

District: Cherwell

Application No: 21/01224/OUT

Proposal: Outline planning application for Automotive Experience Quarter comprising Commercial, Business and Services uses (Class E), Light Industrial (Class B2), Local Community and Learning Uses (Class F) and vehicle circuits (Sui Generis) with all matters reserved aside from that of access).

Location: Land at former RAF Bicester, Bicester

Transport Development Control

Recommendation:

No objection subject to:

- Ø **S106 Contributions** as summarised in the table below and justified in the county council's previous response.
- Ø **An obligation to enter into a S278** agreement as detailed below.
- Ø **Planning Conditions** as detailed below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Highway works 1	TBC*		Baxter	Upgrade to the B4100 Banbury Road / A4095 Southwold Lane / A4095 Lords Lane roundabout junction
Highway works 2	£386,098	February 2021	Baxter	Improved connections between the site, Bicester's train stations and the town centre.
Strategic Transport Contribution	£283,201	February 2021	Baxter	Strategic Transport Infrastructure improvements outlined under Policy BIC 1 of the Local Transport Plan 4 – Dualling of Eastern Perimeter Route, Skimmingdish Lane section.
Public transport services	£900,000	May 2021	RPI-x	'Bus failure' style arrangement to be called only if the bus service to

				Buckingham Road falls below twice-hour within the first 10 years of opening.
Traffic Reg Order (if not dealt with under S278/S38 agreement)	£6,380 (£3,190*2)	April 2020	RPI-x	<ul style="list-style-type: none"> - For the mandatory left-turn egress at the site access junction - For a 40mph speed restriction on Buckingham Road up to Bicester Road
Travel Plan Monitoring	£2,379	December 2020	RPI-x	To enable the Framework Travel Plan to be monitored for a period of 5 years following occupation.

*To be determined – to be of equal value to the works proposed by the applicant at the Banbury Road / A4095 roundabout junction. Cost estimate to be provided by the applicant.

Overview:

This response should be read in conjunction with the Highway Authority's previous response to this application.

This response is provided in response to the 'Walking & Cycling Infrastructure' transport note submitted by Mode dated 03 September 2021.

A further note has been submitted by Mode regarding the Highway Authority's request for a 'bus failure' contribution which would only be called in should the public bus service to the development site fall below a 30-minute frequency during the first 10 years of occupation. The Highway Authority's response to this note will follow in a supplemental response.

Detailed comments:

Pedestrian and cycle access to the EQ development and lake

The EQ development must provide safe and suitable access for all users who will be making use of the development.

Given the likely level of usage, the proposal to provide a direct and continuous internal walking and cycling route to the EQ site from the Hotel access on Buckingham Road, is, while providing no public benefit, acceptable for providing access for the site's visitors. This is provided that a planning condition is applied to any consent detailing the width, availability and lighting standards of the pedestrian and cycle route to ensure that the route is accessible to visitors at all necessary times and is of a suitable standard.

This standard of route would accord to minimum required standards as set out in the LTN 1/20 which specifies that, where usage is below certain thresholds, shared use facilities can be adequate.

Similarly, the proposal to access the lake area of the development through internal routes, which must be available for all users wishing to access that area at all times, is appropriate. Again, provided that there is a suitably worded planning condition applied to any planning permission to secure this provision. See additional public access comments below.

In light of these details, which were not provided with the initial application, I can remove the objection based on pedestrian and cycle access to the site.

Request for contribution toward pedestrian and cycle infrastructure along Buckingham Road

The Note supplied by Mode (dated 3 September 2021) states that the applicant does not consider that the request for a contribution towards pedestrian and cycle infrastructure along the Buckingham Road meets all of the required CIL tests. The note states that the applicant considers that the requested contribution is not fairly and reasonably related in scale and kind to the development and that it is not appropriate to make the development acceptable in planning terms.

The Highway Authority considers that the proposed contribution does meet all required tests for the following reasons:

Fairly and Reasonably related in scale and kind to the development:

Notwithstanding the previously approved planning applications across the wider Bicester Motion site, the scale and nature of use of the proposed development necessitates the delivery of supporting sustainable transport infrastructure. The development, if permitted, will be a significant trip attractor within the town and is of a scale that is considered strategic in nature. The proposed leisure-based development is expected to attract significant numbers of new visitors every year. Improved sustainable transport connections between the site, town centre and train stations are required so that suitable and attractive alternatives to car travel are readily available.

As noted in OCC's previous response to the application, in terms of daily trip generation, the Bicester Motion site, and the EQ development in particular is similar in scale to that of large housing or commercial developments. All recently permitted large-scale developments in the town have been required to contribute towards the delivery of improved sustainable transport infrastructure. For example;

- The Graven Hill development has been required to fund the delivery of pedestrian and cycle infrastructure improvements along the London Road between the site and Bicester Town centre - along with significant strategic transport and public transport contributions
- The Wretchwick Green development is required to deliver pedestrian and cycle route improvements along the A41, A4421 and through the Langford Village area of Bicester - along with significant strategic transport and public transport contributions

- The Symmetry Park development has secured funding for the delivery of pedestrian and cycle infrastructure improvements between along the A41 between the site and Wretchwick Way - along with significant strategic transport and public transport contributions
- The hotel development at Bicester 10 was required to deliver a shared pedestrian and cycle route along the eastern side of the A41 between Pioneer Way and Vendee Drive. The Bicester 10 allocation is also required to make significant contributions towards strategic transport improvements.
- Contributions towards active travel schemes have also been secured from a number of smaller developments within the town.

The note provided by Mode suggests that, in seeking to secure the costs for the whole section of improvements along the Buckingham Road identified in the corridor study, this makes the contribution not fair or reasonably proportionate. The note also suggests that other allocated developments within the town should be required to contribute towards such schemes. As can be seen from the examples above, these recently permitted large-scale developments within the town have all been required to fund the delivery of whole routes between the sites in question and towards the town centre.

The improvements sought for the Buckingham Road route relate directly to the Bicester Motion site. Of all allocated developments, the Bicester Motion site is the most directly and closely related site to this route. There are no other large-scale allocated developments along the Buckingham Road corridor yet to come forward, and no other large-scale development sites that are as closely related to this corridor.

The note provided by Mode (dated 3 September 2021) also suggests that an either / or approach should be taken between strategic transport contributions and those related to sustainable transport. However, as can be seen above this would be inconsistent with the approach that is taken by the county council.

The Bicester Area Strategy set out that the strategic transport improvements, for which contributions are sought, and sustainable transport contributions are intrinsically linked. The strategy behind the strategic transport improvements for the eastern perimeter route is that, by providing greater capacity for vehicles on the perimeter routes and promoting this route for vehicle traffic (particularly through traffic and traffic that would be travelling to the Bicester Motion site from the A34 / A41), this frees up capacity on key routes within the town (particularly Buckingham Road) in order to facilitate pedestrian and cycle infrastructure improvements - exactly the sort of improvements for which the contribution is sought. The two are in no way contradictory.

The S278 works proposed by the applicant at the Banbury Road and Buckingham Road junctions do not provide any wider benefit and are simply 'nil detriment' mitigation schemes required as a direct result of the development in order to ensure that the development does not make traffic conditions worse at those specific locations than they currently are. These are not therefore to be considered part of the development's contribution toward transport improvements.

The Highway Authority considers that the requested contribution toward pedestrian and cycle infrastructure improvements along the Buckingham Road is fairly and reasonably related in scale and proportion to the development.

Necessary and appropriate to make the proposed development acceptable in planning terms and directly related to the development

The TA acknowledges that the proposals will constitute a major employment and leisure site of strategic scale within a short distance to Bicester and numerous other large-scale schemes coming forward throughout the town. The TA references that Bicester has been awarded 'Healthy New Town' status and outlines that the site is within close proximity to a significant housing supply within Bicester, making sustainable travel to the site far more likely.

Given that the proposed development is leisure-based and with a proportion of visitors likely to arrive by train or combining a visit with other attractions in the town, it is vital that the development is well connected with the town and its stations. Good quality pedestrian and cycle infrastructure is therefore essential to offer a genuine and attractive alternative to car travel for many staff and also for a number of visitors.

As stated above, the development site is closely related to the Buckingham Road and this is the most direct transport corridor between the site and the town centre.

The note states that the contribution is not directly related to the development as the corridor study from which the figure for the contribution was derived only extends so far north as Churchill Road. While this is true, the corridor study pre-dates the adoption of the Bicester LCWIP. The LCWIP identifies the whole Buckingham Road corridor as part of Bicester's 'central corridor' and a 'high traffic route'. The contribution would therefore be used as a contribution towards the funding of improvements along the whole Buckingham Road corridor, which directly relates to the development.

In July 2020, the Government published the 'Gear Change' document, which further sets out that pedestrian, and in particular, cycle infrastructure must be prioritised in all future development and road schemes, given the wide health, traffic, environmental and economic benefits that increases in walking and cycling provide. Gear Change sets out that *'in order to see the increases in cycling we want, the quality of cycling infrastructure installed on our roads must dramatically improve.'* It goes on to state that *'cycling is or will become mass transit and must be treated as such. Routes must be designed for larger numbers of cyclists, for users of all abilities and disabilities.'*

Gear Change also recognises that *'developments often do little or nothing meaningful to enable cycling and walking. Sometimes they make cycling and walking provision worse. We want new developments to be easily and safely accessible and navigable by foot and bike, and to make existing cycling and walking provision better.'*

The Transport Assessment submitted with the application clearly sets out that the development would have a significant traffic impact, due to additional car trips generated by the development. As recognised in the statement above, this makes conditions worse for other road users, primarily pedestrians and cyclists.

Improvements towards pedestrian and cycle routes are therefore not only required to enable and encourage sustainable transport to the site, but are also required in order to mitigate the detrimental impact that additional car trips would have on existing pedestrians and cyclists.

In terms of Policy backing, in addition to the LCWIP, the Cherwell Local Plan Policy SLE 4: Improved Transport and Connections states that:

“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.

All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.”

The Oxfordshire Local Transport Plan 4 (LTP4) includes the following policies:

Policy 03:

“Oxfordshire County Council will support measures and innovation that make more efficient use of transport network capacity by reducing the proportion of single occupancy car journeys and encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport.”

Policy 04:

“Oxfordshire County Council will prioritise the needs of different types of users in developing transport schemes or considering development proposals, taking into account road classification and function/purpose, the characteristics and function of the place and the need to make efficient use of transport network capacity.”

Policy 17:

“Oxfordshire County Council will seek to ensure through cooperation with the districts and city councils, that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport”

The [Active & Healthy Travel Strategy](#) within OCC's [Connecting Oxfordshire: Local Transport Plan 2015-2031](#) states that:

“Developers must demonstrate through master planning how their site has been planned to make cycling convenient and safe, for cyclists travelling to and from major residential, employment, education, shopping and leisure sites within 5-10 miles, and also within and through the site.”

The Highway Authority therefore considers that the requested contribution is both directly related to the development and necessary to make the development acceptable in planning terms.

Access, vehicle tracking & secondary access junction usage

A swept path analysis has been submitted which demonstrates that a 12m rigid vehicle would be able to safely enter and exit via the two access junctions. However, it is unclear whether any larger vehicles (e.g. refuse vehicles) could be accommodated these junctions, the vehicle tracking is fairly tight at the primary access junction. The note states that a 12m rigid vehicle is expected to be the largest vehicle required to access the site, so it is assumed that refuse collections from Bicester Motion will be using smaller than average refuse vehicles. A planning condition is requested to ensure that the detailed layout of the primary access junction is agreed prior to commencement of development.

The note sets out that the secondary access will be required to accommodate large vehicles and will be the primary access junction for servicing requirements. Reinstatement and upgrades to this junction will be required. A planning condition is recommended to ensure that the detail of the layout and upgrades required are agreed prior to commencement of works on the site.

Public Rights of Way

The note states that it is the intention of Bicester Motion to provide interconnectivity and public access across the site (although it is accepted that there are areas where this will need to be controlled). However, there are still no details of how or where routes will be provided, including how safe access to the lake will be provided for, how these routes are to be secured through planning, nor how the routes will interconnect within the site and to existing Public Rights of Way.

There have been a number of outline applications submitted recently across the Bicester Motion site and none of these have provided any indication of how public access within and between the various sites is to be provided, managed or maintained. The EQ development site covers the largest area of any outline application submitted thus far on the Bicester Motion site and also includes areas where public access would be expected to be provided for (particularly including the lake area).

I recommend that a planning condition is applied to any planning permission which requires the submission of details of public access routes through the EQ site, including connections with existing Public Rights of Way and safe public access to the lake area of the development.

S278 Highway Works:

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

- Ø Junction mitigation scheme at the A4421 Skimmingdish Lane / Buckingham Road / A4095 roundabout junction as shown indicatively in Drawing No. J32-3684-PS-205
- Ø Junction improvement scheme at the A4421 Buckingham Road / Bicester Road (to Stratton Audley) priority junction as shown indicatively in Drawing No. J32-3684-PS-008

- Ø Site access junction from the A4421 Buckingham Road as shown indicatively in Drawing No. J32-3684-PS-201. Pedestrian and cycle facilities, connections and crossings at the site access junction to be agreed with OCC.
- Ø Improvements to / reinstatement of the site access junctions along Bicester Road (to Stratton Audley) including safe pedestrian and cycle access. To be agreed with OCC.

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.

Access

Prior to the commencement of the development hereby approved, full details of the primary means of access from Buckingham Road between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interest of highway safety.

Secondary Access

Prior to the commencement of the development hereby approved, full details of the secondary 'emergency and servicing' access from Bicester Road between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Any fencing, gates or barriers must be sufficiently set back from the carriageway to ensure that the largest vehicles anticipated to require access can wait for the gates or barriers to open without obstructing the highway. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interest of highway safety.

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.

Public Access and Public Rights of Way

Prior to the commencement of the development hereby approved, details of public access routes within and across the development site must be provided to and agreed in writing by the Local Planning Authority. Details must include how public access is to be managed, the routing of paths, connections with existing Public Rights of Way at the north and northwestern edges of the site and safe public access between the Buckingham Road and lakeside area of the development 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. To provide safe and suitable access to all users.

Pedestrian and Cycle Access

Prior to the commencement of the development hereby approved, details, including the routing, layout, width, surfacing and lighting of a direct and continuous pedestrian and cycle access route between the Hotel access junction on the Buckingham Road and the development site shall be submitted to and approved by the Local Planning Authority.

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. To provide safe and suitable access to all users.

Officer's Name: Tim Peart

Officer's Title: Senior Transport Planner

Date: 28 September 2021
