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**Bev Hindle
Environment and Economy**

10 November 2016

Dear Caroline,

NW Bicester Himley Village Application (14/02121/OUT)

Further to our meeting yesterday, I write to clarify OCC's position on the additional information submitted in October 2016 which proposes interim junction works and to bring forward the Himley development ahead of the tunnel and realigned road.

Based on the information submitted by the applicant and on further technical work commissioned by OCC, our overall assessment is that no development at Himley Village should take place until the tunnel and realigned road are in place.

With regard to theoretical modelling work alone, although there are inherent uncertainties in the level of background growth (which has been based on trajectories in the Annual Monitoring Report), we recognise that the additional work commissioned by OCC indicates that the proposed interim junction operates within acceptable capacity at 2019 with 485 dwellings at Himley Village (para 3.1.16 of the technical report appended to OCC's consultation response). However, after 2019 the junction is over capacity and at this stage there is no certainty that the realigned road and tunnel will be delivered by then. In these circumstances, the interim scheme could not be considered adequate to mitigate the impact of the development after 2019.

Additionally, the feasibility of the interim scheme (in terms of being both safe for all road users and providing sufficient traffic capacity) has not been fully demonstrated and OCC have serious doubts as to whether this will be possible. The scheme has weaknesses in terms of pedestrian/cycle provision which it may not be possible to overcome through further design; or, in addressing them, the capacity benefits may be eroded so that the scheme is ineffective.


We would not normally expect a proposal with such uncertainty to be put before a planning committee for a decision. However, if, despite the uncertainty over the acceptability of the scheme and the additional capacity it could offer, the District Council's Planning Committee is minded towards a resolution to grant planning permission, OCC would recommend that this is subject to:

- i. The applicants committing to pay their share of the strategic infrastructure (tunnels and realigned road) in addition to the cost of the interim scheme;

- ii. Further modelling to demonstrate that sufficient capacity can be provided in the finally approved scheme to mitigate the additional impact of 500 homes prior to the completion of the strategic scheme (tunnels and realigned road);
- iii. Submission of in principle drawings based on a topographical survey and approval by OCC prior to planning permission being granted;
- iv. Confirmation by OCC that the audited scheme can deliver the capacity established in ii above. If the final scheme differs from the scheme that was originally modelled, the applicant will need to provide further modelling to demonstrate that the necessary capacity still exists;
- v. A limit of 500 dwellings at Himley Village prior to the delivery of the strategic road link and tunnel (based on a rounded figure from para 3.1.16 of the technical report appended to OCC's consultation response);
- vi. Prior to commencement of development, certainty that the strategic scheme (tunnels and realigned road) will be delivered within 2 years. This could be linked to stage 5 of Network Rail's GRIP process (detailed design). Confirmation of funding would also be needed;
- vii. A clause in the S106 agreement requiring the Section 278 to be agreed prior to commencement;
- viii. Commuted sums for maintenance for any new highway infrastructure;
- ix. Terms for the decommissioning of the interim mitigation at the end of the interim period;
- x. The interim sustainable movement strategy improvements proposed in this application (including cycle and pedestrian routes that are in third party landownership) being secured in the S106 to be delivered prior to first occupation, with S278 agreements to be completed prior to commencement.

Should any the above fail to be secured, the resolution would not be met, and the application would need to be returned to Planning Committee. In particular, in the event that further design work reduces the capacity of the junction improvements, the planning application would need to be reassessed. OCC do not consider that carrying out the work in point iii is particularly onerous; this information has been previously requested, would provide certainty over the feasibility of the scheme and could be completed within a few weeks.

Yours sincerely



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