



Land South of Green Lane, Chesterton

Proof of Evidence of James Bevis: Volume 1 - Text

Client: Wates Developments

Appeal Ref: APP/C3105/W/23/3331122

Date: 09 January 2024

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VOLUME 1: TEXT

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SECTION 1 Introduction

1.1 Background

1.1.1 This proof of evidence has been prepared by James Bevis. It seeks to assist the Inspector with transport matters for the appeal by Wates Developments ('the appellant') against Cherwell District Council's ('the Council's') decision to refuse planning permission for the appeal scheme, which comprises up to 147 new homes on Land South of Green Lane, Chesterton.

1.1.2 My evidence deals primarily with the first main issue identified in the Inspector's note of the case management conference held on 14 December 2023, which relates to transport sustainability:

"a. whether the location of the development is appropriate having regard to the facilities present in the village and other facilities accessible by sustainable means and the policies of the development plan"

1.1.3 I also address the site access arrangements and the traffic impact of the appeal scheme. Whilst the acceptability of these is not disputed by the Council, traffic impact has been raised as a concern by some third parties.

1.2 Qualifications and Experience

1.2.1 I hold a Master of Engineering Degree from the University of Leeds. I am a Chartered Transport Planner being a Chartered Member of the Institute of Logistics and Transport. I am also a Member of the Chartered Institution of Highways and Transportation.

1.2.2 I have nearly 30-years of transport planning experience, almost all of which has been obtained in working on development projects in the UK of various sizes and types¹. My role involves advising developers on their projects as they navigate the planning system – from initial pre-purchase advice, through the preparation of Transport Assessments and Travel Plans to accompany planning applications, to (where necessary²) assisting planning inquiries and hearings on transport matters.

¹ Including the expansions of Pinewood Studios and Shepperton Studios to create the two largest film studios in the world, and more than 1,000 new homes to the south of Basingstoke close to where I live.

² In most cases, matters are resolved successfully with the highway authority having no objection to the proposed development, as is the case here. I therefore normally assist only two to three Inquiries a year, typically dealing with concerns raised by third parties and, occasionally, with a transport related reason for refusal that has been introduced by the planning authority against the advice of the highway authority.

- 1.2.3 I work regularly in Oxfordshire, including resolving the transport issues for the appellants' sites at Wallingford (85 new homes), Didcot (325 new homes) and Chalgrove (120 new homes).
- 1.2.4 The transport work for the planning application for the appeal scheme was overseen by one of my Partners, Tim Wall. As part of the preparation of this evidence, I have reviewed that planning application work. My view is that it has been undertaken correctly and robustly and that the appeal scheme is acceptable in transport terms.
- 1.2.5 The only difference in my approach to Mr Wall's is that the sustainable transport offering from the appeal scheme could be enhanced with regard to facilitating and encouraging sustainable travel, especially the very good cycling opportunities at the site. On this basis, the appellant is willing to 'uplift' the transport package that resulted in no objection to the appeal scheme by the local highway authority, Oxfordshire County Council (OCC).
- 1.2.6 I have prepared this proof of evidence in accordance with the guidance of my professional institutions. I can confirm that the opinions expressed are my true and professional opinions.

1.3 **Transport Timeline**

- 1.3.1 The outline planning application (*ref: 23/00173/OUT*) for the appeal scheme was submitted on 23 January 2023. The application was accompanied by a Transport Assessment (*CD1.4*) and a Framework Travel Plan.
- 1.3.2 OCC is the statutory consultee for the local transport network that advises the Council on accessibility, access and traffic matters. Their transport consultation response (*CD2.4*) is dated 16 February 2023 and recommends no objection subject to planning conditions and a Section 106 agreement securing various works and contributions.
- 1.3.3 The OCC consultation response did leave some matters unclear and therefore an Oxfordshire County Council Response note dated 22 March 2023 (*CD1.7*) was prepared. In addition, the Travel Plan (*CD1.6*) was amended to take on board OCC's minor comments on that document.
- 1.3.4 Discussions with OCC resumed in November and December 2023. This helped inform their issue of OCC Regulation 122 Statement (*CD6.6*) that confirms the requested package of transport works and contributions, and their assessment of those requests against the relevant tests set out in the Community Infrastructure Levy legislation.

- 1.3.5 The other statutory consultee on transport matters is National Highways, who are responsible for the Strategic Road Network, e.g. the M40 to the west. Their remit is not limited to traffic impact matters and they take an active role in considering sustainable transport matters³.
- 1.3.6 National Highways' first consultation response is dated 15 February 2023 (CD2.5) and requests further information regarding the distribution of development trips leaving/joining the M40 and A34. This information was provided in a National Highways Response note dated 21 February 2023 (CD1.8). The second National Highways consultation response confirms their position of no-objection to the appeal scheme (CD2.6).
- 1.3.7 Two other consultation transport related responses (neither of which are 'statutory') are of note:
- Firstly, Stagecoach Buses submitted consultation comments in a letter dated 13 February 2023 (CD2.7) raising concerns about the current lack of a bus service in Chesterton. In my experience, it is highly unusual for a bus operator to raise concerns in the way that they did, especially when the operator is likely to benefit from the financial contribution towards enhancing local buses. I note that the author of that letter left Stagecoach shortly after its issue.
 - Secondly, Active Travel England submitted their Standing Advice Document in an email dated 11 July 2023 but provided no assessment of the appeal scheme, or comment on its acceptability or otherwise. This is most likely due to: a) the application predating their existence; and b) the appeal scheme being below the threshold of 150 new homes where Active Travel England would be a statutory consultee.

1.4 Transport Reason for Refusal

- 1.4.1 Despite the recommendation of no objection by both OCC and National Highways, the planning application was refused by the Council on 14 July 2023, with reason for refusal 1 identifying the following transport issues (ref: CD2.3):

"...the cumulative impact of growth already carried out in village within the plan period and available facilities within the village and would be predominantly reliant on the private car to carry out day-to-day activity and the application site is not well located to existing services and facilities..."

³ Ref: Circular 01/2022.

“...the delivery of infrastructure necessary to make the development acceptable would not be capable of being accommodated within the village and instead would need to be provided elsewhere which would be predominantly reliant by private car and would be contrary to the aims of sustainable growth of housing across the District....”

- 1.4.2 These matters relate to the first of the Inspector’s main issues and are addressed in Section 3 of my evidence.

SECTION 2 **Transport Planning Policy: The Key Transport Tests and The High Bar**

2.1 **The Key Transport Tests**

2.1.1 There are four key transport tests that apply to development proposals. These are set out in paragraph 114 of the National Planning Policy Framework (December 2023) ('the Framework') and can be summarised as follows:

- i Will the opportunities for sustainable transport be taken up appropriately?
- ii Will safe and suitable access be provided?
- iii Will the design be acceptable?
- iv Will the traffic impacts be acceptable?

2.1.2 In this case, the planning application is in outline form with all matters reserved except for means of access, which I deal with in Section 4 of my evidence. Design matters relating to the internal site layout will be dealt with through reserved matters in due course if the appeal is allowed. My evidence therefore focuses on tests i, ii and iv.

2.1.3 The main transport issue relates to the first key test, i.e. *will the opportunities for sustainable transport be taken up appropriately?* I note that this test is not unqualified. Paragraph 109 of the Framework states that the ***"opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."***

2.1.4 The Framework therefore does not advocate nor require a one-size-fits-all approach. This is reflected in the appeal decisions for other nearby schemes in Chesterton:

- a Paragraph 70 of the Great Wolf Lodge appeal decision⁴ (CD4.1) states:

"the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be factored into any assessment. Thus, Framework paragraph 103⁵ is not a bar to out-of-centre development and it is in this context the Framework reference to limiting the need to travel must be considered."

⁴ Ref: APP/C3105/W/20/3259189

⁵ Now para 109

b Paragraph 73 of that decision states:

“Taken in the round, with the package of transport measure proposed, the proposed development would, given its nature, be in a location that can be made locationally sustainable.”

c Paragraph 10 of the Bicester Sports Association appeal decision⁶ (CD4.2) states:

“All aspects of sustainability should be considered in planning decisions, including local circumstances. The Framework is clear that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”

d Paragraph 30 of that decision states:

“Subject to these measures being secured by condition the proposal would be in a suitable location, with particular regard to the extent to which the site is accessible by a range of modes of transport and reliance on private vehicle journeys.”

2.1.5 What is achievable in Chesterton will be different to what can be achieved elsewhere in Cherwell. The correct application of policy reflects this difference. These appeal decisions show that, with appropriate measures, Chesterton is locationally sustainable for new development.

2.1.6 Paragraph 89 of the Framework relates to supporting the rural economy and reflects the above. It identifies that sites in rural areas ***“may not be well served by public transport”*** (albeit that is not the case here as set out in Section 3 of my evidence). Paragraph 89 also sets out that ***“it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)”***. The sustainable transport strategy for the scheme set out in Section 3.8 of my evidence achieves this.

2.1.7 The first key test identified by paragraph 114 does not limit the consideration of sustainable transport matters to just the settlement within which a development is located. The availability of facilities and services in nearby settlements is also relevant and this is correctly reflected in the Inspector’s first key matter (*ref: Case Management Conference Summary*):

“whether the location of the development is appropriate having regard to the facilities present in the village and other facilities accessible by sustainable means and the policies of the development plan”

⁶ Ref: APP/C3105/W/20/3265278

- 2.1.8 The first key test is reflected in Local Policy, especially Policy ESD 1, which ***“seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars.”***
- 2.1.9 I note that there is no requirement in national or local policy for residents of new development not to use cars, or indeed for non-car modes being the preferred means of getting around. All that is required is for development to take up the opportunities for sustainable travel appropriately, taking into account the particular circumstances of a development including its location⁷.
- 2.1.10 Section 3 of my evidence deals with the first key test relating to sustainable transport matters.
- 2.1.11 Section 4 of my evidence deals with the second key test, i.e. whether safe and suitable access will be provided. I have approached this with brevity given that access is not a reason for refusal, nor is it a significant issue raised in objection to the scheme.
- 2.1.12 Section 5 of my evidence deals with traffic impact matters, i.e. the fourth of the key tests.

2.2 The High Bar

- 2.2.1 Paragraph 115 of the Framework sets a high bar for preventing development from coming forward for transport reasons. It is only where the traffic impacts are ***severe*** or where there will be ***unacceptable safety impacts***.

⁷ This is identified in paragraphs 32 and 33 of an appeal decision at Alfold dated 11 January 2022 (APP/C3105/W/20/3265278), which states:

32. I note the Council does not dispute that, given the location of the proposed development, opportunities for sustainable transport modes have been maximised. Instead, it is argued that the location itself is not “sustainable”, with the sustainable transport alternatives not being as attractive as the private car, with the result that the majority of residents would still use the car instead of such alternatives. However, neither Policy ST1 nor any other local or national policy requires a development to be in a “sustainable location”, albeit Policy SP2 does require development needs to be met in a “sustainable manner” which includes “limited” development in Alfold. There is no local or national policy requiring the sustainable transport modes available to future residents to be as attractive as the private car. Instead, what is required is a “genuine choice of transport modes.” There is no local or national policy which requires the majority of residents to use sustainable alternatives to the private car.

33. Instead, local and national policy assesses the sustainability of the transport offer in the context of the location and asks whether appropriate opportunities to promote sustainable transport have been taken up. If, given the location, they have been, then the proposal is policy compliant. There is no free-standing requirement (contrary to the Council’s approach) to consider the sustainability of the location in the first place. Instead, that location is taken into account in assessing compliance with sustainable transport policy.

2.2.2 This high bar test was introduced by the first version of the Framework in 2012 and dealt with the lack of clarity on what constituted unacceptable development in transport terms in previous policy documents. The high bar test has been acknowledged in various appeal decisions, and its application has generally prevented transport being used as a make weight reason for refusal.

2.2.3 The transport acceptability of the appeal scheme should be assessed in this context, noting that the Council has not identified any severe traffic impacts or unacceptable safety impacts resulting from the appeal scheme, including as a consequence of its allegedly unsustainable location. OCC agree that the scheme will not have unacceptable transport impacts.

2.3 **Summary**

2.3.1 For the appeal scheme, the relevant key transport tests set by the Framework (and which are reflected in local policy) are as follows:

- i Will the opportunities for sustainable transport be taken up appropriately?
- ii Will safe and suitable access be provided?
- iv Will the traffic impacts be acceptable?

2.3.2 The first of these tests is one of the main issues to be discussed at the Inquiry. I note that the Framework does not set a one-size-fits-all test in this regard and recognises that what is achievable in urban and rural locations will be different. That approach is reflected in relevant appeal decisions for schemes in Chesterton which identify that, with appropriate measures, it is a location that is sustainable in transport terms, including by virtue of the availability of facilities and services available in nearby Bicester. The Framework does not require just the facilities within which the development is located to be considered. Nor does the Framework require non-car travel to be the preferred way of travelling, just that opportunities for sustainable travel need to be taken up appropriately taking into account the location of the development.

2.3.3 The Framework also sets a high bar for preventing development from coming forward for transport reasons and the appeal scheme should be assessed in this context. The Council has not suggested that this high bar will be breached.

SECTION 3 Will the opportunities for sustainable transport be taken up appropriately?

3.1 Introduction

3.1.1 This section of my evidence deals with the first of the key tests, and therefore the first main issue for the Inquiry identified by the Inspector.

3.1.2 The Glossary to the Framework identifies sustainable travel modes to be:

“Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.”

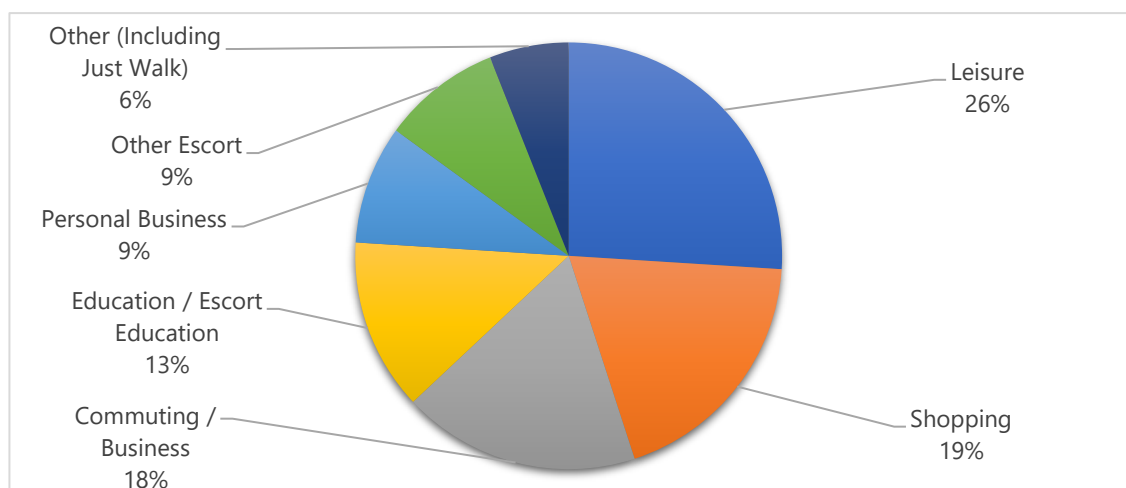
3.1.3 Whilst I focus on walking, cycling and public transport, I note that car use is not an unsustainable mode if it involves car sharing or the use of low and zero emissions vehicles. In my opinion, sustainable travel also includes trips that are predominantly made up of a sustainable transport mode, e.g. driving to a rail station and then using the train for the main leg of the journey.

3.2 What are the opportunities to travel sustainably from the appeal scheme?

Local Facilities and Services

3.2.1 Section 5 of the Transport Assessment (CD1.4) provides an assessment of the local facilities and services in the local area. Table 5.1 of the Transport Assessment sets out the main reasons for making a journey – circa one quarter of journeys are made for leisure purposes, with shopping and work-related journeys each round one-fifth of journeys. Education is another main reason, accounting for around one in eight of all journeys:

Image 3.1: Reasons for Making a Journey



Source: Table 5.1 of the Transport Assessment

3.2.2 The key destinations and local services in the local area that serve these key journeys purposes are shown on **Figure JCB1** and summarised as follows:

Table 3.1: Key Destination and Services




Purpose	Destination	Total Distance (m)	Walking Journey Time (mins)	Cycle Journey Time (mins)
Leisure	Chesterton Community Centre and Recreation Ground	250	3	1
	The Red Cow Public House	550	7	2
	Bicester Sports Association	650	8	2
	St Marys Church	650	8	2
	Bicester Hotel, Golf Club and Spa	850	10	3
	Allotments	1,000	12	4
	Great Wolf Lodge (permitted)	1,000	12	4
	The Chesterton Hotel and Brasserie	1,150	14	4
	New Country Park adjacent to Vendee Drive	1,150	14	4
	Whiteland's Farm Sports Ground	2,350	27	9
	Whiteland's Farm Play Area	2,550	30	10
	Kingsmere Community Centre	2,850	34	11
	Pingle Field Football Complex	3,400	47	11
	Bicester Leisure Centre	3,900	53	15
	Bicester Lawn Tennis Club	4,200	58	14
	Garth Park	4,400	-	16
	Bure Park Nature Reserve	4,400	-	16
	Jump Inc	4,600	-	16
	Gavray Wildlife Meadows	5,700	-	19
	Montgomery House Surgery	3,400	46	14
	Bicester Community Hospital	3,400	47	15
	The Health Centre	3,500	47	14
	Bicester Dental Surgery	3,500	48	14
Bicester Dental Care & Implant Surgery	4,100	56	15	
Alchester Medical Group	4,700	-	18	

Purpose	Destination	Total Distance (m)	Walking Journey Time (mins)	Cycle Journey Time (mins)
Employment	WIG Engineering	600	7	2
	Bicester Hotel, Golf Club and Spa	850	10	3
	Great Wolf Lodge (permitted)	1,000	12	4
	The Chesterton Hotel and Brasserie	1,150	14	4
	Grange Farm Industrial Estate	1,400	17	5
	Siemens (permitted)	1,500	19	6
	Bicester Gateway Business Park	1,850	22	7
	Bicester Village	3,050	35	12
	RAF Bicester	6,100	-	21
Education	Bruern Abbey School	550	7	2
	Chesterton CE Primary School	1,000	12	4
	Chesterton Playgroup	1,050	13	4
	Whiteland's Academy	2,450	29	9
	St Edburg's CE Primary School	2,850	34	11
	Brookside Primary School	4,100	56	16
	Longfields Primary School	4,500	-	17
	The Cooper School	5,100	-	19
	Glory Farm School	5,600	-	20
Retail	Bicester Avenue Garden Centre	2,150	26	8
	Co-op Bicester	2,600	31	10
	Tesco Superstore	2,650	32	10
	Bicester Shopping Park	2,650	32	10
	Bicester Village	3,050	35	12
	Bicester Post Office	4,200	57	15
	Sainsbury's	4,300	-	19
	Aldi	4,800	-	17
Transport	Bicester Park and Ride	1,900	23	7
	Bicester Village Railway Station	3,700	-	14

Purpose	Destination	Total Distance (m)	Walking Journey Time (mins)	Cycle Journey Time (mins)
	Bicester North Railway Station	4,400	-	18

Source: Table 5.1 of the Transport Assessment

Key:

	Within 800m – Comfortable Walking Distance / Short Cycle Distance
	Within 1,600m – Reasonable Walking Distance / Reasonable Cycle Distance (5km)
	Within 3,200m – Maximum Walking Distance / Maximum Cycle Distance (8km)

3.2.3 For a site in a Category A village, this is towards the upper end of the level of facilities and services available (see Section 3.3 of my evidence) and my view is that the appeal scheme is therefore distinguishable from the dismissed scheme in Finmere (see Section 3.4 of my evidence).

3.2.4 There is a reasonable level of facilities and services within Chesterton, e.g. sports facilities, the Red Cow pub, Chesterton Hotel, Great Wolf Lodge, a playgroup and primary school. The close proximity of Bicester provides a significant range of nearby destinations for all journey purposes that can be reached by bicycle and bus (see paras 3.2.11. to 3.2.29 of my evidence).

The opportunities to walk

3.2.5 Section 5.3 of the Transport Assessment identifies the acceptable walking distances based on empirical data and contemporary guidance.

- 800m – a *comfortable* walking distance in line with a ‘walkable neighbourhood’ distance⁸.
- 1,600m – a *reasonable* walking distance where circa two-thirds of journeys will be made on foot⁹. This also broadly aligns with (and is within) the 2km walking distance that offers the greatest potential for replacing car trips¹⁰.

⁸ Ref: The Manual for Streets, DfT 2007

⁹ Ref: National Travel Survey, DfT 2019

¹⁰ Ref: para 4.4.1 of the Manual for Streets

- 3,200m – a *maximum* usual walking distance albeit where a significant proportion – around one-third – of journeys will be on foot¹¹.

3.2.6 My view is that these distances provide the correct basis for assessing the propensity for walking trips to and from the appeal scheme. Whilst alternative walking distances are set out in other documents, for example *Providing for Journeys on Foot* (CIHT, 2000), that guidance is: a) over two-decades old; b) does not differentiate between what might be achievable between urban and rural developments; c) sets out distances that do not have any empirical basis; and d) uses distances that have not been repeated in more recent CIHT walking guidance documents.

3.2.7 **Table 3.2** summarises the leisure, employment and education destinations that are within a *comfortable* or *reasonable* walking distance of the appeal scheme:

Table 3.2: Facilities and Services within *Comfortable* or *Reasonable* Walking Distance

Journey Purpose	Proportion of All Journeys Made	Facility	Walking Time
Leisure	26%	Chesterton Community Centre and Recreation Ground	3 minutes
		The Red Cow Public House	7 minutes
		Bicester Sports Association	8 minutes
		St Marys Church	8 minutes
		Bicester Hotel, Golf Club and Spa	10 minutes
		Allotments	12 minutes
		Great Wolf Lodge (permitted)	12 minutes
		The Chesterton Hotel and Brasserie	14 minutes
		New Country Park adjacent to Vendee Drive	14 minutes
Employment	18%	WIG Engineering	7 minutes
		Bicester Hotel, Golf Club and Spa	10 minutes
		Great Wolf Lodge (permitted)	12 minutes
		The Chesterton Hotel and Brasserie	14 minutes
		Grange Farm Industrial Estate	17 minutes
		Siemens (permitted)	19 minutes

¹¹ Ref: National Travel Survey, DfT 2019

Journey Purpose	Proportion of All Journeys Made	Facility	Walking Time
Education	13%	Bruern Abbey School	7 minutes
		Chesterton CE Primary School	12 minutes
		Chesterton Playgroup	13 minutes

Source: Table 3.1

3.2.8 Whilst there are additional facilities within a maximum walking distance, the focus of walking to and from the site will be the above. There are local facilities for at least 70%¹² of the reasons for making a journey.

3.2.9 Section 3.3 of the Transport Assessment sets out the existing provision for walking in the local area. Chesterton generally includes a continuous footway network within the village. This has been improved recently by the Great Wolf Lodge scheme, which has delivered new footways on Green Lane including along the site frontage. There is also a committed footway improvement scheme on The Hale to the northwest of the appeal scheme that will be delivered by the permitted Bicester Sports Association site to the west of the appeal scheme.

3.2.10 The site is also well served by the Public Rights of Way network¹³ that will cater mainly for 'just walk' and 'leisure'¹⁴ journeys. These Public Rights of Way are shown on **Figure JCB1**.

The opportunities to cycle

3.2.11 Section 5.3 of the Transport Assessment identifies acceptable cycle distances, again based on empirical data and contemporary guidance:

- 5km – a *reasonable* cycling distance based on an average cycle journey distance¹⁵.
- 8km – a *maximum* cycle distance based on a typical commuter journey¹⁶.

¹² The table sums to 67%. There are however purposes (e.g. *just walk* (6%), *other escort* (9%) and *personal business* (9%)) that also have the potential to be made locally.

¹³ Ref: para 3.3.15 of the Transport Assessment

¹⁴ E.g. dog walking.

¹⁵ The National Travel Survey (DfT 2019) identifies that the average distance travelled by bike is 4.4km, with average employment and leisure-related cycle journeys being circa 5.2km.

¹⁶ Paragraph 2.2.2 of the DfT Document LTN 01/20 Cycle Infrastructure Design addresses typical cycle trip distances and states two out of every three personal trips are less than 5-miles (8km) in length which is an achievable distance for most people. It is possible, and common, for cycle journeys to be much further than this.

3.2.12 Given the proximity of Bicester, which is well within a reasonable cycling distance of the appeal scheme, there is a very wide range of facilities and services within an acceptable cycling distance of the site:

Table 3.3: Facilities and Services within Reasonable Cycling Distance

Purpose	Proportion of All Journeys Made	Destination	Cycling Time
Leisure	26%	Chesterton Community Centre and Recreation Ground	1 minutes
		The Red Cow Public House	2 minutes
		Bicester Sports Association	2 minutes
		St Marys Church	2 minutes
		Bicester Hotel, Golf Club and Spa	3 minutes
		Allotments	4 minutes
		Great Wolf Lodge (permitted)	4 minutes
		The Chesterton Hotel and Brasserie	4 minutes
		New Country Park adjacent to Vendee Drive	4 minutes
		Whiteland's Farm Sports Ground	9 minutes
		Whiteland's Farm Play Area	10 minutes
		Kingsmere Community Centre	11 minutes
		Pingle Field Football Complex	11 minutes
		Bicester Leisure Centre	15 minutes
		Bicester Lawn Tennis Club	14 minutes
		Garth Park	16 minutes
		Bure Park Nature Reserve	16 minutes
		Jump Inc	16 minutes
		Gavray Wildlife Meadows	19 minutes
		Montgomery House Surgery	14 minutes
		Bicester Community Hospital	15 minutes
		The Health Centre	14 minutes
		Bicester Dental Surgery	14 minutes
Bicester Dental Care & Implant Surgery	15 minutes		

Purpose	Proportion of All Journeys Made	Destination	Cycling Time
		Alchester Medical Group	18 minutes
Employment	18%	WIG Engineering	2 minutes
		Bicester Hotel, Golf Club and Spa	3 minutes
		Great Wolf Lodge (permitted)	4 minutes
		The Chesterton Hotel and Brasserie	4 minutes
		Grange Farm Industrial Estate	5 minutes
		Siemens (permitted)	6 minutes
		Bicester Gateway Business Park	7 minutes
		Bicester Village	12 minutes
		RAF Bicester	21 minutes
Education	13%	Bruern Abbey School	2 minutes
		Chesterton CE Primary School	4 minutes
		Chesterton Playgroup	4 minutes
		Whiteland's Academy	9 minutes
		St Edburg's CE Primary School	11 minutes
		Brookside Primary School	16 minutes
		Longfields Primary School	17 minutes
		The Cooper School	19 minutes
		Glory Farm School	20 minutes
Retail	19%	Bicester Avenue Garden Centre	8 minutes
		Co-op Bicester	10 minutes
		Tesco Superstore	10 minutes
		Bicester Shopping Park	10 minutes
		Bicester Village	12 minutes
		Bicester Post Office	15 minutes
		Sainsbury's	19 minutes
		Aldi	17 minutes

Source: Table 3.1

3.2.13 Section 3.3 of the Transport Assessment sets out the provision for cycling in the local area, which I summarise as follows:

- i The local road network within Chesterton generally provides a lightly trafficked and low speed environment (including the 20mph zone area), which provides an environment conducive for safe on-carriageway cycling.
- ii The Great Wolf Lodge scheme will deliver a new footway/cycle route along the A4095 connecting that site with the west of Chesterton.
- iii The Bicester to Chesterton 'Oxygen' cycle route is a leisure cycle route published by Cherwell District Council¹⁷, with part of the route running eastwards from the site and passing the Park and Ride site to the south of Bicester.
- iv National Cycle Network route 51 is located circa 1.6km to the east of the site on Wendlebury Road. NCN51 is a signed long-distance route between Oxford and Felixstowe utilising quiet roads and cycle routes. It travels through Bicester.

3.2.14 These cycle routes are shown on **Figure JCB1**. The latest LCWIP cycle map (updated in 2023) for Bicester shows the cycle route across Bicester and how Chesterton is connected to it (see **Appendix A**).

3.2.15 As part of my preparation of this evidence, I cycled local roads on my Brompton including routes between the appeal scheme and Bicester. Local roads are lightly trafficked and there is a comprehensive cycle network within Bicester – it is not necessary to cycle on any busy road in reaching Bicester from the appeal scheme. In addition, the local topography is flat meaning that there are not any difficult gradients to traverse.

3.2.16 Section 3.7 of the Transport Assessment provides an assessment of personal injury accidents in the local area over a five-year period between 1 January 2016 and 30 November 2021. None of the accidents on the highway network in the immediate area involved a cyclist. Whilst there are two recorded injury accidents involving cyclists, neither occurred on the cycle route between the appeal scheme and Bicester¹⁸.

¹⁷ Ref: page 87 of OCC's Bicester Local Cycling and Walking Infrastructure Plan (LCWIP) – September 2020

¹⁸ A slight injury accident occurred on Middleton Stoney Road in 2016 when a driver failed to give way causing a cyclist to fall off; and a serious injury accident occurred in 2018 around 100m north west of the roundabout with A41, when a car hit a cyclist who was crossing at the pedestrian refuge island.

3.2.17 Paragraph 4.2.2 of the DfT Document LTN 01/20 Cycle Infrastructure Design identifies five criteria for networks and routes for providing for those travelling by bicycle:

- Coherent;
- Direct;
- Safe;
- Comfortable; and
- Attractive

3.2.18 Whilst the guidance relates predominantly to the provision of new routes, my view is that the cycle route between the appeal scheme and Bicester scores well against these criteria. The enhancements to the Oxygen Cycle Route proposed by the appeal scheme would improve such scores.

The opportunities to travel by bus

3.2.19 Existing bus provision in the local area is set out in Section 3.4 of the Transport Assessment. Local buses are limited to a single service between Chesterton and Bicester at 7:25 on weekdays. The existing bus provision in Chesterton itself is poor.

3.2.20 However, Chesterton will benefit from improved bus services as a result of the Great Wolf Lodge scheme. A new public bus services will be delivered through a £1.6million contribution that will be paid to OCC. The contribution will be paid in eight annual instalments of £200,000, with the first instalment paid on 16 October 2023¹⁹. This Public Transport Services Contribution will be used by OCC ***“towards the provision of a new public bus service linking the site to Bicester town centre and railway stations for up to 10 years²⁰”***.

3.2.21 I have asked OCC to advise on their thoughts on the route and frequency of this new service, but they have not responded on this matter²¹. It is however clear that this new service will serve the appeal scheme and will operate frequently because:

¹⁹ Ref: OCC email dated 5 January 2024.

²⁰ Ref: Section 106 Agreement for Great Wolf Lodge scheme.

²¹ Ref: emails dated 18 December 2023, 7 December 2023, 29 November 2023 and 27 November 2023

- The OCC Regulation 122 Statement for the appeal scheme (CD6.6) identifies that the bus contribution sought from the appeal scheme will most likely be used to enhance the Great Wolf Lodge bus service. It would not be possible to comply with the relevant tests unless the contribution was being used to fund a bus service *directly related* to the appeal scheme.
- In the unlikely event that the appeal scheme is occupied before the Great Wolf Lodge bus service is delivered then the appeal scheme's bus contribution will be used to provide a **"less frequent"** service. This implies that the Great Wolf Lodge contribution will be used to fund a frequent service.
- The OCC Regulation 122 Statement for the appeal scheme sets out that the appeal scheme's bus contribution will be used to **"ensure there is a bus service in the vicinity of the development that provides residents and visitors associated with the development a viable alternative to the private car"**. A frequent bus service will be needed to provide a **viable** alternative to the private car.
- In addition, the OCC Regulation 122 Statement identifies that a bus infrastructure contribution for a new bus stop on The Green around 350m walking distance from the site, i.e. within easy walking distance.

3.2.22 Notwithstanding that the first instalment of the bus contribution has already been paid, the Great Wolf Lodge scheme is very likely to come forward. This is because Great Wolf Lodge have already completed local highway works, i.e. they have already shown a notable commitment with a significant investment. They have also discharged the condition with regard to a shuttle bus service (which is additional to the public bus service), which was approved by the Council in April 2023 (*planning ref: 22/02765/OBL*).

3.2.23 The Council appear to share this view, noting at para 3.135 in their Regulation 18 Local Plan (CD3.3) dated 23 September 2023 that: **"A Great Wolf Resort comprising a waterpark and 498 room hotel is currently under construction at Chesterton"**

3.2.24 The appeal scheme will therefore be well served by local buses.

3.2.25 Nationally, there is significantly less public money available for buses, which therefore need to rely on much reduced, and often no, financial subsidies. Buses need to be much more commercially viable to continue operating. One of the reasons that so few buses are currently provided in Chesterton is because there are relatively few bus users and thus insufficient revenue. In simple terms:



3.2.26 In addition to a financial contribution to local buses that will assist viability (see below), the appeal scheme will provide the *more people* in the diagram, above. The appeal scheme will therefore enhance the viability of maintaining a good level of bus service in Chesterton beyond the period of funding provided by Great Wolf Lodge. This is a benefit of the appeal scheme to the local community.

3.2.27 **Appendix B** includes a note illustrating how the bus contributions from Great Wolf report and the appeal scheme might be used. This identifies that:

- i More people are needed in Chesterton to make frequent public transport commercially viable. The additional development envisaged by the Regulation 18 Local Plan will provide this.
- ii In the interim, the appeal scheme helps to close the gap. The total funding from both schemes should be sufficient to operate an hourly frequency bus service to Bicester for 34 years²². This is a considerable period and provides ample time for additional patronage to be found.

3.2.28 In addition to this new local service, there are frequent buses between Oxford and Bicester serving the Park and Ride site to the east. These can be accessed by a circa 7-minute cycle journey and the Park and Ride site includes ample high quality, covered and well observed cycle parking. Site observations show that there is spare cycle parking available to accommodate additional demand generated by the appeal scheme.

3.2.29 The S5 bus service offers a circa 15-minute frequency²³ service between Bicester and Oxford. The bus journey time to central Bicester is 9 minutes and the journey time to central Oxford is 27 minutes.

²² I note that the Section 106 for Great Wolf Lodge allows any unspent bus contribution to be repayable 10-years after payment of the last instalment. This results in a minimum period of 18-years, which is still ample time for the additional patronage to be found. I note that the Regulation 18 Local Plan covers the period to 2040, i.e. 16 years from now.

²³ 30-minute frequency on Sundays

The opportunities to travel by train

- 3.2.30 Section 3.4 of the Transport Assessment sets out the existing rail services in the area.
- 3.2.31 The closest rail station is Bicester Village, circa 3.7km from the site and therefore within a reasonable cycle distance of the appeal scheme. I have cycled this route: it is accommodated by lightly trafficked roads in the vicinity of Chesterton and signed off-carriageway routes on the approach to and within Bicester. These cycle routes include signalised crossings of busier roads.
- 3.2.32 The station includes ample cycle parking, with spare capacity available. This is well designed, covered and in a well observed location.
- 3.2.33 The new public bus service funded by the Great Wolf Lodge scheme will provide a link to this station.
- 3.2.34 Bicester Village is served by circa 3 to 4 trains per hour in both directions. These trains connect Bicester with destinations including Oxford (journey time of circa 17 minutes) and London Marylebone (journey time of just over an hour). Trains to London also stop at High Wycombe and Gerrards Cross.
- 3.2.35 I also note that Bicester Village is on the route of *East West Rail* between Oxford and Cambridge:

Image 3.2: East West Rail Route



- 3.2.36 Construction is underway with the first connection stage, and services between Oxford and Bletchley/Milton Keynes are expected to start around 2025²⁴. Subsequent connection stages will complete the route to Cambridge. East West Rail will significantly improve the connectivity of Bicester Village station and therefore also of nearby Chesterton.
- 3.2.37 Bicester is also served by Bicester North station, which is also within a reasonable cycling distance of the appeal scheme. Bicester North is also connected to the appeal scheme by lightly trafficked roads/signed off-carriageway cycle routes. It also includes ample well designed cycle parking (with spare capacity) that is covered and in a well observed location.
- 3.2.38 Bicester North is served by circa 3 to 4 trains per hour. It provides services to London Marylebone and northwards to Birmingham (Snow Hill and Moor Street). The journey time to Birmingham is just over an hour. Trains also stop at Banbury, Leamington Spa, Warwick and Solihull.
- 3.2.39 The appeal scheme is therefore well served by trains, providing attractive journeys times to destinations further afield, e.g.:

Table 3.4: Rail Journey Times

Destination	Journey Time			
	Cycle / Train	Bus / Train	Car / Train	Car
Birmingham (New Street)	1 hour, 52 minutes	1 hour 59 minutes	1 hour, 51 minutes	1 hour, 30 minutes
London Marylebone	1 hour, 22 minutes	1 hour, 29 minutes	1 hour, 20 minutes	1 hour, 40 minutes
Oxford	35 minutes	42 minutes	31 minutes	45 minutes
Reading	1 hour, 12 minutes	1 hour, 19 minutes	1 hour, 10 minutes	1 hour, 9 minutes

Note: Assumes travel in the morning peak hour, with a 5-minute transfer time between bus/car and train, and a 3-minute transfer time between bike and train

²⁴ Ref: <https://eastwestrail.co.uk/proposed-route/oxford-to-bicester>

3.2.40 Birmingham and Reading are therefore readily accessible by train. It is quicker to travel to London and Oxford by train from the appeal scheme than it is to travel by car. I also note that the journey time for those driving to the station and those cycling is comparable due to the time it takes to find a parking space and walk the greater distance to the station. Even if the car is used to travel to the station, the majority of the journey (in terms of time and distance) uses a sustainable travel mode (the train).

3.3 How does Chesterton compare to other Category A Villages?

3.3.1 Policy Villages 1 of the adopted Local Plan identifies Chesterton as a Category A Village, i.e. one of the most sustainable locations for new housing after the main towns of Banbury and Bicester.

3.3.2 Policy Villages 2 identifies that a total of 750 homes should be delivered at the Category A Villages, i.e. Chesterton is one of the locations that is acceptable in principle to accommodate the housing required by the Local Plan.

3.3.3 Policy Villages 2 sets out criteria for identifying and considering sites, and these include: **“Whether the site is well located to services and facilities”**. As set out elsewhere in my evidence, my view is that the site meets this test and will take up the opportunities for sustainable transport appropriately.

3.3.4 The Council’s Statement of Case (CD6.2) identifies that **Chesterton is at the lower end of the list of the Category A villages** and that the appeal scheme represents a disproportionate expansion of the village. Policies Villages 1 and Villages 2 of the Local Plan, and the related explanatory text, do not differentiate between the villages, nor identify that some should deliver more housing than others.

3.3.5 The Council’s Statement of Case suggests that the relative sustainability of the Category A Villages should be based on their populations. This *size matters* argument is flawed because it does not allow for several important factors, including:

- The level of facilities and services available within the village.
- Planned and committed improvements to transport infrastructure, e.g. the new public bus service that will be delivered by the Great Wolf Lodge scheme.
- The proximity and connectivity of the village to nearby main towns and their facilities.
- The provision of nearby public transport hubs that will enable journeys further afield to be made by non-car modes.

3.3.6 **Figure JCB2** shows the location of the Category A villages in the context of a nearby town providing higher order facilities. **Table 3.5** provides a comparison of these villages in terms of the facilities and services offered, the distance to the nearest main town and the provision of public transport for journeys further afield.

Table 3.5: Category A Villages

Category A Village	Nearest Main Settlement	Services and Facilities	Cycle Routes to Main Settlement?	Frequent Bus?	Accessible to Rail Services?
Chesterton	Bicester – 3.6km	See Table 3.1	Yes	Yes (frequent P&R service available within cycling distance and new bus to be delivered)	Yes – Bicester Village and Bicester North accessible by cycling and bus
Mollington	Banbury – 8km	Pub (open) Village Hall	No	Yes	No
Cropredy	Banbury – 7.7km	Village Hall Pubs Surgery Convenience Store Cricket, Tennis and Football Ground	No	No	No
Wardington	Banbury – 9km	Pub Dental Surgery	No	Yes	Yes – by bus
Great Bourton	Banbury – 5.4km	Village Hall Community Centre	No	No	No
Wroxton	Banbury – 4.9km	University Campus Village Hall Primary School Sports Club	No	Yes	Yes – by bus
Sibford Ferris/Sibford Gower	Banbury – 12.2km	School Post Office Pubs Surgery Village Hall	Yes (NCR 5)	Yes / No (3 services per day)	No (buses too infrequent)

Category A Village	Nearest Main Settlement	Services and Facilities	Cycle Routes to Main Settlement?	Frequent Bus?	Accessible to Rail Services?
Hook Norton	Chipping Norton – 8.3km	Sports & Social Club Dental Practice Library Memorial Hall Pub Shop & Post Office Surgery Brewery Primary School	No	Yes	No
South Newington	Banbury – 9.7km	Village Hall Pub	No	No	No
Milcombe	Banbury – 8.1km	Shop Pub	No	Yes	Yes – by bus
Bloxham	Banbury – 5.7km	Primary Schools Pubs Community Hall Sports Centre Garden Centre Post Office Swimming School	Yes (NCR 5)	Yes	Yes – by bus
Bodicote	Banbury – 3.7km	Nurseries Pubs Post Office Primary School Community Centre Village Hall	Yes (NCR 5)	Yes	Yes
Adderbury	Banbury – 6km	Parish Institute Pubs Primary School Library Employment Estate	No	Yes	Yes – by bus
Milton	Banbury – 8.1km	Pub	No	No	No
Hempton	Banbury – 10.8km	Bakery	No	No	No
Deddington	Banbury – 9.8km	Health Centre Pharmacy Community Centre Nursery Pubs Co-Op Cricket and Tennis Club	No	Yes	Yes – by bus

Category A Village	Nearest Main Settlement	Services and Facilities	Cycle Routes to Main Settlement?	Frequent Bus?	Accessible to Rail Services?
Clifton	Banbury – 12.3km	-	No	No	No
Fritwell	Bicester – 9.4km	Primary School Community Hall	No	No	No
Middle Aston	Bicester – 14.7km	Farm Business Park	No	No	No
Steeple Aston	Bicester – 13.5km	Village Hall Post Office Pub Pre-School Steeple Recreation Centre Primary School	No	Yes	No
Lower Heyford	Bicester – 10.7km	Pub Community and Sports Centre	No	Yes	Yes - Services to Banbury, Didcot Parkway, Oxford and Banbury
Kirtlington	Bicester – 10.2km	Village Hall Pubs Primary School	Yes	No	No
Weston-on-the-Green	Bicester – 9.5km	Post Office Memorial Hall Pubs Employment Area	Yes (NCR 51)	No	No
Bletchington	Kidlington – 4.6km	Pub (closed) Village Hall Co-Op Sports and Social Club	Yes (NCR 51)	Yes	Yes – by bus
Kidlington	Oxford – 6.9km	A wide range of facilities and services	Yes (NCR 51)	Yes	Yes
Begbroke	Kidlington – 2.7km	Pub Village Hall	Yes (NCR 5)	Yes	Yes – 4.9km cycle to Oxford Parkway
Yarnton	Kidlington – 8.3km	Primary School Village Hall Pubs Industrial Park Garden and Shopping Village Medical Practice	Yes (NCR 5)	Yes	Yes – 4.5km cycle to Oxford Parkway
Arccott	Bicester – 7.6km	Pub One Stop Village Hall	No	No	No

Category A Village	Nearest Main Settlement	Services and Facilities	Cycle Routes to Main Settlement?	Frequent Bus?	Accessible to Rail Services?
Ambrosden	Bicester – 5.3km	Primary School Cocktail Bar (open) Community Centre Costcutter	No	Yes	Yes – by bus
Blackthorn	Bicester – 6.7km	Village Hall Blackthorn	No	No	No
Launton	Bicester – 5.1km	Pubs Costcutter Industrial Estates School Longlands Road	Yes (NCR 51)	Yes	Yes – by cycle
Fringford	Bicester – 7.9km	Pub Village Hall Primary School	No	No	No
Finmere	Buckingham – 7.4km	Village Hall Pub (closed) Primary School	No	No	No

3.3.7 In the table above I have highlighted in green where my view is that there are good opportunities for sustainable travel in terms of:

- Walking, i.e. a reasonable range of facilities and services for the main reasons for making a journey.
- Cycling, i.e. within 5km of a main settlement and cycle routes are available.
- Buses, i.e. a frequent bus is (or will be) available.
- Rail, i.e. where a rail station is accessible by a choice of modes.

3.3.8 I have also highlighted in orange where there are reasonable opportunities for sustainable travel, i.e. genuine opportunities but not quite at the levels identified above.

3.3.9 In my view, of the Category A villages, Kidlington offers the greatest potential for trips to be made by non-car modes. Chesterton and Bodicote are the next most sustainable locations as a result of the facilities and services they provide, their close proximity to either of the main towns in the District, the provision for cycle journeys beyond the village and the availability of bus services. I note that – with the exception of South of Heyford Park (LPR42a) – the 13 sites proposed for allocation in the Regulation 18 Local Plan (CD3.3) accord with this, i.e. the focus is for development: at Banbury including to the west of Bodicote; at Bicester including to the south of Chesterton (including the area of the appeal scheme); and at Kidlington.

3.4 How does the appeal scheme compare with the dismissed scheme in Finmere?

3.4.1 I note that the Council seeks to draw comparisons between Finmere and Chesterton in terms of the relative sustainability of each village²⁵. **Table 3.6** provides a comparison between the nearest facilities and services available in Finmere, and those available to the appeal scheme:

Table 3.6: Comparison Between Finmere and the Appeal Scheme

Why People Travel?	Opportunities in Finmere	Opportunities for Appeal Scheme
Education	Finmere CE Primary School – within walking distance	Chesterton CofE Primary School, Bruern Abbey Prep School and Chesterton Playgroup – all within walking distance
Shopping	Drive to Buckingham or Brackley – no signed cycle route and beyond a reasonable cycling distance	Cycle to Bicester – signed cycle route and within a reasonable cycle journey Or, use the new public bus service to Bicester
Leisure	Red Lion pub (closed), Finmere FC, St Michael's and All Angels Church and Play Park - within walking distance	Community Centre and Recreation Ground, The Red Cow Pub, Bicester Sports Association, Cricket Club, St Marys Church, Penrose Gardens Playground, Great Wolf Lodge, The Chesterton Hotel and Brasserie – all within walking distance
Work	Drive to Buckingham or Brackley – no signed cycle route and beyond a reasonable cycling distance	Cycle to Bicester – signed cycle route and within a reasonable cycle journey Or, use the new public bus service to Bicester

²⁵ Ref: Statement of Case (CD6.2)

3.4.2 There are significant differences between these two locations. Finmere has demonstrably fewer facilities, is isolated from main settlements, does not/will not benefit from a frequent bus service and does not benefit from good cycling opportunities to nearby higher order services.

3.5 Is the appeal scheme well connected to Oxford?

3.5.1 Matters relating to housing land supply and Cherwell’s contribution to meeting Oxford’s unmet need are dealt with by Mr Roberts and Mr Ross.

3.5.2 Mr Roberts refers to the Deddington Appeal Decision (*CD4.18*) where the Inspector concluded that the site in Deddington is not suitable to meet Oxford’s unmet need on the basis that it **“is some 19 miles from Oxford²⁶”**.

3.5.3 As set out already, the appeal scheme is well located for public transport journeys into Oxford, with a total journey time of circa 30 to 45 minutes by train (depending on how the station is accessed), and frequent buses available from the nearby Park and Ride site with a journey time of less than forty minutes including cycling to the Park and Ride site.

3.5.4 **Table 3.7** compares the journey times to Oxford from Deddington and the appeal scheme:

Table 3.7: Journey Times to Oxford

Mode	Journey Time to Central Oxford from:	
	Deddington	Appeal Scheme
Cycle / Train	47 minutes	35 minutes
Cycle / Bus	1 hour, 9 minutes	45 minutes
Bus / Train	1 hour, 6 minutes	42 minutes
Car / Bus	1 hour, 9 minutes	41 minutes
Car / Train	34 minutes	31 minutes
Car	55 minutes	43 minutes
Car / Park and Ride	1 hour, 4 minutes	48 minutes
Car / Oxford Parkway	38 minutes	29 minutes

Note: Assumes travel in the morning peak hour, with a 5-minute transfer time between bus/car and train, and a 3-minute transfer time between bike and train

3.5.5 The appeal scheme is demonstrably better located for travel to Oxford than Deddington. It is also much better located for those journeys to be made by sustainable transport modes. 2011 Census Travel to Work data shows that:

²⁶ Ref: para 50 of that appeal decision.

- a 30% of all work journeys from Chesterton are to Oxford (compared with less than 20% from Deddington); and
- b Circa one quarter of work journeys between Chesterton and Oxford are by modes other than driving a car (compared to around circa 20% from Deddington):

Table 3.8: Mode Share of Journeys to Oxford

	Deddington	Chesterton
% of all work journeys to Oxford	17%	30%
% car driver mode share for journeys to Oxford	79%	76%
% non-car mode share for journeys to Oxford	21%	24%

Source: 2011 Census Travel to Work Data for Output Areas E02005936 : Cherwell 016 (2011 super output area - middle layer) and E02005930 : Cherwel 010 (2011 super output area - middle layer)

- 3.5.6 The locational suitability of housing in the Bicester area (i.e. including Chesterton) to deliver Oxford’s unmet need is considered in the Interim Sustainability Appraisal dated August 2023 (CD3.6) that supports the Reg 18 Local Plan. The fourth bullet under paragraph 9.8.1 of that document identifies the good connectivity to Oxford and that the proposed strategy for growth at Bicester is well suited to meet Oxford’s unmet needs:

“The next matter to consider is whether the proposed housing supply is suitably weighted towards locations that are well-suited to providing for Oxford City’s unmet needs. The proposed strategy is supported, particularly given the level of growth at Bicester, which is well connected to Oxford via short and frequent rail journeys. It is important to recall that the majority of the unmet need is already planned for at sites around Kidlington, which are ‘saved’ by the emerging plan.”

3.6 **How has the sustainability of Chesterton been considered previously?**

Proposed Allocation in the Regulation 18 Local Plan

- 3.6.1 The Reg 18 Local Plan proposes to allocate site LPR371A: South of Chesterton and North-West of A41 to provide 500 dwellings. This allocation includes the site of the appeal scheme. Whilst a key constraint is identified as the existing infrequent bus services serving Chesterton, which is out of date considering the new bus services that will be brought forward by committed funding from the Great Wolf Lodge scheme.

3.6.2 The Transport Assessment of the Reg 18 Local Plan (CD3.25) identifies that Banbury, Bicester and Kidlington are the best-connected locations in Cherwell, followed by villages on arterial routes close to these centres²⁷. In this regard, Chesterton is located close to (i.e. within reasonable cycling distance of) Bicester and is therefore one of the 'next best-connected' locations.

3.6.3 Table 5.3 on pages 78-79 of the Transport Assessment set out the scoring summary of the various sites assessed. It identifies the following conclusions for Site LPR371A:

“Scores moderately against accessibility criteria, with the eastern side of the site better connected for sustainable transport options.

Comparable average traffic speeds to free flow (green).

Located within 4km of the centre of Bicester.

A41 bus priority proposals are located conveniently for the site.”

3.6.4 The Transport Assessment gives the wider site a score of 15, which is the joint fifth highest score out of the 13 sites assessed. It is the highest scoring site of those assessed in and around Bicester.

3.6.5 The Reg 18 Local Plan is also supported by an Interim Sustainability Appraisal dated August 2023 (CD3.6). Page 34 includes a summary of the area around Chesterton and Wendlebury and notes it as a ***“potential location for growth given good transport connectivity, with good potential to cycle to Bicester, and very good bus connectivity – and the potential for employment land close to M40 J9”***

3.6.6 Paragraph 5.4.41 notes, in respect of the proposed allocation site (LPR37), that ***“Chesterton is a smaller village in the settlement hierarchy, but there is a primary school e.g. in contrast to the nearby smaller village of Weston-on-the-Green”***, i.e. it is a more sustainable village than some others.

²⁷ Ref: fourth bullet under para 3.73 of that Transport Assessment

3.6.7 That paragraph also notes the ***“a primary argument for strategic growth in this area relates to transport connectivity, given an established ambition to develop the A41 corridor as a route that prioritises bus travel and walking/cycling. There is already a park and ride, serving the S5 Stagecoach Gold service and a high quality cycle route into Bicester, albeit this is somewhat distant from the developable part of LPR37.”*** As set out already, my view is that the cycle routes into Bicester from the appeal scheme are good and that there are realistic opportunities for new residents to cycle to the Park and Ride site. I do not agree that it is *somewhat distant*. The Interim Sustainability Assessment does not allow for the new bus service that will be delivered by the funding from the Great Wolf Lodge scheme.

3.6.8 I do however agree with the Council’s view, as set out in their Regulation 18 Local Plan, that from a transport perspective the appeal scheme is in a suitable location for new housing.

Other Schemes

3.6.9 There have been several schemes in Chesterton where locational sustainability has been tested. These include the dismissed scheme at Land north of Green Lane and east of The Hale. However, the weight of opinion (including more recent decisions) is that Chesterton is a suitable location for development.

The Dismissed Scheme – Land north of Green Lane and east of The Hale, Chesterton (Appeal Ref: APP/C3105/W/15/3130576) – Appeal Decision Dated 11 February 2016

3.6.10 This scheme comprised 51 new homes to the north of the appeal scheme. The Council refused the scheme, and the subsequent appeal was dealt with by way of a hearing.

3.6.11 The fourth main issue for this scheme was ***“Whether the development would amount to sustainable development²⁸”***. In this regard, the Inspector noted the following:

- ***“Chesterton has a limited range of facilities within the village itself²⁹”***
- ***Whilst Bicester is close, “roads are not pedestrian or cycle friendly due to their width and the traffic using them³⁰”***
- ***“the bus service is very limited³¹”***

²⁸ Ref: para 7 of the appeal decision (CD4.3)

²⁹ Ref: para 19 of the appeal decision (CD4.3)

³⁰ Ref: para 20 of the appeal decision (CD4.3)

³¹ Ref: para 21 of the appeal decision (CD4.3)

- ***“The bus service is subsidised and not viable without subsidy³²”***
- ***“the proximity of the village to Bicester reduces the length of journeys to most facilities, on the basis of the current highly infrequent bus services those journeys are likely to be made by car³³”***

3.6.12 As already set out, Chesterton includes a reasonable range of services, and these have been/will be enhanced by recent schemes (e.g. Great Wolf Lodge). Whilst I accept that many people will need travel to Bicester to access higher order services, matters have moved on:

- There will be an improved bus service that the appeal scheme will contribute to and assist in making viable in the long term (a benefit of the scheme).
- The Council has identified a signed cycle route from Chesterton to Bicester, which is safe and suitable in my view (and presumably the Council’s – otherwise they wouldn’t have identified it).
- The sustainable transport strategy for the appeal scheme is much more comprehensive. I describe the appeal scheme’s sustainable transport strategy in Section 3.7 of my evidence. By contrast, the dismissed scheme only offered contributions towards a speed limit reduction on The Hale and a new cycleway to link the village to the park and ride site.
- The Council have assessed various development options for their Regulation 18 Local Plan and identify the site of the appeal scheme as a proposed allocation for new homes.

3.6.13 The appeal was dismissed on the basis that it would conflict with Policy ESD1 of the 2015 Local Plan, which requires the impact of development on climate change to be mitigated by ***“delivering development that seeks to reduce the need to travel and which encourages sustainable travel options³⁴”***.

3.6.14 There are clear differences between the appeal scheme and the dismissed scheme. My view is that the appeal scheme is suitably located in sustainable transport terms. This is consistent with more recent opinions as set out below.

³² Ref: para 22 of the appeal decision (CD4.3)

³³ Ref: para 25 of the appeal decision (CD4.3)

³⁴ Ref: para 26 of the appeal decision (CD4.3)

Land to the west and south of nos 7-26 The Green, Chesterton (ref: Appeal APP/C3105/A/12/2183183) – Appeal Decision Dated 21 February 2013

- 3.6.15 This scheme comprises 44 dwellings, a village hall/sports pavilion and associated car parking, access and landscaping. It is located immediately to the east of the appeal scheme.
- 3.6.16 The Council refused the planning application with their first reason for refusal stating: **“a development of this scale remains inappropriate given the size of village and existing level of provision of village facilities”**. There are clear parallels between that scheme and the appeal scheme.
- 3.6.17 Paragraph 9 of the appeal decision (CD4.4) notes the provision of facilities in Chesterton: **“the village currently has a primary school, public house, small village hall and recreation/sports ground. Whilst there is no sub-post office or a food shop, this has become increasingly common in rural villages.”**
- 3.6.18 Paragraph 13 notes the sustainability benefits of providing new housing in Chesterton including **“family-sized and affordable houses would bring in younger families, improving the mix of ages in the village and thus its overall vitality. They consider this would help secure the primary school’s longer term future, and that improved sports facilities (with parking provision), a new children’s play area, a new village hall/sports pavilion and the possibility of re-using the existing village hall as a village shop would all amount to social benefits.”**
- 3.6.19 Paragraph 17 of the decision concludes that **“the proposal would amount to a sustainable development, thereby according with the Framework in this respect”**.
- 3.6.20 The appeal was allowed.

The Paddocks, Chesterton (14/01737/OUT) – Approved on 2 February 2016

- 3.6.21 This scheme comprised an outline application for up to 45 dwellings. OCC’s view at that time was that **“The location of the site is not considered particularly sustainable in strategic transport terms.”** I note that OCC has not suggested that the appeal scheme is in an unsustainable location.
- 3.6.22 The Council approved the application on the basis of that the benefits of the provision of new housing outweighed the (limited) harm of the site’s location.

Land to the west of Number 28 The Green and adjacent to Vespasian Way (15/01165/F) – Approved on 5 August 2016

3.6.23 This scheme comprised six new homes. The scheme was permitted by the Council with paragraph 5.42 of the committee report (CD4.6) confirming that ***“it is located within a sustainable location.”***

Great Wolf Lodge (Appeal Reference: APP/C3105/W/20/3259189) – Appeal Decision Dated 11 May 2021

3.6.24 This scheme involves redevelopment of part of the golf course to provide a new leisure resort incorporating a waterpark, family entertainment centre, hotel, conferencing facilities and restaurants.

3.6.25 The Council refused the planning application for this scheme, with the third reason for refusal relating to traffic impacts. The Inspector’s Decision (CD4.1) considers the traffic impact and found the impact to be less than severe and therefore acceptable.

3.6.26 Paragraph 70 of the decision recognises that the transport sustainability test is not one-size-fits-all and identifies that ***“the essence of the Framework test is whether a genuine choice of transport modes is on offer”***.

3.6.27 Paragraph 71 recognises the package of transport measures proposed and paragraph 73 concludes that ***“Taken in the round, with the package of transport measure proposed, the proposed development would, given its nature, be in a location that can be made locationally sustainable.”***

3.6.28 The appeal was allowed.

Bicester Sports Association (Appeal Ref: APP/C3105/W/20/3265278) – Appeal Decision Dated 27 August 2021

3.6.29 The proposed sports facilities were refused by the Council in 2019 with the first reason for refusal relating to the allegedly unsustainable location. In that case, OCC’s view was that the scheme was ***“situated in a location that is inaccessible by sustainable modes of transport. There is no suitable public transport service in the vicinity of the site, the site is beyond a reasonable walking distance from any major residential area and there is a lack of suitable walking and cycle routes to the site.”***

3.6.30 Again, OCC has raised no such concerns for the appeal scheme.

- 3.6.31 The resulting Inspector's Report (CD4.2) considers the location of the development and confirms at paragraph 10 that the transport sustainability test is not one-size-fits-all.
- 3.6.32 Paragraph 16 summarises the measures to promote sustainable transport, which include a Travel Plan, provision of minibus service for 5 or 10 years, signage, a new footway on the eastern side of The Hale and tactile pavement crossings.
- 3.6.33 Paragraph 24 of the decision notes that the **"quality and accessibility of cycling routes I observed in combination with the measures proposed would offer choice to users to cycle to the site"**. This corresponds with my views and experience of the opportunities to cycle in the local area.
- 3.6.34 Paragraph 30 of the decision states notes that not everyone may be able to travel by sustainable transport but that **"appropriate opportunities to maximise and promote sustainable transport modes have been or can be taken up in this proposal, having regard to type and location. Subject to these measures being secured by condition the proposal would be in a suitable location, with particular regard to the extent to which the site is accessible by a range of modes of transport and reliance on private vehicle journeys."**
- 3.6.35 The appeal was allowed.

Siemens, Little Chesterton (22/01144/F) – Permitted on 16 February 2023

- 3.6.36 This development is located to the south of the appeal scheme. A detailed planning application was submitted for the erection of a new high quality combined research, development and production facility.
- 3.6.37 Little Chesterton is clearly less locationally sustainable than Chesterton. Whilst OCC did not object, their consultation response to the application states: **"the site is not ideally located in terms of access for pedestrians. The site is beyond what is usually considered a convenient or desirable walking distance from Bicester. There is no pedestrian route to the site from Bicester or Chesterton. As it stands, the site has the potential for being significantly dependent on car-based travel. It is therefore essential to ensure that the site is made easily accessible by cycling and by public transport"**.
- 3.6.38 A package of measures was agreed, including a pedestrian / cycle facility between the site and the Vendee Drive roundabout junction; a financial contribution towards enhanced public transport services and a Travel Plan.
- 3.6.39 The Siemens scheme was permitted by the Council on 16 February 2023

3.7 What are the sustainability benefits of development in Chesterton

3.7.1 As set out in the decision notice for land to the west and south of nos 7-26 The Green, the provision of new housing in a village offers sustainability benefits in terms of providing a greater critical mass. New people will enhance village life – I have already set out benefits in terms of bus viability but they will do more than this. For example, they will:

- Provide more pupils for the school – currently many pupils travel from Bicester (see below);
- Provide additional custom for the pub reducing a risk of closure;
- Increase the congregation of the Church making regular services more likely to continue;
- Provide a greater pool of people to run and attend the clubs/societies in the village increasing the chance that they will continue; and
- Make it more likely that new clubs will start.

3.7.2 New residents will help maintain and improve the offering in Chesterton and reduce the need to travel further afield.

3.7.3 Page 19 of OCC’s consultation response to the planning application (CD2.4) sets out their justification for the education contribution. It sets out ***“that Chesterton CE Primary School accommodates pupils from outside its catchment area, predominantly living in Bicester, and needs to do so due to an existing shortage of primary school places in SW Bicester, where St Edburg’s CE Primary School has been persistently and significantly over-subscribed from within its catchment.”***

3.7.4 The education contribution sought by OCC will be used to ***“provide sufficient school places in SW Bicester for the local population, removing the need for children to travel outside of the town to school such as Chesterton”.***

3.7.5 This will mean that there will be greater school places available for those living at the appeal scheme as well as existing residents of Chesterton. This will reduce the number of children travelling from further afield (predominantly by car) to the primary school in Chesterton. This is a further sustainability benefit of the appeal scheme.

3.8 How will the opportunities for sustainable transport be taken up?

3.8.1 The appeal scheme is therefore well located for journeys to be made by sustainable transport modes. To ensure that these opportunities are taken up appropriately, the following sustainable strategy is proposed:

3.8.2 A **public transport services contribution** of £166,551. This will be secured by the Section 106 agreement and will be used by OCC in one of the following ways³⁵:

- a If the appeal scheme comes forward ahead of the Great Wolf Lodge scheme by less than a year, to commence the new public bus funded by Great Wolf Lodge earlier.
- b If the appeal scheme comes forward more than a year before Great Wolf Lodge, to operate a lower frequency service until the new public bus is operational.
- c If the new public bus is already operational, to extend the life of the public bus by an additional year³⁶.
- d To supplement the new public bus with additional services, e.g. in the evenings, at the weekends or to alternative destinations.

3.8.3 A **public transport service infrastructure** of £11,233 to be used to provide a new bus stop close to the Green Lane/Alchester Road junction, a circa 350m walk from the pedestrian/cyclist access in the northeastern corner of the appeal scheme³⁷.

3.8.4 A **public rights of way contribution** of £44,000 to be used towards surfacing improvements on the following³⁸:

- Chesterton Footpaths 161/3 and 161/4
- Wendlebury Footpath 398/1
- Connecting roads and verges

3.8.5 A **Travel Plan** (CD1.6) that will reduce the number of car journeys and improve accessibility by non-car modes through a series of measures including:

³⁵ Ref: page 12 of the OCC Regulation 122 Statement (CD6.6)

³⁶ The aim of course is for the contribution to 'pump prime' the bus service until it becomes commercially viable and self-sustaining.

³⁷ Ref: page 13 of the OCC Regulation 122 Statement (CD6.6)

³⁸ Ref: page 14 of the OCC Regulation 122 Statement (CD6.6)

- i Information provision through a website and travel welcome packs, including:
 - Promotion of home deliver services.
 - Walking and cycling routes.
 - The benefits of travelling sustainably.
 - Information on local bike shops.
 - Bus services, public transport timetables and links to where information can be found.
 - Promotion of events.
- ii Promotion of Car Sharing³⁹.
- iii EV charging points⁴⁰.
- iv A sustainable travel voucher.
- v Cycle storage.
- vi Personalised Travel Planning.

3.8.6 The Travel Plan has taken on board OCC's comments on the first draft and is agreed.

3.8.7 **Pedestrian and cycle accesses** on to Green Lane in the northeastern and northwestern corners of the site. These are shown on drawing numbers ITB14377-GA-001 revision F (*CD1.15*) and ITB14377-GA-006 revision A (*CD1.16*) and will provide pedestrian and cyclist connectivity on the main desire lines eastwards and westwards.

3.8.8 **Enhancements to the Oxygen Cycle Route** eastwards from Chesterton to the Park and Ride site. These are show on drawings ITB14377-GA-003 revision D (*CD1.18*) and ITB14377-GA-004 revision B (*CD1.19*). It is proposed that these works will be secured within the Section 106 Agreement.

3.8.9 This scheme will provide a cycle connection to the permitted cycleway on the A4095 to the west of the Hale (delivered by the Great Wolf Lodge scheme) and improve the existing Oxygen cycle route eastwards, which will also provide a connection to the NCN51 towards Bicester.

³⁹ Noting that car sharing is a sustainable mode of travel as defined by the Framework.

⁴⁰ Noting that low and zero emission vehicles are a sustainable mode of travel as defined by the Framework.

3.8.10 Following my review of matters, including cycling the local area, the appellant is prepared to enhance these works over and above those that resulted in the 'no objection' from OCC:

- Widening the existing signed cycle route on the western side of the A41 up to the Park and Ride site.
- There is also an existing kerb at the start of this section of the route that could be 'dropped'.

3.8.11 These additional works are shown on drawing ITB14377-GA-003 revision D and would further help to encourage cycling to and from the appeal scheme.

Image 3.3: Existing Kerb at Start of Connection to the Park and Ride Site

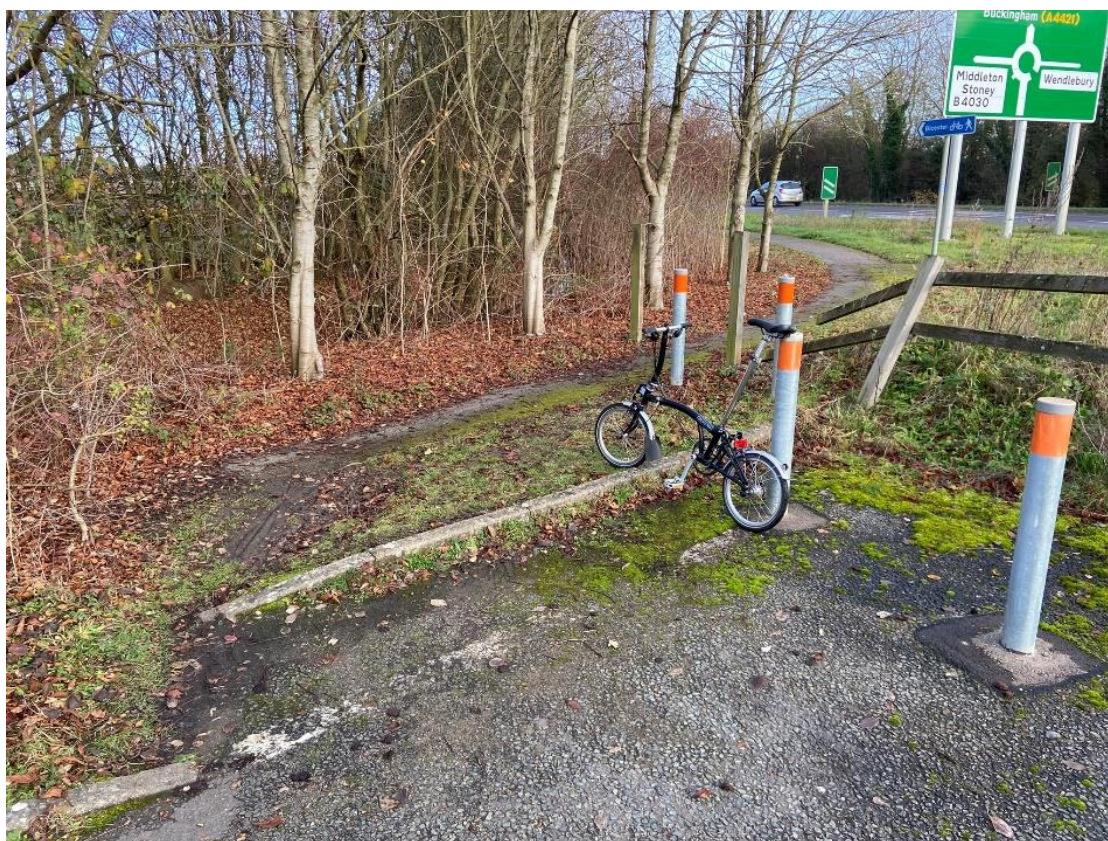


Image 3.4: Existing Path to Park and Ride Site



- 3.8.12 The appellant is also prepared to offer a **£500 bike/ebike voucher for each household**. There are excellent opportunities for cycling to and from the site including an existing cycle route to nearby Bicester that will be improved, and an excellent network of cycle routes with Bicester itself. In addition, the prevailing topography is flat and not challenging for cycling.
- 3.8.13 Whilst this has not been requested by OCC (and is not factored into their no objection response), the appellant is willing to offer a voucher with this significant sum to encourage new residents to own (and therefore use) a bicycle.
- 3.8.14 The voucher could be for cycle or ebike purchases, noting that enabling ebike ownership will open up cycling to a much wider range of people.

3.8.15 The appellant is also willing to offer **car club** at the appeal scheme. Again, this has not been requested by OCC (and again is not factored into their no objection response). The proposal by Enterprise (see **Appendix C**) sets out that a car club vehicle typically removes 20.5 privately owned vehicles from the road. This is because car clubs will provide residents with access to a car for those journeys that 'need' one without burdening them with the requirement to own a car. Those who own cars are much more likely to use them because of the significant costs involved, i.e. *I've paid for it so I may as well use it.*

3.8.16 My view is that there is merit in providing a car club because it will further encourage use of the good opportunities for sustainable travel from the appeal scheme. The sustainability benefits of car clubs are well established and have been recognised in numerous appeal decisions⁴¹.

3.9 **Will the opportunities for sustainable transport be taken up appropriately?**

3.9.1 The site is well located for walking journeys for the majority of the reasons for making a journey. There is a good level of footway provision for these journeys within Chesterton. This has been improved by the Great Wolf Lodge scheme. It will be further improved by committed improvements from the Bicester Sports Association scheme.

3.9.2 There are very good opportunities to cycle from the appeal scheme. It is realistic to expect new residents of the appeal scheme to use bicycles to access the very wide range of facilities and services (including those in Bicester) that are within a comfortable cycling distance.

⁴¹ E.g.:

- Purley Way, Croydon - *Appeal Ref: APP/L5240/W/22/3296606, para 20*
- Otterham Quay Lane, Upchurch, Kent - *Appeal Reference: APP/V2255/W/22/3301685, para 22*
- Fryatts Way, Bexhill, East Sussex - *Appeal Reference: APP/U1430/W/22/3304805, paras 34 and 39*
- Parris Wood Lane, East Didsbury, Manchester - *Appeal Reference: APP/B4215/W/23/33114646, para 35*
- Larkshall Road, Waltham Forest, London - *APP/U5930/W/22/3304178, para 56*
- Nestles Avenue, Hayes - *Appeal Reference: APP/R5510/W/19/3230503, paras 62 and 63*

- 3.9.3 There are currently reasonable opportunities to travel by bus to Bicester and to Oxford using the frequent buses serving the park and ride site, which is within an easy cycling distance of the appeal scheme. With the public bus service funded by Great Wolf Lodge (that will be assisted by the contribution from the appeal scheme plus additional bus patronage) there will be very good opportunities for new residents to travel by bus for all of the main reasons for travelling.
- 3.9.4 There are good opportunities to travel by train from the appeal scheme. Trains from Bicester Village and Bicester North travel to major population centre further afield including Oxford, Reading, Birmingham and London. These services will be improved by East West Rail, which will provide trains to Milton Keynes, Bedford and Cambridge. Local stations are within a comfortable cycling distance from the appeal scheme, and Bicester Village station will be accessible by the new public bus service.
- 3.9.5 The adopted Local Plan identifies Chesterton as one of several Category A Villages, i.e. the second tier of the settlement hierarchy after Bicester and Banbury, and an in principle suitable location for new housing. Chesterton is one of the more sustainable Category A Villages in my opinion, due to the facilities that it includes plus its close proximity and good connectivity to Bicester. There are clear distinctions between Chesterton and Finmere, with the latter being remote from a nearby main settlement and not benefitting from existing or committed frequent buses.
- 3.9.6 The Council proposes an allocation of 500 new homes at *South of Chesterton and North-West of A41* on the basis that it is a location with good transport connectivity and with good potential to cycle to Bicester. Their thought process in proposing that allocation must be that the site is, or is capable of, being a sustainable location for new housing. Part of their reasoning is that development in the location of the appeal scheme will help to meet Oxford's unmet need.
- 3.9.7 The locational sustainability of Chesterton has been tested several times in the recent past by various development proposals. I acknowledge that a scheme for 51 new homes on the land to the north on the opposite side of Green Lane was dismissed at appeal. My view is that matters have moved on since 2016 and that there are clear differences – in terms of buses, cycle route provision and the sustainable transport package – between that scheme and the appeal scheme.
- 3.9.8 In addition, more recent decisions, e.g. for the Great Wolf Lodge, Bicester Sports Association and Siemens schemes, have all found Chesterton to be suitable as a location for sustainable development.

- 3.9.9 There are sustainability benefits by providing more housing in Bicester, including by providing more children for the local school that is currently filled by pupils from further afield who are driven to the school in significant numbers.
- 3.9.10 I note that Paragraph 89 of the Framework relates to supporting a prosperous rural economy and notes that decisions should recognise that sites outside of urban area are unlikely to have the same opportunities for sustainable travel. In transport terms, paragraph 89 notes that such development should not have **“an unacceptable impact on local roads”** and should exploit **“any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)”**. In this regard there is no issue with traffic impact (see Section 5 of my evidence) and a comprehensive sustainable transport package is proposed.
- 3.9.11 There are good opportunities for sustainable travel to and from the site. The sustainable transport strategy requested by OCC includes contributions towards buses, bus stops, public rights of way; a Travel Plan; and cycle route improvements. The appellant is willing to uplift this strategy to include additional footway/cycleway improvements, the offer of a significant bike/ebike voucher and a car club.
- 3.9.12 In my opinion, the good opportunities for sustainable travel will be taken up appropriately by this package in line with the paragraph 114 key test and acknowledging the approach advocated by paragraph 109 of the Framework⁴².

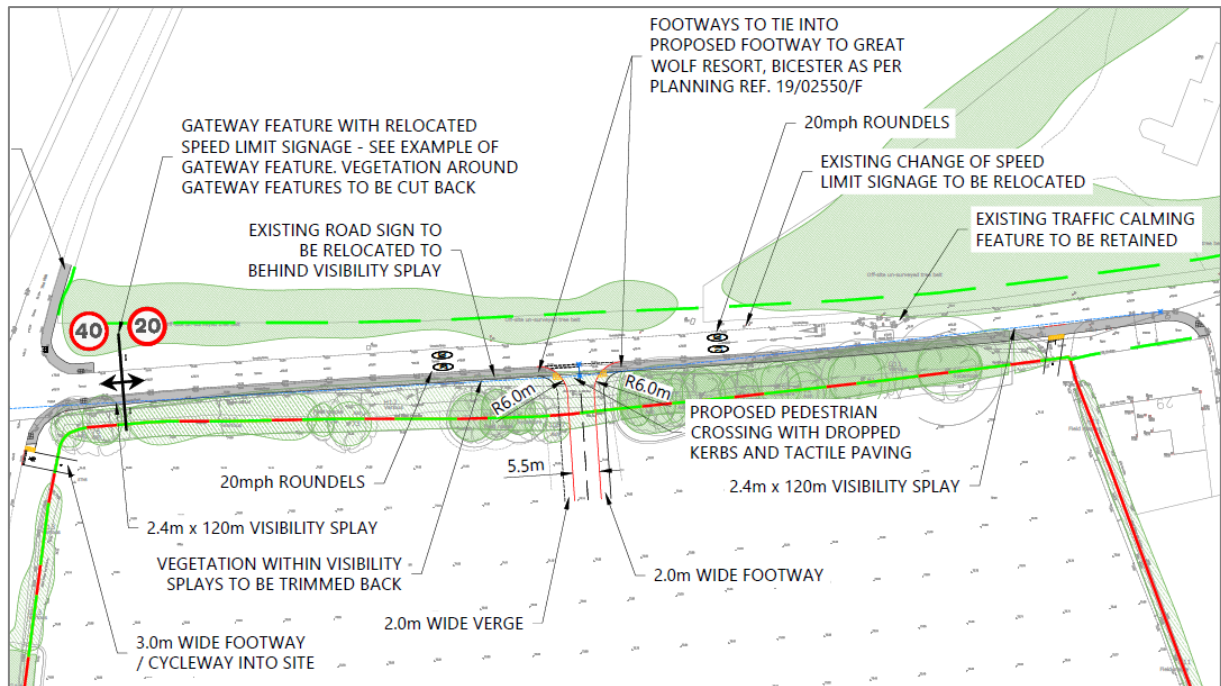
⁴² i.e. not one-size-fits-all.

SECTION 4 Will safe and suitable access be provided?

- 4.1 The second key transport test of paragraph 114 of the Framework requires safe and suitable access to be provided to all users.
- 4.2 The proposed access strategy for the appeal scheme is set out in Section 4.3 of the Transport Assessment (*CD1.4*) and is summarised as follows:
- A vehicular access with footways on both sides to serve the site from Green Lane, shown on drawing number ITB14377-GA-001 revision F (*CD1.15*).
 - Provide a new 3m wide pedestrian and cyclist access on to Green Lane in the north eastern corner of the site. This will tie in with the new footway on the southern side of Green Lane that has been delivered by the Great Wolf Lodge development. This is also shown on drawing number ITB14377-GA-001 revision F.
 - A 3m wide pedestrian and cyclist access in the north-western corner of the site, providing a connection to Little Chesterton Road. This is shown on drawing number ITB14377-GA-006 revision A (*CD1.16*). This will provide a link to the permitted Bicester Sports Association access and the associated committed footway improvements on The Hale.
- 4.3 The access arrangements will preserve the existing 'give-way' traffic calming feature on the site frontage.
- 4.4 The site access arrangements comply with the relevant design guidance set out in the Manual for Streets and the Design Manual for Roads and Bridges. This includes the provision of visibility splays sufficient to allow vehicles to safely see and be seen for the observed Green Lane vehicles design speeds⁴³, which are slower than the existing 40mph speed limit: circa 35mph eastbound and 38mph westbound.
- 4.5 It is proposed to extend the 20mph speed limit westwards along Green Lane to the crossroads junction with The Hale and Little Chesterton Road. This reduction in speeds is not essential to provide for safe and suitable access but will have beneficial effects in terms of the quality of the environment for pedestrians and cyclists using the route. The Section 106 agreement therefore includes an appropriate contribution to enable OCC to secure the necessary Traffic Regulation Order (TRO).

⁴³ i.e. the speed that 85% of vehicles travel at or slower than.

Image 4.1: Proposed Access Arrangements (Extract)



- 4.6 The proposed access arrangements have been subject to an independent Stage 1 Road Safety Audit⁴⁴ and relevant comments taken on board in the final design.
- 4.7 The site access arrangements have been reviewed by OCC. Their consultation response (*page 6 of CD2.4*) confirms that the proposed access arrangements ***“are considered acceptable and can be the subject of a Section 278 agreement”***.
- 4.8 That consultation response requested a long section of the access to confirm compliance with the Equality Act 2010. That long section was provided in the OCC Response note, which shows that the proposed access will have a gradient no greater than 5% in line with the OCC’s requirements (*ref: Table 7.1 of CD1.7*).
- 4.9 The proposed access arrangements have been designed carefully in line with relevant design guidance and taking into local circumstances, including observed vehicle speeds. They have been scrutinised independently by a safety auditor and relevant comments taken on board. They have also been scrutinised independently by OCC, who confirm that they are acceptable. On this basis, safe and suitable access will be provided.

⁴⁴ See Section 4.5 of the Transport Assessment (*CD1.4*)

SECTION 5 Will the traffic impacts be acceptable?

5.1 Traffic Impact

5.1.1 Section 6 of the Transport Assessment (*CD1.4*) provides the traffic impact assessment of the appeal scheme. All key junctions within and around Chesterton have been assessed. Beyond this area traffic will have dispersed and impacts should not be noticeable or material.

Image 5.1: Junction Assessment Locations



Ref: Image 6.1 of the Transport Assessment

5.1.2 The traffic generation of the scheme has been estimated using empirical data, i.e. surveys of similar developments in similar locations. A robust approach has been taken because 150 private houses have been assessed, i.e. slightly more new homes than proposed by the appeal scheme, and making no allowance for the lower peak hour traffic generation of flats and affordable homes.

5.1.3 The peak hour traffic generation of the appeal scheme is estimated to be 80 vehicle movements in the morning peak hour and 74 movements in the evening peak hour, i.e. just over one additional vehicle movement every minute⁴⁵. This is a modest level of traffic generation.

⁴⁵ Ref: Table 6.1 of the Transport Assessment

- 5.1.4 This traffic has been assigned to the local road network using a distribution derived from the National Travel Survey and 2011 Census data⁴⁶. 2011 Census data is preferable to 2021 Census data, with the later having travel patterns influenced by the COVID pandemic.
- 5.1.5 Without development traffic conditions have been assessed based on traffic counts of the existing road network⁴⁷ allowing for background traffic growth⁴⁸ and the traffic generated by committed development⁴⁹, which includes the Great Wolf Lodge scheme.
- 5.1.6 To further add to the robustness of the assessment, traffic flows were adjusted to reflect pre-COVID traffic conditions⁵⁰. In my opinion this is overly robust because experience shows that COVID has had a permanent impact on travel patterns, with fewer vehicle journeys overall, particularly in the peak hours.
- 5.1.7 The assessment of the local road network without and with the appeal scheme is set out in Section 6.8 of the Transport Assessment. This shows that all of the junctions assessed currently operate with minimal queuing and delay, and that that this will not change with the appeal scheme.
- 5.1.8 OCC reviewed this analysis and page 7 of their consultation response (CD2.4) confirms that ***“The methodology and data employed are considered sound.”***
- 5.1.9 The OCC response also identifies that the following conclusion of the Transport Assessment⁵¹ is ***“sound”***:
- “...no highway improvements are needed to mitigate the impact of the development as the impact is very small and well below a level that could be considered ‘severe’ in line with the requirements of the NPPF.”***

⁴⁶ Ref: Sections 6.3 and 6.4 of the Transport Assessment

⁴⁷ Ref: Section 3.6 of the Transport Assessment

⁴⁸ Ref: Section 6.6 of the Transport Assessment

⁴⁹ Ref: Section 6.5 of the Transport Assessment

⁵⁰ Ref: Section 3.6 of the Transport Assessment

⁵¹ Ref: paragraph 6.10.3 of the Transport Assessment

5.1.10 The analysis in the Transport Assessment was also subject to the scrutiny of National Highways. Their first consultation response (CD2.5) requested further information on the traffic impacts at M40 Junction 9. This was set out in the National Highways Response note (CD1.8), which demonstrates single digit impacts on any approach⁵² and concludes that ***“the Strategic Road network will experience minimal increases in peak hour vehicle movements because of the proposed development.”***

5.1.11 National Highways reviewed this note, and their second consultation response (CD2.6) recommends no objection.

5.2 Parking Impacts

5.2.1 Site layout is a reserved matter and therefore the parking quantum for the new homes will be determined through a detailed planning application in due course. The parking provision will need to accord with the adopted parking standards at that time so as to ensure that there will not be an overspill on to local streets.

5.2.2 There are some existing issues with on-street parking associated with the existing sports pitches to the south of Green Lane and to the east of the site. On busy match days (usually Saturday mornings), parking often overflows on to local streets. This is an existing issue that the appeal scheme seeks to ameliorate with the provision of additional parking for these sports pitches.

Image 5.1: On-Street Parking on Match Days



⁵² Ref: Table 2.1 of the National Highways Response note

Image 5.2: On-Street Parking on Match Days



5.3 The illustrative masterplan for the appeal scheme (*CD1.13*) shows an additional parking area to serve these pitches. This will reduce parking pressure on local streets and is a further transport benefit of the appeal scheme.

5.4 **Summary**

5.4.1 The appeal scheme will generate modest levels of additional traffic on local roads. The impacts of this increase have been tested carefully and robustly and the analysis shows no material impacts. That analysis has been scrutinised by OCC and National Highways, who both confirm that it provides an acceptable assessment and a correct conclusion, i.e. that the traffic impacts of the appeal scheme will be acceptable.

5.4.2 In addition, the appeal scheme will have a beneficial impact by providing additional parking for the existing sports pitches, which will help address existing issues of on-street parking that often occur on Saturday mornings in particular.

SECTION 6 Summary of Proof of Evidence

6.1 Introduction

6.1.1 This proof of evidence has been prepared by James Bevis. It seeks to assist the Inspector with transport matters for the appeal by Wates Developments ('the appellant') against Cherwell District Council's ('the Council's') decision to refuse planning permission for the appeal scheme, which comprises up to 147 new homes on Land South of Green Lane, Chesterton.

6.1.2 Despite the recommendation of no objection by both OCC and National Highways, the planning application was refused by the Council on 14 July 2023, with reason for refusal 1 identifying the following transport issues:

"...the cumulative impact of growth already carried out in village within the plan period and available facilities within the village and would be predominantly reliant on the private car to carry out day-to-day activity and the application site is not well located to existing services and facilities..."

"...the delivery of infrastructure necessary to make the development acceptable would not be capable of being accommodated within the village and instead would need to be provided elsewhere which would be predominantly reliant by private car and would be contrary to the aims of sustainable growth of housing across the District...."

6.1.3 My evidence deals primarily with the first main issue identified in the Inspector's note of the case management conference held on 14 December 2023, which relates to transport sustainability:

"a. whether the location of the development is appropriate having regard to the facilities present in the village and other facilities accessible by sustainable means and the policies of the development plan"

6.1.4 I also address the site access arrangements and the traffic impact of the appeal scheme. Whilst the acceptability of these is not disputed by the Council, traffic impact has been raised as a concern by some third parties.

6.2 Transport Planning Policy: The Key Transport Tests and The High Bar

6.2.1 For the appeal scheme, the relevant key transport tests set by the Framework (and which are reflected in local policy) are as follows:

- i Will the opportunities for sustainable transport be taken up appropriately?
- ii Will safe and suitable access be provided?
- vi Will the traffic impacts be acceptable?

6.2.2 The first of these tests is one of the main issues to be discussed at the Inquiry. I note that the Framework does not set a one-size-fits-all test in this regard and recognises that what is achievable in urban and rural locations will be different. That approach is reflected in relevant appeal decisions for schemes in Chesterton which identify that, with appropriate measures, it is a location that is sustainable in transport terms, including by virtue of the availability of facilities and services available in nearby Bicester. The Framework does not require just the facilities within which the development is located to be considered. Nor does the Framework require non-car travel to be the preferred way of travelling, just that opportunities for sustainable travel need to be taken up appropriately taking into account the location of the development.

6.2.3 The Framework also sets a high bar for preventing development from coming forward for transport reasons and the appeal scheme should be assessed in this context. The Council has not suggested that this high bar will be breached.

6.3 **Will the opportunities for sustainable transport be taken up appropriately?**

6.3.1 The site is well located for walking journeys for the majority of the reasons for making a journey. There is a good level of footway provision for these journeys within Chesterton. This has been improved by the Great Wolf Lodge scheme. It will be further improved by committed improvements from the Bicester Sports Association scheme.

6.3.2 There are very good opportunities to cycle from the appeal scheme. It is realistic to expect new residents of the appeal scheme to use bicycles to access the very wide range of facilities and services (including those in Bicester) that are within a comfortable cycling distance.

6.3.3 There are currently reasonable opportunities to travel by bus to Bicester and to Oxford using the frequent buses serving the park and ride site, which is within an easy cycling distance of the appeal scheme. With the public bus service funded by Great Wolf Lodge (that will be assisted by the contribution from the appeal scheme plus additional bus patronage) there will be very good opportunities for new residents to travel by bus for all of the main reasons for travelling.

6.3.4 There are good opportunities to travel by train from the appeal scheme. Trains from Bicester Village and Bicester North travel to major population centre further afield including Oxford, Reading, Birmingham and London. These services will be improved by East West Rail, which will provide trains to Milton Keynes, Bedford and Cambridge. Local stations are within a comfortable cycling distance from the appeal scheme, and Bicester Village station will be accessible by the new public bus service.

- 6.3.5 The adopted Local Plan identifies Chesterton as one of several Category A Villages, i.e. the second tier of the settlement hierarchy after Bicester and Banbury, and an in principle suitable location for new housing. Chesterton is one of the more sustainable Category A Villages in my opinion, due to the facilities that it includes plus its close proximity and good connectivity to Bicester. There are clear distinctions between Chesterton and Finmere, with the latter being remote from a nearby main settlement and not benefitting from existing or committed frequent buses.
- 6.3.6 The Council proposes an allocation of 500 new homes at *South of Chesterton and North-West of A41* on the basis that it is a location with good transport connectivity and with good potential to cycle to Bicester. Their thought process in proposing that allocation must be that the site is, or is capable of, being a sustainable location for new housing. Part of their reasoning is that development in the location of the appeal scheme will help to meet Oxford's unmet need.
- 6.3.7 The locational sustainability of Chesterton has been tested several times in the recent past by various development proposals. I acknowledge that a scheme for 51 new homes on the land to the north on the opposite side of Green Lane was dismissed at appeal. My view is that matters have moved on since 2016 and that there are clear differences – in terms of buses, cycle route provision and the sustainable transport package – between that scheme and the appeal scheme.
- 6.3.8 In addition, more recent decisions, e.g. for the Great Wolf Lodge, Bicester Sports Association and Siemens schemes, have all found Chesterton to be suitable as a location for sustainable development.
- 6.3.9 There are sustainability benefits by providing more housing in Bicester, including by providing more children for the local school that is currently filled by pupils from further afield who are driven to the school in significant numbers.
- 6.3.10 I note that Paragraph 89 of the Framework relates to supporting a prosperous rural economy and notes that decisions should recognise that sites outside of urban area are unlikely to have the same opportunities for sustainable travel. In transport terms, paragraph 89 notes that such development should not have **“an unacceptable impact on local roads”** and should exploit **“any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)”**. In this regard there is no issue with traffic impact and a comprehensive sustainable transport package is proposed.

6.3.11 There are good opportunities for sustainable travel to and from the site. The sustainable transport strategy requested by OCC includes contributions towards buses, bus stops, public rights of way; a Travel Plan; and cycle route improvements. The appellant is willing to uplift this strategy to include additional footway/cycleway improvements, the offer of a significant bike/ebike voucher and a car club.

6.3.12 In my opinion, the good opportunities for sustainable travel will be taken up appropriately by this package in line with the paragraph 114 key test and acknowledging the approach advocated by paragraph 109 of the Framework, i.e. not one-size-fits-all.

6.4 **Will safe and suitable access be provided?**

6.5 The proposed access arrangements have been designed carefully in line with relevant design guidance and taking into local circumstances, including observed vehicle speeds. They have been scrutinised independently by a safety auditor and relevant comments taken on board. They have also been scrutinised independently by OCC, who confirm that they are acceptable. On this basis, safe and suitable access will be provided.

6.6 **Will the traffic impacts be acceptable?**

6.6.1 The appeal scheme will generate modest levels of additional traffic on local roads. The impacts of this increase have been tested carefully and robustly and the analysis shows no material impacts. That analysis has been scrutinised by OCC and National Highways, who both confirm that it provides an acceptable assessment and a correct conclusion, i.e. that the traffic impacts of the appeal scheme will be acceptable.

6.6.2 In addition, the appeal scheme will have a beneficial impact by providing additional parking for the existing sports pitches, which will help address existing issues of on-street parking that often occur on Saturday mornings in particular.

6.7 **Summary**

6.7.1 On this basis, my professional opinion is that the appeal scheme is acceptable in transport terms.

