

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

District: Cherwell

Application no: 21/03177/F

Proposal: Full planning application for employment development (Use Classes E(g)(iii), B2 and/or B8) and associated parking and servicing, landscaping and associated works

Location: Axis J9 Phase 3 Howes Lane Bicester

Response date: 3rd March 2022

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

Previous OCC comments have been shared relating to the removal of housing and growth deal funding for the Strategic Link Road/A4095 scheme. Also, Local Member Views were raised by Cllrs Sibley, Cllr Waine and Cllr Ford.

The County Council is raising Transport objections and Local Lead Flood Authority objections to the scheme.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 04/03/2022

Application no: 21/03177/F

Location: Axis J9 Phase 3 Howes Lane Bicester

Transport Schedule

Recommendation:

Objection for the following reasons:

- There are some apparent anomalies in the assessment of traffic impact.
- Improvements are required to cycle connectivity and cycle parking, in the interests of promoting sustainable travel.
- Car parking provision for the warehousing units is too generous and should be reduced in the interests of promoting 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 and conditions as set out in our original response.

Key points

- The applicant is proposing that development on the western parcel is restricted to B8 (warehousing) prior to the A4095 realignment being open - this has a much lower trip generation than flexible employment uses.
- An interim (2026) assessment has been carried out to test the impact of the development coming forward prior to the A4095 realignment, but there are some issues with it.
- A pedestrian connection to, and a signalised crossing over Howes Lane has been included in the proposals.
- The proposals have been updated to provide segregated cycle facilities on the future A4095 realignment as it passes the site, but these are not wide enough.
- Improvements to the location of cycle parking, and a reduction in car parking for the warehousing units are required.
- A further submission from the applicant is expected.

Comments:

Traffic impact: The amended application proposes a restriction on use of the western parcel, which is by far the largest of the two parcels, to B8 use only. B8 typically has a much lower rate of trip generation per 100 sqm than industrial uses. This change makes a big difference to the trip generation. The report forecasts that only 10 two-way trips would be added to the Bucknell Rd/Howes Lane junction (the critical junction) in

the am peak, with 9 in the pm peak. This takes into account a routing agreement preventing HGVs from the site from using Howes Lane. I have queried the arithmetic, but if this were the case, the proportionate impact of the development traffic at nearby junctions would be very small.

The applicant has provided an assessment of the amended proposals (B8 only on the western parcel, with flexible use on the eastern parcel), being occupied before the opening of the A4095 realignment (SLR). This was based on observed traffic flow from a survey on Wednesday 8 December 2021, which included turning movements and queue lengths. Development traffic was added using the trip generation mentioned above and trip distribution previously agreed, assuming all HGVs are routed south via Vendee Drive (in accordance with the existing routing agreement at the site). The observed traffic was growthed up to 2026 using TEMPRO, and Great Wolf and the development traffic were added. (It's noted that Great Wolf would only add a very small number of trips to Howes Lane).

Although the report says the surveys of queue lengths validate the junction models, I am concerned that the Junctions 10 model results for 2021 base show minimal max queues compared with the survey data – I have asked for an explanation. They also show the junctions operating within capacity and with small delays per vehicle, which does not match with the surveys or general experience of traffic conditions.

With regard to the 2026 scenario, OCC is of the opinion that TEMPRO growth factors would be an underestimate of growth in Bicester, as they are an average over a wider area, whereas Bicester is a major centre of growth, with consequentially a high concentration of vehicle movements. Our recommendation would be to use an updated Bicester Transport Model 2026 reference case (currently in preparation) for testing the impact of the development, and the report indicates that this is being carried out.

Since writing this response it has been agreed that the complete SLR is assumed to be in place for 2031 model scenarios.

Pedestrian/cycle connectivity

The footway/cycleway on the western side of the future SLR has been amended to provide a segregated 2.5m cycleway and 2m footway, instead of a shared facility. As stated in my previous response, 2.5m for a 2-way cycle track is set out in LTN 1/20 as the 'absolute minimum at constraints' (Table 5.2). There is no explanation of what the constraints are here, and the additional width would fall within the protected corridor for the SLR. Further clarification should be provided.

With regard to the refuge in the western access, I have reviewed the vehicle tracking submitted with the application and can see that a refuge could not be accommodated given the swept path of HGVs, without widening the bellmouth significantly, which would not be desirable since it could lead to increased speed of vehicle turning movements.

Again, the proposed segregated footway cycleway in the east-west connecting road is proposed to provide only 2.5m for cyclists. An explanation of the constraints is requested.

A pedestrian connection from the eastern parcel to Howes Lane, and a signalised crossing of Howes Lane, are now shown on the updated site plan and in the drawing attached to the 'Response to OCC Highways Consultation Response' document, ref 14042-65. It's noted that the red line has been extended to include the works. However, the design only caters for pedestrians. Whilst it is noted that there are no cycle facilities on Howes Lane currently, the design should be adjusted to make it safe for any cyclists using Howes Lane to turn in and out of the access without endangering pedestrians using the access or crossing. This could, for example, mean widening the access and providing some additional hard standing and dropped kerb either side of the crossing. OCC would require these works to be delivered prior to first occupation at the site, and they would require a S278 agreement. Howes Lane is sensitive to flooding so further details will be required if it is necessary to culvert a ditch.

With regard to the requested connection through from the access road to Howes Lane further south (opposite the road leading to Empire Way), the 'Response to OCC Highways' document states that it would be inappropriate to fix a design as part of the current application. I accept that this link would not be desirable until the SLR is open, when it would access onto the part of Howes lane that will become a quiet cycle route. However, this is a key link in the NW Bicester Masterplan Access and Travel Strategy, described as a 'commuter cycle/pedestrian route off road'. It should be marked on the Proposed Site Plan and a corridor sufficiently wide for an LTN 1/20 compliant segregated route should be protected/safeguarded in the planning permission.

Public transport

The applicant has not agreed to make provision for bus stops within the site. Having reviewed the NW Bicester Access and Travel Strategy, it appears the intended bus stop position was further west, and could probably be accommodated within the bus only link between the site and future Himley Village.

The applicant is also querying the requested public transport contribution, on the basis of uncertainty of delivery of the SLR. However, it would always have been the case that the eventual loop bus service would need to be delivered in phases, and in early phases the route could use Howes Lane and Lords Lane. It remains the case that the development forms part of the Policy Bicester 1 site and therefore needs to make a proportionate contribution to the transport strategy needed to support it, and the required targets of low car trip generation.

Cycle parking

I can now see there are seven shelters which appear to accommodate 5 stands (10 cycles) each, which would be an acceptable level of cycle parking. However, some of

these shelters are still distant from the main entrances of the buildings and should be nearer than most car parking spaces, to prioritise cycling over car travel to the site, and in the interest of security. Some are still shown within the goods vehicle manoeuvring areas, which is unacceptable from the point of view of safety and convenience.

Car parking

On the basis that the western parcels would be restricted to B8, the amount of car parking associated with those units is well above the recommended levels (one per 200sqm). In the interests of promoting sustainable travel, I recommend that car parking is reduced. The space created could accommodate additional landscaping.

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 2 March 2022

Application no: 21/03177/F

Location: Axis J9 Phase 3 Howes Lane Bicester

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Surface water catchment plan not clear.
- Basin cover levels and storage volumes not provided on plan.
- No drainage strategy provided for the future SL road.
- final outfall location not shown on phase 1&2 drawings.
- Further details required in regard to the existing culvert.
- Surface water treatment not provided for all parking areas.
- Drainage strategy drawing does not demonstrate permeable paving clearly.
- Microdrainage calculations required for all SuDS features.
- Microdrainage calculations does not show the impermeable areas going in the drainage infrastructures.
- Ground investigation report not provided.
- Permeable paving not identified in the maintenance regime.
- Phasing plan not provided.

Detailed comments:

Surface water catchment plan does not show the extent of the areas clearly. Please make use of different colours and hatch the areas solid, clearly stating the area and also the area with urban creep.

Basin cover levels are not provided on the plan drawings, please provide cover levels of storage structures and the volumes.

The future SL area is not covered in the phase 3 drainage strategy however its shown within the phase 3 development. Clarification on the drainage strategy is required.

Plan drawing shows headwall discharging to an green hatched area. This has not been denoted on the key. The outfall location should be clearly shown on the drawing and where it leads to exactly.

Ownership of culvert and permission to connect to be provided. Capacity of the culvert to be confirmed and the surface water that its currently taking. Also its mentioned the culvert will be upgraded, provide clarification of what the upgrade will include and when this will be done. Ideally it should be upgraded before phase 3 is developed to reduce the risk of flooding in neighbouring sites.

Parking spaces opposite units 6-8,9-10 and 11 does not have permeable paving. Clarification required on how the surface water in this area will be treated.

Permeable paving is proposed however this has not been keyed up on the drainage strategy drawing. Also provide storage volumes and invert level of the sub base on the drainage plans. All SuDs features and drainage infrastructure should be keyed up correctly on drainage plans.

Microdrainage calculations required for the permeable paving to include all storm events up to and including the 1:100 year storm event plus 40% climate change.

Microdrainage calculations to show the impermeable areas draining to the relevant drainage infrastructure.

Ground investigation report to be provided to confirm infiltration is not feasible on site. Infiltration testing to be conducted according to BRE 365.

Update the maintenance regime to include permeable paving.

Phasing plan to be provided to demonstrate the extent of each phase clearly. Each phase should have its own drainage strategy in place and be able to stand alone.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 24 February 2022