

Bicester Bike Users' Group Statement of Case

Reference: APP/C3105/W/23/3315849

Land at NW Bicester



1. Introduction

- 1.1. Bicester Bike Users' Group ('BicesterBUG') aims to increase the proportion of people cycling in and around the town of Bicester; foster good relations between cyclists, pedestrians, and users of other vehicles; and improve the safety, accessibility, and convenience of the Bicester cycle network. We see cycling as a key part of Bicester life. Local travel to work, shops, school and for fun all has the potential to be done safely and easily by bike in the town. We work to improve the profile of cycling as a mode of transport and work with the local government to improve the infrastructure provision to enable safe cycling for all no matter age or background.
- 1.2. A key element to achieving our goals is by working with planning applicants and authorities to ensure new developments adequately consider active travel by reference to national and local policy, rules, and guidelines.
- 1.3. This Statement of Case ('SoC') sets out the case that BicesterBUG intends to put forward at the Inquiry, and lists the documents we will refer to in evidence.
- 1.4. Electronic copies of all documents have been provided with this SoC, with paper copies available on request from the Inspector.

2. Scope

- 2.1. This is an outline application that includes the determination of the access arrangements for the site. As such, this SoC focuses on how the introduction of these accesses will affect the active travel provision along the NW Bicester Spine Road.

3. Compliance with LTN1/20

- 3.1. The Appellant has claimed that LTN1/20 Cycle Infrastructure Design, published by the Department for Transport, represents a 'guidance document only'.
- 3.2. We will demonstrate how Oxfordshire County Council ('OCC') policy requires changes to the Exemplar Phase Spine Road ('the Spine Road') to be made in full compliance with LTN1/20.

4. Cycle Provision

- 4.1. Current cycle provision along the Spine Road is on-carriageway. This was considered acceptable as the Spine Road was designed to serve less than 500 houses and motor vehicle through traffic is limited by a Bus Gate.
- 4.2. It is accepted by the Appellant that the proposed development would increase motorised traffic along parts of the southern section of the Spine Road, known as Charlotte Avenue, to a level that would make on-carriageway cycling inaccessible to most.
- 4.3. Potential options for modifying the Spine Road have been proposed by the Appellant in order to accommodate the volume of motorised vehicles expected to use the Spine Road to access the proposed development.
- 4.4. To date, no assessment of the busiest section of Charlotte Avenue from the B4100 junction to Gagle Brook School has been conducted, despite there being Bus Stops, trees, SUDs features, lamp posts and benches along this stretch.
- 4.5. We will demonstrate how these proposals fail to account for Design Manual for Roads and Bridges ('DMRB') standard CD195, which specifies that the effective width of cycle tracks is reduced by 0.5m where there are vertical features over 600mm. On Charlotte Avenue there are trees, garden fences, a bus stop, and bridge parapets. These reduce the effective width to 2.5m, significantly below the minimum standards for shared paths. As confirmed by the applicant's documentation, there is insufficient room on Charlotte Avenue to accommodate a 4.8m carriageway as well as a 3m shared path.
- 4.6. The Appellant suggests that nervous cyclists could use the pavement, and could bypass the busiest section by following the path which leads through the green space, and requires cyclists to dismount to navigate a set of steps.

- 4.7. We will argue that Charlotte Avenue cannot be modified to accommodate the volume of motorised traffic expected in a way that would be compliant with the National Planning Policy Framework ('NPPF') (paras. 110 & 112), LTN1/20, CD195 and the local plan. We will further argue that this would result in an unacceptable impact on highway safety and the cumulative impacts on the network for non-motorised traffic would be severe.

5. Removal of Street Trees

- 5.1. The Spine Road is generally lined by street trees along its full length, as required by planning policy for the Exemplar Phase. This is particularly the case along Charlotte Avenue.
- 5.2. The trees are planted into pavement tree pits, situated generally around 2-2.5m from the property boundary fences.
- 5.3. The Appellant's document TN009 claims that 'it would be possible to increase the width of the carriageway to at least 4.8m without impacting the existing trees located along the eastern side of the carriageway.' (2.2.6, May 2022).
- 5.4. This does not appear to be correct. On the one hand, widening the motor vehicle carriageway would take the sides of the road immediately adjacent to the tree pits, leading to the trees overhanging the carriageway, thereby narrowing the effective width. On the other hand, the trees and tree pits would further narrow the width of the proposed shared path which is already narrower than the minimum requirements for shared paths.
- 5.5. OCC Highways have belatedly recognised this issue but remain uncertain whether this proposal would require these trees to be removed in order to accommodate cyclists.
- 5.6. As we understand it, any required highway works would be undertaken by OCC funded via a contribution from the Applicant, so any proposed works must be compliant with all OCC policies. This would include the 'Tree Policy for Oxfordshire', approved prior to publication of TN009 on 26/04/2022. The suggestion of removing all the trees, despite this not being part of the application and which would significantly affect the amenity of the street for the inhabitants, would directly contradict Policies 11, 18, 19 & 20. The key policy being Policy 11:

‘Policy 11:

The County Council will retain and maintain existing, health OCC trees and removal will only be considered for the following reason(s):

- Dead, dying and / or dangerous
- Proven to be causing significant structural damage
- Considered by the Tree Service to be an inappropriate species for the location

Or:

- When removal is required as part of an agreed tree management programme.’

- 5.7. As such, we do not believe that the removal of these trees complies with OCC policy and would not in any event address all the highway issues.
- 5.8. Without prejudice to the above, if the removal of all the street trees was considered necessary, this issue should have been identified early and notified to all consultees and affected parties to allow them to respond as it may well have influenced their positions regarding this application.
- 5.9. We will argue that the Appellants proposal to accommodate the expected increase in traffic movements would require the removal of trees along the length of Charlotte Avenue and that this removal of street trees would contradict local policy as well as NPPF (para. 131).

6. Removal of Build-Outs at School Crossings

- 6.1. Proposals made by the applicant to allow two-way traffic across bridges would mean the removal of build-outs that provide a safe crossing for young and vulnerable children accessing Gagle Brook Primary School.
- 6.2. We will argue that even after removing these features the highway would still not be wide enough to comply with LTN1/20, CD 195, NPPF and local policy.

7. Alternative Access

- 7.1. The Appellant has proposed two temporary construction Accesses to be provided directly to the B4100, one for the Eastern Parcel and one for the Western Parcel.
- 7.2. In a written update to the CDC Planning Meeting on 9th March 2023, the Appellant claimed that up to half of all access could be made to the Eastern Parcel via the B4100 but that this option was not pursued.

- 7.3. We will argue that, in order to comply with local policy, this option must be explored before granting approval to an application that would require a non-policy compliant road widening scheme to be undertaken by OCC.

8. Agreeable Conditions or Limitations

- 8.1. If the Inspector decides to approve this appeal then we would consider the following conditions and limitations to be appropriate:
 - 8.1.1. The appellant should conduct a detailed assessment and provide primary vehicular access to the Eastern Parcel directly via the B4100.
 - 8.1.2. Accesses A & B onto Charlotte Avenue should be capped so as to prevent the need for any road capacity schemes to be introduced.
- 8.2. We will set out how these conditions would protect the street trees, ensure that the pavements continue to be usable during hot weather, and ensure that active travel remains the priority over motorised traffic as required by the NPPF.

9. References:

- 9.1. Documents that form part of the planning application 21/01630/OUT - [Link](#)
- 9.2. Documents that form part of the Exemplar Site planning application 10/01780/HYBRID - [Link](#)
- 9.3. National Planning Policy Framework
- 9.4. Adopted Cherwell Local Plan 2011-2031
- 9.5. Tree Policy for Oxfordshire (26/04/2022) - [Link](#)
- 9.6. Oxfordshire Cycle Design Standards - [Link](#)
- 9.7. LTN1/20 - [Link](#)
- 9.8. DMRB CD 195 Designing for Cycle Traffic - [Link](#).
- 9.9. TN009 - [Link](#)
- 9.10. TN004 (within TN003, attachment 7) - [Link](#)