**Application No: 19/02708/OUT**

**Location:** Bicester Heritage Buckingham Road Bicester

**Transport Schedule**

**Recommendation:**

**No objection subject to**:

* **S106 Contributions** as summarised in the table below and justified in this Schedule:
* **An obligation to enter into a S278** agreement as detailed below.
* **Planning Conditions** as detailed below.

S106 Contributions

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Contribution**  | **Amount £** | **Price base** | **Index** | **Towards** (details) |
| Strategic Transport Contribution | £219,397 | August 2019 | Baxter | Strategic Transport Infrastructure improvements outlined under Policy BIC 1 of the Local Transport Plan 4 – Dualling of Eastern Perimeter Route, Skimmingdish Lane section. |
| Highway Works | TBC | TBC | Baxter | Contribution towards junction capacity mitigation scheme at Banbury Road / B4100 / A4095 roundabout junction. |
| Traffic Reg Order (*if not dealt with under S278/S38 agreement*) | £6,240 | January 2020 | RPI-x | Two new TROs for the mandatory left-turn egress at the site access junctions (£3,120 x 2) |
| Travel Plan Monitoring | £2,040 | January 2020 | RPI-x | To enable the Framework Travel Plan to be monitored for a period of 5 years following occupation. |

**Comments:**

This updated Highway Authority response should be read in conjunction with the Highway Authority’s previously responses to this planning application, in particular the most recent response dated 31 March 2020.

This response provides an update on the financial contribution requests towards public transport services and Buckingham Road cycle route enhancements, which were specified in the most recent response.

As stated in the county council’s previous responses to this application, it is considered that the current application should be considered both in light of the recent permitted development on the Bicester Motion site and in light of the well-publicised masterplan of the site. The Bicester Motion masterplan outlines extensive planned development including large-scale tourism and leisure uses.

It is with that total quantum of development in mind that the Highway Authority considered that a proportionate contribution towards sustainable transport enhancements, required in order to deliver the proposed masterplan growth, should be sought from the current application.

Having discussed this further with the Local Planning Authority, it is now accepted that when assessing the current application in isolation and taking account of the Local Plan policy for the site, which provides no policy guidance as to the total quantum of development to be expected across the site, these two financial requests could not be justified from the current application.

The contributions towards public transport services and cycle route enhancements are required in order to support the future planned growth outlined in the Bicester Motion masterplan (particularly the tourism and leisure uses) however, in policy terms Local Plan Policy Bicester 8 does not specify the total quantum of development to be expected or supported.

Therefore, the county council is removing the two requests for financial contributions towards public transport services and Buckingham Road cycle enhancements from its response to this current application as it is considered that these enhancements are not absolutely necessary in order to deliver the proposed FAST development alone.

The county council remains of the view that enhancements toward sustainable transport access between the site and Bicester town centre and stations will be required in order to enable delivery of the Bicester Motion’s proposed masterplan growth. These proposed enhancements are particularly closely related to the tourism and leisure uses proposed in that masterplan. Therefore, the county council will seek a comprehensive sustainable transport access strategy and funding towards sustainable transport enhancements should further planning applications for development at the site be submitted in line with the masterplan proposals.

It is also worth noting that, since contributions towards those schemes are not to be secured against this application, the level of financial contribution required from future applications will inevitably be higher.

**S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£219,397** **Strategic Transport Contribution** indexed from August 2019 using Baxter index

**Towards:**

Local Transport Plan Bicester Area Strategy Policy BIC 1 scheme:

*‘Upgrade link to dual carriageway on the A4421 between the Buckingham Road and Gavray Drive to complement the transport solution at the railway level crossing at Charbridge Lane and facilitate development in the area.’*

The contribution would be used towards the dualling of the Skimmingdish Lane section of the above scheme.

**Justification:**

Bicester Area Strategy Policy BIC 4 in the County Council’s Local Transport Plan 4 states that:

*“To mitigate the cumulative impact of development within Bicester and to implement the measures identified in the Bicester area transport strategy we will secure strategic transport infrastructure contributions from all new development”*

Cherwell Local Plan Policy SLE 4: Improved Transport and Connections states:

*“The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections… New development in the District will be required to provide financial and / or in-kind contributions to mitigate the transport impacts of development.”*

Local Transport Plan 4 Bicester Area Strategy Policy BIC1 identifies the scheme to:

*“Improve access and connections between key employment and residential sites and the strategic transport system by:*

*“Upgrade link to dual carriageway on the A4421 between the Buckingham Road and Gavray Drive to complement the transport solution at the railway level crossing at Charbridge Lane and facilitate development in the area. This scheme will improve the operation of this section of the eastern perimeter road and enhance the integration of the North East Bicester Business Park site with the rest of the town.”*

*“Delivering effective peripheral routes around the town... Southern peripheral corridor: provide a South East Perimeter Road to support the significant housing and employment growth in Bicester. In the longer term, link capacity issues along Boundary Way are assessed as being a major transport issue for the town. Land is safeguarded at Graven Hill for the section of road to the south of this site, joining the A41 at the Pioneer Road junction… …The solution will also include a new link through the South East Bicester development site from the A41 Pioneer Road junction up to Wretchwick Way, providing connectivity through the site, in particular for buses.”*

This clearly demonstrates that the Strategic Transport Contribution for Bicester Heritage is well supported in policy terms and is required to make the development acceptable in planning terms.

Strategic transport infrastructure for Bicester is needed to support the Cherwell Local Plan (2011-31) allocation in Bicester and is set out in the Local Transport Plan 4. Without strategic capacity measures and improvement of infrastructure the detrimental cumulative impacts of the local plan growth, including the Bicester Heritage development, would be severe. It is therefore justified, and established in policy, that local plan allocated sites should contribute towards elements of this strategic infrastructure package, where their individual impacts on congestion are not large enough to require them to provide the elements of the package in full. This is in addition to local, direct mitigation required specifically to mitigate a severe impact arising from each site in isolation - in this case the junction capacity improvements at the Buckingham Road / Skimmingdish Lane roundabout and at the Launton Road / A4421 roundabout.

The Bicester Heritage development application submission has proposed a scheme to provide suitable access to the site locally but does not address the development’s part in the strategic implications of cumulative growth in Bicester as a whole. Indeed, the Transport Assessment shows that the network along the Skimmingdish Lane corridor on which the development site sits is under strain from the cumulative impact of growth. This strain will continue to grow until a trigger point when the Eastern Peripheral Route scheme will be required before 2031, in order to provide relief to that route.

The mitigation schemes proposed to be delivered directly under a Section 278 agreement are considered ‘nil detriment’ schemes and are relatively minor in nature. These works are required to provide safe and suitable access to the development and ensure that those junctions operate at a similar level post-development and in the years prior to strategic transport improvements being implemented. These schemes do not provide significant additional capacity and do not address the clear need for strategic transport improvements along the Eastern Peripheral Route which is required to accommodate cumulative traffic growth as a result of planned development.

The development at Bicester Heritage will contribute directly to the severe cumulative congestion on the eastern peripheral route around Bicester and therefore a contribution is required towards Local Transport Plan Bicester Area Strategy Policy BIC 1 scheme to provide relief to the eastern peripheral route.

**Calculation:**

The most recent cost estimate for the dualling scheme from December 2016 is £9.563m based on a concept scheme. Oxfordshire County Council will be progressing with design work for the capacity enhancement of the Skimmingdish Lane section of the Eastern Peripheral Route scheme over the next financial year.

It has been considered that the fairest method of calculating a proportionate strategic transport infrastructure contribution from the current application is to apply the same cost per trip figure that has recently been used to determine the level of contribution secured from the New Technical Site and Hotel developments recently permitted on the wider Bicester Heritage / Bicester Motion site. This is considered fair and reasonably related in scale and kind to the proposed development.

Those contributions were based on a formula used to secure contributions towards the BIC 1 scheme for a number of other local developments. The formula results in a cost of £631.15 per peak hour trip.

The £631.15 cost per trip applied to the 326 peak hour trips from the FAST application = £205,755 @ September 2016 prices. The Strategic Transport Infrastructure contribution amounts have been uplifted to an August 2019 price base. This revises the Highways Contribution to **£219,397** as of August 2019.

**£TBC Highway Works Contribution 1** indexed using Baxter Index

**Towards:**

Junction capacity mitigation scheme at the Banbury Road / B4100 / A4095 roundabout junction.

**Justification:**

Baseline future year assessments of the operation of this junction have shown that the junction is forecast to operate above capacity in those future years. Consequently, the county council has sought developer contributions and alternative sources of funding for capacity enhancements at this junction.

The traffic impact assessment undertaken in the Transport Assessment for this application demonstrates that the proposed development is forecast to have an additional significant detrimental impact upon the operation of this junction. Accordingly, a nil-detriment mitigation scheme has been proposed by the applicant. This proposed scheme would mitigate the development’s impact but would not bring the junction back within capacity.

It is therefore considered fair that, in order to mitigate the development’s immediate impact and mitigate against the impact of cumulative traffic growth, to which the development would contribute, a financial contribution to the same value of the cost of the works proposed by the applicant is made to the county council towards the cost of the OCC scheme.

This would limit the disruption caused by works on the highway and avoid the short-term implementation of smaller-scale works which would ultimately prove to be abortive.

*Note: While previous Transport Assessments submitted with recent development proposals at Bicester Heritage have also shown an impact at this junction, financial contributions were not previously secured against this mitigation scheme from those applications. This is because, at the time of those applications, CIL regulation 123 restricted the county council's ability to collect more than 5 developer contributions towards the same scheme. This regulation has since been amended to enable any number of developer contributions to be secured against a scheme.*

**Calculation:**

The level of contribution sought is to the same value of the cost of implementing the mitigation scheme proposed by the applicant in the Transport Assessment. A cost estimate is required for that proposed scheme.

**£6,240 Traffic Regulation Order Contribution** indexed from January 2020 using RPI-x

**Towards:**

Two new TROs for the mandatory left-turn egress at the site access junctions

**Justification:**

The Traffic Regulation Orders for the mandatory left-turn egress from the site access junctions are directly related to the formation of the junctions and is required in order to make the left-turn only arrangements enforceable.

**Calculation:**

The contribution is calculated on a standard charge which applies for administrative costs for TROs throughout Oxfordshire. This charge also includes the costs for public consultation required for the proposed TRO.

The County Council’s costs for new or amended TROs is £3,120 for each instance.

The County Council considers that its TRO fee is fairly and reasonably related in scale and kind to the development.

**£2,040Travel Plan Monitoring Fee** indexed from January 2020 using RPI-x

**Justification:**

Travel plans aim to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car travel and so reducing the environmental impact and traffic congestion. A framework travel plan, residential travel plan and school travel plan is required to make this development acceptable in planning terms.

A travel plan is a ‘dynamic’ document tailored to the needs of businesses and requires an iterative method of re-evaluation and amendment. The county council needs to carry out biennial monitoring over five years of the life of a Travel Plan which includes the following activities:

* review survey data produced by the developer
* compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets
* agree any changes in an updated actions or future targets in an updated travel plan.

Government guidance, ‘Good Practice Guidance: Delivering Travel Plans through the Planning Process’ states that: ‘Monitoring and review are essential to ensure travel plan objectives are being achieved. Monitoring for individual sites should ensure that there is compliance with the plan, assess the effectiveness of the measures and provide opportunity for review. Monitoring must be done over time – it requires action and resources.’

In accordance with this Guidance, it is the view of the county council that without monitoring travel plans they are likely to be ineffective. Therefore, monitoring of the travel plans is required to make the development acceptable in planning terms.

**Calculation:**

The figure for travel plan monitoring is based on three monitoring and feedback stages (to be undertaken at years 1, 3 & 5 following first occupation), and assumes officer time at an hourly rate of £40. Please note that this is considered a fair rate, set to include staff salary and overheads alone.

**S278 Highway Works:**

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

* New site access junction including: ghost island right turn lane, nearside diverge (deceleration) lane of approximately 30m in length, carriageway widening on Skimmingdish Lane to accommodate right turn lane and diverge lane (width to be taken from northeast side of Skimmingdish Lane), splitter island on minor access arm formed to direct all traffic to turn left from the site, all associated signage and road markings.
* Shared use footway / cycleway of 3m in width on northeast side of Skimmingdish Lane to tie in with an internal shared use path on the southeast side of the access road, to a point c.30m to the southeast. An informal tactile crossing point with 2m wide pedestrian refuse island and tactile paving. New 3m wide shared use footway / cycleway from on the southwest side of Skimmingdish Lane from the tactile crossing to link with the existing provision to the southeast of Skimmingdish Lane. As indicated in Drawing No: J32-3684-PS-101 Rev B
* Alterations to existing glider club access junction including: ghost island right turn lane, carriageway widening on Skimmingdish Lane to accommodate right turn lane (width to be taken from north side of Skimmingdish Lane), splitter island on minor access arm formed to direct all traffic to turn left from the site, tactile crossing with refuge island of 2.5m in width, connecting footway between tactile crossing and site access junction, all associated signage and road marking. As indicated in Drawing No: J32-3684-PS-102
* Junction mitigation scheme at Skimmingdish Lane / Buckingham Road / A4095 roundabout junction as indicated in Drawing No: J32-3684-PS-105
* Junction mitigation scheme at Launton Road / Skimmingdish Lane / Care Home access roundabout junction as indicated in Drawing No: J32-3684-PS-107

**Notes:**

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

**Planning Conditions:**

In the event that permission is to be given, the following planning conditions should be attached:

**Construction Traffic Management Plan**

A Construction Travel Management Plan (CTMP) will be needed for this development, given the traffic sensitive nature of the potential approach routes on the wider strategic road network in and around Bicester. We would expect the CTMP to incorporate the following in detail:

* The CTMP must be appropriately titled, include the site and planning permission number.
* Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
* Details of and approval of any road closures needed during construction.
* Details of and approval of any traffic management needed during construction.
* Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
* Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
* The erection and maintenance of security hoarding / scaffolding if required.
* A regime to inspect and maintain all signing, barriers etc.
* Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
* The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
* No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
* Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
* A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
* Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
* Any temporary access arrangements to be agreed with and approved by Highways Depot.
* Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

*Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.*

**Travel Plans**

The submitted framework travel plan will be revised in line with comments received and resubmitted for approval by the Local Planning Authority before first occupation of the site.

*Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework.*

**Turning Area Details**

Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surface finish and drainage) of the turning areas which shall be provided within the curtilage of the site so that motor vehicles, including HGVs, refuse vehicles and fire tenders may enter, can turn and leave the site in a forward direction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall always be retained for the manoeuvring of motor vehicles thereafter.

*Reason: in the interest of highway safety and in accordance with planning policy.*

**Car Parking**

Prior to the commencement of the development hereby approved, a plan showing a car parking provision for an agreed number of spaces to be accommodated within the site to include layout, surface details, and drainage, shall be submitted to and approved in writing by the Local Planning Authority. The number of spaces to be provide shall be based on an indicative breakdown of the GFA between the proposed land uses and in line with the County Council's car parking standards. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.

*Reason: in the interest of highway safety and in accordance with planning policy.*

**Cycle Parking**

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

*Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with the Government guidance contained within the National Planning Policy Framework.*

**Officer’s Name: Tim Peart**

**Officer’s Title:** Interim Principal Transport Planner

**Date:** 10 June 2020