

Proof of Evidence

Appeal No: APP/C3105/W/23/3315849

Title: Land at NW Bicester

Appellant: Firethorn Trust

Rule 6 Party: Bicester Bike Users' Group

## 1. Introduction

1.1 This Proof of Evidence has been prepared on behalf of the Bicester Bike Users' Group (BBUG) as a Rule 6 Party in relation to Appeal No: APP/C3105/W/23/3315849. The appeal concerns the non-determination of an outline planning application for a proposed residential development on Land at NW Bicester by Firethorn Trust. BBUG is a local organization that represents the interests of cyclists and promotes sustainable transport in Bicester. The group is concerned that the proposed development does not adequately address the needs of cyclists and pedestrians, and that it would have a severe impact on highway safety and the local environment. This Proof of Evidence will address these concerns and demonstrate how the proposed development is contrary to relevant planning policies and guidance.

## 2. Uncommon Ground

2.1 BBUG's main areas of concern can be summarized under the following headings:

- (a) Suitability of the Elmsbrook Spine Road;
- (b) Provision for cyclists and highway safety;
- (c) Removal of street trees; and
- (d) Removal of build-outs on the bridges.

### 3. Suitability of the Elmsbrook Spine Road (Uncommon Ground A)

3.1 BBUG is concerned that the supporting assessments (CD 2.37, CD 2.43) have not adequately assessed the suitability of the Elmsbrook Spine Road, particularly along the busiest section of Charlotte Avenue from the B4100 junction to Gagle Brook School. This raises concerns about the potential impact on traffic flow, congestion, and road safety.

3.2 BBUG believes that the outline planning should not be approved until the Common Ground A & B have been completed and submitted as part of the planning application. A detailed investigation of a new permanent vehicle access to the Eastern Parcel via the B4100 must be carried out and incorporated into the development plan. This access was deemed viable by the appellants transport consultants in CD 3.5

### 4. Provision for Cyclists and Highway Safety (Uncommon Ground B)

4.1 BBUG is concerned that the proposed development does not provide suitable provisions for cyclists and would degrade existing cycle provision on the Elmsbrook Spine Road, which is contrary to the principles of CD 4.1, CD 8.2.6, CD 8.2.8, CD 8.2.12 and CD 13.1-13.3.

4.2 The proposed development would also increase traffic volumes and create additional conflicts between motorised and non-motorized road users. This would lead to increased risks for cyclists and pedestrians, particularly along the busy section of Charlotte Avenue from the B4100 junction to Gagle Brook School.

4.3 BBUG also notes that the proposed development does not give priority to pedestrian and cycle movements in the area neighbouring the scheme, contrary to CD 8.1.1 para 104-106.

## 5. Removal of Street Trees (Uncommon Ground C)

5.1 BBUG is concerned that the proposals in CD 2.43 would result in the removal of street trees along the length of Charlotte Avenue, negatively impacting the streetscape, local biodiversity, and air quality.

5.2 The removal of street trees is contrary to CD 4.1, CD 8.1.1 and 8.3.14, which promote the conservation and enhancement of the natural environment, including the protection of existing trees and the planting of new ones to support biodiversity and improve air quality.

5.3 Street trees also contribute to the character and amenity of the local area, providing shade, reducing noise, and creating a more attractive environment for pedestrians and cyclists. Their removal would diminish the quality of the streetscape and undermine the principles of good urban design set out in CD 8.1.1 and CD 8.2.6.

## 6. Removal of Build-Outs on the Bridges (Uncommon Ground D)

6.1 BBUG is concerned that the removal of the build-outs (proposed in CD 2.43) on the bridges that provide crossings for young and vulnerable children would not be acceptable. These build-outs play a crucial role in ensuring the safety of pedestrians, particularly children, by reducing vehicle speeds and providing a safe refuge for crossing.

6.2 The proposed removal of the build-outs is contrary to the principles of CD 8.2.6 and CD 8.2.7 which emphasize the importance of designing safe and accessible environments for all road users, including vulnerable users such as children and elderly people.

## 7. Recommendations

7.1 BBUG submits that the proposed development should be subject to further revisions in order to adequately address the issues identified. These revisions should include:

- (a) Utilisation of direct access to the B4100 for as much of the motorised traffic as possible, as determined by Common Ground A
- (b) Reduction of the traffic utilising Charlotte Avenue to prevent the need for a road capacity scheme, as agreed in Common Ground B
- (c) A commitment to the retention of street trees along Charlotte Avenue to preserve the local streetscape, biodiversity, and air quality, as promoted by CD 4.1 and CD 8.1.1; and
- (d) A commitment to the retention of the build-outs on the bridges to maintain a safe environment for young and vulnerable children crossing the road, in compliance with CD 8.2.6, CD 8.2.8, and CD 8.2.12.
- (e) An updated assessment of the suitability of the Elmsbrook Spine Road, particularly the section from B4100 to Gagle Brook School, that demonstrates the impact of the development on pedestrians and cyclists would not be severe.

## 8. Conclusion

8.1 By addressing these concerns and adhering to the principles outlined in the relevant planning policies and guidance, the proposed development has the potential to contribute

positively to the local area by providing new housing, supporting sustainable transport, and enhancing the quality of the pedestrian and cycling environment.

8.2 However, until the identified issues have been resolved, and the proposed development is revised accordingly, BBUG believes that the appeal should not be allowed, as the current proposals are contrary to the objectives of the Local Plan, LCWIP, NPPF, and other relevant planning policies.

8.3 BBUG remains committed to working constructively with the Appellant and the local planning authority to address the concerns raised in this Proof of Evidence and achieve a development that meets the needs of the local community while promoting sustainable transport and enhancing the quality of life for all residents.