

LATHBURY ROAD RESIDENTS ASSOCIATION

■ Lathbury Road Oxford OX2 7AU

Planning Department
Cherwell District Council
Bodicote House,
Bodicote,
Banbury OX15 4AA

16 March 2024

Re: Planning Application Reference 24-00539F
Land to the East of Stratfield Brake and West of Oxford Parkway Railway Station,
Kidlington.

Dear Sirs,

Re: Application by Oxford United Football Club for the erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures.

Please accept this letter as an objection to this application, for the following reasons:

1. We are the residents of Lathbury Road in the City of Oxford. Lathbury Road is 3.8km south of the proposed development land. We are supportive of the applicant in its quest for a new site, recognising that the options for alternatives are limited. This objection is made not on any issue of principle, but on matters of safety which the application does not properly address, and which we presume it is unable to address without the co-operation and the substantial investment of national and local authorities.
2. These safety issues are issues of safe access to and egress from the proposed stadium site, principally along the Oxford Road but also affecting Freize Way. This is not a trivial issue: it will affect the life safety of many. Incredibly, these issues are not addressed in the documents supporting the application other than by a request for the planning consent to be conditioned. References to accessibility may be found in the following supporting documents:
 - a. *Planning Statement.* Transport is first mentioned at paragraph 3.11:

The Site is well related to existing and proposed development and is in a highly accessible location, adjacent to the strategic highway network as well as Oxford Parkway Railway Station and Park and Ride. It is therefore accessible by a range of transport modes.

This does not address safety. Next, at paragraph 3.29:

The Cherwell Local Plan Part 1 Partial Review also makes clear that the above sites will be expected to financially contribute to in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport. The

improvements to sustainable transport in the area are to include:

(a) improved bus services and facilities along:

i. the A44/A4144 corridor linking Woodstock and Oxford

ii. the A4260/A4165 (Oxford Road) linking Kidlington, Gosford, Water Eaton and Oxford

iii. Langford Lane.

(b) the enhancement of the off-carriageway Cycle Track/ Shared Use Path along the western side of the A44 and the provision of at least one pedestrian and cycle and wheelchair crossing over the A44.

(c) the prioritisation of the A44 over the A4260 as the primary north-south through route for private motor vehicles into and out of Oxford.

(d) improved rapid transit/bus services and associated Super Cycleway along the A4260 into Oxford.

(e) improvements to the public realm through the centre of Kidlington associated with (d) above.

(f) the provision of new and enhanced pedestrian, cycling and wheelchair routes into and out of Oxford.

Some of these proposals will bear examination (for which see later in this representation). But most are not within the control of the local planning authority and must accordingly be dealt with by way of an s106 Agreement. There is no mention of the applicant being prepared to enter a planning obligation to make any financial obligation to these matters in accordance with the Cherwell Local Plan Part 1 Partial Review. Without such a commitment from the applicant, there is no certain provision for the essential safety improvements that will have to be made for pedestrian and cycle access and for public transport provision. No application should be consented unless a suitable undertaking to ensure the paramount safety of those visiting the stadium site is made by the applicant.

Next, at paragraph 4.47:

The Proposed Development seeks to promote the use of sustainable transport measures. Measures include:

- New and improved pedestrian and cycle routes to/from the Stadium from/to Oxford Parkway, which also connect to the committed pedestrian and cycle routes at Kidlington Roundabout and on Oxford Road. The improvements will include signage and lighting.*
- Crossing facilities (TOUCAN) across Oxford Road.*
- Crossing facilities (TOUCAN) across Frieze Way.*
- A new stepped access to Oxford Parkway from Oxford Road.*

- *New bus stops on Oxford Road.*

At 4.48:

In terms of the management of crowds, Match Day and Non-Match Day Framework Travel Plans have been prepared which set out the measures proposed. In terms of match days, the following is proposed:

- *Shuttle bus services to/from the Park & Ride sites around Oxford on match days (aligned to demand/ticket sales).*
- *Increased frequency and longer operating hours of public bus services to the stadium on match days if demand/ticket sales require.*
- *Traffic Management Plan, including the following measures:*
 - *Traffic management on match days including the diversion of traffic via Frieze Way for at least 30 minutes to enable the supporters to safely arrive and leave the stadium via Oxford Road to reach the transport interchange at Oxford Parkway.*
 - *Controlled Match Day Parking Zones up to 2km from the Stadium in Kidlington and North Oxford.*
 - *Variable Message Signage on radial routes to the Stadium advising of football match and availability of Park and Ride car parks.*

At 4.49:

These measures are discussed in Section 9 of this statement and are considered in full in Chapter 10 of the accompanying ES (Environmental Statement).

These are admirable and essential provisions. However, there is no estimate of numbers in the flow of pedestrians and cyclists or of the users of public transport. Without such information, the design proposals can amount to no more than mere tokenism. Paragraph 117 of the National Planning Policy Framework requires that the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. There is insufficient data on which to make such an assessment. An application without either should not succeed when dealing with road safety and the situation where close on 16,000 people will disgorge from the stadium site within a few minutes, mostly onto the Oxford Road. There is no mention of a bridge with a raised walkway from the stadium site to the only likely place for a manageable transport hub, which is the Oxford Parkway Railway Station and the adjacent Oxford Parkway Park and Ride.

The road closure of Oxford Road, described as a traffic diversion to Freize Way, will not be feasible when that road must be used by local buses, the proposed shuttle service to other Park and Ride sites around the city, and by the coaches of

visiting fans (paragraph 10.41). (The amount of such additional traffic will be discussed later in this representation.)

At 5.8:

Suitable provision for improved sustainable transport infrastructure will be agreed during the course of the application. From initial discussions around this with both CDC and OCC, the improved highway and pedestrian network along the Oxford Road will be dealt with contributions from the allocated sites and, as a consequence, improvements are likely to focus on suitable connections to Oxford Parkway and potential infrastructure improvements along Frieze Way. OUFC are committed to ensuring suitable sustainable transport connections are provided.

This statement appears to anticipate the exclusion of public involvement from the consideration of pedestrian and cycle access. Such a denial of local democratic accountability should not be contemplated or permitted by a local planning authority (the National Planning Policy Framework – NPPF – paragraph 133). The necessary proposals should be clearly stated in the application so all may see what is being proposed and to express a view on it.

At paragraph 9.89 the applicant states that for “Match Day Sustainable Transport Benefits” its aim is that 90% of fans will travel to the stadium by sustainable means. In the event of a sell-out match, this will mean that over 14,000 people will leave the site within half an hour of the end of a match. That is a flow rate of nearly 500 people a minute, ignoring peak flow. The requirement for emergency evacuation of a stadium is for the building to be successfully evacuated within 8 minutes. The exits from the stadium ground appear to have been designed to achieve this peak rate of flow. It may therefore be anticipated that this number of people are expected to disgorge onto Freize way and the Oxford Road within a period of between 8 minutes and half an hour.

- b. *Design and Access Statement.* Section 11, Stadium Accessibility on page 104:

The stadium can be accessed via the means of public and private transport.

Due to the site constraints parking on site is limited. On-site parking numbers will be dominated by accessible car-parking bays and will require prior booking on match days.

The stadium is clearly visible, with glimpses of the stadium from surrounding areas. Once at the site, the main entrances will be clear via a change in material and signage.

This is an inadequate description for site access in a Design and Access Statement. There is no description of provision for safety of those visiting the stadium.

- c. *Environmental Statement.* Chapter 10, Traffic and Transport. This Chapter of the Statement refers the reader to the Appendices in Volume 3 of the Statement, which are:

- 10.1: Transport Assessment
- 10.2: Match Day Interim Travel Plan
- 10.3: Non-Match Day Interim Travel Plan
- 10.4: Draft Construction Traffic Management Plan

The first two will be referred to here. The premise for vehicle travel is based on scenarios agreed with the County Council (“Decide and Provide” – D&P). Scenario 2 allows for supporters to use the Oxford Parkway Park & Ride car park, while Scenario 3 does not. The data cited in the Transport Assessment in Tables 3 and 4, and then used in the Travel Plan are that where use of the car park is permitted, the number of match ‘visits’ to the car park on weekdays will be 1,044 cars carrying 11,455 people, while on Saturdays it will be 847 cars carrying 11,468 people. These rather curious data appear to indicate that each car on a weekday will carry 11 people, while on Saturdays each car must somehow carry 14. Furthermore, it appears that an assumption has been made that the car park will be available for the exclusive use of supporters, which appears to us to be equally ridiculous.

It is clear from paragraph 4.1.6 in the Match Day Travel Plan that these incorrect figures have been used to suppress the expected number of users of other means of transport including public transport, cycling and walking. No account appears to have been taken of Scenario 3 where the use of the Park & Ride facility for match attenders would be prohibited – although it is not clear how this would be policed and achieved so perhaps that is not surprising.

If it is taken for present purposes that the number of bus, shuttle and train journeys is shown as the maximum achievable, given the limitation of vehicle availability, scheduling (including railway signalling) and the time for boarding and alighting, then the only unrestricted means of getting to the stadium will be on foot or by bicycle. The number of those on foot or on bicycles will of necessity have to increase commensurately. Extrapolating the data in the application, the number of walkers would rise to 5,000 and cyclists to 7,000. It does not take much imagination to conjure up the absurdity of this and the attendant dangers of allowing it. Such a flood of people walking towards Oxford would prevent any use of Oxford Road by traffic and would likely cause serious disruption of the Oxford ring road. The Kidlington roundabout would be impassable other than on foot. Footpaths and cycle paths with a width of just 1800mm are suitable only for places where surges in numbers are not anticipated.

3. It should not be necessary to cite the plethora of guidance that will be contravened by this proposal. However, reference is made for convenience to:
 - a. NPPF paragraphs 88, 114, 116, 117 and 133;
 - b. the Cherwell Local Plan 2011-2031 (Part 1), policies SLE4, ESD15, ESD16, ESD17;
 - c. the Cherwell Local Plan 2011-2031 (Part 1) Partial Review, policies PR4a, PR4b and PR11;
 - d. the Cherwell Local Plan 1996 Saved Policy TR1 and

- e. the Cherwell Local Plan Review 2040 Consultation Draft (Regulation 18) September 2023, policies CP21, CP22, CP 44 and CP47.
4. In its response to the Scoping Application of September 2023 (ref: 23/02276/SCOP) Cherwell DC referred to the Transport Schedule of the County Council's representation. In its representation the County Council appears to have included the Oxford Parkway Station car park into its computation of available parking bays. From the lower figure that appears in the full application, it is deduced that this additional parking area will not be made available. The County Council recommended as follows:
 - a. that there should be further active travel improvements over and above the 2023 submission;
 - b. that parking surveys are required for Parkway and Peartree Park & Ride car parks;
 - c. that the applicant should fund controlled parking zones in Kidlington;
 - d. that cycle parking should be provided at 1 space per 50 seats. That is 320 spaces rather than the 150 proposed; (NB. With reference to the exaggeration on the amount of parking, the provision for cycle stands may have to be increased further.)

In the light of the erroneous data submitted with this application, the County Council should be invited to re-assess its response.

5. As stated within the NPPF, a Design Review Panel's feedback is a material consideration for local authorities and the planning inspectorate when determining planning applications. The Design Review Panel provides impartial, independent design review services directly to applicants as well as to local authorities. The Design Review Panel reviewed the proposal on 7 November 2023. Within its opinion in which it recognised the "difficulties of access to the site" (which it did not comment upon), it made the following observations:
 - a. The visit revealed a site significantly constrained in many ways, not least by its awkward shape and the busy highways that adjoin the site on two of its three sides. These factors alone make the development of the site challenging.
 - b. The site is not ideal in many respects.
 - c. There is a concern that the proposed main entrance area point to the stadium may not be able to safely accommodate the sheer volume of fans. It is felt there may not be enough arrival space to accommodate the supporters before they disperse to their seats. A lack of space in this area could also give rise to problems of supporter segregation. The practical problems of access are also accentuated by the difference in levels from the highway.
 - d. The Panel's chief concern regarding the project is that the awkward shape of the site and its relatively small size may potentially be prejudicing the delivery of the laudable aspirations for public realm. Aside from the concerns regarding the size of the arrival space, there is a general feeling that everything is ever so slightly squeezed and that there is no spare land.
6. It is suggested that because the triangle of land is bound on 2/3 of its perimeter by major roads and on the remainder by woodland that is not accessible, the problems arising from

the site's "relatively small size" will rapidly migrate into the surrounding roads after a match.

7. In this representation we have addressed only the danger of placing a large crowd of pedestrians and cyclists in the way of motorised vehicles. But one of the inevitable consequences of such crowding is delay. Further, there is also the very significant difference in the distance between the Kassam Stadium and the centre of population of Oxford, which is approximately 3.5km, and the same from the proposed new stadium, which is about 8km away. This will reduce the incentive to walk and cycle and will increase the incentive to drive or travel by public transport. To take account of this, if the capacity for bus and coach travel was increased to say 6,000 (despite the limiting assumptions referred to earlier), so reducing the number forced to travel on foot or by bicycle by a similar amount, and if the average capacity of these buses is taken as being 70, then 85 arrivals and 85 departures will have to be catered for. If 90% of these vehicles are travelling along the Oxford Road and the interval between arrivals is taken as being 3 minutes, then 77 vehicles will be required from that direction alone. It will take almost 4 hours to move this number of people by bus. That is not a sufficiently short period either before or – more particularly – after a match. After a match it is likely to be the cause of severe crowding and volatile discontent.
8. In passing we would also remark that the bus lane on the Oxford Road has been removed. This appears contrary to local transport policy for it will not allow buses to bypass slow traffic during the morning rush. It will significantly increase the journey time to Oxford.

In conclusion, although we support Oxford United's intention to find a suitable replacement long-term home, owing to the concerns and observations raised in this letter we regret that we must urge the Council to reject this proposal. If any proposal is to be allowed to proceed then we suggest it should only be permitted after a detailed appraisal is made of the capacity of the local roadways and infrastructure which demonstrates convincingly that match crowds will be able to get to and from the stadium without unreasonable delay and in complete safety.

Yours faithfully,

[Signed]

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Secretary