

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

District: Cherwell

Application no: 21/01630/OUT

Proposal: Outline planning application for residential development (within Use Class C3), open space provision, access, drainage and all associated works and operations including but not limited to demolition, earthworks, and engineering operations, with the details of appearance, landscaping, layout and scale reserved for later determination

Location: Land at North West Bicester Home Farm, Lower Farm and SGR2
Caversfield

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.

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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 outweighs OCC's objections, and to be given an opportunity to make further representations.

Outline applications and contributions

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

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.
- **Administration and Monitoring Fee - TBC**
This is an estimate of the amount required to cover the 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 a S106 agreement is completed or not.

Security of payment for deferred contributions - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

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Strategic Comments

The site is located within a larger area allocated in the CDC Local Plan (2015) 2011-2031 under Policy Bicester 1. The North West Bicester Supplementary Planning Document (SPD) (2016) sets the vision for a high-quality development, well integrated with the existing town, that provides homes, jobs and local services in an attractive landscape setting, conserves and enhances heritage assets including historic landscape features, increases biodiversity and addresses the impact of climate change. Other relevant policies in the Adopted Local Plan will also apply.

The County Council is raising a Transport objection for the following reasons:

- The assessment of the impact of the development in the absence of the A4095 diversion/Strategic Link Road is not sound and therefore it is not possible to predict the traffic impact of this proposal.
- The development as proposed would have an unacceptable congestion impact on the junction of Charlotte Ave/B4100 in its current form.
- The assessment of the traffic impact on Elmsbrook Spine Road does not take into account the suitability of narrow parts of the road for the volume of traffic.
- There is insufficient commitment to provide pedestrian/cycle connections through to adjacent sites, in order to maximise opportunities for sustainable travel.

Detailed comments have also been previously provided by OCC Local Lead Flood Authority, Education, Property and Archaeology teams.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 11/01/2021

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Transport Schedule

Recommendation:

Objection for the following reasons:

- The assessment of the impact of the development in the absence of the A4095 diversion/Strategic Link Road is not sound and therefore it is not possible to predict the traffic impact of this proposal.
- The development as proposed would have an unacceptable congestion impact on the junction of Charlotte Ave/B4100 in its current form.
- The assessment of the traffic impact on Elmsbrook Spine Road does not take into account the suitability of narrow parts of the road for the volume of traffic.
- There is insufficient commitment to provide pedestrian/cycle connections through to adjacent sites, in order to maximise opportunities for sustainable travel.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement] [S38 agreement] to mitigate the impact of the development plus planning conditions and informatives] as detailed below.

S106 Contributions:

As set out in our previous response dated 14 July 2021.

Contribution	Amount £	Price base	Index	Towards (details)
Highway works 1	47,289	Dec 2020	Baxter	Improvements to junction of Charlotte Ave/B4100
Highway works 2	278,330	Dec 2020	Baxter	Improvements to junction of B4100/A4095
Ped/cycle infrastructure	362,465	Dec 2020	Baxter	Improvements to cycle route between site and town centre/stations
Public transport services and infrastructure	696,118	Dec 2020	RPI-x	Improvement of bus services and infrastructure at NW Bicester

Travel Plan Monitoring	2,832	Dec 2020	RPI-x	Monitoring the travel plan over its life
Public Rights of Way	50,000	July 2021	Baxter	New public right of way and improvements to public rights of way in the vicinity of the site
Ped/cycle bridge	TBC			The provision of a pedestrian/cycle bridge over the watercourse into the adjacent site to the west

Other obligations:

- Proportionate contribution to Major Infrastructure costs (primarily the strategic link road/A4095 diversion through the NW Bicester allocation)
- Off site highway works (see below)
- Vehicular and ped/cycle connections into Elmsbrook (required as these are not public highway)
- Participation in North West Bicester Bus Forum
- Measures to ensure the delivery of the ped/cycle bridge
- Ped/cycle connections to adjacent site

Note that the ped/cycle bridge contribution is not yet agreed and requires further work to demonstrate the necessary span of the bridge.

Additionally the proportionate contribution to the major infrastructure costs cannot be confirmed until a revised delivery strategy can be agreed, following the withdrawal of the OCC Growth Deal forward funding.

Planning conditions:

In addition to the planning conditions set out in our response of 14 July 2021, conditions will be required requiring further detail of the vehicular and pedestrian access points and a timetable for their delivery (which will depend on phasing). Updated drawings are required for Accesses A and C (as set out below). Note that these accesses are onto private roads but within the red line.

S278 highway works

A S278 agreement will also be required for the necessary works to the layby to construct the construction access to the western parcel. The works for both construction accesses will be required to be complete prior to their first use.

Key points

- The applicant has submitted a technical note 'TN003-Velocity Consultation Responses' which seeks to address my previous objections/comments.
- The note proposes a limit of 70 dwellings using vehicle access B, which leads to Charlotte Ave south of the bus gate. The assessment of the impact on the junction of Charlotte Ave/B4100 shows that there is insufficient capacity in the current junction arrangement, and the limit should be less.
- The note proposes that the whole development can come forward in advance of the opening of the A4095 diversion under the new railway bridge. The assessment is not considered sound.
- The note includes an assessment of the suitability of the spine road for vehicles and NMUs, concluding that cycle facilities should be provided at the bridge south of the school, but that elsewhere the facilities are acceptable. It is OCC's view that the facilities along the spine road should be upgraded but it is acknowledged that the roads are in private ownership so this would not be possible until they are adopted. The assessment takes into account the cumulative demand from the adjacent site, so the improvements could be made by OCC in the future using contributions from both sites.
- The assessment of the suitability of a narrowing in Charlotte Ave for the volume of traffic from Accesses A and B, is flawed in my opinion.
- Updated drawing for access A is required, showing the necessary kerbline adjustment opposite.
- The proposed construction access from the B4100 into the eastern parcel would require a temporary speed restriction to 30mph, together with additional mitigation, due to potential visibility restriction posed by the ditch.
- An alternative construction access to the western parcel is proposed via the existing layby on the B4100. This is welcomed as an alternative to a construction route through residential streets, although substantial works and traffic regulation orders will be required to make it acceptable, and a S278 agreement with OCC will be required to carry out the works, as well as Land Drainage consent to culvert a ditch.
- A pedestrian crossing and connecting footway is proposed to Caversfield Church, which would be delivered by the developer.
- Pedestrian/cycle connections out of the site are shown as 'potential' on the parameters plan. There should be a firm commitment to provide these. Some connection points are not shown and this should be addressed.

Please see detailed comments in the table below:

1	OCC Highways previous comment	Velocity response	OCC comments	Resolved
	Condition required limiting number of dwellings accessible	Proposes that the limit should be 70 dwellings as it was assessed on the	OCC were not content with the conclusions of the capacity assessment	No

	from Access B	<p>basis of 69, and the modelling showed that there was sufficient capacity at the B4100/Charlotte Avenue junction, and that the applicant was offering a proportionate contribution to improvements at that junction.</p>	<p>of the junction. The PICADY output files have now been provided, which show that the development (including Eastern parcel and 69 dwellings on Western parcel) would increase delay per vehicle turning right out of Charlotte Ave, from 24 to 80 seconds in the am peak, and from 24 to 56 seconds in the pm peak. There are also concerns about the suitability of the layout of the spine road and the lack of off carriageway cycle facilities north of the school.</p> <p>On the basis of the above, the limit should be lower. I query why it is necessary to have Access B at all.</p>	
2	<p>Condition recommended restricting the amount of development that can come forward before the A4095 diversion is in place.</p>	<p>Velocity have provided a technical note, which makes use of methodology used in 2014 and 2015 to demonstrate a threshold of development that can come forward before this scheme, and argues that the full development can be built out within this threshold.</p>	<p>OCC considers that the methodology is now too old to be reliable as it made use of out-dated scenarios of the Bicester Transport Model, which did not include local plan development at Heyford. A further assessment should be carried out, using a revised reference case of the BTM which is currently being developed in relation to another project. The consideration of severity of impact should take into account the strategic function of the A4095 around Bicester.</p>	No
3	<p>The TA does not assess the impact of development traffic on the Elmsbrook</p>	<p>A technical note entitled 'Spine Road Assessment' has been submitted as attachment 7. This seeks</p>	<p>The assessment correctly uses robust estimations of the numbers of pedestrians and cyclists in future years</p>	No

spine road (Braeburn and Charlotte Avenues)

to establish whether the existing provision for pedestrians and cyclists on the spine road is adequate to cater for the cumulative demand from Elmsbrook, the application site, and future NW Bicester development to the southwest. It concludes that, notwithstanding the 20mph speed limit, in accordance with LTN 1/20, off carriageway cycle facilities are required due to the volume of motor traffic. It goes on to conclude that the existing shared use facility on Charlotte Avenue is acceptable, in accordance with LTN 1/20, due to the volumes of pedestrians and cyclists likely to use the route in any one hour, with the exception of the bridge south of the school, where there are no cycle facilities – mitigation options are proposed. Additionally, it makes an assessment of parts of Charlotte Avenue that narrow to 4.1m and concludes that this is suitable for up to 804 vehicles per hour.

and makes appropriate references to LTN 1/20. However, it assumes that pedestrians will be split equally across both sides of the road, and this would not necessarily be the case. Additionally, cycle facilities should be provided on both sides of the road. Whilst the facilities currently provided on Charlotte Avenue south of the bridge may be just about acceptable, they do not provide an appropriate standard of provision commensurate with a strategic cycle route. Various options are proposed for improvements to provision on the bridge. Whilst a contribution could be made to upgrade the facilities on the bridge and existing spine road, any changes would need to wait until the road was adopted. On Braeburn Avenue there are no off carriageway cycle facilities, and the technical note does not mention this. However, notwithstanding the 20mph speed limit, it is clear that the daily motor traffic movements would be well above the threshold where LTN 1/20 indicates that cycling on the carriageway would not be suitable for all users. This suggests that Braeburn Avenue would

			<p>also need to be upgraded. Whilst it is the case that residents of the site would be unlikely to be cycling on Braeburn Ave, the additional traffic generated by the development would cause a deterioration of conditions for cyclists, leading to a need for mitigation.</p> <p>With regard to the assessment of suitability of narrow stretches of carriageway for traffic movements, the conclusion based on extrapolation from DMRB TD 79/99 is not sound. There is no reason to assume that traffic capacity decreases in direct proportion to carriageway width. 4.1m is not wide enough for a car to pass a lorry or a van without mounting the kerb. Cars are only able to pass at a crawling pace. In practice, the traffic generated by the development would likely result in vehicles mounting the kerb rather than waiting at either end of the extended narrowing, causing a risk to pedestrian safety and damage to trees.</p>	
4	Clarification needed regarding works at site Access A, and swept path analysis required.	Clarification has been provided that no works would be necessary at this junction, which has already been built.	The swept path indicates that the refuse vehicle turning right into the access would overrun the footway. The drawing appears to show an amended kerb line, removing a kink in the	Partially

			road, to facilitate this movement. This would be part of the required works to create Access A, and should be possible since it is within the application red line. However, confirmation that this kerbline adjustment would be a requirement for development on the eastern parcel, is required. A drawing showing the arrangements for access A, including this kerbline adjustment and corresponding footway should be provided.	
5	Missing swept path analysis for Access B and C, issues with swept path at access C, desire to deter movements towards bus gate.	Updated drawings provided. However, additional land to be dedicated on the northern corner of Access C to maximise the forward visibility envelope has not been shown as requested – the note says this can be considered at detailed design stage.	The additional land to be dedicated should be shown at this stage, so that the access arrangements can be agreed in detail and the land kept clear for this purpose when designing the layout and landscaping of the site.	Partially
6	Access D – swept path analysis required of full route, and 2m footway required both sides	Argues that for the roads to be adopted by OCC within the existing Elmsbrook, SPA would need to be approved anyway, so applicant does not need to provide it. Further argues that footway not needed on both sides due to discontinuous footway as the road carries on into Elmsbrook, and the fact that there would be little demand for walking in this direction.	I accept that these points are reasonable.	Yes
7	Construction access to Eastern parcel –	A revised drawing has been provided showing a	This would be acceptable subject to a temporary	

	visibility splay crosses non highway ditch that is not within red line	visibility splay of 90m to a position 2m away from the kerb-line, which is achievable without crossing the non-highway ditch.	speed restriction to 30mph in the vicinity of the access.	
8	Construction access to western parcel – access through residential parcel not suitable. Swept path for max artic required for access C.	Alternative access proposed off layby on B4100, and along western edge of Exemplar site Phase 4	This is a better alternative than taking a route through Elmsbrook roads. However in order to operate safely and without obstruction, a considerable amount of parking would need to be removed from the layby, which would need to be achieved through a TRO. CDC will need to consider any impact on recycling facilities and hot food pitch. The layby is in poor condition, and, while sufficing as a layby, if it is to become part of a haul route it will require improvement by the developer prior to use. There is a large ditch that would require to be culverted. An appropriate design of sufficient capacity would need to be approved by the adjacent riparian landowner and CDC as Land Drainage Authority. Access to the adjacent public right of way that leads from the layby should be facilitated and improved. A TRO would also be required to ban right turns into the layby, and additional warning signs would be required. Further details should be required by condition and the arrangements should be	Partially

			complete prior to commencement. A S278 agreement will be required with OCC as Highway Authority prior to any works being carried out on the highway, and a contribution will be required to cover the cost of consultation and implementation of TROs.	
9	Walking distances to facilities are not accurate	The map and table showing walking distances have been corrected.	This demonstrates that in isolation the site has little potential for walking as a modal choice, making improvements to cycling routes even more important. The applicant has not objected to making the requested proportionate contribution to improving cycle infrastructure in accordance with the Bicester LCWIP.	Yes
10	No commitment to provide a pedestrian crossing of the B4100 to Caversfield Church	A signalised crossing and linking footway would be provided as part of the S278 works for the proposed development.	The design shown is in line with one agreed in relation to a previous planning application at the site	Yes
11	Need to provide connections to and improvements of nearby public rights of way, and to facilitate connection to adjacent site via a footbridge.	The note states that the contribution requested is accepted. However, no details have been provided showing an actual connection point at the NW corner of the site which must be provided to access the adjacent PRoW. Details have been provided of a suitable type of footbridge, with an estimated cost of installation. A contribution of 25% of the estimated cost is proposed, taking into	The connection point at the NW corner of the site must be shown on the parameter plan so that the future reserved matters submissions can be assessed against it. Further work is required to establish the cost of the bridge. The deck of the bridge should extend to the natural banks to avoid abutments interfering with the flow of water. A topographical survey should be carried out and	Partially

		<p>account the number of dwellings proposed on the site compared with the total number of dwellings at NW Bicester that would access this bridge.</p>	<p>cross sections provided to demonstrate an acceptable span. An additional amount for the footbridge should be secured towards commuted sums for maintenance, and securing Environment Agency consents. Maintenance of the bridge is likely to be transferred to a Management Company as OCC would not wish to adopt it.</p>	
12	<p>Site layout: need to secure connection points indicated on indicative masterplan</p>	<p>No comment is provided on this.</p>	<p>The parameters plan shows a number of 'potential pedestrian connections' that are actually very important to achieve pedestrian permeability between the site and adjacent sites, existing and future. Whilst it's recognised that they will depend on permission of the adjacent landowner, to ensure that these become commitments and are taken into account in future layout designs, the parameter plan should be annotated to state that a connecting path will be provided to the boundary, and access granted across the boundary from the adjacent site at these points. A connection point near the southern end of the eastern parcel is not labelled and should be, as should the connection point at the NW corner of the western parcel (connection to new PRoW)</p>	<p>No</p>

Joy White
Principal Transport Planner
5 January 2022