

Evidence ET-5:

Evidence regarding “Masterplan creep” and its Impacts

*This document has been prepared by Elmsbrook Traffic and Parking Group (ETPG), May 2023
for the Appeal regarding*

LAND AT ELMSBROOK, BICESTER: PROPOSED RESIDENTIAL DEVELOPMENT

Planning Inspectorate Ref.No. APP/C3105/W/23/3315849

Cherwell District Council Application No. 21/01630/OUT

Cherwell District Council Appeal No. 23/00062/NON

Written by R Fellows CEng MIET

Reviewed by W Kellett FCIQB

EXECUTIVE SUMMARY

- A. The purpose of a Masterplan is to give expectation to all parties – local residents, developers, landowners, councillors, planning officers, assessment consultants etc. – a set of guidance, rules, requirements and expectations. These define what (a) should or must be delivered for all developments which will form part of the Masterplan area; and (b) the boundaries, road and cycle networks, and so on, will be.
- B. In initial modelling, carried out as part of a Masterplan (and its Exemplar phase), conditions for input parameters are fixed and trialled, setting the benchmark for developments to come.
- C. It is shown in this document that, after only two Outline planning permissions being consented to date, and one Detailed consent given with the construction undertaken, we are already seeing very significant examples of documentation and technical assessments being submitted which ignore vast swathes of the NW Bicester Ecotown Masterplan.
- D. This sets a dangerous precedent: a Masterplan should not be subject to “incremental creep” of its many design parameters, nor its Key Development Principles being ignored by applications brought to committee. Yes, it contains the word “plan” – but for significant changes to any Masterplan, these should be discussed, validated, and resubmitted to planning committee for approval.
- E. The examples given below are all relevant to critical parts of the proposed designs in the Appellant’s proposals, as submitted for 21/01630/OUT.
- F. The example given in section 3, when taken in the context of D. M. Mason Consulting’s (EH1) report, shows how significant and severe an issue unabated “masterplan creep” can cause.

1.0 ACCESS MODIFICATIONS PROPOSED “ON THE FLY”

- 1.1 Figure 1 shows clearly that the NW Bicester Ecotown Masterplan’s Primary Road design includes one such route going via Cranberry Avenue from the south west into Elmsbrook Phase 2, then along Charlotte Avenue east. (NB: Although the version of the plan shown in Figure 1 is from 2014, which is the published release version currently on the CDC Website for the Ecotown Masterplan, this routing design did not change in later minor updates for the published NW Bicester SPD in February 2016).

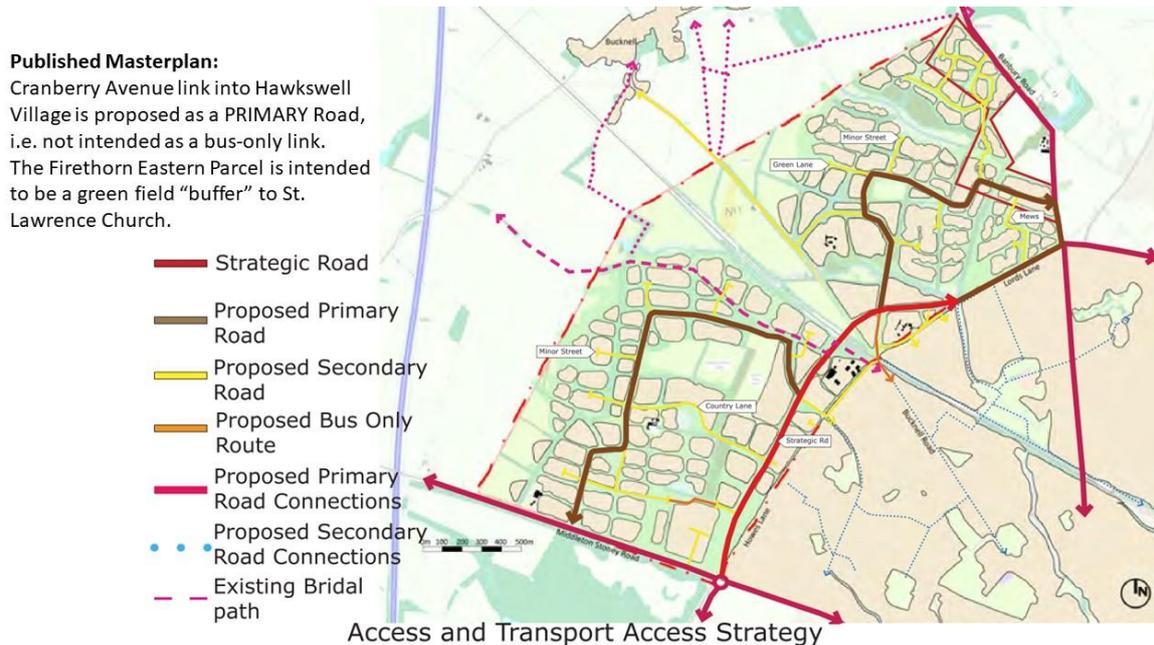


Figure 1: CDC Published NW Bicester Masterplan diagram showing Proposed Primary Roads etc.

- 1.2 As part of the discussions up to 2023, prior to the Officer’s Report for the 9th of March 2023 planning committee being published, ETPG had pointed out and then *demonstrated* to OCC Highways that the traffic modelling for the B4100 junction with Charlotte Avenue – with RFC = 0.87, and DOS = 86.9% as the critical model output results for decision making – would see much higher traffic levels than simulations. This is due to incorrect input conditions and omissions in the modelling. The implications are that significant congestion, delays and pollution would be caused, to the point where the impact would be nothing short of ‘Severe’ with respect to the National Planning Policy Framework’s paragraph 111 (see evidence ET4).
- 1.3 OCC Highways responded to ETPG by suggesting that, yes the traffic levels might be a large proportion higher, but that this could be simply mitigated by inserting a planning condition to make the Cranberry Avenue – Charlotte Avenue junction into a “bus gate” allowing bus, cycle and pedestrian access only, and not allow cars/vans through. The OCC highways suggestion does not demonstrate evidence, i.e. by presentation of any form of data, that doing so *would actually be enough* to make traffic levels low enough. ETPG pointed out that this goes against the Published Masterplan, which shows this to be a Primary Road route.

- 1.4 Furthermore, it remains unclear that such a condition was allowable: it would potentially be *unfairly impacting* the ability for houses in part of the adjacent phase of the Ecotown (currently part of the proposed Hawkwell Village area) to use that access. In fact, until a simulation for this area which includes robust assessment of *all junctions* (and interactions) for that phase, it is possible that putting a condition to prevent cars travelling across here might reduce the potential GDV (and thus profit) for the adjacent phase, based on the number of homes able to exit using the other proposed junctions – i.e. by having a proportion of homes allowed to exit this way, more homes could be built.

Conclusions:

- 1.5 Adding such a condition to another proposal which has yet to reach committee for Outline planning (1) goes against the Masterplan design; (2) could be showing favouritism to one phase developer over another; (3) changes Masterplan parameters without review.

2.0 CHANGES TO THE INTENDED USAGE PROPORTION FOR THE 'EASTERN PARCEL'

- 2.1 Figure 2 shows that the Eastern Parcel was *not within the original Ecotown boundaries* at the stage it was published on the CDC website in 2014. There are various earlier Masterplan draft boundary plans, from 2010-12, some also excluding this field (and all of the Home Farm area); others including this whole area, but showing the Eastern Parcel as 'green space' only.
- 2.2 In an email to a member of ETPG from Colin Cockshaw, a former Planning Inspector who was involved between 2010-15 in some of the early stage discussions for the Ecotown, he noted:
- 2.3 "The earliest version of the boundary had emerged from a Desk Study carried out by Hyder Consulting for P3Eco (Bicester) Ltd and A2Dominion Group in preparation for the Master Plan. This study was published in November 2010 and included a Location Plan. From conversations I had with people at A2Dominion, I gathered that the redrawing of boundaries was on the developers' initiative to relate the scheme to property and ownership boundaries (the official boundary took no account of these)."
- 2.4 Figure 3 shows that, despite the above being true up to 2014-15, the final version which was published in the NW Bicester SPD in February 2016 includes in illustrations a *small area* of housing as well as the much larger green 'buffer' – these are shown as the areas labelled 'A' and 'B', respectively, on Figure 3. Based on the 'illustrative' area shown, it is suggested that perhaps 50 homes would fit in that area.
- 2.5 When the first proposal for development of the Eastern Parcel (only) was produced, this increased the size of the housing area along with the number of homes – to 75, however, there was still a reasonable green 'buffer' to both St. Lawrence's Church and Home Farm. That application was then withdrawn. When the Appellant's application began, the number of homes increased again, this time to 120 homes located on this field, and with barely any green border now remaining.

Conclusion:

- 2.6 St. Lawrence's Church and Home Farm both had entirely reasonable expectations that such a "gradual creep" (from 0 to 50 to 75 to 120 homes) on the land earmarked as their green 'buffer' zone would not be allowed; or at least, would be limited to a sensible number or a sensible area, as required to maintain the agreed adequate 'buffer' (as per NWNSPD 5.28).

Masterplan drawings (2014):
Location of “Eastern Parcel”
marked with a * ->

The Firethorn Application “Eastern Parcel” was originally outside the Ecotown boundary. When later corrected to be within it, drawings still showed that it would be left completely as green space. *This is the version included in the “NW Bicester Ecotown Masterplan” documentation on the CDC website, still, in 2023.*

The final version, added to the NWBSPD in 2016, showed a very small area of it now having homes built on it.



Figure 2: Original 2014 Masterplan Drawing for the Ecotown, showing the Eastern Parcel was *not within the original Ecotown boundaries* at the stage it was published on the CDC website (where this version still remains on the main page for information on the Ecotown).

NW Bicester SPD, Figure 10:

Marked up in black, to show the boundaries for the 4 Phases of the Exemplar, Elmsbrook, and the 2 Parcels of the proposed application.

NB: a part-circle of dots is shown to separate the ‘Eastern Parcel’ into 2 sections, labelled A and B:

A = area indicated for housing.
 B = area indicated for green space, as a ‘buffer’ for St. Lawrence’s Church and Home Farm.

It is clear that, even though the SPD (Feb. 2016) changes the Masterplan to allow *some* housing on this field, it is a *tiny area* – with the ‘buffer’ originally promised being largely kept, for Church and Farm.

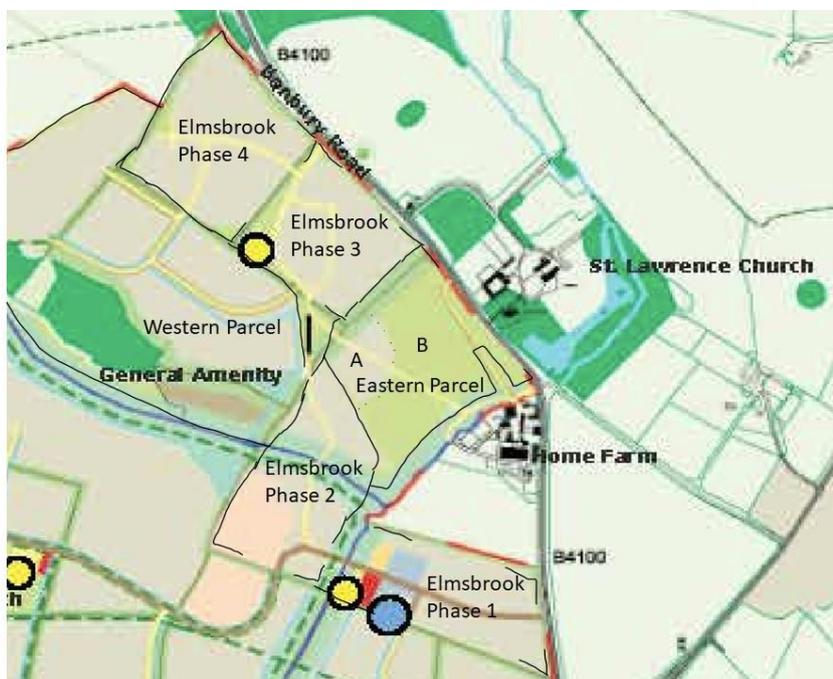


Figure 3: Published NW Bicester SPD (2016) Masterplan drawing, showing the Eastern Parcel now *within* the Ecotown boundaries, and having only a small area only (labelled ‘A’) for housing. The much greater area (labelled ‘B’) provides the green ‘buffer’ as required by NWBSPD paragraph 5.28.

3.0 CHANGES TO TRAFFIC LOADING PARAMETERS

- 3.1 Figure 3 also indicates the 'bus gate' between Elmsbrook Phases 2 and 3, and that the few homes proposed for the Eastern Parcel would connect to Phase 3 (Braeburn Avenue), and thus there would be no traffic from either Western or Eastern Parcels (of the proposed application) being accessed from the end of Charlotte Avenue.
- 3.2 Thus, traffic modelling and simulations for the Exemplar Phase and consequently its Transport Assessment, Travel Plan and Detailed Design of housing, road layouts, etc, *did not allow* for the possible addition of any extra vehicle traffic 'onto the end' of it.
- 3.3 The Exemplar Phase simulations used 50% trips by car, as required by the Transport Assessment and Masterplan for a robust analysis: this is the key target; further reduction being 'aspirational' based on first reaching the 50% target. However, the VTP simulations produced for the Appellant's application ignore this, and instead only use the aspirational target's lower percentage: the report by D. M. Mason Consulting on Highways and Access issues (EH1) covers this exact point in detail in section 4, 'Trip Generation.' The conclusion is stated in clauses 4.10-4.11 as follows:
- 3.4 "To prepare a robust design for the opening years of a scheme and meet the requirements of the SPD, a scheme design with 50% car mode should be prepared. The scheme design in the Transport Assessment fails to meet that test of robustness. The Transport Assessment analysis is therefore designing for only 80% of the trip generation from the site which is envisaged in the SPD. Such a design cannot be considered robust. Such a design could lead to severe unexpected delays and queuing for road users from the site and from the existing occupied Exemplar Scheme."
- 3.5 The fact that OCC Highways allowed 40% to be used is clearly found by D. M. Mason Consulting to be in error – and it is concerning, considering the clear evidence that the vehicle transport mode percentage was still *no way near 50%* - it is actually currently ~86% (this figure can easily be derived from the 2022 report from Mode Transport, with data and analysis of the September 2021 traffic survey day; this is the most up-to-date AADT-based figure: earlier estimates are slightly higher, e.g. from ETPG's own surveys and analysis of the Autumn 2019 Traffic Monitoring figures provided and reviewed by Mode Transport – all of which had been shared with VTP, OCC Highways and CDC Planning in 2020-21; the Mode Transport report is published on the CDC Planning Portal website).

Conclusion:

- 3.6 This is a design parameter "creep" which also should not be allowed. Correctly modelling using 50% vehicle trips (as indicated by D. M. Mason as required, in evidence EH1) would have produced B4100/Charlotte Avenue junction results significantly above allowable thresholds, i.e. indicating "Severe" traffic impacts. The Appellants and OCC Highways have applied/allowed a lower percentage of 40%, but they were wrong to do so.