

Rachel Tibbetts

---

From: Plant, Tom - Communities <Tom.Plant@Oxfordshire.gov.uk>  
Sent: 02 March 2021 11:45  
To: John Cosgrove  
Cc: Transport CDC Minor; Planning; Cllr Ian Corkin  
Subject: 21/00151/F - Manor Farm Main Street Wendlebury OX25 2PS

Dear John,

I have looked over the above application and have the following comments to make.

---

**Planning application:** 21/00151/F  
**Location:** Manor Farm Main Street Wendlebury OX25 2PS  
**Description:** Demolition of existing buildings and erection of replacement buildings on a like for like basis, for commercial use (Class E (g)) for which prior approval already exists (20/00009/R56). Widening of access track and provision of passing bay  
**Type:** Full Development  
**Case Officer:** John Cosgrove

---

**Recommendation:**

Oxfordshire County Council, as the Local Highways Authority, hereby notify the District Planning Authority that they **object** to the granting of planning permission.

**Comments:**

The proposal is for the demolition of the existing structures found at this site, that is located south of the existing built up limits of Wendlebury village, which is then accessed via a private concrete track off the Oxford Road, and then the replacement of these structures with three commercial units as set out in Class E (g) of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

**Site History**

The site has a long, detailed and relevant site history which is set out in full in the Officer report to accompany the prior approval application 20/00009/R56 that directly proceeds this current submission. It is this prior approval (approved 12<sup>th</sup> March 2020), that sets the groundwork for this current submission.

Of the sites recent and relevant site history, all the submissions have been via the prior approval route ([The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk)). Unfortunately for the LHA, this prior approval route limits the scope to which the LHA can raise concern over the appropriateness of a sites location. It should be noted therefore, the site is not located within Banbury or Bicester, the two towns of the Cherwell District. Nor is the site located along a key transport corridor such as the East West Rail line or the interurban bus service provided by Stagecoach that connects Oxford with Bicester via Kidlington. The LHA is therefore only able to comment substantively on matters that are of (i), '*transport and highways impacts of the development*'. My colleague who responded substantively to the

proceeding application (20/00009/R56) raised concerns therefore on the sites access and its suitability to serve the proposed change of use.

## Sustainability

The site is located at the southernmost point of the village with access taken off the Oxford Road. Oxford Road that passes roughly North to South through the village has no provision of footways within the immediate locality of the site. This therefore forces pedestrians to walk within the active highway where, vehicle speeds are only reduced from the permitted 30mph by the highway geometry and by the presence of temporary obstacles (on street parking) within the highway. This does not then promote walking as a safe and suitable alternative to the private car to access this site.

Further, no bus or rail route serves the village directly. The nearest bus stop for travel in the direction of Bicester is found at Wendlebury Turn which is either over 1.1 miles walk (Google search directions) away, or alternatively, pedestrians could choose to use the unpaved cross-country footpath (398/1/20). Access to these two bus stops can then be taken via this shorter route. It should be noted however, that whilst these bus stops are served by the Stagecoach interurban premium S5 bus route, to access these bus stops, pedestrians from the village will be forced to cross the de-restricted A41 which is duelled at this location, meaning vehicle speeds are not permitted to exceed 70mph, but unfortunately in August 2018, and as a likely result of excessive speeds, a fatality occurred at this location involving a pedestrian and a motor vehicle on the southbound lane towards the M40 Junction 9.

Notwithstanding the above, and the lack of close, safe, and attractive bus stops, but based upon the relatively modest form of development, and subject strictly to maximum cycle parking provision and the provision of a new informal pedestrian connection and delineated pedestrian access route into the site (in line with [National Planning Policy Framework - www.gov.uk](http://www.gov.uk) paragraphs 108 and 110), the development here proposed would then, in this instance, be considered acceptable, subject to a detailed assessment should the site wish to plan to increase in size in the future.

## Access and Site Layout

The sites vehicular access is located on the outside of a bend on the Oxford Road at the southern end of the Road in the village. The location of the access on the outside of the existing bend affords the site to have good visibility in both directions based upon the permitted maximum vehicular speeds.

A site layout drawing is provided (Drawing 2020-647-23 Rev A) that shows the sites access with the highway appearing to be upgraded, and then this narrowing down from supporting bi-directional traffic to then single directional traffic, and then the introduction of a single passing place. Unfortunately, no details have been provided by way of this drawing as to the dimensions of this passing place, nor the substantive details of the proposed widths or construction materials proposed for this upgraded site access with the highway – **reason for objection**. Please be advised, as the site access abuts the highway and highway verge, all works planned to be carried out, must do so with the benefit of a Section 278 Agreement (Highway Act 1980) between the applicant and the County Council. Please note, the applicant shall not commence any such work before formal approval has been granted by Oxfordshire County Council by way of a legal agreement.

I have reviewed the internal access layout for the three units proposed, and I am concerned that insufficient turning and manoeuvring areas have been provided for units one and two – **reason for objection**. I am also concerned that the parking bay dimensions have not been provided, (specifically for the accessibility spaces). It is therefore not possible to accurately determine if all

the proposed parking spaces are of satisfactory width or depth to be considered acceptable parking spaces. The applicant is therefore directed (with first the explicit approval of the LPA) to submit tracking drawings to show how units one and two can be accessed safely and all the parking spaces utilised without the need to use these parking spaces to turn and then egress the unit in a forward driving gear.

I also have concerns about how the site will be serviced. I have reviewed [The Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Regulations 2020 \(legislation.gov.uk\)](#) and see that from the description of the development, the applicant has not indicated if the use will either be for Class E (g) (i) – *an office to carry out operational or administrative functions*, (ii) *the research and development of products or processes*, or (iii) *any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit*. Based upon the definition of any possible use that can be undertaken at a Class E (g) use, it is my interpretation that vehicles greater in size of 3.5 tonnes ([Guide to lorry types and weights - www.gov.uk](#)) may need to access and service the units. Based upon the concerns highlighted above, can units one and two accept such vehicles that are greater in weight than 3.5 tonnes? Notwithstanding this, can the passing place proposed also accommodate a vehicle that is greater than 3.5 tonnes in weight? – **reason for objection.**

On the subject of refuse, how is refuse expected to be collected? Or is the expectation that refuse will be collected from the access with Oxford Road? If this is the case, what provision has the applicant made for this? Please be advised, it is unacceptable to the LHA for bins to be sited within the public highway (including verge) for the purpose of storage and collection. Should the applicant expect Cherwell District Council's domestic waste collection service to collect refuse from this site, an area wholly within the applicants site area, and an area that does not inhibit the visibility splay from the sites access, must be provided prior to any determination by the District Council – **reason for objection.**

## **Parking**

Due to the remote location, and the unlikely use of the two bus stops found on the A41, four parking spaces per unit plus three accessibility spaces across the whole site does appear to be rather low. Further, it is not clear what the final use of the site will resemble, given the units proposed appear to lack much in the way of fenestration. What justification therefore does the applicant have for such low parking provision, and considering what the ambiguous possible end use of the units could be? – **Reason for objection.**

## **Cycle parking**

As noted above, the site is not in a particularly sustainable location, and the nearest bus stops are located via a cross-country walk and the requirement to cross a busy dual carriageway. Therefore, in order to promote alternative sustainable modes of transport, and inline with section 9 (promoting sustainable transport) of the NPPF, the applicant is required to provide maximum cycle parking provision, and that this cycle parking provision should be secure, covered and attractive to use, especially given the increasing ownership of electric bikes, and the ability to cycle greater distances and distances over challenging terrain with ease.

Notwithstanding the details as set out in detail above, and comments received by the LPA from the LHA in March 2020 for 20/00009/R56, the proposals in the current form are likely to have a detrimental impact upon the safe access for pedestrian and vehicular movements, and then an adverse impact upon the safe internal movement within the site from both a traffic and safety, and convenience point of view.

**Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council.**

If you would like to discuss any of the above in more detail, then please do not hesitate to contact me.

With regards,

Tom Plant  
Area Liaison Officer  
(Oxford, Cherwell and West Oxfordshire)  
Oxfordshire County Council  
County Hall | New Road | Oxford | OX1 1ND  
Email – [tom.plant@oxfordshire.gov.uk](mailto:tom.plant@oxfordshire.gov.uk)  
[www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)



This email, including attachments, may contain confidential information. If you have received it in error, please notify the sender by reply and delete it immediately. Views expressed by the sender may not be those of Oxfordshire County Council. Council emails are subject to the Freedom of Information Act 2000. [email disclaimer](#). For information about how Oxfordshire County Council manages your personal information please see our [Privacy Notice](#).