 10 years
Lease expiry:	16.6.2034	4.4.2033		14.3.2015
Break Clause:	was at 15 years at 2024, now gone. 6 months notice			
Lease type:	full repairing	full repairing?		
Owner / Landlord:	Assura	Assura	Cherwell District Council	Cherwell District Council
Building type:	purpose built	purpose built	purpose built	purpose built
Population growth:	steady	steady	steady	
Expansion planned:	no	no	no, no space to expand	temporarily closed on infection control grounds
S106 sought:	Banbury population expansion	Banbury population expansion	Banbury population expansion	Banbury population expansion
Status:	top floor space	top floor space	top floor space used by other services	
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	Space utilisation - 50% under used Complicant with statutory regulations - C
Net internal area 2017	1431	1275	403.14	Closed
Parking	42	35 shared	0	3
Other ?				
Net internal area	3109.14			
Total PCN population	39876			
Sq metre per person	0.078			


North - Bicester PCN

PCN Practice Profiles	v5	DRAFT			
Bicester PCN					
Name:	Bicester Health Centre	Montgomery House Surgery	Alchester Medical Group		
Address:	Coker Close, Bicester, OX26 6AT	Piggy Lane, Bicester, OX26 6HT	Langford Surgery, 9 Nightingale Place, Bicester, OX26 6XX	Victoria House Surgery, 119 Buckingham Road, Bicester, OX26 3EU	Ambrosden, OX25 2RB
Branch surgery:	main	main	Main	branch	Ambrosden branch
PCN area:	Bicester	Bicester	Bicester	Bicester	Bicester
Practice Population: 1.1.20	15035	15314	20320	in Alchester figs	in Alchester figs
Owned / Leased:	Owner / Occupier	Leased	Owner / Occupier	Leased	Leased
Lease commenced:	n/a	24.9.1998 24 yrs	n/a	27.11.2001 (24 years)	26.7.1985
Lease expiry:	n/a	24.09.2022	n/a	27.11.2025	2021 5 years DV discussions
Break Clause:	n/a	no	n/a	no	3 months
Lease type:	Group practice loan	fully repairing	Group practice loan	fully repairing	internal repairing
Owner / Landlord:	GPs	PHP	GPs	PHP	SoS Defence Estates
Building type:	purpose built	purpose built	purpose built	purpose built	Converted building
Population growth:	significant	significant	significant	significant	significant
Expansion planned:	Julier Centre	Kingsmere / Graven Hill possible options	yes, portacabin options being explored	Kingsmere / Graven Hill possible options	no
S106 sought:	Working with CDC on any opportunities for s106	Working with CDC on any opportunities for s106	Wretchwick Green	Working with CDC on any opportunities for s106	
Status:					
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - under used Compliance with statutory regulations - C
Net internal area 2017	611.39	981.29	497	710	180
Parking	53	55	20 shared	41	7
Other ?					
Net internal area	2979.68		Alchester Medical Group, and Montgomery House Surgery are not part of a PCN, however patients remain covered by OCCG.		
Total population	50669				
Sq metres per person	0.059				

North - Eynsham and Witney PCN

Eynsham & Witney PCN					
Name:	Cogges Surgery	Eynsham Medical Group		Nuffield Health Centre	Windrush Medical Practice
Address:	12 Cogges Hill Road, Witney, OX28 3FS	Conduit Ln, Eynsham OX29 4QB	Long Hanborough Surgery, 56 Churchill Way, Long Hanborough, Witney, OX29 8JL	Welch Way, Witney OX28 6JQ	Welch Way, Witney OX28 6JS
Branch surgery:	main	main	branch	main	main
PCN area:	Eynsham & Witney PCN	Eynsham & Witney PCN	Eynsham & Witney PCN	Eynsham & Witney PCN	Eynsham & Witney PCN
Practice Population: 1.1.20	7,467	14,211	in Eynsham figures	12,004	18,176
Owned / Leased:	owned	owned	owned	leased	owned
Lease commenced:	n/a	n/a	n/a		n/a
Lease expiry:	n/a	n/a	n/a		n/a
Break Clause:	n/a	n/a	n/a		n/a
Lease type:	n/a	n/a	n/a	full repair	n/a
Owner:	GP Partners	GP Partners	GP Partners	various	GP Partners
Building type:	purpose built	purpose built	purpose built	purpose built	purpose built new 2012
Population growth:	significant	yes	significant - Oxfordshire Cotswold Garden Village	significant	significant
Expansion planned:		no, no space to extend	Yes - branch being rebuilt	No, OHFT MH staff in situ	no, no space to expand
S106 sought:			yes		
Status:				lease discussions ongoing	
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	space utilisation - 20% under used Compliance with statutory regulations - C
Net internal area 2017	383.97	495.92	244.73	728	1430
Parking spaces:	27	8	12	27	35
Other ?					
Net internal area	3282.62				
Total PCN population	51,858				
Sq metre per person	0.063				






North - KIWY PCN

PCN Practice Profiles	v3	DRAFT			
KIWY PCN					
Name:	Gosford Hill Medical Centre	Islip Medical Practice	Woodstock Surgery	The KEY Medical Practice	
Address:	167 Oxford Rd, Kidlington, OX5 2NS	Bletchington Rd, Islip, OX5 2TQ	Park Lane, Woodstock, OX20 1UD	Exeter Close, Oxford Rd, Kidlington, OX5 1AP	Yarnton Surgery, Rutten Lane, Yarnton, OX5 1LT
Branch surgery:	main	main	main	main	branch
PCN area:	KIWY	KIWY	KIWY	KIWY	KIWY
Practice Population: 1.1.20	7223	5952	9094	13057	In KEY figures
Owned / Leased:	Owner / Occupier	Owner / Occupier	Owner / Occupier	Owner / Occupier	Leased
Lease commenced:	n/a	n/a	n/a	n/a	12.04.1990
Lease expiry:	n/a	n/a	n/a	n/a	2029
Break Clause:	n/a	n/a	n/a	n/a	
Lease type:	Group Practice loan	Group Practice loan	Group Practice loan	Group Practice loan	
Owner:	Aviva	Nat West	Lloyds	GP Partners	Merton College / NHS PS ?
Build type	converted house	purpose built	converted house	purpose built	purpose built
Population growth:	significant	steady	significant	significant	significant
Expansion planned:	Yes (no capacity on current site)	No, expansion space available	Yes (no capacity on current site)	Yes, with Gosford Hill	No, expansion space available
S106 sought:	Working with CDC on any opportunities for s106, 4,400 Oxford 'breathe out'	Working with CDC on any opportunities for s106, 4,400 Oxford 'breathe out'	Working with CDC on any opportunities for s106, 4,400 Oxford 'breathe out'	Working with CDC on any opportunities for s106, 4,400 Oxford 'breathe out'	as KEY
Status:					
6 Facet status	100% space utilisation - fully used Compliance with statutory regulations - D	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - overcrowded Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	space utilisation - under used Compliance with statutory regulations - C
Net internal area	427.5	682	266.72	502.25	471
Parking	13 spaces	47 spaces	5 spaces	18 spaces	30
Other ?					
Net internal area	2349.47				
Total PCN population	35326				
Sq metre per person	0.067				


North - North Oxfordshire Rural Alliance

North Oxford Rural Area (NORA) PCN						
Name:	Bloxham Surgery		Chipping Norton Health Centre	Cropredy Surgery	Deddington Health Centre	Wychwood Surgery
Address:	Godswell Lodge, Church St, Bloxham, Banbury OX15 4ES	Hook Norton Surgery, The Bourne, Hook Norton, Banbury OX15 5PB	Russell Way, Chipping Norton OX7 5FA	Cropredy, Banbury OX17 1FB	Earls Lane, Deddington, OX, Banbury OX15 0TQ	Meadow Ln, Shipton-under-Wychwood, Chipping Norton OX7 6BW
Branch surgery:	main site	Branch surgery	main site	main site	main site	main site
PCN area:	NORA		NORA	NORA	NORA	NORA
Practice Population: 1.1.20	7902	part of Bloxham figs	15712	4005	11977	5966
Owned / Leased:	Owner / Occupied	Owner / Occupied	Owner / Occupied	Leased	Owner / Occupied	Owner / Occupied
Lease commenced:	n/a	n/a	n/a	14.01.2002	n/a	n/a
Lease expiry:	n/a	n/a	n/a	13.01.2027	n/a	n/a
Break Clause:	n/a	n/a	n/a	-	n/a	n/a
Lease type:	n/a	n/a	n/a	internal repairing	n/a	n/a
Owner / Landlord:	GPs	GPs	GPs	Assura	GPs	GPs
Building type:	converted building	purpose built	purpose built	purpose built	purpose built	purpose built
Population growth:	significant	steady	significant	steady	significant	General growth
Expansion planned:	no, no space to expand	no, yes space to expand	potential	limited potential	no, no space to expand	no, space possible
S106 sought:	yes		yes, nearby housing expansion underway		Heyford Hill ongoing	
Status:						
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	Space utilisation - 20% under used Compliant with statutory regulations - C	Space utilisation - 25% under used Compliant with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - 20% under used Compliance with statutory regulations - C
Net internal area 2017	335.33	290.13	1624	291	480.3	622
Parking	36	20	99	21	19	33
Other ?						
Net internal area	3642.76		Sibford Surgery is not part of a PCN, however is covered by NORA. Population 2,835. No NIA available. GP owned.			
Total PCN population	45562					
Sq metre per person	0.080					

North - Rural West PCN

PCN Practice Profiles	v3		DRAFT		
Rural West PCN					
Name:	Bampton Surgery	Broadshires Health Centre	Burford Surgery		Charlbury Medical Centre
Address:	Landells, Bampton OX18 2LJ	Broadshires Way, Carterton OX18 1JA	59 Sheep St, Burford OX18 4LS	Carterton Surgery, Alvescot Rd, Carterton OX18 3LJ	Enstone Rd, Charlbury, Chipping Norton OX7 3PQ
Branch surgery:	main	main	main	branch	main
PCN area:	Rural West PCN	Rural West PCN	Rural West PCN	Rural West PCN	Rural West PCN
Practice Population: 1.1.20	8,655	11,136	6,643	in Burford figures	5,458
Owned / Leased:	owned	owned	owned	owned	leased
Lease commenced:	n/a	n/a	n/a	n/a	??
Lease expiry:	n/a	n/a	n/a	n/a	
Break Clause:	n/a	n/a	n/a	n/a	
Lease type:	n/a	n/a	n/a	n/a	
Owner:	GP Partners	GP Partners	GP Partners	GP Partners	
Building type:	purpose built	purpose built	purpose built	purpose built	purpose built
Population growth:	steady	planned	general growth	significant	general growth
Expansion planned:	no,	potential	no, n/k	needed	no, space u/k
S106 sought:					
Status:				Space shared with Bampton Surgery	NIA split
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - 95% used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C
Net internal area 2017	406.89	588.19	302.06	312.77	649.57
Parking spaces:	34	29	19	19	?
Other ?					
Net internal area	2259.48				
Total PCN population	31,892				
Sq metre per person	0.071				

Oxford City – Oxford Central

PCN Practice Profiles	v3	DRAFT			
Oxford City Central PCN					
Name:	27 Beaumont Street	28 Beaumont Street	King Edward Street	Observatory Medical Practice	Jericho Health Centre (Leaver)
Address:	27 Beaumont St, Oxford OX1 2NR	28 Beaumont St, Oxford OX1 2NP	9 King Edward St, Oxford OX1 4JA	New Radcliffe House, Oxford OX2 6NW	New Radcliffe House, Oxford OX2 6NW
Branch surgery:	main	main	main	main	main
PCN area:	City Central PCN	City Central PCN	City Central PCN	City Central PCN	City Central PCN
Practice Population: 1.1.20	7,463	5,553	5,849	11,539	9,489
Owned / Leased:	Leased	Leased	Leased	Leased	Leased
Lease commenced:	1.12.16	24.9.1998 24 yrs	21.11.12	06.07.2012	06.07.2012
Lease expiry:	30.11.2021	2012 + 10 so 2022	28.9.2021	03.07.2037	03.07.2037
Break Clause:	-	no	-	05.07.2027	05.07.2027
Lease type:	internal repairing	full repairing	internal repairing	short lease	short lease
Owner / Landlord:	St Johns College	St Johns College	Oriel College	NHS PS	NHS PS
Building type:	converted house	converted house	converted house	purpose built	purpose built
Population growth:	yes	yes	yes	yes	yes
Expansion planned:	no space to expand -looking at options	no space to expand -looking at options	no space to expand -looking at options	no	no
S106 sought:	Seeking section 106 or CIL from Oxford City Council	Seeking section 106 or CIL from Oxford City Council	Seeking section 106 or CIL from Oxford City Council	Seeking section 106 or CIL from Oxford City Council	Seeking section 106 or CIL from Oxford City Council
Status:					
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - under used Compliance with statutory regulations - C
Net internal area 2017	291.36	241.92	184	559.9	371.33
Parking	2	4	2	10	10
Other ?					
Net internal area	1648.51				
Total PCN population	39,893				
Sq metre per person	0.041				







Oxford City – East Oxford PCN

PCN Practice Profiles	v3	DRAFT				
East Oxford PCN						
Name:	St Barthomew's Medical Centre			Bartlemas Surgery	St Cements Surgery	Cowley Road Medical Practice
Address:	St Barthomew's Medical Centre, 1 Manzil Way, Cowley, Oxford, OX4 1XB	South Oxford Health centre, Lake Street, Oxford,	Oxford Brooks Uni Medical Centre, Gipsy Lane, Headington, Oxford, OX2 0BP	1 Manzil Way, Cowley, Oxford, OX4 1XB	39 Temple Street, Oxford, OX4 1JS	Manzil Way, Cowley, Oxford, OX4 1XB
Branch surgery:	main	branch	branch	main	main	main
PCN area:	East Oxford PCN	East Oxford PCN	East Oxford PCN	East Oxford PCN	East Oxford PCN	East Oxford PCN
Practice Population: 1.1.20	23,918	in St Barts figures	in main site figs	8,738	5,263	10,202
Owned / Leased:	Owned	Freehold	Leased	Leased	Owned	Leased
Lease commenced:	n/a	n/a	18 month rolling contract		n/a	
Lease expiry:	n/a	n/a			n/a	
Break Clause:	n/a	Tenancy at Will			n/a	
Lease type:	n/a	n/a			n/a	
Owner / Landlord:	GP partners	NHS PS	Oxford Brookes University	PHP Healthcare Investments Ltd	GPs	PHP Healthcare Investments Ltd
Building type:	Purpose built	Purpose built	converted house	Purpose built	Purpose built	Purpose built
Population growth:	yes	yes		yes	yes	significant 6% pa
Expansion planned:	no	no	no	no	no, no space to expand	no space to expand
S106 sought:						
Status:						top floor option?
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C
Net internal area 2017	556.88	236.37	330.46	557.3	131.51	487
Parking	35	6			6	
Other ?						
Net internal area	2299.52		Cowley Road Medical Centre are not part of a PCN, however patients remain covered by OCCG			
Total population	48,121					
Sq metre per person	0.048					






Oxford City – Healthier Oxford City Network PCN

PCN Practice Profiles	v5	DRAFT			
Healthier Oxford City Network PCN					
Name:	19 Beaumont Street Surgery	Banbury Road Medical Centre	Summertown Health Centre		
Address:	19 Beaumont St, Oxford, OX1 2NA	172 Banbury Rd, OX2 7BS	Summertown Health Centre, 160 Banbury Rd, OX2 7BS	Cuttleslowe Surgery, 9 Kendall Cres, OX2 8NA	Wolvercote Surgery, 73 Godstow Rd, OX2 8PE
Branch surgery:	main	main	main	branch	branch
PCN area:	Healthier Oxford City Network	Healthier Oxford City Network	Healthier Oxford City Network	Healthier Oxford City Network	Healthier Oxford City Network
Practice Population: 1.1.20	16430	9557	17935	in Summertown figs	in Summertown figs
Owned / Leased:	Leased (also 20B)	Leased	Leased	Leased	Lease/Rent
Lease commenced:	23.11.1991 / 23.11.16 20B	18.01.2018	15.09.2017	2013	2010
Lease expiry:	22.11.2019 / 22.11.2019 20B	17.01.2028	14.09.2027	24.3.2023	2040
Break Clause:	n/a as almost at term	Review 5 years, 2023. 80 yr term / perpetuity?	review 15.9.2022 - 6 mths written notice	review at 3 years	rolling - 3 months tenant
Lease type:	Full repairing	Full repairing	Full repairing	Full repairing	clean and tidy - no major repairs
Owner:	St Johns College	St Johns College	St Johns College	Oxford City Council	Wolvercote commoners
Build type:	converted house	converted house	converted house	converted commercial	converted house
Population growth:	significant	yes	significant		
Expansion planned:	Seeking premises options	Bayswater Brook	Wolvercote + Bayswater Brook		Northern Gateway - Paper Mill
S106 sought:	OCC don't allocate CIL or s106 for Health	OCC don't allocate CIL or s106 for Health	OCC don't allocate CIL or s106 for Health	OCC don't allocate CIL or s106 for Health	OCC don't allocate CIL or s106 for Health
Status:					
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D	100% space utilisation - overcrowded Compliance with statutory regulations - C	90% space utilisation Compliance with statutory regulations - C	75% space utilisation Compliance with statutory regulations - D
Net internal area 2017	617.7	212.57	429.3	191.65	40
Parking	4	4	13	shared	2
Other ?					
Net internal area	1491.22				
Total PCN population	43922				
Sq metre per person	0.034				


Oxford City – OX3+ PCN

PCN Practice Profiles	v3						DRAFT
Ox3+ PCN							
Name:	Hedena Health						Manor Surgery
Address:	Bury Knowle HC, 207 London Rd, Oxford, OX3 9JA	Barton Surgery Neighbourhood Centre, Underhill Circus, Headington, Oxford, OX3 9LS	Hedena Health JR site, Arthur Sanctuary House, JR Hospital, Sandfield Rd, Headington, Oxford, OX3 7RH	Wood Farm HC, Leiden Rd, Headington, Oxford, OX3 8RZ	Marston Pharmacy site, 11 Old Marston Rd, Oxford, OX3 0JR	Osler Road, Headington, Oxford, OX3 9BP	
Branch surgery:	main	branch	branch	branch	branch	main	
PCN area:	Ox3+ PCN					Ox3+ PCN	
Practice Population: 1.1.20	29,374	in Hedena figures	in Hedena figures	in Hedena figures	in Hedena figures	17,611	
Owned / Leased:	Leased	Leased	Leased	Leased	Leased	Owner occupied	
Lease commenced:	16.11.17	1.5.19	01.07.2017	1.10.17	1.7.17	n/a	
Lease expiry:	15.11.32	DV evaluation awaited	01.7.2020	30.9.2020 ?	30.6.2027 10 years	n/a	
Break Clause:		DV evaluation awaited	3 mths notice		5 years	n/a	
Lease type:	full repairing	DV evaluation awaited	internal repair		internal repair	n/a	
Owner:	Assura	Oxford City Council	OUHFT	NHS PS	Frosts Pharmacy	GP partners	
Building type:	purpose built	Converted building	Converted building	purpose built	Converted building	purpose built	
Population growth:	Barton Park expansion	Barton Park expansion		yes		steady + Barton Park	
Expansion planned:	building requires expansion	recently carried out	no	no	no	no	
S106 sought:							
Status:			Temp Closed re Covid				
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D		100% space utilisation - 90% used Compliance with statutory regulations - C		100% space utilisation - fully used Compliance with statutory regulations - C	
Net internal area 2017	708.73	333.77	86.28	426	199.34	411.18	
Parking spaces:	32	shared	3	10	0	24	
Other ?							
Net internal area	2165.3						
Total PCN population	46,985						
Sq metre per person	0.046						



Oxford City – South East Oxford Health Alliance (SEOxHA)

PCN Practice Profiles	v3				DRAFT
South East Oxford Health Alliance (SEOxHA)					
Name:	Donnington Health Centre	Hollow Way Medical Centre	Temple Cowley Health Centre		The Leys Health Centre
Address:	1 Henley Ave, Oxford OX4 4DH	18 Ivy Cl, Cowley, Oxford OX4 2NB	Temple Rd, Oxford OX4 2HL	Horsepath Village Hall, branch	Dunnoch Way, Oxford OX4 7EX
Branch surgery:	main	main	main	branch	main
PCN area:	SEOxHA	SEOxHA	SEOxHA		SEOxHA
Practice Population: 1.1.20	13,337	9,113	8,099	in TCHC figs	10,701
Owned / Leased:	owned	owned	Leased	peppercorn rental	Leased
Lease commenced:	n/a	n/a			
Lease expiry:	n/a	n/a			
Break Clause:	n/a	n/a			
Lease type:	n/a	n/a			
Owner:	GP Partners	GP Partners	Owner City Council, leased to NHS PS		CHP
Building type:	purpose built	purpose built	purpose built	monthly village hall clinic	purpose built
Population growth:	General growth	General growth	General growth		General growth
Expansion planned:	no, no space to expand	no	no, no space to expand		needed
S106 sought:					Housing estate planned
Status:					
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C		100% space utilisation - fully used Compliance with statutory regulations - C
Net internal area 2017	636.07	693.07	468.32		927.5
Parking spaces:	25	14	12		30
Other ?					
Net Internal Area	2724.96				
Total PCN population	41,250				
Sq metres per person	0.066				





South - Abingdon Central PCN

Abingdon Central PCN		
Name:	Abingdon Surgery	Malthouse Surgery
Address:	65 & 67 Stert St, Abingdon OX14 3LB	The Malthouse Surgery, The Charter, Abingdon OX14 3JY
Branch surgery:	main	main
PCN area:	Abingdon Central	Abingdon Central
Practice Population: 1.1.20	17,162	17,292
Owned / Leased:	Owned	Leased
Lease commenced:	n/a	2008
Lease expiry:	n/a	2023 15 yrs
Break Clause:	n/a	
Lease type:	n/a	full repairs
Owner:	GP Partners	Vale of White Horse Concil
Building type:	Converted building	purpose built
Population growth:	6.3% avg list size increase pa	
Expansion planned:	yes	in discussions
S106 sought:	CIL	
Status:		
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D
Net internal area 2017	291.23	521
Parking spaces:	29	town car park
Other ?		
NIA by population	58.9	33.2
Net internal area	812.23	
Total PCN population	34,454	
Sq metre per person	42.42	

South - Abingdon and district PCN

PCN Practice Profiles	v3		DRAFT	
Abingdon & District				
Name:	Berinsfield Health Centre	Clifton Hampden Surgery	Long Furlong Medical Centre	Marcham Road Health Centre
Address:	Fane Dr, Berinsfield, Wallingford OX10 7NE	Watery Ln, Abingdon OX14 3EL	45 Loyd Cl, Abingdon OX14 1XR	Marcham Rd, Abingdon OX14 1BT
Branch surgery:	main	main	main	main
PCN area:	Abingdon & District	Abingdon & District	Abingdon & District	Abingdon & District
Practice Population: 1.1.20	4,940	3,302	9,620	12,178
Owned / Leased:	Owned	Leased	owned	owned
Lease commenced:	n/a	01.01.2020	n/a	n/a
Lease expiry:	n/a	being negotiated	n/a	n/a
Break Clause:	n/a	being negotiated	n/a	n/a
Lease type:	n/a	being negotiated	n/a	n/a
Owner:	NHS PS	private	GP Partners	GP Partners
Building type:	purpose built	converted house	purpose built	purpose built
Population growth:	significant	not significant	significant	significant
Expansion planned:	1300 dwellings planned in next 5-10 years	no		
S106 sought:	yes	n/a		
Status:	lease negotiations	lease reviewed		
6 Facet status (2017)	space utilisation - 20% under used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	space utilisation - 20% under used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - D
Net internal area 2017	359.22	182.03	357.71	616.47
Parking spaces:	14	21	19	42
Other ?				
NIA by population	14	18	27	20
Net internal area	1515.43			
Total PCN population	30,040			
Sq metre per person	19.8			


South - Didcot PCN

Didcot PCN				
Name:	Didcot Health Centre	Oak Tree Health Centre	Woodlands Medical Centre	
Address:	Britwell Road, Didcot, OX11 7JH	Tyne Avenue, Didcot, OX11 7GD	Woodlands Rd, Didcot, OX11 0BB	Blewbury Village Hall, Heather Way, Blewbury, Didcot, OX11 9QQ
Branch surgery:	main	main	main	branch
PCN area:	Didcot	Didcot	Didcot	part of Woodlands
Practice Population: 1.1.20	18441	10364	14667	part of Woodlands
Owned / Leased:	Leased	Leased	Owner occupied	Leased
Lease commenced:	21.07.2008 for 21 years	24.12.2001 30 yrs	n/a	Jan-97
Lease expiry:	20.07.2029	23.12.2031	n/a	ongoing
Break Clause:	no	no	n/a	?
Lease type:	internal repairing and insuring	Full repairing	Group Practice loan	n/a
Agent:		n/a	Aviva	
Owner / Landlord:	Assura	PHP	GPs	Blewbury Village Hall Executive Management? Parish Council
Building type:	purpose built	purpose built	purpose built	converted premise
Population growth:	significant (20k over time)	significant (20k over time)	yes	
Expansion planned:	site and building not suitable for expansion / extension	no	Great Western Park	
S106 sought:	VOWH, CIL funding	VOWH, CIL funding	VOWH, CIL funding	
Status:				
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	space utilisation - 20% under used Compliance with statutory regulations - B	100% space utilisation - fully used Compliance with statutory regulations - C	n/a
Net internal area 2017	1159	669.64	577.81	split with main
Parking spaces	44	0 on site - uses Didcot Town FC space c82	61	
Other ?	Lloyds Pharmacy co-located			
Net internal area	2406.45			
Total PCN population	43472			
Sq metre per person	0.055			





South - Henley SonNet PCN

				
Henley SonNet PCN				
Name:	The Bell Surgery	Hart Surgery	Nettlebed Surgery	Sonning Common Health Centre
Address:	York Rd, Henley-on-Thames RG9 2DR	York Rd, Henley-on-Thames RG9 2DR	Nettlebed, Henley-on-Thames RG9 5AJ	39 Wood Ln, Sonning Common, Reading RG4 9SW
Branch surgery:	main	main	main	main
PCN area:	Henley SonNet PCN	Henley SonNet PCN	Henley SonNet PCN	Henley SonNet PCN
Practice Population: 1.1.20	8,940	10,542	4,057	9,848
Owned / Leased:	owned	owned	owned	owned
Lease commenced:	n/a	n/a	n/a	n/a
Lease expiry:	n/a	n/a	n/a	n/a
Break Clause:	n/a	n/a	n/a	n/a
Lease type:	n/a	n/a	n/a	n/a
Owner:	GP Partners	GP Partners	GP Partners	GP Partners
Building type:	purpose built	purpose built	purpose built	purpose built
Population growth:	steady	steady	steady	yes
Expansion planned:	yes, planning application submitted	No, expansion space available	No, no space to expand	yes - considering expansion options
S106 sought:	CIL			CIL
Status:				
6 Facet status (2017)	100% space utilisation - overcrowded Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - 90% used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C
Net internal area 2017	492.01	463.28	464	638
Parking spaces:	(18) 35 shared with Hart	(17) 35 shared with Bell	20	34
Other ?				
Net internal area	2057.29			
Total PCN population	33,387			
Sq metre per person	0.062			



South – Thame PCN

PCN Practice Profiles		v3	DRAFT	
Thame PCN				
Name:	Morland House Surgery	The Rycote Practice	Watlington & Charlgrove Surgery	
Address:	London Rd, Wheatley, Oxford OX33 1YJ	Thame Health Centre, East St, Thame OX9 3JZ	Chiltern Surgery, Hill Road, Watlington, OX49 5AF	Brook Surgery Chalgrove, High Street, Charlgrove,
Branch surgery:	main	main	main with Brook	main with Chiltern
PCN area:	Thame	Thame	Thame	Thame
Practice Population: 1.1.20	11,027	12,427	7,202	figures in with Chiltern
Owned / Leased:	Owned	Owned	Owned	Leased
Lease commenced:	n/a	n/a	n/a	24.4.2003 25 yrs
Lease expiry:	n/a	n/a	n/a	23.4.2028
Break Clause:	n/a	n/a	n/a	3 yr rent review
Lease type:	n/a	n/a	n/a	
Owner:	GP Partners	GP Partners	GP Partners	Aviva
Building type:	converted house	purpose built	purpose built	purpose built
Population growth:	significant	significant	steady	significant
Expansion planned:	yes, yes space available	n/k	n/k	needed
S106 sought:				
Status:	in discussion			
6 Facet status (2017)	100% space utilisation - 90% fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - 80% fully used Compliance with statutory regulations - C	
Net internal area 2017	632.72	509.68	443.16	272.84
Parking spaces:	45	6	25	25
Other ?				
Net internal area	1585.56 excluding Charlgrove			
Total PCN population	30,656			
Sq metre per person	0.052			


South – Wallingford & Surrounds PCN

PCN Practice Profiles	v4		DRAFT	
Wallingford & Surrounds PCN				
Name:	Goring & Woodcote Health Centre		Mill Stream Surgery	Wallingford Medical Centre
Address:	Goring Surgery, Red Cross Road, Goring on Thames, RG8 9HG	Woodcote Surgery, 5 Wayside Green, Woodcote, Reading RG8 0PR	Benson, Wallingford, OX10 6RL	Reading Road, Wallingford, OX10 9DU
Branch surgery:	main	branch	main	main
PCN area:	Wallingford & Surrounds PCN	Wallingford & Surrounds PCN	Wallingford & Surrounds PCN	Wallingford & Surrounds PCN
Practice Population: 1.1.20	9,942	figures in Goring	5,440	17,121
Owned / Leased:	owned	owned	owned	owned
Lease commenced:	n/a	n/a	n/a	n/a
Lease expiry:	n/a	n/a	n/a	n/a
Break Clause:	n/a	n/a	n/a	n/a
Lease type:	n/a	n/a	n/a	n/a
Owner:	GP Partners	GP Partners	GP Partners	GP Partners
Building type:	purpose built	converted dwelling	purpose built	purpose built
Population growth:	steady	n/k	yes	significant over next 10 years
Expansion planned:	possible	n/k	no, no space available	yes
S106 sought:			CIL	yes
Status:				
6 Facet status (2017)	100% space utilisation - 95% fully used Compliance with statutory regulations - C	100% space utilisation - 75% fully used Compliance with statutory regulations - D	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C
Net internal area 2017	404.45	298	358	779.9
Parking spaces:	22	14	11	15
Other ?				
Net internal area	1840.35			
Total PCN population	32,503			
Sq metre per person	0.057			

South - Wantage PCN

PCN Practice Profiles		v3	DRAFT
Wantage PCN			
Name:	Church Street Practice	Newbury Street Practice	
Address:	Mably Way, Wantage, OX12 9BN	Mably Way, Wantage, OX12 9BN	
Branch surgery:	main	main	
PCN area:	Wantage	Wantage	
Practice Population: 1.1.20	14978	15471	
Owned / Leased:	Leased	Leased	
Lease commenced:	seeking information	2.6.03 25	
Lease expiry:		01.6.28	
Break Clause:			
Lease type:			
Owner:	Assura	Assura	
Building type:	purpose built	purpose built	
Population growth:	significant	significant	
Expansion planned:	yes	yes	
S106 sought:	CIL	CIL	
Status:	1285 is split across main area		
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - C	100% space utilisation - fully used Compliance with statutory regulations - C	
Net internal area 2017	974.52	908.68	
Parking spaces:			
Other ?			
Net internal area	1883.2		
Total PCN population	30449		
Sq metre per person	0.062		

South – White Horse Botley PCN

PCN Practice Profiles	v3		DRAFT
White Horse Botley PCN			
Name:	Botley Medical Centre		White Horse Medical Practice
Address:	Elms Rd, Botley, Oxford OX2 9JS	Kennington Health Centre - 200 Kennington Rd, Kennington, Oxford OX1 5PY	Volunteer Way, Faringdon SN7 7YU
Branch surgery:	Main	Branch	Main
PCN area:	White Horse Botley	White Horse Botley	White Horse Botley
Practice Population: 1.1.20	15600	in Botley figures	15970
Owned / Leased:	Owner occupied	Leased	Leased
Lease commenced:	n/a	01.09.2019	22.2.2002 24 years
Lease expiry:	n/a	n/a	21.2.2026
Break Clause:	n/a	3 months notice	
Lease type:	n/a		fully repairing
Agent:	n/a	n/a	PHP (Nexus)
Owner / Landlord:	GPs	NHS PS	Primary Health Investment Faringdon Ltd
Building type:	purpose built	purpose built	purpose built
Population growth:	steady	yes	significant
Expansion planned:	recently expanded	no	n/k
S106 sought:		housing planned	
Status:			
6 Facet status (2017)	100% space utilisation - fully used Compliance with statutory regulations - D	100% space utilisation - fully used Compliance with statutory regulations - D	100% space utilisation - 80% fully used Compliance with statutory regulations - D
Net internal area 2017	316.2	480	1161
Parking spaces	21	4 + public spaces	64
Other ?			
Net Internal Area	1957.2		
Total population	31570		
Sq Metres per person	0.062		

Glossary of Terms, Abbreviations, and Acronyms

BOB	Buckinghamshire, Oxfordshire and Berkshire West	This describes the geographic location of the System, and comprised in this instance three Clinical Commissioning Groups
CDC	Cherwell District Council	A local branch of the Government in the north of Oxfordshire
CIL	Community Infrastructure Levy	A planning charge, introduced by the Planning Act 2008, as a tool for local authorities in England
CQC	Care Quality Commission	A Government-funded organisation which inspects hospitals, GP surgeries, care homes and care services in England to make sure they are meeting government standards and to share their findings with the public.
DDA	Disability Discrimination Act	Under the Act , it is unlawful for employers to treat a disabled person less favourably than someone else because of his or her disability without justification, or to fail to comply with a duty to make reasonable adjustments, without showing that the failure is justified. The 2005 Act applies to public authorities.
DP	Delivery Plan's	An organisational tool, a view of multiple teams/ projects
ETTF	Estates Technology and Transformation Funding	NHS England's Estates and Technology Transformation Fund (ETTF) is a multi-million pound investment (revenue and capital funding) in general practice facilities and technology across England (between 2015/16 and 2019/20).
FTE	Full Time Equivalents	A unit equal to the number of hours a full-time employee works for an organization
GPU	Government Property Unit	The Government Property Unit (GPU) was set up in 2010 as part of the Cabinet Office to get better value for money from the public sector's extensive property estate. ... The GPU acts as the agency's sponsoring body, providing oversight and guidance to ensure it delivers its objectives.
ICS	Integrated Care System	An ICS brings together health and care organisations to take responsibility for the cost and quality of care for a defined population within an agreed budget

IDP	Infrastructure Development Plan	This informs the identification and determination of investment priorities of the council and its partners and the expenditure
LEP	Local Enterprise Partnership	A locally-owned partnership between local authorities and businesses.
LPA	Local Planning Authority	is the local government body that is empowered by law to exercise urban planning functions for a particular area.
MIG	Minor Improvement Grants	Capital funding coming from Central Government to support the development or upkeep of NHS premises.
NHS LTP	The NHS Long Term Plan	A plan to outline the next phase of the NHS, as medicine advances, health needs change and society develops, the NHS has to continually move forward so that in 10 years time we have a service fit for the future.
NHSE/I	National Health System England/ Improvement	NHS Improvement is an ORGANISATION. From 1 April 2019, NHS England and NHS Improvement are working together as a new single ORGANISATION to better support the NHS to deliver improved care for PATIENTS.
OCC	Oxfordshire County Council	A local branch of the Government for Oxfordshire
OCCG	Oxfordshire Clinical Commissioning Group	Established as an statutory NHS organisation in 1 April 2013, responsible for planning and buying (commissioning) the majority of hospital and community-based health services for patients within their local communities, taking over the majority of responsibilities previously held by primary care trusts
OHFT	Oxford Health Foundation Trust	Provide physical, mental health and social care for people of all ages across Oxfordshire, Buckinghamshire, Swindon, Wiltshire, Bath and North East Somerset.
OPCCC	Oxfordshire Primary Care Commissioning Committee	This is a sub-group of the OCCG Board.
OPE	One Public Estate	An established national programme delivered in partnership by the Local Government Association and the Cabinet Office Government Property Unit
OUHFT	Oxford University Hospital Foundation Trust	Hospital Trust in Oxfordshire that provides a wide range of clinical services, specialist services (including cardiac, cancer, musculoskeletal and neurological rehabilitation) medical education, training and research.

PCN	Primary Care Network	A key part of the NHS Long Term Plan, with general practices being a part of a network, typically covering 30,000-50,000 patients
S106	Section 106 Agreements	An agreement between a developer and a local planning authority about measures that the developer must take to reduce their impact on the community
SDP	Supplementary Planning Document	Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan . As they do not form part of the development plan , they cannot introduce new planning policies into the development plan .
SODC	South Oxford District Council	A local branch of the Government in south Oxfordshire
TOR	Terms of Reference	Terms of reference define the purpose and structures of a project, committee, meeting, negotiation, or any similar collection of people who have agreed to work together to accomplish a shared goal.
VoWHDC	Vale of White Horse District Council	A local branch of the Government in the Vale of White Horse, Oxfordshire
WODC	West Oxford District Council	A local branch of the Government in West Oxfordshire

Appendix A4c

**July 2017 *Primary Care Estates update* document
(S.5 on page 10 refers)**



Oxfordshire Primary Care Commissioning Committee

Date of Meeting: 25 July 2017	Paper No: 6
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Title of Paper: Primary Care Estates July 2017

Paper is for: (please delete tick as appropriate)	Discussion	✓	Decision	✓	Information	
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<p>Purpose and Executive Summary:</p> <p>This report provides an update of the primary care estates issues for Oxfordshire. There are a number of pressures on our estate including sub optimal buildings, lack of physical space and the pressure that will be imposed by the housing growth in the area.</p>

<p>Financial Implications of Paper:</p> <p>The CCG does not have capital to invest into estates but is responsible for paying notional rent. For 17/18 the premises budget is £11,013k</p> <p>Funding of approximately £2.0m has been agreed in principle from the estates and Technology Transformation Fund (ETTF) subject to due diligence.</p> <p>Any increase in building space needed for the provision of GMS services will have implications on the revenue budget. This includes any successful bids as part of the Estates and Technology Transformation Fund (ETTF)</p>

<p>Action Required:</p> <p>The Primary Care Commissioning Committee is asked</p> <ul style="list-style-type: none"> • to note the report • to note the importance of the document 'health needs associated with housing growth' and to agree to share such guidance with planners and developers as required for new areas of housing growth. • .

OCCG Priorities Supported (please delete tick as appropriate)
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✓	Operational Delivery
✓	Transforming Health and Care
	Devolution and Integration
	Empowering Patients
	Engaging Communities
✓	System Leadership

Equality Analysis Outcome:

N/A

Link to Risk:

AF26 – Delivery of Primary Care services

789 – Primary Care Estates

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Clinical / Executive Lead: Diane Hedges, Chief Operating Officer

Date of Paper: 14 July 2017

Primary Care Estates - an update

July 2017

1. Background

This report provides an update of the primary care estates issues for Oxfordshire. There are a number of pressures on our estate including sub optimal buildings, lack of physical space and the pressure that will be imposed by the housing growth in the area.

The CCG's next steps are to re prioritise the estates needs using the 6 facet survey and provide a county wide view of the effect of the housing growth on our primary care.

2. Housing growth

Over the next fifteen years, Oxfordshire will see a large increase in population due to the huge numbers of houses planned for the area. Whilst engagement has previously not been optimal, the CCG is now actively engaging with the Local Planning Authorities and the County Council over infrastructure for the major areas of growth. The CCG is responding to planning applications, local plan consultations and is becoming more informally involved in a number of aspects of planning work.

To ensure consultations are responded to in a timely manner and there is an audit trail of responses, a dedicated email inbox has been set up which all Local Planning Authorities are being encouraged to use planning@oxfordshireccg.nhs.uk

The CCG has been approached by many developers and planners for detail on how much space would be required for a new practice/practice expansion. This then helps to inform applications for section 106 funding or Community Infrastructure level funding. In order to provide consistent advice, the attached document in appendix 1 has been created with support from NHS Property Services and NHS England and shared with the Oxfordshire wide estates group for comment. This document will enable the CCG to provide early details of the requirements for primary care linked to new developments. The Oxfordshire wide estates group have expressed an interest in building into the document other health needs such as community and mental health requirements which will be added to the document in due course.

The Committee is asked to agree to share such guidance with planners and developers as required for new areas of housing growth.

3. Estates and Technology Transformation Fund (ETTF)update

In June 2016 OCCG submitted a bid to NHS England for funding from the Estates and Technology Transformation Fund, a three year programme of investment in general practice estate. The bid included 22 general practice schemes and three IM&T schemes at a total cost of just over £50m. All schemes were evaluated and prioritised against a range of criteria covering evidence of need, potential for delivering OCCG objectives, financial viability and risks of delivery. Following reprioritisation against NHS England's own criteria, funding has been approved (subject to due diligence) for one new practice premises, five schemes to improve and extend existing premises, three minor improvement schemes and one technology initiative. Pre-project costs only were awarded to a major scheme in Oxford City. Funding of approximately £2.0m has been agreed in principle subject to due diligence.

The table below provides an update on the estates schemes,

<u>PRACTICE</u>	<u>PROJECT DESCRIPTION</u>	<u>AGREEMENT IN PRINCIPLE AMOUNT (SUBJECT TO DUE DILIGENCE)</u>	<u>STATUS OF PROJECT / KEY FACTS</u>
<u>Cogges Surgery (53113)</u>	Re-configure some internal space to make better use of space / create some additional clinical rooms.	£68,181	<ul style="list-style-type: none"> Practice is currently pulling together quotes. There are currently some HV's in the building who will shortly be vacating. This space is currently excluded from the rent reimbursement. The estimated rental figure for the HV space (given by the DV) is the sum of £8,500. The CCG has given approval for this.
<u>Marcham Road (53114)</u>	Small extension to house medical records and then convert vacated space into clinical rooms.	£54,000	<ul style="list-style-type: none"> Practice made an application for planning permission. This was rejected as there are some issues that need to be resolved regarding some trees at the rear of the property. Practice are organising for a "tree survey" to take place so they can explore how these can be preserved. If these conditions can be met the planning permission will be granted.
<u>Millstream (53116)</u>	A small extension project plus internal reconfiguration. The net result is one additional consultation room, an admin office and a small confidential patient room off reception.	Final grant now approved £84,687.50	<ul style="list-style-type: none"> Due Diligence has been completed. Final grant has been confirmed to the practice for the sum of <u>£84,687.50</u>
<u>Malthouse (53104)</u>	Reconfigure existing space to create additional clinical rooms (net increase – 5 rooms).	£201,000	<ul style="list-style-type: none"> The practice was allocated some pre-project expenses to develop the plans and they have employed an architect. The drawings and specifications of work are very nearly complete and the tender process will commence at the end of June 2017. <u>The practice has also made an application for some s106 funds for the sum of £20,000.</u>
<u>Deddington HC (53112)</u>	Re-configure some internal space to make better use of space / create some additional clinical rooms.	£169,000	<ul style="list-style-type: none"> The practice has produced some layout drawings / plans. The original application was for an extension project. The project is now an internal reconfiguration as this will create a greater number of new CR's than the original project (now 5 + phlebotomy room). The project also has some other aspects added in i.e. DDA improvements and some CQC recommended improvements i.e. a sluice room and a larger phlebotomy room. The new space is all within the same foot print and does not result in a revenue impact. The practice is currently tendering the works and the costs will be known by middle of July. There will be a "Change in Cost" (upwards) compared to the original application as the original figure submitted by the practice was very under-estimated.
<u>Hightown (Longford Park) (53105)</u>	New building to be located on the Longford Park Housing estate. Area of high housing growth.	£1,366,000	<ul style="list-style-type: none"> The practice has one site identified on the house development site (as part of the retail units). However, this is not ideal as it is a bit tight on space and spread over two floors. They have therefore identified a second plot of land near the entrance to the housing estate. This sight is larger and will be

			<p>closer to the transport / bus links etc. The practice very much favours this option.</p> <ul style="list-style-type: none"> o Negotiations for the purchase of this land are underway and once the terms have been agreed then work will commence on design / layout drawings. o The practice plan to purchase the land and then build the surgery. Once layout plans are ready then the DV will be instructed to give a rental assessment. o The practice has appointed the services of GVA who are helping the practice with the development of the business case. o The practice is producing a PID which will be discussed with the CCG once it is ready.
<u>Beaumont street Practices (19/27/28) (53101)</u>	New building. This will enable 3 practices, all in poor premises, to be co-located.	£50,000 The award is for pre-project expenses only	<ul style="list-style-type: none"> o Practice has appointed a professional advisor to help develop the business case.
<u>TOTAL</u>		<u>£1,992,868.50</u>	

4. GP Practice estates Updates

4.1 Wantage Health Centre

This facility houses two practices and a number of community services. As the Newbury Street/Church Street practice ETTF bid was unsuccessful and pressures on space are growing, options for optimising the use of space within the existing building are being explored, including a space utilisation survey which has been carried out in space occupied by both practices and Oxford Health. The practices have found some solutions to create more space in the short term and the CCG will work with the Landlord to ensure that any development is in line with the Primary Care Framework and District Valuer value for money test.

4.2 Didcot New Practice

Didcot's housing growth has begun and it is expected that there will be 30,000 more people in Didcot by 2031. The capacity of each of the 3 existing practices in Didcot has been collected and it is likely that there will be a need for an additional practice serving up to 20,000 patients by 2031. We are currently working with NHS Property Services (NHS PS) to explore the options for a site for the practice. These options include the provision of general practice services at Great Western Park. Currently developer funding for the NE Didcot site has not been forthcoming and this is being investigated with planners.

4.3 Provision of Primary Care Services to Heyford Park Residents

This development is likely to require provision for up to 7000 patients by 2031. Local practices have been asked for expressions of interest in providing a branch surgery. At present, only the Deddington and Alchester practices have practice boundaries which extend toward the development. However it is recognised that many practices do not wish to provide Branch Surgeries as they are costly to run. We are currently collecting the views of the nearest practices.

4.4 Wallingford Medical Practice

Wallingford Medical Practice has secured £272k to provide infrastructure to service the 2000 new patient's likely from the Hithercroft and Winterbrook developments. The practice is currently exploring their options to see how the building can be best reconfigured to meet the needs of the new population.

4.5 North Abingdon housing growth

New houses are planned for 4 sites: Dalton Barracks (1,200-4,420), North Abingdon (950), NW Abingdon (200) and NW Radley (240) and early discussion with the developers and practices have commenced. It is unlikely that some of the Abingdon practices are able to expand their existing sites and so consideration of a branch surgery is being offered to an interested practice to manage the new patients. One of the developers has offered some land with the others encouraged to contribute Community Infrastructure funding to support a potential branch surgery.

4.6 Berinsfield and Culham housing growth

Berinsfield is part of a regeneration project that is likely to see additional 2000 new houses/4800 patients and the development of a health hub centre. The practice is currently considering a number of options including the possibility of relocating the practice to the new centre which would allow space for expansion.

Culham is likely to have significant development. There is potential for 4000 new houses/9600 patients. Clifton Hampden Surgery are currently considering how they can provide services to this new population.

5. Six Facet Survey

In September 2016, the CCG secured funding via NHS Property Services from the Department of Health to commission GP 6 Facet Surveys (premises condition surveys) of the primary care estate. This was to provide a picture of the current state of the primary care estate which would then be invaluable in allowing the CCG to establish the condition of GP premises across the county, providing evidence to apply for, and target, appropriate investment into primary care estate.

The areas included within the survey are:

- Physical Condition
- Functional Suitability
- Space Utilisation
- Quality of the Environment
- Statutory Requirements (Risk Based Methodology for Establishing and Managing Backlog)
- Environmental Management

The survey of all GP Practice estate was carried out by 'The Oakleaf Group', independent estates specialists. It has now been completed and highly detailed reports have been provided for the majority of premises. A summary report will be provided once all individual reports have been finalised. Following review of the reports, the CCG's priorities for premises developments will be revised.

6. Rent Reviews

All rent reviews due to be completed by 31 March 2017 are being progressed by South, Central and West Commissioning Support Unit (SCWCSU). The budget allocated to the CCG for rents/rates going forward has been adjusted by NHS

England to take account of an anticipated increase following completion of outstanding reviews going back over a 10-year period. Requests for the completion of the CMR1 forms are being sent out to all practices with reviews due in this financial year.

7. Planning applications / consultations

The CCG is now being consulted on any planning applications for over 200 houses as well as on local plans and infrastructure plans. The following table provides information on those where a CCG response has been provided since 1 March 2017

Date	In response to	Council / Parish Council / other
17/05/17	SODC Local Plan 2033 Response	SODC
17/05/17	Vale of White Horse Local plan part 2 Response	VOWH
05/06/17	CCG response sent to all Neighbourhood Development Teams	VOWH, SODC, WODC, Cherwell and City
July 2017	VOWH response to Didcot Garden Delivery Plan	VOWH

The CCG have identified together with South and Vale District Councils a contribution of about £1.3M from developers for health needs associated with increase in patients. The CCG continues to work with the planners and practices to ensure that any funding obtained is utilised appropriately.

The CCG has also been involved with a number of external agencies to discuss possible housing developments and implications for local plan. Appendix 2 contains those between mid-February 2017 and 30 June 2017.

Contact has been made with all Neighbourhood Plans to ensure that primary care is considered by each neighbourhood to ensure inclusion in any local plan. The CCG have been invited to meet with those developing the plans in Abingdon, Sonning and Wheatley.



Health needs associated with Housing growth

1. Introduction

The link between planning and health is long established. The planning system has an important role in creating healthy communities; it provides a means both to address the wider determinants of health and to improve health services and infrastructure to meet changing healthcare needs. Consultation between District Councils (as Local Planning Authorities (LPAs)), public health and health organisations is a crucial part of the process.

The Oxfordshire Strategic Housing Market Assessment (2014) concluded that 93,560 – 106,560 additional homes will be needed across Oxfordshire in the period 2011 – 2031. Assuming an occupancy rate of 2.3 people per new dwelling, this equates to an additional population of 215,000 – 245,000 people, or a 35% increase from the 2011 census baseline.

NHS Property Services have estimated that an additional 128 WTE GPs and over 16,000 square metres of GP floor space would be needed to cope with this level of population growth (assuming the mid-point of the growth estimate). Given the current financial position of the NHS it is difficult to see how this will be delivered without either securing funding or infrastructure from the developers building the homes or accessing other sources of funding available to meet the demands associated with significant growth.

The sums of money potentially available are significant. Based on the mid-point of expected growth and calculations included later in this report, the level of housing expected in Oxfordshire could generate in the region of £230 million for primary care facilities from developer contributions. Depending on the size of the development, valuable land could also be made available for new healthcare premises.

This paper provides an overview of where housing growth is expected, Section 106 planning obligations and the Community Infrastructure Levy; outlines the steps that need to be taken to put the CCG in a stronger position to influence and realise opportunities in relation to housing and population growth; progress to date; and a suggested approach to securing funding and infrastructure.

2. Location of Housing Growth in Oxfordshire

Oxfordshire County Council has recently prepared a note in which they outline the expected level of growth for each district and likely locations within districts¹. In summary this is as follows:

	Local Plan Total	Nos. Built 2011/16	Yet to be Built by 2031
Cherwell	27,240	3,031	24,209
Oxford	10,762 Min.	1,371	9,391 Min
SOxon	19950*	2,732	17,218*
Vale	22,760	3,065	19,695
WOxon	15,950	1,464	14,486
TOTAL	96,662	11,663	84,999

* figure not agreed by SODC

3. Section 106 Planning Obligations

Section 106 of the Town and Country Planning Act 1990 (as amended by Section 12 of the Planning and Compensation Act 1991) outlines the power of a LPA to enter into a Planning Obligation with anyone having an interest in land in their area. Health is listed as one of the main service areas where monies are received through the use of Section 106 planning obligations (S106).

It is a legal requirement for planning obligations to meet the following three 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.

S106 funding is available for capital projects only. Revenue funding towards on-going running costs is not available.

S106 agreements can be used to allow the following improvements to health facilities:

- the expansion of existing premises
- new premises

1

https://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/communityandliving/partnerships/GrowthBoard/OXIS_stage_one_document.pdf

- new facilities required to compensate for the loss of a health facility caused by the development

4. Community Infrastructure Levy

The Planning Act 2008 introduced the Community Infrastructure Levy (CIL). CIL will replace S106 planning obligations for many forms of infrastructure, although S106 agreements can still be used for site specific mitigation measures.

CIL is becoming the preferred method for collecting pooled developer contributions to fund infrastructure and all LPAs are expected to move to CIL. The LPAs in Oxfordshire are at varying stages of introducing CIL, with consultations on CIL charging schedules taking place as processes are developed to enable third parties, including health organisations, to bid for CIL funds. The approach to securing CIL funds is likely to vary by LPA.

CIL funding can be sought for both revenue and capital expenditure although the likelihood of securing it for revenue expenditure is low.

5. Primary care health needs as a result of housing developments

NHS Property Services has recently advised West Kent Clinical Commissioning Group that the sum to be requested for health under S106 should be based on a calculation consisting of occupancy x number of units in the development x £360, as set out below. It would be reasonable to assume that the same calculation could be used for Oxfordshire.

Size of unit	Occupancy assumptions based on size of unit	Health need / sum requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

NHS Property Services also advised that if the planning application doesn't specify the unit sizes in the proposed development, the average occupancy of 2.4 persons is used in the initial health calculation until such time as the size of the units are confirmed at which point the final costs/health calculation would be confirmed. For example if the proposal was for a 400 dwelling development the initial calculation would be – 2.4 persons x 400 dwelling units x £360 = £345,600.

NHS Property Services also provide advice on the indicative square meterage calculations historically used to determine the core GMS space required for a practice. Details are set out in the table below.

Number of patients	2,000	4,000	6,000	8,000	10,000
Type of premises (see notes (i) and (ii))	A	A	B	B	B
Gross internal area (GIA) allowance	199	333	500	667	833

Number of patients	12,000	14,000	16,000	18,000	20,000	22,000	24,000	26,000
Type of premises (see notes (i) and (ii))	B	B	B	B	B	B	B	B
Gross internal area (GIA) allowance	916	1,000	1,083	1,167	1,250	1,333	1,416	1,499

Note:

- (i) Type A – single storey premises
- (ii) Type B – two storey premises with one staircase and one lift

Source: NHS Property Services Demand Assessment Tool

6. Parking Standards

Oxfordshire County Council has provided the following information on the required parking standards for new developments.

Health Centre parking standards, use class D1, the maximum requirements are:

- 1 space per Doctor or Dentist/1 space per 2 other staff/4 spaces per consulting or treatment room/1 ambulance space per Health Centre (min)
- Cycle parking 2 spaces per unit

Hospital parking standards, use class C2, the maximum requirements are:

- 1 space per Doctor or Consultant/1 space per 3 Nursing and Ancillary Staff/1 space per 3 beds/4 spaces per outpatient consulting room
- Operational Parking Space for ambulances and service lorries must be provided and will depend on the type and needs of the hospital
- 1 parking space per 10 staff

7. Progress to Date and Next Steps

Joanne Fellows v4 DRAFT / Julie Dandridge 20/2/17

Important standards and references:

Core elements Health Building Note 00-03: Clinical and clinical support spaces

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/147845/HBN_00-03_Final.pdf

Health Building Note 00-09: Infection control in the built environment

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/170705/HBN_00-09_infection_control.pdf

Health Building Note 11-01: Facilities for primary and community care services

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/148509/HBN_11-01_Final.pdf

HBN 00-10 part A to D: includes guidance on flooring, walls and ceilings, sanitary assemblies and windows in healthcare facilities.

<https://www.gov.uk/government/publications/guidance-on-flooring-walls-and-ceilings-and-sanitary-assemblies-in-healthcare-facilities>

Heating and ventilation systems Health Technical Memorandum 03-01: Specialised ventilation for healthcare premises

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/144029/HTM_03-01_Part_A.pdf

Heating and ventilation systems Health Technical Memorandum 03-01: Specialised ventilation for healthcare premises

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/144030/HTM_03-01_Part_B.pdf

The Revised Healthcare Cleaning Manual (2009)

<http://www.nrls.npsa.nhs.uk/EasySiteWeb/getresource.axd?AssetID=61814>

The Workplace (Health, Safety and Welfare) Regulations 1992

<http://www.legislation.gov.uk/ukSI/1992/3004/regulation/10/made>

Appendix 2

Meetings with external agencies re housing growth – February to June 2017

Date	Locality	Practice(s)	Site(s)	Met with	Main outcomes / actions
13.02.17	SW	Abingdon Practices	Abingdon Growth	Vale Planning Officer	To further discuss how Primary Care would manage the growth across the 4 Abingdon site, equating from 6K-14K patients.
14.02.17	SW/SE	ALL	Strategic Picture of housing growth across the South and Vale areas	Leaders of both Councils, Chief Exec of Council, Head of Planning for South and Vale	To ensure closer working together and that health remains high on the planning agenda in terms of infrastructure funding available.
numerous	SE	Benson	Benson Developments	Practice Manager	Practice meeting to see how practice could expand in terms of new housing growth
17.02.17 24.05.17	SE	Wallingford	Housing Developments	GPs, PM, OHFT	to support practice to discuss how they will expand and use s106 funds
07.03.17 21.06.17	SW	Berinsfield	Regeneration Scheme	SODC	To discuss how the existing building would manage the regeneration programme of 2000 new homes/4800 patients.
10.03.17	SW	ALL	Housing Developments	South and Vale Section 106 officer	to look at list of outstanding 106 monies and check on status
15.03.17	ALL	ALL	Housing Developments	OXIS	to promote health on the Oxfordshire Infrastructure Strategy (OXIS) work
22.03.17	City	Botley	Housing Development 12V17 & 13V02	PM	Application for s106 funding submitted
24.02.17 23.03.17	SW	Faringdon	Housing Developments	White Horse PM, GP's Savills	to look at structure of building and how it could be re-configured to manage new patient population growth.
12.04.17	SE/SW	ALL	Health and Housing	Planners from South and Vale Councils	To ensure health remains on the agenda, give feedback on Didcot Garden town plans. To discuss Abingdon growth
12.04.17	NE	Kidlington & Surrounds Neighbourhood practices	Kidlington Housing as part of Oxford City breathe out 4,400	GP Leads from KEY, Gosford, Islip, Woodstock practices, and patient rep.	Raise awareness of the consultation coming, and how this would affect the local practices so a response could be co-ordinated.
26.04.17	N / NE	Deddington	Heyford Park	Planning Officer, developer, neighbourhood forum	To consider options for a surgery in the new Heyford park development. Sustainability challenges discussed.

26.04.17	SE	Sonning	Housing Developments	GPs, PM	to see how practice could expand
10.05.17	SE	Thame	Housing Developments	PM, Leaders of the Parish Council	to discuss the already allocated Section 106 monies of 500K and how this could be used: practices are working on a business case
17.05.17	SE	Clifton Hampden	Culham	GPs, PM	to discuss how practice may be able to provide services to potential new patients
01.06.17	City	All City	Housing growth generally	Oxford City Council	To discuss general housing growth over the next 10 years across the City, and seek s106 or CIL funding.
22.06.17	SE	Chalgrove	Airfield site	Homes Community Agency (3), GP Chalgrove	to have feedback on the planning stages of this potential 9K patient site and how the existing practice would manage

Appendix A4d

**Appeal Decision, the LPA's Decision Notice and Part Plans for
Appeal ref. APP/D3125/W/23/3315391, at
Land east of Hill Rise, Woodstock Appeal,
determined on 10 October 2023
by Inspector Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC**



Appeal Decision

Inquiry held on 6, 8, 9, 13 and 14 June and 3, 4, 5 and 7 July 2023

Site visit made on 6 July 2023

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 October 2023

Appeal Ref: APP/D3125/W/23/3315391

Land east of Hill Rise, Woodstock

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission on a hybrid application for full and outline planning permission.
 - The appeal is made by Mr Roger File of Blenheim Estate against the decision of West Oxfordshire District Council.
 - The application Ref 21/00189/FUL, dated 17 December 2020, was refused by notice dated 13 December 2022.
 - The development proposed was originally described as hybrid planning application consisting of full planning permission for the erection of 74 dwellings, 60sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; outline planning permission for up to 106 dwellings, up to 60sqm of community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works.
-

Decision

1. The appeal is allowed and planning permission is granted for a hybrid planning application consisting of full planning permission for 48 dwellings, 57 sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; and outline planning permission for up to 132 dwellings, up to 57 sqm of community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works at Land east of Hill Rise, Woodstock in accordance with the terms of the application, Ref 21/00189/FUL, dated 17 December 2020, subject to the 30 conditions set out in the attached schedule.

Applications for costs

2. During the Inquiry, an application for costs was made by Mr Roger File of Blenheim Estate against West Oxfordshire District Council. The application is the subject of a separate decision.

Preliminary Matters

3. The original application was submitted in hybrid form with full planning permission sought for 74 dwellings, and outline permission sought for 106 dwellings with all matters reserved apart from access. Amended plans were submitted during the lifetime of the application which reduced the maximum number of dwellings sought under the full planning application to 48 and increased the maximum number of dwellings sought under the outline application to 132. The red line boundary of the appeal site was also reduced

as part of the amended plans. Parameter plans address the outline parts of the proposal. Additional public consultation took place on the amended plans.

4. In addition to the accompanied site visit on 6 July 2023, I visited the site and surrounding area on 7, 8 and 12 June 2023. These visits were unaccompanied and followed an agreed itinerary. They incorporated viewpoints in the grounds of Blenheim Palace and others from the wider countryside including the Oxfordshire Way. The visits also involved walking between the site and Woodstock Town Centre along the A44 at different times of day and looking at various locations and sites within the town.
5. The Campaign to Protect Old Woodstock (C-POW) was awarded Rule 6 status early in the appeal process but decided to withdraw from this status the day before the Inquiry opened. C-POW participated as an interested party throughout the Inquiry.
6. A completed and executed Section 106 agreement (S106) dated 19 July 2023 was submitted before the Inquiry closed. This is assessed below. The Inquiry closed in writing on 19 July 2023 following the receipt of the S106 and the completion of the costs application process.
7. A revised version of the National Planning Policy Framework (NPPF) was published in September 2023. The only substantive changes relate to wind energy development which are not applicable to this proposal. Therefore, it has not been necessary to seek the views of the parties on the revised NPPF. For the avoidance of doubt, there have been no changes to the numbering of any of the NPPF paragraphs cited below from the 2021 version to the 2023 version.

Main Issues

8. The application was refused for 2 reasons. At the case management conference on 31 March 2023, it was agreed that the first reason for refusal could be split into separate issues while the second reason for refusal was capable of being resolved via the submission of a S106 agreement. C-POW and other interested parties raised concerns about effects on heritage assets and local infrastructure. Therefore, the main issues are as follows:
 - 1) the effect of the proposed development on landscape character and the setting of Woodstock;
 - 2) the effect of the proposed development on the significance and setting of Blenheim Palace World Heritage Site;
 - 3) whether the proposed development would represent high quality design and provide an integrated, safe and connected community;
 - 4) the effect of the proposed development on local infrastructure; and
 - 5) the overall planning balance having regard to the development plan and any proposed benefits.

Reasons

Policy Background

9. The appeal site broadly aligns with the boundaries of a site allocation in the West Oxfordshire Local Plan 2031 (LP) known as Land North of Hill Rise, Woodstock. LP Policy EW4 refers to 'land to the north of Hill Rise, Woodstock to

accommodate around 120 dwellings as a well-integrated and logical extension of the existing built form of the town'. The policy then says that proposals for development should be consistent with the criteria set out in (a) to (m). Of particular relevance to this appeal are criteria (b) to (e).

10. Criterion (b) requires development to be consistent with LP Policy EW9 in respect of the protection, promotion and conservation of the Blenheim Palace World Heritage Site and its setting. Criterion (c) seeks a landscape dominated design with the provision of appropriate measures to mitigate the potential landscape, visual and heritage impact of the development, including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials, retention of key views and the provision of structural planting and extensive areas of semi-natural green space, with built development kept away from the eastern and northern parts of the site including where it adjoins the A44.
11. Amongst other things, criterion (d) requires the provision of appropriate pedestrian and cycle connections including the appropriate accommodation of the existing public right of way, while criterion (e) seeks the provision of supporting transport infrastructure including a comprehensive network for pedestrians and cyclists.
12. There are two other Woodstock site allocations in the LP. Land to the east of Woodstock is allocated by LP Policy EW3 for around 300 homes and development is already underway. Land to the north of Banbury Road, Woodstock is allocated by LP Policy EW5 for around 180 homes. The Council has resolved to grant planning permission for up to 235 dwellings on this site.
13. As part of the LP evidence base, the Council commissioned Chris Blandford Associates to produce a report in October 2017 ('the CBA report') providing landscape and heritage advice for several proposed site allocations. For Land North of Hill Rise, the CBA report set out several landscape sensitivities, constraints and opportunities as well as heritage issues and constraints. Figure 8.3 of the CBA report provides a summary of the opportunities and constraints. I have had regard to the report as part of my decision.

Landscape character and the setting of Woodstock

The existing context

14. The appeal site comprises part of a large field located on the northern edge of Woodstock. There is a children's play area and junior football pitch in the south-west corner of the site. The southern and western site boundaries adjoin late 20th century housing at Hill Rise, Rosamund Drive and Vanbrugh Close as well as the A44, with the built-up area of Woodstock continuing further south. Further to the west on the other side of the A44 is the historic parkland of Blenheim Palace with dense tree planting along the road boundary.
15. The northern and eastern site boundaries are not defined by any physical features but are set back from the edge of the field. The northern edge of the field contains a mature hedgerow while the eastern edge contains a tree belt along a track known as Balliol Lane. The remainder of the field beyond the red line site boundary to the north and east is proposed to be an off-site biodiversity area as shown by a blue line on the relevant plans. The wider

countryside lies to the north and east of the field with an undulating network of fields and valleys lined with trees and planting.

16. The site along with the wider field has been used for arable purposes but is currently uncultivated with wild plants. There is no evidence to show that arable use could not resume in the future. The topography falls gradually across the site from west to east towards the valley of the River Glyme. There are permissive paths along the western edge of the site as well as heading eastwards to Balliol Lane and the river valley.
17. A public right of way 413/1/10 (the PROW) runs north-south through the site and field, continuing north to the Oxfordshire Way long distance walking route and the village of Wootton-by-Woodstock. The PROW has been in existence for several centuries. It provides views south from within the site and wider field towards the church tower of St Mary Magdalene in the centre of Woodstock as well as views south of part of the roof at Blenheim Palace including its distinctive finials. It also enables views of the countryside to the north and east.
18. Local landscape character is addressed by West Oxfordshire Landscape Assessment 1998 (the WOLA) and the Oxfordshire Wildlife and Landscape Study 2004 (the OWLS) prepared by the District and County Councils respectively. The appellant and the Council disagree on which document is more relevant.
19. In the WOLA, the site lies within the large Eastern Parks and Valleys landscape character area (LCA) described as a rolling limestone landscape dissected by river valleys and distinguished by a concentration of parks, designed landscapes and estate farmland. Within this landscape character area, the site is covered by the Open Limestone Wolds landscape character type. This incorporates large-scale fields and arable farmland with relatively little vegetation and an open, exposed and elevated character with sweeping views and high visibility.
20. The WOLA also contains analysis of the landscape surrounding key settlements. The site is within Area A: North of Woodstock which comprises the larger scale open farmland to the north of Woodstock with few trees, a weak hedgerow structure, and a hard urban edge.
21. In the OWLS, the site falls within the Wooded Estatelands landscape type characterised by rolling topography, blocks of woodland planting, large parklands and regularly shaped field patterns dominated by arable farming. It is also located within the Blenheim Park local character area which amongst other things noted that fields are enclosed by woodland and thorn hedges.
22. While it is apparent that the appellant did not take into account the WOLA at the application stage other than referring to the key settlement analysis, both the WOLA and the OWLS have been extensively referenced as part of the appeal and during the Inquiry itself. Both are relevant and there is overlap between the two documents in terms of some of the key characteristics and how many apply to the site.
23. In that respect, the site as part of a dormant arable field occupies relatively open and high ground above the river valley with no woodland planting unlike Blenheim Park to the west. The views across the countryside to the north and

east are partly truncated by the mature planting along the northern and eastern boundaries of the field. The sense of enclosure within the site is reinforced by the hard urban edge of the Hill Rise, Rosamund Drive and Vanbrugh Close properties with fencing and structures clearly visible.

24. It is agreed that the site is not part of a valued landscape for the purposes of NPPF paragraph 174(a). However, it has value based on a range of factors set out in technical guidance documents from the Landscape Institute¹. These include cultural heritage connections with the proximity of Blenheim Palace and its historic parkland. There are views of the church and the palace from the PROW, while the PROW itself has cultural and recreational value. However, the influence of the hard urban edge means that the landscape value of the site is no more than moderate and the overall landscape sensitivity is medium as noted by supporting paragraph 9.5.84 to LP Policy EW4.
25. Turning to visual matters and the setting of Woodstock, a range of viewpoints have been assessed by the parties. From the parkland at Blenheim Palace to the south and west, and from locations on the eastern side of Woodstock, the site is hidden by extensive vegetation and existing buildings even in winter. From the Oxfordshire Way to the north, there are glimpses of the site as one walks along the route. Properties at Hill Rise and the Column of Victory at Blenheim Palace are discernible but some distance away within a wide panorama. There are views of the site approaching Woodstock from the north on the A44, but these are largely screened by the hedgerows along the roadside and between fields.
26. The principal views of the site and its relationship with the setting of Woodstock are from the PROW. Heading south from the Oxfordshire Way, the hedge along the northern boundary of the field reduces the visibility of the urban edge although there are gaps where existing properties can be seen. Crossing into the field, the urban edge is much more apparent. Heading north along the PROW, one leaves the urban edge behind and moves into the countryside.
27. The church tower can be seen along most of the PROW apart from short sections where trees or buildings obscure the view. The tower appears more impressive from the section of the PROW between the northern boundary of the field and the northern boundary of the site because it is set away from the housing at Vanbrugh Close unlike further south where it projects above modern roofs. The views of the roof at Blenheim Palace are less prominent than the church tower and depend on the time of year and weather conditions. Nevertheless, it is possible to identify the palace walking along the PROW albeit set behind modern housing.

The effect of the proposed development

28. Figure 8.3 of the CBA report shows potential for low density development either side of the PROW as far north as 1 Hill Rise. Beyond that and along the northern and eastern sides of the site, Figure 8.3 shows potential for accessible natural greenspace and structural planting along with a zone of higher sensitivity that overlaps with the north-eastern corner of the low density development area. Potential views from the north require structural planting to provide softening/filtering of any development. A view cone to the church

¹ Guidelines for Landscape and Visual Impact Assessment 3 (Box 5.1); Technical Guidance Note 02/01 (Table 1)

tower is shown from the PROW approximately in the middle of the site. The appellant and the Council have agreed that the view cone in Figure 8.3 is not in the optimum location in terms of the key view of the church tower which occurs further north on the PROW between the site and field boundaries.

29. The CBA report suggests a transition in settlement form and pattern from medium to low density moving north and west through the site. No density figure is provided although the report notes that nearby urban development is of low-medium density. The report also indicates that development should be restricted to mostly 2 storeys (maximum c.8m roof ridge height) or 2.5 storeys (maximum c.9m roof ridge height) with the opportunity for 1.5 storey development towards the eastern boundary of the site. The report concludes that approximately 120 homes could be successfully accommodated on the site ensuring that development is generally low density.
30. The proposed parameter plans indicate areas of open space along the site boundaries and within the centre of the site. The development would extend into the northern and eastern parts of the site. Densities would range from 25 to 50 dwellings per hectare (dph). Apart from the single storey parking barns, the buildings would be 2 storeys ranging in height from 9.15m to 11.5m. The PROW would remain on the same alignment through the site as existing and would be flanked by buildings and open space. A view corridor would be provided through the eastern side of the site towards the church tower from the amended key view location identified by the parties.
31. There are evidently differences between the proposed plans and the CBA report. However, the CBA report does not form part of the adopted LP and does not constitute a site-specific planning brief for development as envisaged by LP paragraph 5.33. The report makes clear that its recommendations on dwelling numbers, site layout and extent of development are illustrative only and represent one potential approach to provide development that address landscape and heritage matters.
32. The proposed development of up to 180 dwellings with parking barns and other associated infrastructure would result in a substantial change to the landscape character of the site through the loss of the arable land use and a reduction in its openness and the extent of views towards Woodstock in the south and the wider countryside to the north and east. The effect of this change would be offset to some extent by the proximity of the hard urban edge which already influences the character of the site. The site area would also accommodate extensive public open space particularly to the west and south where it would help to integrate the development with existing housing.
33. The development would not be kept away from the northern and eastern parts of the site as required by LP Policy EW4(c) except for the land adjoining the A44 where there would be a considerable setback. It is correct that the CBA report and the LP Inspector's report both refer to this requirement only in relation to heritage matters. However, these are both background documents not referenced in the supporting text to the policy. Having regard to case law² on this matter, the policy should be read clearly and unambiguously. Therefore, the development would conflict with this part of LP Policy EW4. Nevertheless, it remains necessary to assess the landscape and visual effects of development in these locations.

² *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13; *Gallagher Ltd v Cherwell DC* [2016] EWHC 290 (Admin)

34. Looking at the northern part of the site, there is no requirement in policy terms to round-off the existing settlement edge. Thus, the proposed extension of the settlement edge beyond 1 Hill Rise is not unacceptable in principle. Woodland planting within the site boundary either side of the site access and locating built development further into the site would limit the effect on views from the A44. Tree planting along the northern boundary would also filter and soften views approaching the site on the PROW from the north. In views from the Oxfordshire Way, the extent of development beyond 1 Hill Rise would be barely noticeable due to the distances involved.
35. The parties differ on whether land within the off-site biodiversity area is relevant to the consideration of landscape and visual effects, particularly to the north of the site. The area would encompass considerable woodland planting above the northern site boundary and along the A44. However, the Planning Practice Guidance³ states that the red line application boundary should include all land necessary to carry out the proposed development including land required for landscaping. Although the S106 agreement requires the delivery of biodiversity net gain, the exact details have yet to be agreed in terms of any biodiversity plan and the extent of any off-site landscaping. Therefore, I have attached little weight to the details shown in the offsite biodiversity area to the north and east of the site.
36. Turning to the eastern part of the site, the development would encroach further down the slope towards the River Glyme than envisaged as part of the CBA report recommendations. However, the difference in level changes would not be significant, as noted in cross-section drawings provided by the appellant. There would be hedgerow planting along the eastern site boundary which would help to filter and soften any built development. The extent of development on this side of the site would not be seen from the A44 and barely discernible from the Oxfordshire Way due to the distance. Nevertheless, development on this side of the site would affect views towards Woodstock from the PROW.
37. The extensive views of the church tower along the PROW would be greatly reduced heading south from the northern field boundary. Subject to the detailed design of the outline phase of development, it would not be possible to see the church from any point along the PROW through the site. The view corridor would not provide the same vista as the view cone envisaged in the CBA report. However, it would retain a key view from the PROW between the site and field boundaries. The corridor need not be as narrow as the parameter plans and photomontages suggest as the detailed design could set buildings further back.
38. One can only speculate whether the CBA report would have recommended development on the eastern side of the site had the correct view cone had been identified in Figure 8.3. As noted above, all their recommendations were illustrative only. Nevertheless, while the ability to appreciate the church as part of the setting of Woodstock would be diminished, a key view of the building would be retained as required by LP Policy EW4(c).
39. Views of Blenheim Palace are likely to be lost apart from where the palace is on the same alignment as the PROW. However, such views are not as obvious as the church tower and are set behind modern housing, so the reduction in

³ Reference ID: 14-024-20140306

visibility would have a limited effect on the setting of Woodstock. The proposed development would be heavily screened in views from the parkland at Blenheim Palace. There would also be an effect on views of the countryside heading north on the PROW, although this would be unavoidable given the fact the site is allocated for large-scale housing development in the LP.

40. In summary, there would be a change to landscape character as result of this development having regard to both the WOLA and the OWLS. There would also be a failure to adhere to the policy requirement to keep built form away from the northern and eastern parts of the site. However, the proposal would incorporate extensive landscaping to help both integrate the development with existing properties and mitigate negative effects. This would be achieved within the red-line boundary such that the proposal can be described as a landscape dominated design.
41. There would be some adverse effect on views and the setting of Woodstock, particularly from the PROW, but these would be mitigated through the landscaping proposals and the retention of a key view towards the church.
42. Concluding on the main issue, the effect of the proposed development on landscape character and the setting of Woodstock would be no greater than minor adverse. Therefore, while there would be some conflict with LP Policy EW4(c) in terms of not keeping built development away from the eastern and northern parts of the site, the development would accord with the other landscape-related components of this criterion. It would represent landscape dominated design with the provision of appropriate measures to mitigate impacts including the retention and strengthening of hedgerows, the retention of a key view and the provision of structural planting and extensive areas of semi-natural green space.
43. The proposed development would also accord with LP Policy OS2 which, amongst other things, requires development to protect or enhance the local landscape and the setting of settlements as far as is reasonably possible. The development would accord with LP Policy EH2 which seeks to conserve and enhance landscape character. It would also comply with NPPF paragraph 174(b) which recognises the intrinsic character and beauty of the countryside.

Blenheim Palace World Heritage Site

44. Blenheim Palace was inscribed as a World Heritage Site (WHS) in 1987 as an outstanding example of 18th century architecture and landscape with strong connections to historic events and individuals at the national and international level. Local and national planning policies seek to reflect the obligations of the 1972 UNESCO World Heritage Convention for places such as Blenheim Palace. LP Policy EW9 (to which LP Policy EW4(b) refers) aims to protect, promote and conserve the Outstanding Universal Value of the WHS for current and future generations with proposals expected to conserve and enhance the WHS. This includes proposals that affect its setting where regard will be had to design, context and cumulative effects.
45. LP Policy EW9 also explains that great weight will be given to the conservation of the WHS and any harm to significance will require clear and convincing justification. Less than substantial harm will be weighed against the public benefits of the proposals. These policy elements directly reflect NPPF paragraphs 199, 200 and 202, although paragraph 199 also says that the more

important the asset, the greater the weight should be given to its conservation irrespective of the level of harm.

46. LP Policies OS2 and EH9, amongst other things, require all development to conserve and enhance the historic environment. LP Policy EH9 states that great weight and importance should be given to conserving or enhancing the significance of designated heritage assets including the WHS. Proposals which harm the significance of such assets require clear and convincing justification. The policy also states that significant weight be given to the local and regional value of non-designated heritage assets with a balanced judgment required for any proposal that directly or indirectly affects the significance of such assets, having regard to the scale of harm or loss, the significance of the asset and the public benefits. This echoes NPPF paragraph 203.
47. The WHS boundary incorporates the Grade I listed palace and many other listed buildings, along with the historic parkland which is designated separately as a Grade I registered park and garden (PAG). Both the WHS and the PAG are designated heritage assets of the highest significance.
48. The boundary of both the WHS and PAG border the western side of the A44 opposite Hill Rise and the proposed site access. In this location, the boundary is heavily treed. Even in winter months the trees restrict views to and from the historic parkland. The boundary here also contains a section of the Grade II listed wall that surrounds the parkland. The limestone wall dates from the 1720s and has considerable significance as a 9-mile long wall that formed part of the overall historic landscape at Blenheim Palace. During summer months this section of wall is hidden by planting but is more visible in the winter.
49. The WHS Management Plan discusses the setting of the WHS. The plan observes that much of the surroundings of Blenheim Palace are within the ownership of the Blenheim estate and has been managed by the Dukes of Marlborough for around 300 years. The plans also notes that as a traditional landed estate, much of the land is retained in open agricultural and enclosed forestry use. While there is little intervisibility due to the boundary walls and planting, the plan considers that land to the north and north-east of the WHS contributes to its setting through its rural character. The management plan also notes that the implications of not protecting the setting of the WHS include the conversion of significant areas of agricultural land for other purposes.
50. Much of the site is screened from the WHS, the PAG and the listed wall by the existing development at Hill Rise. Travelling south on the A44, one experiences the park boundary to the west, which includes views of the wall in winter months, and fields to the east including glimpses of the site. As noted for the previous main issue, the site is barely visible within the WHS, but it is possible to see the palace rooftop from the PROW. The site also forms part of the open agricultural landscape surrounding Blenheim Palace. Therefore, it contributes to the significance of the WHS, the PAG and the listed wall as part of their setting.
51. The proposed development would result in the encroachment of housing into an agricultural field. However, this effect has already been accepted in principle by the LP site allocation. The additional 60 dwellings beyond that envisaged by LP Policy EW4 and the location of development on the northern and eastern parts of the site would not add significantly to the extent of encroachment.

Nevertheless, having regard to the dismissed appeal decision⁴ for two dwellings on north of 1 Hill Rise, there would be more urbanisation of the rural setting of these three heritage assets.

52. There would be some effect on views from the A44 and the listed wall, but this would be appropriately mitigated by additional planting and locating built development further into the site. Views of the palace rooftop from the PROW would be reduced but these are not prominent and are set behind modern housing. As noted above, views of the development from within the WHS would be very limited due to existing vegetation and buildings. Thus, the urbanisation of the rural setting of these heritage assets would not be significant.
53. The other two LP site allocations in Woodstock at Banbury Road and Park View can also be said to lie within the setting of the WHS as they are or were agricultural land. Their development for housing can be regarded as countryside encroachment in the same way as the proposed development. However, they have been allocated and assessed at the plan-making stage. Park View is under construction and Banbury Road has a resolution to grant planning permission. The Environmental Statement accompanying this appeal looks at cumulative effects in the cultural heritage chapter and does not identify any harm. Therefore, I find that while there would be some erosion of the setting of the WHS, the cumulative effect on its significance would not be unacceptable.
54. The proposed development would result in harm to the significance of the WHS, the PAG and the listed wall through changes within their setting from the loss of agricultural land and effects on views. However, the harm would be limited by the mitigating effects of existing and proposed planting and the location of development within the site. Therefore, the harm would be less than substantial and minor in magnitude. Nevertheless, this harm carries considerable importance and weight and NPPF paragraphs 199, 200 and 202 are engaged.
55. Although within the WHS boundary, the appellant and the Council agree that the PROW can be regarded as a non-designated heritage asset of low significance as it follows the line of a route that was named in 1615 as Wootton Way and has formed a link between Blenheim, Woodstock, and Wootton-by-Woodstock for centuries. The proposed development would alter its character, but the alignment would remain and a key view of the church tower would be retained. Therefore, there would only be a slight adverse effect on the significance of this heritage asset.
56. The planning balance below will address the public benefits of the proposal and inform my conclusion against NPPF paragraphs 199, 200, 202 and 203 as well as LP Policies EW4(b), EW9, OS2 and EH9.

High quality design and a safe, integrated and connected community

Overview of the proposed design

57. The proposed development seeks full planning permission for up to 48 dwellings in Phase 1, with detailed drawings provided alongside the parameter plans. There would be four detached dwellings between the access road and the northern boundary of the site, with a parking barn and a row of terraced

⁴ APP/D3125/W/18/3204229

houses on the opposite side of the road. A further ten rows of terraced houses would be sited to the south including three rows that would face onto the PROW and be interspersed with parking courts. Two detached properties would be located at the southern end of the Phase 1 area. There would be footpaths between the terraces from the PROW to a large area of green space next to the back gardens of existing housing on Hill Rise described as a 'green living room'.

58. There is no current illustrative masterplan for the outline phase of development for up to 132 dwellings. Masterplans produced earlier in the application process are no longer accurate following the amendments to the site boundary and parameter plans.
59. As noted above, there have been several amendments to the design of the proposed development during the application process, while further clarification on detailed design matters has been provided by the appellant to address concerns raised by the Council and statutory consultees. In some instances, such as crime and safety, these concerns have been resolved. However, there are several contested design matters which are considered below, apart from concerns relating to development along the northern and eastern edges of the site which have been addressed above. Concerns relating to connectivity are also covered below.

Densities and building heights

60. There is no dispute between the parties that the overall density of Phase 1 would be 38dph, with a density of 50dph for the terraced housing. This would be higher than the typical densities for suburban or semi-urban location at 30dph and greater than what was envisaged in the CBA report. This would result in a more urban form of development, with the terraces sited close to each other. However, there would be considerable green space along the western edge with multiple footpath links which would help to offset the overall effect. The building heights in Phase 1 would be no greater than 9.15m to ridge height with two-storey housing proposed. This would barely exceed the 9m maximum heights envisaged by the CBA report.
61. Within the outline phase of the development, densities could be comparable to the terraced housing in Phase 1 at up to 50dph. Nevertheless, it should be possible at the reserved matters stage to achieve a satisfactory balance between building and space similar to the Phase 1 part of the development. It is possible that some of the two-storey apartment buildings within the outline phase could be up to 11.5m to the ridge based on the parameter plans. This would be materially taller than envisaged by the CBA report but will depend on the overall building design. While the Council could not refuse a reserved matters application based purely on the number of dwellings, I am satisfied that the Council can control the detailed design, height and layout of these dwellings at the reserved matters stage⁵.

Routes and spaces

62. The PROW through the site would no longer be a rural route, but this would likely occur with any development on this LP allocation. It would pass significant areas of open space along the south-west corner of the site and through the centre based on the parameter plans. In the Phase 1 part of the

⁵ Having regard to *R (Village Concerns) v Wealden DC* [2022] EWHC 2039 (Admin)

development, there would be terraced housing and parking courts to the west of the PROW, but these would be set back by planting and front gardens. There would only be a few parking bays along the main spine road which would be interspersed with landscaping. Even where there would be buildings on both sides of the PROW towards the northern and southern parts of the site, there would be sufficient gaps between buildings based on the parameter plans. Moreover, the exact location of buildings in the outline phase has yet to be fixed. Consequently, the PROW would not become overly enclosed, urban or car dominated.

63. The parking courts in Phase 1 would be large hard surfaced areas but would be bounded by low stone walls and screened to some extent by planting such that they would not appear overly urban. Moreover, the parking barn would enable over 40 vehicles to be screened from public view. A similar approach could be used in the outline phase such that the overall development would not be dominated by parking.
64. The green living room and other green spaces along the western and southern parts of the site would create a break between existing and proposed housing. As public open spaces with extensive landscaping, they would help to integrate the development with the adjoining housing and soften the current hard urban edge. Thus, there is no reason to locate the green living room further east. Furthermore, around 40% of the overall site area would be public open space which would soften the effect of built form and make the development more accessible to all.

Detailed design matters relating to Phase 1 including function and safety

65. From the appellant's evidence and my site visit observations, there are frequent examples in Woodstock of terraced housing, red brick buildings, flat roofed bay windows, gable ends fronting onto roads and public spaces and hipped roofs. Timber cladding also can be found on some properties including barn conversions and new buildings. Thus, none of these elements would look out of keeping in the Phase 1 stage of the development.
66. The gaps between the front elevations of the proposed terraces would be relatively narrow with limited front gardens, but they would accommodate planting areas. People would walk close to front doors and windows, but this is not untypical of terraced housing. There are narrow lanes in the historic town centre of Woodstock which have similar arrangements and so the design and function of the terraces would not be inappropriate.
67. The spaces to the rear of the terraces would be secured communal areas and public access would not be possible to the rear of the detached dwellings on the northern edge due to the proposed planting measures. Public spaces and parking courts would be overlooked by numerous windows to ensure an adequate level of surveillance. Thames Valley Police has withdrawn its objections to the proposed development in terms of safety and security issues subject to conditions.
68. The detached dwellings along the northern edge would follow a regular alignment but would have ample space between them and sufficient landscaping along the street and to the rear to avoid a hard boundary on this side of the development. The space where the access into the site meets the PROW looks like a square roundabout on plan. This is an unusual design.

However, it would appear more like a public square with green space in the middle and the PROW crossing through it. Therefore, it would not be an incongruous feature.

69. The design of the parking barn has been amended following the original plans for a larger structure. While there are no traditional barns in the vicinity, the use of stone walls with timber slats and roof tiles would be sympathetic to materials used in the local area. Moreover, the simplicity of the design with smaller gable ends facing the access road and a constrained height would ensure an acceptable effect at the entrance into the development. The parking barn in the outline phase could follow a similar design approach.

Connectivity between the site and the town

70. The route from the site into Woodstock is along the A44 for any mode of transport. From the PROW, pedestrians can head along Rosamund Drive and Westland Way onto the A44 at a pelican crossing. The permissive paths across the south-east corner of the site connect with the track known as Balliol Lane, but this track is narrow, uneven and unlit and leads to the A44 only a short distance further south of the pelican crossing. There are new permissive paths across the field to the east of Balliol Lane that are now open to the public for recreation purposes, but these paths go no further than the eastern field boundary and the wooded valley of the River Glyme.
71. The A44 is a busy 30mph road especially at peak hours with frequent buses and heavy goods vehicles. There is a pavement along both sides for most of the route although it is narrow in some locations such as outside 75 Manor Road and on either side of the road at the Black Prince public house. The road widths are also narrow in certain places. The route into the town centre slopes gradually downhill to the River Glyme and then climbs more steeply along Oxford Street.
72. Local residents and C-POW highlight examples of near misses between larger vehicles trying to avoid each other at narrow points in the road and between vehicles and vulnerable road users. The conditions along the route in terms of traffic volumes, pavement widths and gradient make it less appealing for use by pedestrians, cyclists and wheelchair users. Nevertheless, I observed at my site visits that people walk along the road to access the schools and services within the town centre and the distance is not unreasonable. There is no evidence of excessive vehicle speeds and data stretching back to 2014 show no accidents on this section of the A44 involving pedestrians, cyclists or other vulnerable road users. The site is allocated in the LP and it has not been demonstrated that the conditions have materially worsened since the LP was adopted.
73. Furthermore, the proposed development would be directly served by the bus route between Chipping Norton, Woodstock and Oxford, with a bus turning area provided by the square within the northern part of the site. All properties would be within 400m of a bus stop. The service is every half an hour during the day on Mondays to Saturdays and hourly in the evenings and on Sundays. Thus, the bus would provide a reasonable alternative to walking or cycling as a sustainable mode of transport.
74. The local highway authority (LHA) has not objected to the proposed development or raised any highway safety concerns and requires no

improvement measures to the A44. The LHA has also not required the provision of an off-site connection to the town centre via the River Glyme and Green Lane because of the existing pedestrian and cycle connections and the bus network that would serve the development. C-POW had raised concerns about the route of a potential off-site connection but as it no longer forms part of the proposal, I have not considered it in any detail in my decision. Nevertheless, the development would still provide access to Balliol Lane and the field to the east for recreation purposes.

75. Clear and compelling reasons are needed to deviate from the findings of a statutory consultee⁶. While there are elements of risk and perceptions that the route between the site and the town centre is not safe or secure, the evidence before me does not indicate that the proposed development would be unacceptable in relying on this route for vulnerable road users.

Conclusions on design and connectivity

76. As noted above, the proposed development would not be kept away from the northern and eastern boundaries of the site as required by LP Policy EW4(c). However, it would accord with all the other requirements in this criterion, including the use of appropriate building heights and materials. The development would also accord with LP Policy EW4(d) and (e) by providing appropriate pedestrian and cycle connections including appropriate accommodation of the existing PROW through the site, the provision of appropriate public transport and a safe and efficient means for bus services to terminate and turn around, and the provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas.
77. For all those reasons, the proposed development would be a well-integrated and logical extension of the existing built form of the town. Thus, it would represent high quality design and provide an integrated, safe and connected community in accordance with LP Policy EW4.
78. The proposed development would also accord with LP Policy OS2 which, amongst other things, requires all development to be of a proportionate and appropriate scale to its context, form a logical complement to the existing scale and pattern of development and/or the character of the area, and conserve and enhance the built environment. It would comply with LP Policy OS4 which, amongst other things, seeks development that respects and enhances local character and distinctiveness and demonstrates high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment. There would be no conflict with the West Oxfordshire Design Guide which amongst other things provides detailed advice on local character, context, and building materials.
79. The development would accord with Section 12 of the NPPF which seeks to achieve well-designed places. Amongst other things, NPPF paragraph 130 requires developments that function well, are visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, and create places that are safe, inclusive and accessible. NPPF paragraph 134 advises that development that is not well designed should be refused. The development would also adhere to the National Design Guide which promotes

⁶ *Shadwell Estates Ltd v Breckland DC* [20130 EWHC 12 (Admin)]

good design and the need to understand context and create character and identity as part of a set of 10 key design characteristics.

Local infrastructure

80. Woodstock is a historic town dating back several centuries that immediately adjoins the eastern boundary of the WHS and the PAG. Woodstock Conservation Area starts towards the northern end of Manor Road, where there are several listed buildings, and encompasses most of the town centre with its large concentration of listed buildings. The town centre is very attractive in terms of its buildings, streets and spaces that lead from the A44 through into the parkland of Blenheim Palace. It contains a number of services and facilities including shops, the doctors' surgery, the library, and on-street parking. Beyond the conservation area to the north and east are 20th and 21st century residential estates, the local primary and secondary schools, and a long-stay car park on Hensington Road.
81. The doctors' surgery is unable to take on further patient registrations due to capacity issues. The doctor to patient ratio is significantly higher than the county and national averages. The surgery occupies a small site off the High Street with no ability to expand. Despite local desire to see the surgery relocated elsewhere in Woodstock, no proposals have come forward and the three LP allocations do not provide for a new site. However, the surgery forms part of a wider Primary Care Network (PCN). The Oxfordshire Clinical Commissioning Group has requested a financial contribution via the S106 to support capital projects within the PCN to improve patient services locally. While it is unfortunate that this may mean some patients having to travel beyond Woodstock to access doctors' services, adequate provision would be made to address the effects of the proposed development on healthcare facilities.
82. Woodstock Primary School has a current capacity for 315 pupils but would reach that capacity by 2025. A building expansion project currently underway looks to increase the capacity to 420 pupils. The three LP allocations are expected to generate 213 places, including 57 places from the appeal proposal. This is more than the building expansion seeks to provide, but there is a complex picture across this part of Oxfordshire in terms of development proposals and demographic changes within school catchment areas. The primary school in Wootton-by-Woodstock was initially noted by Oxfordshire County Council (OCC) as having spare capacity along with other local schools, but this school is now closing due to insufficient numbers.
83. However, representations made by OCC to this appeal confirm that they are content with a financial contribution towards the current building expansion. They have not objected to the proposed development. Depending on demand and changes to catchment areas, there is no reason why pupils from the proposed development could not attend Woodstock Primary School and avoid the need to travel further. In any case, it has not been shown that the development would have an unacceptable effect on education provision.
84. The availability of parking spaces in the town centre is affected by tourism to Woodstock and Blenheim Palace along with informal park and ride commuting to Oxford. The West Oxfordshire Parking Strategy 2016 notes a requirement for an extra 150 spaces by 2031 although no site has been identified. Charges were introduced in June 2023 for on-street parking to deter long stay use,

although town centre residents and businesses can apply for permits and it is too soon to assess the effects of the new restrictions. Nevertheless, as noted above, it is possible to walk from the site into the town centre and there would be regular bus services. Therefore, the proposed development would have an acceptable effect on the provision of town centre parking.

85. Thames Water has identified an inability of the existing water network to accommodate the proposed development but are satisfied that this can be addressed by condition preventing occupation of any dwelling until necessary upgrades have been completed or a phasing plan has been agreed. While this condition could be pre-commencement, it is unlikely that the development would proceed without certainty that the dwellings could be occupied. Thus, there would be no adverse effect on water supply.
86. Thames Water has been unable to determine the foul water infrastructure needs of the development, but that can also be addressed by a similar condition including confirmation that enough capacity exists. It is evident that the Woodstock sewage treatment works has one of the worst records of raw sewage discharge in the river catchment area following rainstorms. There are plans to upgrade the treatment works and complete these in 2024, although there is no information regarding any designs. Nevertheless, the condition would prevent occupation of dwellings until sufficient capacity could be demonstrated. Therefore, there would be no adverse effect on the provision of foul water infrastructure.
87. Woodstock Library is currently situated within the Oxfordshire Museum in the town centre. It was previously located on Hensington Road in a now demolished building approximately twice as large. Having visited the library, it is limited in size and restricts the amount of available museum space. A new library is seen as a priority locally, but no site has been put forward. However, no objection has been raised by OCC and no financial contribution sought. Therefore, while the provision may not be sufficient, it has not been demonstrated that expansion is necessary to make the proposed development acceptable.
88. While there are concerns regarding the cumulative effect of the three LP site allocations for Woodstock on local infrastructure, the evidence before me does not indicate that the proposed development would be problematic either individually or in combination with the other two sites. Financial contributions would be provided to address specific infrastructure needs and concerns. I note the potential for additional housing to come forward in Cherwell District further to the east of Woodstock, but the emerging Local Plan there remains at a draft stage. Concluding on this main issue, subject to the requirements of specific conditions and obligations, the proposed development would have an acceptable effect on local infrastructure. Thus, there would be no conflict with LP Policies EW4 and OS5 insofar as these policies require the appropriate provision of and contributions towards supporting infrastructure.

Other matters

89. Ecology surveys have been carried out at various points before and during the application stage. Various bird and bat species have been identified along with badgers, grass snakes, slow worms, and common toads. It is possible that hedgehogs and roman snails could also exist along boundary vegetation. While the bird survey took place in June, this is within the range advised of March to

June. Some species such as skylarks appear to have increased partly due to the wilding of the arable field. However, measures can be taken to ensure that disturbance to species is avoided. Moreover, the site would retain and provide habitats including bat and bird boxes and green space along the boundaries. There would also be enhanced provision with a biodiversity net gain of at least 10%. The effect of external lighting within the site can be mitigated through a condition requiring appropriate details to be approved. Thus, the proposed development would have an acceptable effect on ecology matters.

90. The site is at a low risk of flooding from all sources. Standing water in the south-east corner of the site after heavy rain drains away and does not pose a specific risk. The proposed drainage strategy would likely reduce run-off rates through the storage of rainwater and the use of infiltration techniques. As noted above, adequate foul water drainage can be secured by condition. Therefore, the proposed development would have an acceptable effect on flood risk and drainage.
91. Traffic counts were carried out over a week in June 2019. Although June is outside the university teaching period, there is a lot of tourism traffic in the summer to Woodstock and Blenheim Palace and so it can be regarded as a representative month. The proposed development would result in an increase in traffic flows to and from Oxford, but the traffic modelling does not indicate that any key junctions would be at capacity apart from the Bladon roundabout where the increase in queuing is considered to be modest.
92. While there are concerns about the speeds of traffic entering Woodstock from the north on the A44, the 30mph speed limit would move further northwards beyond the site access. The visibility splays for the access have been designed for the existing speeds in the location which are between 30 and 50mph and so should be suitable. Thus, the proposed development would have an acceptable effect in terms of highway safety and capacity.
93. There would be a loss of agricultural land but the site is allocated for residential development in the LP meaning that the loss is already accepted in principle. The provision of open space along the western and southern edges of the site means that there would be no unacceptable effects on the living conditions of occupiers of neighbouring properties in terms of privacy, outlook or light. It is evident that many people locally have objected to the proposed development, but decisions need to be reached based on the planning merits of the case rather than the extent of support or opposition.

Planning obligations

94. The completed S106 agreement dated 19 July 2023 is split into several schedules. The affordable housing obligations in schedule 1 would ensure that 50% of the residential units are affordable and also secure the delivery of First Homes. This would accord with LP Policy H3 which seeks to address affordable housing needs. Schedule 1 also requires at least 5% of the total number of dwellings to be custom/self-build housing as required by LP Policy H5.
95. The biodiversity net gain obligations in schedule 2 would secure a net gain of at least 10% from the baseline position. This would accord with LP Policies EH3, OS4 and EW4(i) which seek biodiversity enhancements and net gain.

96. In schedule 3, the community contribution obligation would be used to engage new residents with the existing community and help to integrate the development as required by LP Policy EW4. The health contribution obligation would be used to enhance the primary care network in the local area. This would accord with LP Policy OS5 which requires new development to contribute towards supporting infrastructure. The outdoor pitch contribution obligation and the swimming pool contribution obligation would be used to improve local facilities. This would accord with LP Policy EH5, which seeks the provision of sport and recreation facilities, as well as LP Policy OS5.
97. Further on in schedule 3, the allotments obligation, open space obligation, play area and kickabout area obligation, and parking barns and community spaces obligation would secure the provision and management of these open and community spaces within the site. This would accord with LP Policies OS4, EH4, EH5 and EW4(g) which, amongst other things, seek the provision of new public realm, green infrastructure, open space and community facilities.
98. In schedule 4, the primary and secondary education contribution obligations would fund expansion works at the local schools, while the SEND contribution obligation would fund the expansion of special school places within the county. These are necessary to address the increased demand in places that would be generated by the development and would accord with LP Policy OS5.
99. Continuing with schedule 4, the public transport infrastructure (mobility hub) contribution obligation would assist with the creation of a new park and ride facility to the north of Oxford. The public transport services contribution obligation would help to support and improve bus services between Oxford and Woodstock. The highway works contribution obligation would fund improvements to the A44 corridor between the Bladon Roundabout and Langford Lane. The bus stop infrastructure contribution obligation would provide suitable bus stop facilities within the site area.
100. The travel plan monitoring contribution obligation would aid the implementation of the residential travel plan. The public rights of way contribution obligation would help improve the local footpath network. The TRO contribution obligation would assist with changes to the speed limit on the A44 approaching Woodstock from the north. All the obligations specified in this and the previous paragraph are necessary to address the traffic effects of the development and encourage more sustainable modes of travel. This would accord with LP Policies T1, T2 and T3 which seek to improve sustainable transport and mitigate the effect of development on the highway network.
101. The obligations in schedule 5 would secure the delivery of highway works necessary for the provision of a site access on the A44. This would accord with LP Policy T2 which requires all new development to demonstrate safe access and an acceptable degree of impact on the highway network.
102. Given the above, I am satisfied that all the above obligations are 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. They would accord with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and NPPF paragraph 57. Therefore, I can take all the obligations in the S106 agreement into account as part of my decision.

103. Finally, the S106 agreement also makes provision for administration and monitoring fees to the district and county councils to monitor all the above planning obligations. There is no reason to doubt the reasonableness of the fees sought and so I consider they meet Regulation 122 (2A) of the Community Infrastructure Levy Regulations 2010 (as amended)
104. Notwithstanding the wording of the second reason for refusal, no financial contribution towards the conservation, maintenance and restoration of the WHS has been put forward in the S106 agreement. However, at the Inquiry, the Council no longer maintained that such a contribution was necessary to make the development acceptable in planning terms. Therefore, the absence of the contribution has no bearing on my overall decision.

Planning balance

105. The NPPF sets out a presumption in favour of sustainable development. Paragraph 11(d) states that where there are no relevant policies, or the policies which are most important for determining the application are out of date (including where a 5 year housing land supply cannot be demonstrated), planning permission should be granted unless one of two exceptions apply. The first is that the application of NPPF policies that protect areas or assets of particular importance (such as designated heritage assets) provides a clear reason for refusing the proposal. The second exception states that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. It is common ground that a 5 year housing land supply cannot be demonstrated and hence NPPF paragraph 11(d) is engaged.

Adverse impacts

106. As noted above, there is conflict with LP Policy EW4 insofar as built development would not be kept away from the eastern and northern parts of the site. The main parties disagree on whether there would be conflict with LP Policy EW4 in terms of the first sentence and the number of homes proposed. The policy refers to the site accommodating 'around 120 dwellings as a well-integrated and logical extension of the existing built form of the town'.
107. The use of the word 'around' in this context means approximately or about. It does not set a limit of no more than 120 dwellings. However, 180 dwellings cannot reasonably be described as something like 120 dwellings when it represents a 50% increase of 60 dwellings. The fact that LP Policy H1 seeks provision across the district of at least 15,590 homes and refers to the distribution of 5,596 homes to the Eynsham-Woodstock area as indicative does not change the ordinary and clear meaning of the word 'around'.
108. The appellant argues that the first sentence of the policy should be read in full and that a proposal that constitutes a well-integrated and logical extension would not conflict with the policy regardless of the dwelling number. However, the first sentence is clear that the two elements should go together with regard to the dwelling number and the well-integrated and logical extension. Therefore, by proposing up to 180 dwellings, the development would conflict with LP Policy EW4 in this respect.
109. None of the above means that a proposal that is not around 120 dwellings should be refused on that basis alone. The policy requires the decision-maker

to consider a range of issues and the supporting paragraphs requires detailed assessments to be provided. More dwellings could be accommodated if the effects of development are acceptable.

110. I have found that the proposal would represent a well-integrated and logical extension and would accord with most of the policy criteria except in relation to the location of built form along the eastern and northern boundaries. Therefore, while there is conflict with LP Policy EW4 based on the number of dwellings and the location of development, given the overall effect of the development I afford only limited weight to that policy conflict.
111. In addition to the conflict with LP Policy EW4, there would be minor harm to the significance of designated heritage assets, a slight adverse effect on a non-designated heritage asset, and a minor adverse effect on landscape character and the setting of Woodstock. Consequently, it is necessary to consider the benefits of the proposed development.

Benefits

112. The proposed development would deliver up to 180 dwellings. The appellant and the Council agree that for the purposes of this appeal, the five-year housing land supply figure for West Oxfordshire stands at 3.14 years, a shortfall of 1,987 homes. LP Policy H2 envisages an increase in housing requirement from 550 dwellings per annum (dpa) at the start of the plan period to 800dpa in 2021/22 and up to 1125dpa by 2024/25 (to include an element of Oxford's unmet needs from 2021/22 onwards). Large strategic sites, including those in Eynsham designed to meet Oxford's needs, are not delivering sufficient housing completions to provide a five-year supply. Unallocated greenfield sites are being granted planning permission to help boost supply.
113. It is evident that the Council's housing delivery test results have exceeded 100% of the target in every year since 2017. However, there is an increasing shortfall in supply, which has worsened from the 3.56 to 3.96 years debated at an Inquiry⁷ in September 2022, with an increasing annual housing requirement. Therefore, I consider the shortfall to be very significant.
114. 50% of the dwellings would be affordable as required by LP Policy H3, which would equate to up to 90 dwellings. The number of people on the affordable housing register has more than doubled since 2015/16 to 2,941 households, with worsening affordability across West Oxfordshire. LP paragraph 1.1 identifies housing affordability as one of the issues of greatest significance to the district while LP paragraph 9.5.35 notes that house prices in the Eynsham-Woodstock sub-area are amongst the highest in the district.
115. There is no affordable housing requirement in the LP, but the 2014 Oxfordshire Strategic Housing Market Assessment (SHMA) identified a need for 274 affordable homes within the district each year. Annual delivery fell below this figure between 2013 and 2019, but has exceeded it every year between 2019 and 2022 with around 40% of the total housing delivered in these three years. There is still a shortfall of 577 affordable dwellings, which is a very significant figure. Even if 40% of the Council's projected deliverable housing supply over the next five years (3,401 homes) is affordable, that would only be 272 affordable dwellings per year when 274 affordable dwellings are expected

⁷ APP/D3125/W/22/3297487 Land at Witney Road, Ducklington

every year by the SHMA alone. Thus, there would be no reduction in the shortfall.

116. Up to nine custom and self-build plots would be provided by the proposed development in line with LP Policy H5. West Oxfordshire is one of 64 local planning authorities that did not grant permissions for any plots in 2021/22. Of those 64, it has the second highest number of individuals and groups on the self-build register at 472 entries and only 81 plots have received permission since 2016. There is a statutory requirement to provide enough permissions to meet local demand. While the number of plots to be provided is small, it would nevertheless represent an important contribution given the above context.
117. In terms of the weight to be given to the delivery of housing, there is a risk of double counting as affordable homes and custom and self-build plots form part of the overall housing provision. Looked at collectively and based on the shortfalls in the five-year housing land supply and affordable housing delivery, and the low levels of provision custom and self-build plots, I consider that there would be substantial benefits in terms of housing delivery which should be afforded great weight.
118. There would be economic benefits in terms of the jobs created and the additional local expenditure generated. This can be afforded moderate weight.
119. The proposed development would deliver biodiversity net gain as required by LP Policy EH3. While the plans and supporting documents indicate net gains of 73% for habitats and 93% for hedgerows, the S106 would only secure at least 10%. Therefore, I afford no more than moderate weight to this benefit.
120. There would be significant areas of public open space across the proposed development, greater than required at the local or national level which could be used by more than just the future residents. This can be given moderate weight as a benefit.
121. It is proposed that the development would be operationally carbon net zero with the details to be secured by condition. This would help with occupants' energy bills and fuel consumption. LP Policies OS3 and EW4(I) seek energy efficiency and the prudent use of natural resources, but do not go as far as requiring net zero proposals. The LP notes the problems with carbon dioxide emissions and domestic energy consumption, while the Council has declared a climate and ecological emergency and agreed a climate action plan. Therefore, significant weight can be afforded to the sustainability credentials of the proposal.
122. The appellant had previously cited the benefits of a financial contribution towards the management of Blenheim Palace WHS and the benefits of a pedestrian and cycle route to the east of the site. However, as neither of these measures are now being put forward by the appellant, they carry no weight.

The overall balance

123. Starting with the heritage balance as set out in NPPF paragraph 202, it is necessary to weigh the minor and less than substantial harm to the significance of the WHS, the PAG and the listed wall against the public benefits. All the above benefits can be regarded as public ones. Those relating to housing delivery alone are substantial and sufficient to outweigh the minor harm to significance notwithstanding the considerable importance and weight I have

given to that harm. While great weight should be afforded to the conservation of the listed wall and even greater weight to the conservation of the WHS and the PAG, there is clear and convincing justification for the harm to these designated heritage assets.

124. Therefore, the proposed development would have an acceptable effect on the significance and setting of the WHS, the PAG and the listed wall and would accord with LP Policies EW4(b), EW9, EH9, and OS2. It would also accord with NPPF paragraphs 199, 200 and 202. I am conscious of the objections from ICOMOS-UK as the official UK adviser on cultural World Heritage Sites. However, there are clear and compelling reasons why the proposed development would be acceptable on heritage grounds.
125. Regarding the slight adverse effect on the PROW as a non-designated heritage asset, this would be greatly outweighed by the benefits of the proposal and so there would be no conflict with LP Policy EH9 or NPPF paragraph 203.
126. The first exception in NPPF paragraph 11(d)(i) would not apply based on my findings on the heritage balance. Turning to the second exception in 11(d)(ii), the minor harm to the designated heritage assets and the slight adverse effect to the non-designated heritage asset should be considered as the wording in 11(d)(ii) refers to any adverse impact. Alongside these adverse impacts is the minor adverse effect on landscape character and the setting of Woodstock, and the conflicts with Policy EW4 insofar as they relate to the number of dwellings and the location of built development which I have afforded limited weight.
127. The adverse impacts would not significantly and demonstrably outweigh the above benefits when assessed against the policies in the NPPF taken as a whole. Therefore, the presumption in favour of sustainable development would apply in line with NPPF paragraph 11. In conclusion, while there would be some conflict with two parts of LP Policy EW4, the proposed development would accord with the rest of that policy as well as LP Policies OS2, OS4, EW9, EH2 and EH9 and the development plan as a whole. Therefore, this indicates that planning permission should be granted.
128. The Council contends that the existence of the allocation and its ultimate delivery means that I should only consider the additional harms and benefits against an alternative policy compliant scheme. In other words, I should only assess the effects of up to 60 additional houses over the allocated figure. However, I have no alternative policy compliant scheme to assess this proposal against. The CBA report does not constitute such a scheme as it is illustrative guidance only. Moreover, any harms and benefits would only be achieved via a planning permission, not a site allocation. Therefore, it is appropriate to consider the harms and benefits of the proposed development as a whole.
129. Nevertheless, even if I only consider the benefits relating to an additional 60 houses, the Council indicates that these should be given significant weight. I have no reason to disagree given the shortfall in housing land supply and affordable housing. The level of harm would be less or no greater than the already low levels I have identified for the whole development. Therefore, the benefits of 60 additional houses would still be more than enough to resolve the heritage balance and the balance under NPPF paragraph 11(d)(ii) in favour of granting planning permission.

Conditions

130. Condition 1 setting out the time limit for commencement of the detailed phase of development via the full planning permission is necessary for clarity and compliance. Conditions 2, 3 and 6 are necessary as they set out the standard requirements for the approval of reserved matters and implementation of the outline phase of development via the outline planning permission. Condition 6 is necessary to clarify the approved parameter plans for the outline phase.
131. Condition 4 relating to the approved plans for the detailed phase is necessary for clarity and compliance. It is necessary to exclude the grassed pathway to the north of the main access road from the approved plans for reasons relating to safety and security. The additional access details requested by Condition 5 are necessary in the interests of highway safety. Condition 7 is necessary to ensure that bin stores are safe and secure.
132. Condition 8 is necessary in the interests of character and appearance, while Condition 9 is necessary to mitigate the effects of construction traffic on the highway network. Conditions 10 and 12 are necessary to conserve and enhance ecology features during the construction and occupation phases respectively, while Condition 11 is necessary to address the archaeological interest of the site. Conditions 13 and 14 are necessary in the interests of flood risk matters while Condition 15 is necessary to address any land contamination issues. Conditions 8 to 15 are pre-commencement conditions as they concern matters that need to be dealt with before works begin on site.
133. Conditions 16, 17, 18, 20 and 27 are necessary to ensure the development is safe and secure. There is no need for a further condition requiring details of gates and access controls to the parking areas as this can be covered by these conditions. Condition 20 is also necessary to ensure external lighting avoids harm to protected species. Conditions 19 and 21 are necessary in the interests of energy efficiency and the use of natural resources.
134. Condition 22 is necessary in the interests of character and appearance. Condition 23 is necessary in the interests of managing flood risk and drainage. Conditions 24 and 25 are necessary to ensure that the water and foul water networks are adequate to support the development. Condition 26 is necessary in the interests of waste management. Condition 28 is necessary to promote sustainable modes of transport. Condition 29 is necessary in the interests of character and appearance and biodiversity. Condition 30 is necessary to control construction hours given the proximity of neighbouring properties.

Conclusion

135. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR

Appearances

For the Appellant:

Sarah Reid KC, Counsel, instructed by Jacqueline Mulliner on behalf of Blenheim Estate.

She called:

Jacqueline Mulliner BA (Hons) BTP (Dist) MRTPI
Managing Director, tor&co

Richard Burton AOU BA (Hons) DIPLA CMLI
Director, tor&co

John Trehy BA MCIfA
Technical Director, tor&co

Kaye Stout BA (Hons) Dip Arch Dip Arch Prac RIBA
Partner, Pollard Thomas Edwards

Simon Tucker BSc (Hons) MCIHT
Director, David Tucker Associates

Peter Shepherd
Director, BGS Ecology

Adam Griffiths
Infrastruct CS Ltd

Will Cobley MRTPI
Technical Director, tor&co

Haroon Khan
Knights Plc

For the Local Planning Authority:

Alexander Greaves, Counsel, instructed by the Head of Legal Services at West Oxfordshire District Council (WODC).

He called:

Chris Wood
Senior Planning Officer (Appeals), WODC

Andrea Clenton
Major Development Programme Manager and Principal Planner, WODC

Interested Parties who spoke during the Inquiry:

Dr Alan Hearne	Campaign to Protect Old Woodstock (C-POW)
Mandy Miller	C-POW and local resident
Andrew Rein	C-POW

Councillor Elizabeth Poskitt Woodstock Town Council and WODC

Documents submitted during the Inquiry:

- ID1: Appellant's opening submissions
- ID2: Council's opening submissions
- ID3: C-POW statement presented by Dr Alan Hearne
- ID4: Statement from Mandy Miller
- ID5: Statement from Councillor Elizabeth Poskitt
- ID6: Information on the new parking scheme in Woodstock, including map
- ID7: Updated statement of common ground on highways and access matters between the appellant and Oxfordshire County Council (dated 6 June 2023)
- ID8: Oxfordshire County Council's answers to questions from the Inspector regarding the S106 agreement (dated 26 June 2023)
- ID9: Statement of common ground on 5 year housing land supply from the appeal at Land at Cote Road, Aston, West Oxfordshire (dated June 2023)
- ID10: Summary of infrastructure issues from C-POW including:
 - (a) Woodstock Community and Infrastructure Delivery Plan 2019 extracts
 - (b) West Oxfordshire Infrastructure Delivery Plan 2016 extract
 - (c) West Oxfordshire Parking Strategy 2016 extracts
 - (d) Woodstock Conservation Area Map
 - (e) Oxfordshire Pupil Place Plan 2022/23-2026/27 extracts
 - (f) Gov.uk information about Woodstock, Wootton-by-Woodstock, and Bladon Church of England (CE) Primary Schools
 - (g) Final Summary of Listening Period regarding the proposed closure of Wootton-by-Woodstock CE Primary School
 - (h) Oxfordshire County Council's consultation response to the proposal at Land North of Banbury Road regarding education matters
 - (i) Oxfordshire Local Transport and Connectivity Plan 2022-2050 extracts
 - (j) Thames Water Investment Plans for storm discharge sites
- ID11: Catchment area for Woodstock CE Primary School
- ID12: Updated statement of common ground on heritage matters between the appellant and the Council (dated July 2023)
- ID13: Amended Building Heights Parameter Drawing (HIL-PTE-ZZ-XX-DR-A-10024 Revision D)
- ID14: C-POW's closing submissions

ID15: Council's closing submissions including two legal judgments:

- (a) *Gallagher Ltd v Cherwell DC* [2016] EWHC 290 (Admin)
- (b) *R (Village Concerns) v Wealden DC* [2022] EWHC 2039 (Admin)

ID16: Appellant's closing submissions

ID17: Completed and executed S106 agreement dated 19 July 2023

Schedule of Conditions (30)

- 1) The detailed phase of the development hereby permitted by the full planning permission shall begin not later than 3 years from the date of this decision.
- 2) In respect of the outline phase of development hereby permitted by the outline planning permission, details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place in the outline phase and the development shall be carried out as approved.
- 3) The first application for approval of the reserved matters for the outline phase shall be made to the local planning authority not later than 3 years from the date of this permission. The outline phase shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The detailed phase of development hereby permitted shall be carried out in accordance with the approved plans listed in Annex 1 except in respect of the inclusion of grassed pathway shown to the north of the main access road to the rear of proposed properties as shown on plans XX-XX-LA-P-013, XX-XX-LA-P-015 and XX-XX-LA-P-100
- 5) Notwithstanding condition no 4, details of the means of access between the site and A44 Manor Road (as shown on Drwg No: 21152-05-GA Rev J) shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Thereafter, and prior to the occupation of any dwellings, the means of access onto the highway shall be constructed and retained in accordance with the approved details.
- 6) The outline phase of development hereby permitted shall be carried out in accordance with the approved parameter plans listed in below:
 - Land use parameter drawing HIL-PTE-ZZ-XX-DR-A-10020 Rev C
 - Landscape and open space parameter drawing HIL-PTE-ZZ-XX-DR-A-10021 Rev D
 - Access parameter drawing HIL-PTE-ZZ-XX-DR-A-10022 Rev C
 - Density parameter drawing HIL-PTE-ZZ-XX-DR-A-10023 Rev C
 - Building heights parameter drawing HIL-PTE-ZZ-XX-DR-A-10024 Rev D
- 7) Notwithstanding condition no 4, all bin stores will be secured with gated access.
- 8) No development shall take place within each phase (the detailed phase and outline phase hereby approved) until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings within that phase have been submitted to and approved in writing by the local planning authority. These levels shall be shown in relation to a fixed and known datum point. The development within each phase shall then be carried out in accordance with the approved details.

- 9) No development shall take place until a Construction Traffic Management Plan (CTMP) is submitted to and approved in writing by the local planning authority. The CTMP shall include details of vehicle routing and cleaning. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details.
- 10) No development shall take place within each phase (the detailed phase and outline phase hereby approved) (including ground works and vegetation clearance) until a Construction Environmental Management Plan – Biodiversity (CEMP-B) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
- (i) Risk assessment of potentially damaging construction activities;
 - (ii) Identification of 'biodiversity protection zones';
 - (iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - (iv) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - (v) The times during construction when specialist ecologists need to be present on site to oversee works;
 - (vi) Responsible persons and lines of communication;
 - (vii) The role and responsibilities on site of an ecological clerk of works or similarly competent person(s);
 - (viii) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
 - (ix) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP-B shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 11) No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The Archaeological Written Scheme of Investigation shall be implemented in accordance with the approved details.
- 12) No development shall take place within each phase (the detailed phase and outline phase hereby approved) until an Ecological Design Strategy (EDS) for each phase has been submitted to and approved in writing by the local planning authority. The EDS shall include, but not necessarily be limited to, the following information:
- (i) Details of planting such as, hedgerows, species-rich grasslands, tree planting and wildlife pond planting;
 - (ii) Type and source of materials to be used where appropriate, e.g. native species of local provenance;

- (iii) Timetable for implementation demonstrating that works align with the proposed phasing of the development;
- (iv) Details of integrated bird (swift bricks) and bat boxes, dormouse nest boxes, reptile hibernacula, hedgehog friendly fencing, bee bricks and a skylark compensatory nesting site;
- (v) Details of initial aftercare and long-term maintenance and persons responsible for the maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 13) No development shall take place within each phase (the detailed phase and outline phase hereby approved) (excluding enabling development) until final detailed drawings of all SuDS retention basins together with any headwalls and outflow details including cross sections both long and short for that phase have been submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the details agreed.
- 14) No development shall take place within the outline phase until a full surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate, the details shall include a management plan setting out the maintenance of the drainage asset. The surface water drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010, as amended, and/or any subsequent replacement legislation. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
- 15) No development shall take place within each phase (the detailed phase and outline phase hereby approved) until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the local planning authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:
 - (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages;
 - (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination; and
 - (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out before the development of each phase (the detailed phase and outline phase hereby approved) is occupied.

- 16) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until an application for that phase is made for Secured by Design (SBD) accreditation. The development shall be carried out in accordance with the approved details and shall not be occupied or used until confirmation of SBD accreditation has been received by the local planning authority.
- 17) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until a management plan setting out the future management, operation and security of the parking barns and community areas has been submitted to and approved in writing by the local planning authority. These areas shall be subsequently managed in accordance with the approved management plan.
- 18) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until a parking strategy setting out the future management of parking throughout each phase has been submitted to and approved in writing by the local planning authority. Parking shall be subsequently managed in accordance with the approved management plan.
- 19) No development above slab level shall take place until an Energy Report has been submitted to and approved in writing by the local planning authority. The Energy Report shall include:
 - (i) Predicted energy modelling shall demonstrate residential energy budgets of <35 kwh/m2.yr to achieve ultra- low energy demand through design;
 - (ii) Details of fossil fuel free heating systems;
 - (iii) Development shall achieve a net-zero operational carbon balance and deliver 100% of energy using renewables;
 - (iv) Lifecycling modelling shall be carried out to assess embodied carbon with details of the steps taken to minimise embodied carbon emissions;
 - (v) Thermal comfort and the risk of overheating shall be assessed and demonstrate that passive design measures to mitigate for overheating risk have been prioritised over the use of more energy-intensive alternatives, in compliance with CIBSE TM52

The development shall be implemented in accordance with the approved report.

- 20) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until a proposed external lighting scheme has been submitted to and approved in writing by the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents. The lighting scheme shall also be designed to avoid harm to protected species. The development shall be carried out in accordance with the approved details.
- 21) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a scheme for the Electric Vehicle Charging points, in line with Policy EVI8 of the Oxfordshire Electric Vehicle Infrastructure Strategy for that phase, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 22) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a long-term management scheme to provide for the future maintenance of hard and soft landscaping in perpetuity for public areas in each phase shall be submitted to and agreed in writing by the local planning authority. The scheme shall include the long-term management and maintenance of all shrubs, grasses and tree planting in public areas which includes all public open spaces including paths, drainage basins and play areas, and the maintenance of other public facilities including benches and bins and other elements of hard landscaping and public infrastructure works. The development shall be carried out in accordance with the approved scheme.
- 23) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved), a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the local planning authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
 - (i) As built plans in both .pdf and .shp file format;
 - (ii) Photographs to document each key stage of the drainage system when installed on site;
 - (iii) Photographs to document the completed installation of the drainage structures on site; and
 - (iv) The name and contact details of any appointed management company information.
- 24) Prior to the occupation of any dwelling in either phase (the detailed phase and outline phase hereby approved), confirmation must be provided to the local planning authority that either:
 - (i) All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
 - (ii) A development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water (or the responsible provider for such provision) to allow

development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

- 25) Prior to the occupation of any dwelling in either phase (the detailed phase and outline phase hereby approved), confirmation must be provided to the local planning authority that either:
- (i) All water network upgrades required to accommodate the additional flows to serve the development have been completed; or;
 - (ii) A development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water (or the responsible provider for such provision) to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.
- 26) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a waste collection strategy shall be submitted to and approved in writing with the local planning authority. The development shall be carried out in accordance with the approved details.
- 27) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a scheme setting out details of measures to discourage motorcycle use of pedestrian/cycle routes, including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 28) The development hereby approved should be implemented in accordance with the Residential Travel Plan (ref: SJT/NES/21152-04a, 3 December 2020).
- 29) The trees and hedgerows on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the tree protection plan (ref 10270 TPP 03 Rev A) in the arboricultural statement impact assessment (ref 10270_AIA.003 Rev B).
- 30) All works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0700 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Annex 1: Approved drawings for detailed phase of development

Phase 1 Architectural drawings (detailed)	Drawing number
Phase 1 – Plot A1	HIL-PTE-VA-ZZ-DR-A-10160 Rev A
Phase 1 – Parking Barn – Ground Flood Plan	HIL-PTE-VB-00_DR-A-10135 Rev A
Phase 1 – Parking Barn – Roof Plan	HIL-PTE-VB-01-DR-A-10136 Rev A
Phase 1 – Parking Barn – Sections	HIL-PTE-VB-ZZ-DR-A-10215 Rev A
Phase 1 – Parking Barn – Elevations	HIL-PTE-VB-ZZ-DR-A-10325 Rev A
Phase 1 – Plots C1-C4	HIL-PTE-VC-ZZ-DR-A-10142 Rev B
Phase 1 – Plots C5-C8	HIL-PTE-VC-ZZ-DR-A-100143 Rev B
Phase 1 – Plots C9-C12	HIL-PTE-VC-ZZ-DR-A-10144 Rev A
Phase 1 – Plots D1-D5	HIL-PTE-VD-ZZ-DR-A-10145 Rev B
Phase 1 – Plots D10-D12	HIL-PTE-VD-ZZ-DR-A-10147 Rev A
Phase 1 – Plots D13-D15	HIL-PTE-VD-ZZ-DR-A-10148 Rev B
Phase 1 – Plots E1-E5	HIL-PTE-VE-ZZ-DR-A-10149 Rev B

Phase 1 – Plots E9-E12	HIL-PTE-VE-ZZ-DR-A-10150 Rev B
Phase 1 – Plots F1-F3	HIL-PTE-VF-ZZ-DR-A-10151 Rev B
Phase 1 – Plots F4	HIL-PTE-VF-ZZ-DR-A-10152 Rev B
Phase 1 – Plots F5	HIL-PTE-VF-ZZ-DR-A-10153 Rev B
Phase 1 – Plot A3	HIL-PTE-XX-ZZ-DR-A-10140 Rev A
Phase 1 – Plots A2, A4	HIL-PTE-XX-ZZ-DR-A-10141 Rev A
Phase 1 – Plots D6-D9, E6-E8	HIL-PTE-XX-ZZ-DR-A-10146 Rev B
GA – Plan – Lots A, B& C – Ground Floor	HIL-PTE-ZZ-00-DR-A-10101 Rev D
GA – Plan – Lots D,E & F Ground Floor	HIL-PTE-ZZ-00-DR-A-10105 Rev C
GA – Plan – Lots A, B & C First Floor	HIL-PTE-ZZ-01-DR-A-10102 Rev B
GA – Plan – Lots D, E & F First Floor	HIL-PTE-ZZ-01-DR-A-10106 Rev B
GA – Plan – Lots A, B & C Roof	HIL-PTE-ZZ-03-DR-A-10104 Rev B
GA – Plan – Lots D, E & F Roof	HIL-PTE-ZZ-03-DR-A-10108 Rev B
Proposed Hill Rise Site Plan	HIL-PTE-ZZ-XX-DR_A-10010 Rev E

Proposed Site Plan – Phase 1 Part 01	HIL-PTE-ZZ-XX-DR_A-10011 Rev B
Proposed Site Plan – Phase 1 Part 02	HIL-PTE-ZZ-XX-DR_A-10012 Rev B
Proposed Site Plan – Phase 1 Part 03	HIL-PTE-ZZ-XX-DR_A-10013 Rev B
Hill Rise – Site Sections 01	HIL-PTE-ZZ-ZZ-DR_A-10201 Rev B
Phase 1 Site Elevations – A	HIL-PTE-ZZ-ZZ-DR_A-10301 Rev B
Phase 1 Site Elevations – B&C	HIL-PTE-ZZ-ZZ-DR_A-10302 Rev B
Phase 1 Site Elevations – D	HIL-PTE-ZZ-ZZ-DR_A-10304 Rev B
Phase 1 Site Elevations – E	HIL-PTE-ZZ-ZZ-DR_A-10305 Rev B
Phase 1 Site Elevations – F	HIL-PTE-ZZ-ZZ-DR_A-10306 Rev B
Phase 1 Landscape drawings (detailed)	Drawing number
Phase 1 Boundaries and Hardworks GA 1 of 2	TOR-XX-XX-LA-P-001 Rev C
Phase 1 Boundaries and Hardworks GA 2 of 2	TOR-XX-XX-LA-P-002 Rev C
Phase 1 POS Hardworks 1 of 2	TOR-XX-XX-LA-P-003 Rev C
Phase 1 POS Hardworks 2 of 2	TOR-XX-XX-LA-P-004 Rev C

Phase 1 GA Softworks 1 of 2	TOR-XX-XX-LA-P-006 Rev C
Phase 1 GA Softworks 2 of 2	TOR-XX-XX-LA-P-007 Rev C
Phase 1 POS Planting Plan 1 of 4	TOR-XX-XX-LA-P-008 Rev C
Phase 1 POS Planting Plan 2 of 4	TOR-XX-XX-LA-P-009 Rev C
Phase 1 POS Planting Plan 3 of 4	TOR-XX-XX-LA-P-010 Rev C
Phase 1 POS Planting Plan 4 of 4	TOR-XX-XX-LA-P-011 Rev C
Landscape masterplan	TOR-XX-XX-LA-P-013 Rev E
Location of alternative BNG areas	TOR-XX-XX-LA-P-016 Rev B
Planting Key Plan	TOR-XX-XX-LA-P-100 Rev A
Hardworks Key Plan	TOR-XX-XX-LA-P-101 Rev A
Drainage Strategy	Appendix F of the Flood Risk Assessment and Drainage Statement ref 3572-WOOD-ICS-XX-RP-C-07.001C dated August 2022