

COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 20/00293/OUT-2

Proposal: Outline application (Phase 1B) including access (all other matters reserved) for approximately 4,413 sqm B1 office space (47,502 sqft) GIA, approximately 273 residential units (Use Class C3) including ancillary gym, approximately 177 sqm GIA of café space (Use Class A3), with an ancillary, mixed use co-working hub (794 sqm/ 8,550 sqft GIA), multi-storey car park, multi-use games area (MUGA), amenity space, associated infrastructure, parking and marketing boards

Location: Bicester Gateway Business Park, Wendlebury Road, Chesterton

Response date: 3rd June 2020

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Assessment Criteria **Proposal overview and mix/population generation**

OCC's response is based on a development as set out in the table below. The development is taken from the application form.

Residential	No.
1-bed dwellings	178
2-bed dwellings	95
3-bed dwellings	0
4-bed & larger dwellings	0
Extra Care Housing	0
Affordable Housing %	30%
Commercial – use class	m²
A1	
B1	4,413
B2/B8	
Development to be built out and occupied out over	3 years

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

Average Population	402
Primary pupils	21
Secondary pupils	12
Sixth Form pupils	1
SEN pupils	0.3
Nursery children (number of 2 and 3 year olds entitled to funded places)	4.18
20 - 64 year olds	320
65+ year olds	41
0 – 4 year olds	15

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General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - TBC**
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

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Transport Schedule

Recommendation:

Objection for the following reasons:

- OCC maintains its objection that the application does not provide for a high degree of integration and connectivity between the site and existing developments.

However, the objection relating to the robustness of the transport assessment is removed on the basis of the Technical Note at Annex 7 of this submission.

Key points

We have been consulted by CDC on a response by the applicant to our Single Response dated 23 March 2020. I set out below my response to the transport issues raised, which are contained in Appendix 7 of the submission.

This should be read in conjunction with our Single Response dated and does not change our recommendations with regard to planning conditions or obligations, with the exception that the requirement for the highway works to Vendee Drive Roundabout and the mini roundabout on Wendlebury Road are not required.

Comments:

Pedestrian and cycle infrastructure.

Paragraphs 2.1-2.7 describe how the proposals for pedestrian and cycle access are the same as for the consented Phase 1b development, which lacked connections onto Wendlebury Road but provided for improved access along the A41 frontage. 2.7 suggests that phase 1b only needs to connect to phase 1a, as phase 2 is not committed development. I think this is a point for the LPA to address, but I would note that the revised proposals for Phase 1b are not committed development either.

OCC's argument that there should be additional pedestrian and cycle connections towards Wendlebury Road, and that the informal crossing on Shouler Way should not be relied upon as the only pedestrian access to a residential development, is addressed in the Technical Note by calculations showing that the revised proposals would generate no significant, or even fewer pedestrian movements.

However, the calculations only reflect the peak hour. Residential developments are more likely than employment developments to generate movements throughout the

day and night, and are also likely to include a wider age and ability range of users, as well as a wider range of journey purposes including shopping and leisure. Whilst it may be realistic for employees to access offices exclusively along the A41 frontage, and to be able to cross Shouler Way informally, it is natural that residents would want to walk along the Wendlebury Road frontage, and not just to access Phase 2, but also Bicester Avenue shopping centre.

Regarding the proposed crossing on Vendee Drive Link, we recognise the proposed improvement but it remains an informal crossing only, close to an exit from a roundabout on a very busy A road, and will be a daunting for some of the wider range of users likely to be occupying a residential development. Wendlebury Road, particularly with the pedestrian facilities proposed to be provided by Phase 2, is a safer, quieter option. Assuming this 2b goes ahead then Phase 1b should provide for a footway/cycleway from the Wendlebury Rd accesses along Wendlebury Rd South of the roundabout, linking to those facilities, which extend to the north.

2.19 suggests that we were suggesting this connection instead of the agreed route along the A41. That was not our intention, although we would consider this as an alternative access strategy.

2.21 makes the point that the A41 route to Bicester Avenue shopping centre pedestrian entrance is about the same as going via Wendlebury Road. That misses the point that Wendlebury Road is a quieter and a more attractive route, and pedestrian/cycle facilities are proposed to be provided along it, north of the proposed new roundabout, by phase 2. The same argument applies to point 2.23, regarding access to other destinations to the north along the A41.

Regarding 2.24, second bullet point, and the statement 'It is for the phase 2 development to consider how to ingrate with the committed Phase 1 development' – again, I do not consider the revised Phase 1b proposal to be committed, and I would also note the infrastructure proposed to be provided by Phase 2 on Wendlebury Road which offers the opportunity for Phase 1b to connect to it by agreeing to construction pedestrian access points onto Wendlebury Road and a footway/cycleway along its Wendlebury Road frontage.

Parking proposals

Regarding 3.1, OCC is concerned about the enforceability of a parking strategy.

Regarding 3.2, whilst destinations are walkable, we remain strongly of the opinion that this location at the extreme edge of town does not have the level of quick, convenient pedestrian access to a wide range of facilities, that would justify car free development. Even if cars are only used at weekends, there will be an aspiration to keep a car, and I certainly query the suggestion that key workers would not need/want cars.

Regarding 3.3, while people may buy into the lifestyle at the outset, they may of course be thinking that there is scope to park a car if they need to, on nearby streets, or for their overnight visitors to do so. In the absence of a controlled parking zone on nearby streets I think there is every likelihood of overspill parking. There is no reason why the local road network does not lend itself to parking on street, or worse, on the footway –

as evidenced by the many contractors' vehicles parking along the Wendlebury Road hotel frontage. Phase 2 internal roads may also be vulnerable to overspill parking.

I would strongly advise the LPA not to approve car free units at this edge of town location, as it would set a risky precedent. I am not against car free development in town centre locations very close to rail stations and public transport interchanges, and within easy walking distance of a wide range of facilities and employment. This is not such a location. Notwithstanding the danger of creating a precedent, considering this location on its own merits, I believe does not warrant car free development.

Traffic Impact Assessment.

Regarding trip generation, I have reviewed the correspondence and found that the residential trip rates are as agreed during correspondence at the scoping stage, based on an analysis of TRICS carried out by my colleague. However, I do not agree with subtracting the trip generation of 33 units on the basis that they will be car free. They will attract some trips (visitors, taxis), and I do not support this as a suitable location for car free development (see above).

Nevertheless, I accept that if the trips from these 33 units are added, then the trip generation of the revised proposals is less than that of the consented development.

I also accept that while the development takes the roundabout over the 0.85 RFC threshold, the additional queuing and delay would be very modest. Therefore the minor capacity improvements at the roundabout that are a requirement of the extant permission, should not be required if the proposed development is implemented in its place.

Access junctions

Paragraph 5.2 and 5.3 query the fact that OCC is now requesting that a speed limit change is moved further south on Wendlebury Road. This is in the interests of pedestrian and cyclist safety. In line with the change of proposal to include residential, as explained above, there is a need to provide pedestrian access onto Wendlebury Road, which justifies this speed limit extension.

Vehicle tracking showing a large refuse vehicle and a pantechicon has been provided showing that these vehicles can enter and exit the site. However, they do illustrate that Wendlebury Road is too narrow for large vehicles to pass while turning and there may therefore be a need for minor localised widening at the accesses to prevent verges being overrun. OCC has requested a condition requiring full details of the access junctions and we will expect this to be accommodated within the design.

In response to our request, the site access junctions have been modelled to test their capacity and the queueing and delay is shown to be minimal.

Travel Plan

The document refers to a separate submission of a revised travel plan, which we will comment on separately.

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 20 May 2020

Application no: 20/00293/OUT-2

Location: Bicester Gateway Business Park, Wendlebury Road, Chesterton

Lead Local Flood Authority

Recommendation:

Holding Objection

Key issues:

Legal agreement required to secure:

Conditions:

Informatives:

Detailed comments:

Awaiting submission of new Surface Water Drainage Strategy from James Gibson of Alan Wood and Partners following telephone conference 2nd July 2020.

Officer's Name: Adam Littler

Officer's Title: Drainage Engineer

Date: 02 June 2020

Application no: 20/00293/OUT-2

Location: Bicester Gateway Business Park, Wendlebury Road, Chesterton

Archaeology Schedule

Recommendation:

Objection for the following reason/s:



The submitted amendments do not alter our previous comments.

Comments:

The applicant has stated in their response letter that their proposed solution for the archaeological constraints to this application is 'close to agreement'. This is not the case however.

The submitted indicative masterplan shows development within the area previously agreed would be preserved in situ as part of the earlier outline application (16/02586/OUT). These proposed impacts would disturb the significant archaeological deposits in this area and as such would not be an acceptable scheme. The archaeological protection measures submitted for the previous application have not been updated to set out how this area could be preserved, and no such measures have been proposed or submitted with this application.

As such this proposed scheme would not be acceptable.

In addition, this scheme proposes further development in areas that were not evaluated as part of the earlier scheme and a further phase of archaeological evaluation will need to be undertaken on these areas as we have previously advised.

The applicant has submitted an email from Cotswold Archaeology summarising a telephone conversation between them and ourselves where we agreed that the submission of an updated archaeological protection scheme setting out the principle of the preservation in situ may help overcome these issues. The email dated 20th April 2020 from Cotswold Archaeology to the applicant, states that they will update the technical note setting out the archaeological preservation measures and send it to me 'later this week'. We had no further contact from Cotswold Archaeology on this matter following this phone call however and no such document was ever provided to us for our comment.

This updated document has also not been submitted with this application.

As such these amendments do not alter our previous advice and in the absence of any agreed archaeological preservation measures and the further phase of archaeological evaluation, we would recommend that planning permission is not granted for this site.

The applicant has also suggested that Oxfordshire County Council Archaeological Service may submit this document on behalf of the applicant. This is not the case and OCC would not submit any documents in support of the developers planning application.

Officer's Name: Richard Oram

Officer's Title: Planning Archaeologist

Date: 14th May 2020
