

Our ref: Q080666 el/jn
Your ref: 20/00293/OUT
Email: emma.lancaster@quod.com
Date: 17 June 2020

Caroline Ford
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By email

Dear Caroline

Application Ref: 20/00293/OUT – Bicester Gateway Phase 1B

These representations are submitted on behalf of Albion Land, who wholeheartedly support the Development Plan's aspiration to deliver a high-quality business park at Bicester Gateway which is suitable to meet the needs of high-technology and knowledge based businesses, thereby capitalising on Bicester's strategic location within the Oxford-Cambridge Arc.

However, Albion Land **strongly objects** to the proposed innovation community for Phase 1B of Bicester Gateway ("the proposals") as submitted by Bicester Gateway Ltd (a subsidiary of Bloombridge LLP) ("the Applicant").

For the reasons set out in detail below and the enclosed Technical Note, **the proposals (as currently submitted) will fundamentally undermine the delivery of the Development Plan allocation which the site is part of and, therefore, the Development Plan's strategic approach to employment delivery and sustainable growth.** They must therefore be resisted by the local planning authority unless the deficiencies in the application materials and the proposals themselves are fully remedied by the Applicant.

Basis of Representations

Albion Land control approximately 17 hectares of land at Bicester Gateway, as well as the adjoining poultry farm (comprising a further 4.6 hectares). This land benefits from a resolution to grant planning permission for up to 27,000 sq.m of B1 employment floorspace, supported by a health and racquets club. The development will form Phase 2 of a proposed business park at Bicester Gateway and is known as Catalyst Bicester.

It is essential that the proposals' relationship between, and interaction with, Catalyst Bicester (and other existing and committed developments) is properly considered as part of the determination of this application. This was the approach that Albion Land took when developing Catalyst Bicester, using the extant outline consent for Phase 1B as a baseline.

Albion Land has a strong track record of delivering market-facing business parks in and around Bicester, and beyond. They are committed to the Development Plan's vision for Bicester and their proposals for Catalyst Bicester represent over £60million of further investment in the town. These representations are made on

the basis that the proposals are inconsistent with the (soon to be) consented scheme at Catalyst Bicester and, consequently, will undermine its delivery and its operation.

Delivery of Local Plan Objectives and Vision

The Cherwell Local Plan 2011-2031 Part 1 (“the Local Plan”) identifies that land at Bicester Gateway (allocated for development by Policy Bicester 10) has the potential to be a major, high-quality employment area. It is intended to contribute towards building and reinforcing a modern knowledge economy for Cherwell, securing a location for science and research and technology transfer and commercial application.

Proposed Uses

Most of the site falls within the Bicester 10 allocation and is therefore allocated for “B1 business uses: high tech knowledge industries”. There is no provision for residential development at the site and indeed other policies of the Local Plan explicitly prohibit residential uses on strategic employment sites, setting out that “*very careful consideration should be given to locating employment and housing in close proximity*”.

Whilst Albion Land notes that the proposals (which are residential-led) do not accord with the detail or spirit of the Local Plan, their key concern in this regard is that **the proposed residential use is not compatible with the delivery or operation of a strategic employment area, which is what is intended to be created at Bicester Gateway** and the reason that Local Plan Policy SLE1 states:

“New dwellings will not be permitted within employment sites except where this is in accordance with specific site proposals set out in this Local Plan.”

Technical commentary regarding the Applicant’s consideration of the relationship between the proposed new homes and the committed employment development at Catalyst Bicester are provided below. Simply put, **locating new homes adjacent to a strategic employment site has the potential to give rise to complaints from their future occupiers and a desire to restrict the operation of premises/occupiers at the business park.**

To capitalise on the opportunities presented by the modern knowledge economy, which include (inter alia) precision engineering and product development/testing, as well as commercialisation of science and research, **the business park needs to be able to operate flexibly and unencumbered by concerns about residential amenity.**

Placemaking

The Local Plan sets out that to create a major development site at the southern edge of Bicester will require exemplary building quality and design to provide a strong sense of arrival to the town. Built development at Bicester Gateway therefore needs to be a strong statement of the sort of economy Cherwell aims to secure for inward investors or local companies in need of land for expansion.

The site lies adjacent to the A41 and the Vendee Drive/Charles Shouler Way roundabout and, like the hotel, **the location, design, scale and massing of buildings within it will be of critical importance to the success of**

the business park as a whole. To this end, the local planning authority should give careful thought to the regulatory plans that have been submitted and the use of approved plans conditions should planning permission be granted.

Albion Land acknowledge that the proposals are submitted in outline but notes that the consultation response from the Council's landscape officer expresses some fundamental concerns with the proposals illustrated in the indicative materials. Notably: that the design of the external spaces is poor, being vehicle dominated and offering very little variety in residents' amenity; and that the scheme is generally bland and characterless.

Albion Land has committed to a Development Framework Plan to guide reserved matters at Catalyst Bicester. This fixes (inter alia) the location and extent of active frontages, key design elements/treatments and the hierarchy of streets and spaces. **The local planning authority should require the same approach on this site to ensure a cohesive and complimentary approach to the development of the allocation, and seamless integration with the hotel site and Catalyst Bicester development.**

Albion Land also notes that the proposals do not incorporate the creation of an attractive "boulevard" along Charles Shouler Way. This is something that the Applicant has always seemed particularly keen to see delivered and is now entirely within their gift as part of these proposals. **Albion Land would support the local planning authority's efforts to work with the Applicant to secure this as part of their development;** it would have the potential to create a high-quality sense of arrival at the business park, clearly defining the hierarchy of streets through it and framing views into the development.

Technical Considerations

Highways

The proposals have been considered from a transport perspective by David Tucker Associates ("DTA"), the transport planning consultants who have supported proposals for Catalyst Bicester.

A Technical Note prepared by DTA is enclosed, which highlights several fundamental concerns and objections from a transport perspective on behalf of Albion Land. To summarise, the proposals:

- **Narrow Charles Shouler Way, which will compromise the safe operation of the Bicester 10 allocation**
- **Fail to make the appropriate contribution towards the delivery of strategic highway infrastructure**
- **Fail to acknowledge the need to contribute towards the local highway authority's safety initiatives for the A41 corridor**
- **Fail to provide sufficient on-site parking provision**
- **Fail to consider the Bicester 10 allocation in a comprehensive fashion in relation to traffic and highway infrastructure and pedestrian linkages**
- **Fail to provide safe and suitable access for pedestrians and cyclists at a fundamental level**

- **Include pedestrian and cyclist linkages which fail to meet basic technical design standards by providing substandard crossing facilities adjacent to a high-speed traffic environment and actively discourage use of a quieter, higher quality, safe route**
- **Fail to maximise sustainable linkages, by not providing further cycling enhancements within land under the Applicant's control**
- **Compromise the safe and attractive use of local bus facilities.**

Noise

The proposals (and information submitted with the planning application) have been considered by WYG, who prepared the Noise Assessment which supported the application for Catalyst Bicester. No noise assessment has been carried out to support the proposals.

Albion Land object on the basis that noise has not been considered and that the operation/occupation of the proposals have the potential to (i) impact the proposed employment space across Catalyst Bicester development, including noise sensitive offices spaces and (ii) have a cumulative noise impact on the surrounding existing sensitive receptors.

The following likely noise sources associated with the proposals **must** be assessed in detail prior to determination of the application:

- Deliveries – Assessment in accordance with BS4142:2014
- Car parking and vehicular movements – Sound level change assessment (L_{Aeq}) to achieve levels in accordance with BS8233:2014
- Operational building services plant - Assessment in accordance with BS4142:2014
- MUGA – Assessment in accordance with Sports England Design Guidance Note and Sound level change assessment (L_{Aeq})

Drainage

The drainage proposals associated with the proposed development has been considered by Bailey Johnson Hayes on behalf of Albion Land (whom designed the drainage strategy for Catalyst Bicester).

It is proposed to pump surface water from the whole site to the outfall at the shallow ditch between the site and the A41. Under all “normal” circumstances pumped surface water solutions are only used as an absolute “last resort”. The ditches serving the site are routed to the Wendlebury Road ditch and in turn to the ditch to the south of Catalyst Bicester.

Albion Land objects to the drainage proposals as submitted based on the potentially increased flows, without proper consideration of their interaction with flows from the committee Catalyst Bicester scheme.

Environmental Impact Assessment Regulations 2017

Relevant Background

The extant planning permission for the site (which included Phase 1A) (Application Ref: 16/02586/OUT) was not considered to be Environmental Impact Assessment (“EIA”) development under the 2011 EIA Regulations (as amended) (Screening Opinion Ref: 16/00071/SO).

This consented scheme provided up to 14,972 sq.m of B1 employment-based buildings, plus a hotel (up to 149 bedrooms), with associated infrastructure.

The proposals are submitted as a new outline application for Phase 1B, proposing circa 4,413 sq.m of B1a office space and 273 homes, along with other uses, a multi-use games area and open space.

An EIA Screening Opinion Request was not made by the Applicant prior to submission. However, as it was received as a major planning application, the local planning authority (appropriately) sought to adopt an EIA Screening Opinion on 25 February 2020 in accordance with the 2017 EIA Regulations¹. The local planning authority determined that the Submitted Scheme was not EIA development

The local planning authority’s Screening Opinion considers the proposals as a combination of an “industrial estate development” and “urban development project” (which are different categories of the EIA Regulations). Whilst Quod’s view is that the proposals could not reasonably be defined as an “industrial estate development”, the lower threshold for Screening has been correctly applied (i.e. the 150-unit threshold for urban development projects).

Need for EIA

Independence of Development

It is noted that the proposals have been Screened in isolation. The PPG states that:

“an application should not be considered in isolation if, in reality, it is an integral part of a more substantial development. In such cases, the need for EIA must be considered in the context of the whole development. In other cases, it is appropriate to establish whether each of the proposed developments could proceed independently.”

Much of the planning submission relies heavily on the extant permission for the site, which included Phase 1a. The “independence” of the proposals for EIA Screening purposes (and whether it was reasonable to screen in isolation) is therefore questionable. Even if it is concluded that the proposals could come forward independently, the local planning authority must have regard to the potential for cumulative effects with Phase 1a and other committed development.

Significant Effects

The proposals exceed the screening threshold of 150 units and is within 20m of Alchester Roman Site Scheduled Ancient Monument, defined as a “sensitive area” in the EIA Regulations. Therefore, whilst significantly below the indicative thresholds for EIA development which are set out in the PPG, the local

¹ Regulation 8: Where an application is received which appears to require screening.

planning authority must carefully consider the likelihood of the proposals giving rise to significant effects in reaching its conclusion.

Because the Applicant did not request a Screening Opinion, the local planning authority has had no option but to rely upon the technical reports which accompany Application in reaching its conclusion. These reports do not definitively conclude that the proposals would not give rise to significant effects. Also, no Noise, Air Quality, Ground Conditions reports have been submitted and there is no consideration or statements on other topics considered under the EIA Regulations 2017 (as amended) such as Climate Change and Human Health.

A recent High Court judgement (*Swire vs. Ashford Borough Council, May 2020*) has made clear that local planning authorities need to be in possession of all the facts to make an “informed judgement”.

Cumulative Effects

The EIA Regulations require that cumulative effects must be considered with “*existing development and/or approved development*”.

Whilst the local planning authority make reference to the Bicester 10 allocation in their Screening Opinion, they draw no definitive conclusions as to the likely significant effects and no specific reference is made to effects in combination with Catalyst Bicester (which had been in the planning system for some time by February 2020).

It is also noted that, rather than a cumulative assessment, the submitted Transport Assessment provided a comparison of effects with those of the extant permission for the site and baseline traffic flow from the OCC strategic model for 2026. In their Screening Opinion go on to base their Screening conclusions on the context of the site being in a “planned expansion area” and a comparison with the consented scheme. There also appears to have been no consideration as to whether significant cumulative effects are likely.

The fundamental test of cumulative assessment is whether the current development proposals would give rise to likely significant effects in consideration of current existing and/or approved developments. Comparison of the environmental effects of the extant scheme and the proposals is not a correct or reasonable basis to draw a Screening conclusion, not least since baseline or cumulative schemes could have changed since the extant consent was granted.

Conclusions – EIA Regulations

Albion Land has significant concerns about the approach to EIA Screening that is has been necessary for the local planning authority to adopt due to a Screening Opinion Request not been submitted by the Applicant ahead of time.

Prior to determination of the application, the local planning authority should satisfy itself that its conclusion was robust and properly reflected the requirements of the EIA Regulations 2017.

Additional Observations

Residential Development

General Principle

Whilst the local planning authority has previously accepted the principle of B1 development on the southern parcel of land, beyond the boundary of the Bicester 10 allocation, this was based on it being a logical extension to the employment allocation.

This is not a suitable location for residential, not only for the reasons already set out in the objections above, but also because it is divorced from any existing or proposed residential development in Bicester and is distant from key local facilities and amenities that are necessary to support residential development proposals. Residential development in this location would not comprise sustainable development and would increase reliance on the private car.

Occupation of Proposed Homes

The proposals are packaged as an “innovation community”, whereby the residential uses enable a live/work environment. However, no evidence of such need has been demonstrated through the application and it is not clear how/if this could be controlled in practice. This concern is further complicated in the case of the proposed affordable homes as part of the scheme.

If the occupation of the residential component of the scheme cannot be controlled, it is both possible and likely that they will be occupied by people who do not work at Bicester Gateway, in Bicester, or even Cherwell.

If residential development is to be allowed at the site, the local planning authority should require the Applicant to enter into a legal obligation that links the delivery and occupation of any new homes to the comprehensive delivery and operation of the employment proposals.

Location within the Site

The submitted regulatory plans do not restrict the location of the proposed B1 and C3 uses. Without any controls, at reserved matters the proposed homes could be legitimately proposed within the boundary of the Bicester 10 allocation.

Job Creation

The proposals will result in a significant reduction in B1 floorspace from the extant consent (circa 10,599sq.m) and, as a direct result, a proportionate reduction in employment generation at the site.

Whilst Policy Bicester 10 acknowledges that the Local Plan’s jobs target for the allocation (3,500 jobs) may not be achievable due to site constraints, the site is perhaps the least constrained area of the allocation, and is also the gateway into the wider allocated site. The provision of new homes reduces the amount of suitable land available for B1 and job creation.

Out-Commuting Objectives

Further, through providing high-quality employment, the development of Bicester Gateway is also intended to reduce the number of people out commuting from Bicester to Oxford and London. Any loss of high-quality employment opportunities will have a corresponding impact on any reduction in out-commuting that can be achieved.

Ecology

It is also noted that there is a lack of clarity around net-gain and the Biodiversity Impact Assessment Calculation, which shows a net loss of -4.05 Units for habitats and does not contain any of the sheets showing the separate calculation for linear habitats which would also need to show a net gain.

Correspondence on the public application file from Mike Pollard of Banbury Ornithological Society indicates they are working with the Applicant to design a bespoke offsetting scheme at Bicester Wetland Reserve. There is no information on what the offsetting scheme comprises or the mechanisms for delivery.

There is also no information to show how scheme design has aimed to avoid habitat impacts, or that appropriate on-site habitat compensation was considered before offsetting was considered.

These issues ought to be considered prior to determination of the application.

Summary of Objections

Albion Land wholeheartedly support the Development Plan's aspiration to deliver a high-quality business park at Bicester Gateway.

They would welcome a deliverable, market-facing scheme *provided* it does not undermine the operation of the wider Bicester Gateway business park and delivery of Catalyst Bicester, which represents the most significant phase of development at Bicester Gateway and over £60million investment in the town.

However, **Albion Land strongly objects to the proposed innovation community at Phase 1B of Bicester Gateway as submitted.**

The proposals in their current form will fundamentally undermine the delivery of and efficient operation and occupation of Catalyst Bicester and, therefore, the Development Plan allocation which the site is part of.

As a consequence, the proposals will profoundly undermine the Development Plan's strategic approach to employment delivery and sustainable growth.

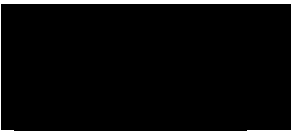
Whilst these representations have highlighted a range of concerns and failings in the application submission, at the root of Albion Land's strongly held objections are the following key issues:

1. The proposals for highway, pedestrian and cycling infrastructure are fundamentally flawed and unsafe.
2. The proposals will not make contributions towards the delivery of new strategic highway infrastructure nor the improvement of existing highway infrastructure, both of which are necessary to make the development acceptable in planning terms and reasonable in all other respects.
3. The proposals are residential-led and are therefore incompatible with the delivery or operation of a strategic employment area, which is precisely what is intended to be created at Bicester Gateway.

Albion Land respectfully request the local planning authority, in consultation with relevant technical consultees, consider all their objections carefully before determining the application.

Albion Land reserve the right to make further representations on additional or amended plans/information that may be submitted by the Applicant in due course.

Yours sincerely



Emma Lancaster
Director

Enc Highways Technical Note
Cc Albion Land

Executive Summary

- **Supporting infrastructure proposals compromise the safe operation of the Bicester 10 allocation.** Design proposals include narrowing of the Charles Shouler Way carriageway in direct conflict with the need to maintain safe and convenient access to all parts of the Bicester 10 allocation. Narrowing the westbound traffic lane to less than 3m (from 3.65m) leads to an inappropriate highway environment unsuitable for the future local bus service or commercial vehicles accessing the Bicester 10 employment allocation.
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- **The proposals fail to make the appropriate contribution towards strategic highway infrastructure,** in the form of assistance with the delivery of A41 capacity improvements such as the SEPR via a calculation based on forecast peak period vehicular movements. This calculation MUST be consistent with consented Bicester 4 and Bicester 10 Phase 2 derived contribution figures.
- **The proposals fail to acknowledge the need to assist with OCC safety initiatives on the A41.** This application MUST consider the implications in a consistent fashion the Bicester 10 Phase 2. It fails to do so.
- **The proposals fail to provide sufficient on site parking provision.** The location is inappropriate for car free residential development. The consequences of this failure will be overspill parking on Wendlebury Road (part of National Cycle Network 51); Charles Shouler Way, the principal access route to the allocation; and/or into Bicester 10 Phase 2. Each of these outcomes would lead to safety concerns and operational difficulties.
- **The proposals fail to consider the Bicester 10 allocation in a comprehensive fashion.** Appraisal of forecast traffic fails to adequately consider committed Bicester 10 Phase 2 traffic and highway infrastructure. The proposals fail to provide safe pedestrian linkage to employment on Bicester 10 Phase 2.
- **The proposals fail to provide safe and suitable access for pedestrians and cyclists** at a fundamental level contrary both to the requirements of the Bicester 10 allocation and NPPF.
 - o Proposed pedestrian and cyclist linkages to the wider Bicester built environment fail to meet basic technical design standards at Charles Shouler Way by providing substandard crossing facilities adjacent to a high speed traffic environment.
 - o In failing to link into infrastructure committed as part of Bicester 10 Phase 2 they discourage use of a quieter, higher quality, safe route (National Cycle Network 51).
 - o Proposals further fail to maximise sustainable linkages, by not providing further cycling enhancements at the Wendlebury Road/Charles Shouler Way junction within land under the applicant's control.
- **The proposals compromise the safe and attractive use of local bus facilities.** The nearest bus stop to the proposed site is on Wendlebury Road. The proposals fail to provide a direct pedestrian link to the stop, which is readily achievable within highway land. The narrowing of Charles Shouler Way comprises the convenient use of the road by buses. The promoted link to bus stops on the A41 requires crossing of Charles Shouler Way as part of a substandard design.

Introduction

1. David Tucker Associates has considered the transport implications of the amended proposals to the Bicester 10 Phase 1b on behalf of Albion Land, as these have the potential to negatively impact upon the delivery or operation of the Catalyst Bicester development.
2. This review has identified several material shortcomings and hence on behalf of Albion Land this **objection** is submitted.
3. Phase 1B was previously granted outline planning consent with all matters reserved including access. As such each of the transport initiatives now being proposed should be treated on their own merit and not against a theoretical consented baseline position.
4. The outline consent was consistent with the Cherwell Local Plan Policy Bicester 10 in terms of the proposed use. The current proposals are residential led.

Contrary to the Local Plan & Out-commuting compounded

5. The applicant challenges the Local Plan's ability to deliver the level of employment envisaged. The implications of this are wider than that Bicester 10 allocation.
6. Loss of employment opportunities will mean that Bicester residents who could have worked in Bicester will need to out-commute. The transport implications of under-delivery of employment, with no corresponding reduction in housing, has not been tested through the Bicester Traffic Model (BTM). Indeed the BTM scenario adopted by the applicant is inappropriate if the applicant's hypothesis regarding the level of employment is accepted. Robust testing is required. The need to control residential development pending delivery of employment sites may be warranted. The timing of strategic transport interventions is undemonstrated, as is the appropriate level of strategic transport infrastructure contribution.

Understated traffic implications

- pedestrian, cycle and public transport demands are not appropriately identified nor fully provided for; and,
 - vehicular demand is understated and a proportionate contribution to strategic infrastructure, specifically the A41 and South East Perimeter Road (SEPR), has not been infrastructure potentially undermining the delivery of core infrastructure.
7. A pre-requisite for an NPPF compliant Transport Assessment is the quantification of the travel demand by all modes that will be generated by a development both in the peak hours and across the day. It is not adequate to rely on vehicle trip rates for the peak hours only with reference to journey to work mode split data as this captures a very small proportion of trip purposes and a very small proportion of trips overall. This partial approach is likely to leave gaps in transport provision in particular for the very young and old who probably do not work nor drive.
 8. The residential trip generation rates are not based on an "innovation community" but on generic TRICS trip rates. The applicant has also not demonstrated comparable baseline mode share or parking provision to the TRICS sites such that additional discounting of these rates may not be achievable. Furthermore a higher proportion of work from home is likely to

increase the daily traffic generation of the site as there are likely will be greater proportion of home based work trips.

9. The employment trip estimates have reduced pro-rata to the reduction in development area but elsewhere within the application it is maintained that the number of jobs created within the employment buildings will not be significantly less.
10. The proposals include an A3 land use but the associated trips are extremely low and has been further inappropriately reduced on basis of pass-by trips. Whilst pass-by trips may be generated by an A3 use these will be additional movements on the A41 roundabout and new trips to Charles Shouler Way. Even if appropriately calculated for consistency with Phase 2 no discounting should be made in the SEPR calculation. The applicant flags that they have had interest from KFC and therefore a robust appraisal against the use class should be undertaken.

Sustainable Travel

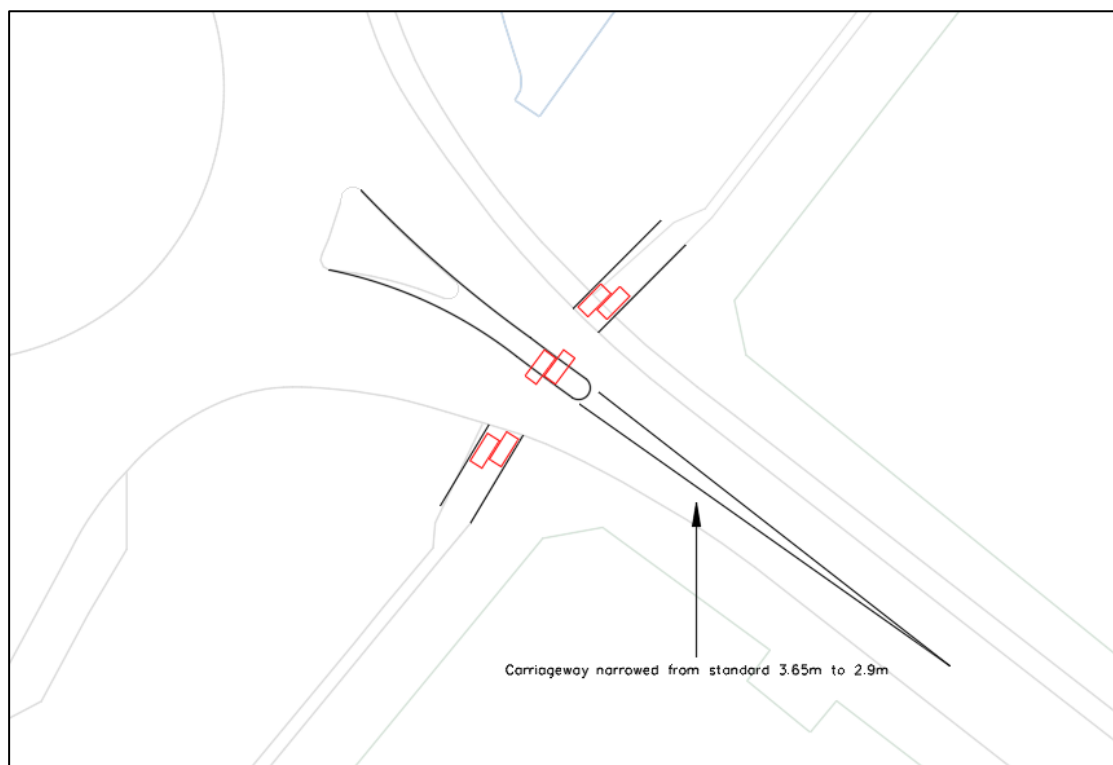
11. Safe and suitable access for pedestrians and cyclists has not been provided. Whilst significant enhancements for pedestrians and cyclists are proposed as part of the consented Phase 1a and Phase 2 the applicant has failed to identify the dependency on both these packages of work or even a undertake a basic technical assessment in line with the requirements of the National Planning Policy Framework and the current design standards to demonstrate whether these represent a minimum safe level of connection. As such this is in conflict with the requirements of the Bicester 10 Policy, the OCC Cycle design standard and national design guidance in DMRB CD195 and CD143.
12. The A41 oriented cycle and pedestrian access strategy will create desire lines across Charles Shouler Way, the A41-S arm to the Park and Ride and to the adjacent Catalyst Bicester (Bicester 10 Phase 2) site.
13. The existing crossing on Charles Shouler Way cannot support any intensification of use. The existing carriageway is too wide at circa 12m, lacks a refuge and provides limited pedestrian/cyclist – driver intervisibility. It is both unattractive to users and unsafe. The proposed development would intensify use of the crossing. Whilst the applicant has not quantified the existing use of the path it is likely to be negligible. Whether the site was developed for employment or mixed use some improvements would be required. Whilst there is an outline consent for employment on the site, access was not determined and in any event the proposed mix would be expected to generate significantly more demand by pedestrians and cyclists (including public transport users) at all times of day, days of the week and all ages and abilities.
14. The current proposals seek to respond to this by providing a narrow sub-standard refuge, contrary to DMRB CD143, CD195 and OCC design guidance. It will therefore remain an unattractive route to users and fails to maximise the opportunity for healthy travel choices.
15. The desireline to the Park and Ride will be reinforced by the under-provision of residential car parking. There is no existing or proposed provision on this desireline nor practical means of deterring pedestrians from crossing the verge. The current proposals do not response to this at all.

16. Overall the development fails to provide safe and suitable access for all road users at a fundamental level contrary both to the requirements of the allocation and NPPF.

Safety Implications of Proposed Charles Shouler Way Works

17. The proposed works are prejudicial to existing and future users of Charles Shouler Way and will adversely impact on Phase 2 unless appropriately addressed by the applicant.

Figure 1 Applicant's proposed substandard crossing on Charles Shouler Way



18. The cycling design vehicle for cycle crossings as set out in CD195 is 2.8m long and 1.2m wide (red boxes on **Figure 1** above). This is reflected in the design of the refuges at the Phase 2 site access roundabout which are 3.0m long and 3.0m wide where two-way cycle movements can therefore be fully accommodated.
19. In contrast the proposed Phase 1B refuge at 2.0m is insufficiently long to accommodate the cycling design vehicle.
20. The visibility requirements for a cycle crossing as per CD195 para E/3.5 are based on a desirable minimum setback of 4.5m and an absolute minimum setback of 2.4m. The Y distance whilst in DMRB terms would relate to CD123 in practice it would be more typical to adopt MfS2 parameters. Whilst the link is derestricted it is likely that speeds will be constrained to 60kph i.e. a Y distance of 59m. These splays must be secured free from obstruction (including rearrangement of headwall fencing).

21. The introduction of the splitter island is contrary to CD116 introducing sub-standard geometry. This compromises highway capacity and safety of the A41-Vendee Drive roundabout.
22. Whilst the channelization of the exit is not ideal and increases the risk of blocking back onto the circulatory carriageway (contrary to CD116 para 3.28.1-3) the greater design issues relate to the entry as the refuge is built out into the existing westbound lanes.
23. Charles Shouler Way is a 7.3m single carriageway road with 3.65m wide lanes in both directions. This is a standard cross section for all-purpose roads particularly where the road will be a bus route and is expected to carry commercial traffic such as would be generated by employment development.
24. It is proposed to reduce the westbound lane width from 3.65m to circa 2.9m as a result of the extension of the central splitter island. There is no justification for narrow lanes which will be detrimental to safety and likely to result in damage to infrastructure, damage to vehicles particularly HGV and to buses and over-running of the pedestrian crossings. This could be addressed by commensurate widening of Charles Shouler Way so that a minimum lane width of 3.65m is maintained (whilst ensuring that entry path curvature is maintained).
25. Even if the lane approach width is maintained, the splitter island works will impact on the operation of the Charles Shouler Way entry by reducing the flare. The effective flare length will be significantly shortened, the sharpness (S) of the flare increased and the conflict angle increased. A comparative junction (ARCADY) assessment has not been provided. In practice reducing the effective flare length to less than two vehicle lengths is likely to mean that the three lane entry cannot be fully utilised and this should be further sensitivity tested.
26. The Phase 2 application assumed that the additional flaring on Charles Shouler Way would increase capacity by 10% reflecting the committed works proposed by Bloombridge for the phase 1 development. Whilst OCC accepted this was no longer necessary (on the Charles Shouler Way arm) the proposed carriageway narrowing will reduce traffic capacity by at least 20% due to the change in flare sharpness and conflict angle. This has not been assessed. No assessment is made of the access arrangements in conjunction within the Phase 2 accesses or the phasing implications arising.
27. No independent road safety audit has been undertaken.
28. Overall it is clear that the proposed works are prejudicial to existing and future users of Charles Shouler Way and will adversely impact on Phase 2 unless appropriately addressed by the applicant.

Safety

- An appropriate appraisal of road safety on the A41 has not been undertaken
 - No independent appraisal of road safety has been undertaken
29. The safety credentials of the proposals have not been demonstrated as highlighted by the previously discussed oversights.

30. The applicant's submitted appraisal of the safety of the A41 corridor, i.e. the review of reported personal injury collision records, is out of date and lacks depth of scrutiny.
31. There is no detailed consideration of the existing and proposed geometry of Wendlebury Road, Charles Shouler Way or the A41 junction against current design standards and how this relates to road safety. This is despite Stantec writing in respect of the Phase 2 proposals that 'OCC are currently dealing with a significant road safety issue at the A41/Vendee Drive Roundabout' and that 'Bicester Gateway Ltd would be happy to collaborate on this issue'. In this respect the Phase 2 development has identified a contribution toward safety works. There is no reference to an equivalent contribution.
32. Where there are departures from standards these should be identified and either an appropriate design response proposed or failure to achieve the required standard fully justified.
33. No independent road safety audit has been undertaken of any part of the proposals.

Public Transport

34. OCC initiated the proposal for an orbital town service running along Wendlebury Road and Charles Shouler Way. The proposed town service, supported by Bicester 4 and Bicester 10 phase 2 sites, will be more attractive than the A41 or Park and Ride services for residents particularly given the distance to the town centre from the site. It would therefore be appropriate for the applicant to support the service and secure accessible boarding point is secured. A commensurate contribution to develop public transport services should be provided.
35. The northbound bus services on the A41 require the crossing of two busy roads including Charles Shouler Way and the A41 dual carriageway. These are likely to be less attractive to residents on the site.

Car parking shortfall

36. The development has insufficient parking to meet the future needs of residents, employees and visitors to the site. The location on the edge of Bicester town does not justify reduced car parking. In seeking to justify this the applicant has confused car ownership and car use. The consequent will be displaced parking externalising the impact.
37. The shortfall for the residential development is at least 150 spaces. This overspill parking will spill onto Wendlebury Road, which comprises part of the National Cycle Network, Charles Shouler Way, the internal roads with the Phase 2 employment site or the Park and Ride site where no restrictions apply. This is prejudicial to the operation of the national cycle network and the local and strategic road network.