

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: 29th April 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

OCC has been consulted on further information submitted by the applicant.

The County Council maintains its Transport and LLFA objections to the proposal as set out below. Local Member Views have also been previously provided by Cllrs Sibley, Cllr Waine and Cllr Ford.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 29/04/2022

Application no: 21/03177/F

Location: Axis J9 Phase 3 Howes Lane Bicester

Transport Schedule

Recommendation:

Objection for the following reasons:

- Improvements still need to be made to cycle connectivity and cycle parking

If the planning authority is minded to approve, then the obligations and conditions set out in our previous response should be required, with the addition of further conditions as set out below, and a routing agreement.

Comments

The application has been amended to remove the eastern parcel (closest to Howes Lane) from the application, which reduces the overall floor area from 16,942sqm to 14,188sqm. However, rather than being restricted to B8 use (as proposed in the previous amendment), the proposed use of the western parcel has reverted to flexible. The site plan shows that the areas previously proposed for employment use on the eastern parcel have been removed from the red line area of this application. They are described as 'future development plot', and the Technical Note Addendum states that the land already benefits from a residential consent. It should be noted that residential occupations under that consent were not permitted ahead of the opening of the A4095 realignment.

The proposed vehicular access into the eastern parcel has been removed, but a footway/cycleway remains within the red line, connecting the site to a proposed new signalised crossing of Howes Lane, with onward connection to the public footpath leading to Wansbeck drive.

Cycle connectivity

Paragraph 8 of the TN Addendum states that the applicant is willing to increase the width of the cycleways along the section of the future link road that they are building (part of the A4095 realignment), to 3m as requested by OCC. This is welcomed. However, it states that a constraint prevents the path from being widened to 3m along the road leading towards Axis J9 Phase 1. This only appears to be the case on part of the route and there seems no reason to me why it should not be provided at 3m wide for that part of the route where it is possible.

I note the Bicester Bike Users Group has recommended a buffer between the cycle track and the carriageway. While this is not strictly necessary in terms of LTN 1/20 it

would improve the user experience, encouraging sustainable travel, and may have other planning benefits, so OCC would support it. It would also allow the priority crossing of the access to the development parcel to be set back further, which would be safer, given the length of the crossing and the HGV traffic using it. Full details of the design of this crossing, which should provide clear and safe priority for pedestrians and cyclists, accompanied by a safety audit, should be required by condition.

The applicant is resisting OCC's request that the connection to Howes Lane serve cyclists as well as pedestrians, on the basis that it is an interim route only, and its purpose is to connect to the public footpath into Wansbeck Drive. Temporary in this case could mean several years, and it seems unjustified to deny convenient cycle access for this period of time, particularly in the context of the strong sustainable transport policy requirement of NW Bicester. While I agree cyclists would need to dismount on the public footpath to Wansbeck Drive (given its public footpath status and the fact that it is relatively narrow running between high fences) cyclists would also arrive via Howes Lane from the north, and this route would provide them with a shorter route than cars, giving them due priority over motor vehicle traffic in accordance with sustainable transport hierarchy. Even cyclists who had needed to dismount on the public footpath would benefit from not having to push their bikes across the link. For this reason I do not support the introduction of a barrier chicane on the western site, as suggested in the safety audit. Other methods of warning cyclists to slow down could be introduced.

The safety audit also recommends the introduction of appropriate lighting at the crossing. I recommend that full details of the crossing including lighting, traffic signal infrastructure, road markings and signage are requested by condition.

The TA Addendum mentions the request by the applicant for further justification of the request for a public transport contribution, which will be addressed separately. Whilst the strategy for serving NW Bicester is clearly affected by the timescale for delivery of the link road, it is not necessarily the case that longer term interim bus services could be necessary, but I appreciate this needs clarification.

Cycle parking

To address the placing of cycle parking within the HGV areas, white lines are proposed to demarcate a safe route for cyclists. These routes are likely to be within the manoeuvring areas for HGVs, and I can see no reason why they can't be swapped for car parking spaces – surely it is safer for car drivers to cross the HGV manoeuvring area than for cyclists.

Traffic impact

The predicted peak hour trip generation for the site has been revised in accordance with the reduction in floor area. It is based on industrial rather than warehousing

(whereas the units could be used for either), which is a worst case, due to the higher density of employment.

In response to our earlier objection, the impact of the development traffic at various junctions has been tested in the Bicester Transport Model, using a locally updated reference case for 2026, which does not include the A4095 realignment. This was primarily to test the impact on the critical junction of Howes Lane/Bucknell Rd. The resultant changes in turning movements are shown in Appendix C. This shows a very modest impact, with only a net change of 4 vehicle movements at the critical junction. Although this junction is predicted to be well over capacity in the pm peak in 2026 according to the Bicester Transport Model reference case, the addition of one vehicle every 15 minutes through the junction associated with the site in the peak hour could not be considered severe.

Therefore OCC's objection on the basis of the traffic impact is removed and we would not insist on a condition preventing the occupation of the development as proposed, prior to the completion of the A4095 realignment. This remains subject to a routing agreement requiring HGVs to leave the site using Vendee Drive.

Our objection remains on the basis of improvement still being required to cycle connectivity and cycle parking.

The return to a proposal of flexible uses rather than B8 only, removes our previous objection on the basis of over-provision of parking.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Travel plan

Prior to occupation an updated Framework Travel Plan shall be submitted to and approved by the Local Planning Authority, and within three months of occupation of the individual units Travel Plan(s) and / or Travel Plan Statements shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved travel plans.

Cycle parking

Development shall not commence until full details of secure covered cycle parking located away from goods vehicle manoeuvring areas and close to the main entrance of each building have been submitted to and approved in writing by the local planning authority. Thereafter and prior to first occupation, the approved cycle parking shall be delivered and thereafter maintained in accordance with the approved details.

Access

Development shall not commence until full details of the access to the western parcel including a priority crossing for pedestrians and cyclists accompanied by a Stage 1

Safety Audit have been submitted to and approved in writing by the local planning authority. Thereafter and prior to first occupation the access shall be delivered in accordance with the approved details.

Development shall not commence until full details including lighting, road markings, signal infrastructure, signage and drainage of a segregated pedestrian and cycle path leading from the development directly to Howes Lane and a signalised crossing of Howes Lane have been submitted to and approved in writing by the local planning authority. Thereafter and prior to first occupation the path and crossing shall be delivered in accordance with the approved details.

Construction traffic management plan

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved CTMP.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Government guidance contained within the National Planning Policy Framework.

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 22 April 2022

Application no: 21/03177/F

Location: Axis J9 Phase 3 Howes Lane Bicester

Lead Local Flood Authority

Recommendation:

Objection

Detailed comments:

No updated drawing/report provided to address previous LLFA comments dated 24/02/2022.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 21 April 2022