

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

**District:** Cherwell

**Application no:** 21/03268/OUT

**Proposal:** Outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure

**Location:** NW Of Baynards House, Ardley

**Date:** 19 November 2021

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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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**Application no: 21/03268/OUT**

**Location:** NW Of Baynards House, Ardley

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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](mailto: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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## Transport Schedule

### Recommendation:

### Objection for the following reasons:

- The transport assessment provided with the application is not adequate to demonstrate that the development would not have a severe impact on the operation of the highway network.
- Further information is required to demonstrate that safe and suitable pedestrian and cycle access can be provided to the development, in accordance with NPPF.
- The geometry of the access junction has associated safety risks for all users and could affect its potential for signalisation.

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 and S38 agreement to mitigate the impact of the development plus planning conditions as detailed below.

### S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Highway works	TBC		Baxter	Proportionate contribution towards <u>improvements to M40 J10</u> (which includes <u>Baynards Green rbt</u> )
Public transport services	£1,286,000	November 2021	<u>RPI-x</u>	Bus services serving the site
<u>Public transport infrastructure (if not dealt with under S278/S38 agreement)</u>	<u>£8,904</u>	September 2020	Baxter	Real time information unit at bus stop
Traffic <u>Reg</u> Order (if not	Possible changes to		<u>RPI-x</u>	

<i>dealt with under S278/S38 agreement)</i>	speed limit and parking controls - will be part of highways agreement			
Travel Plan Monitoring	£2,379 plus additional amount for individual operator travel plans - see below.	<u>December 2020</u>	RPI-x	To cover the <u>OCC</u> cost of monitoring for the life of the travel plan.
Admin fee	TBC dependent on final amount agreed			Fee for the monitoring and administration of the S106 agreement
<b>Public rights of way improvements</b>	<b>£65,000</b>	<b>November 2021</b>	<b>Baxter</b>	<b>Upgrades to PRow between the site and Fewcott and Fritwell</b>

Other obligations:

- Off-site highway works – see below
- On site highway works – Provision of suitable bus loop, shelter, flagpole plus footway/cycleway within the site
- Other:

### Key points

- The development has not taken into account the committed ‘Growth Deal’ scheme of capacity improvement at Baynards Green roundabout, which will involve enlarging and signalising the roundabout, both in terms of road safety, and capacity modelling.
- The transport assessment has not adequately tested the impact on the adjacent junctions, using available transport models, including the various elements of M40 J10 which are closely linked.
- The site access roundabout has very straight approaches, which could be a safety hazard and should be reviewed.

## **Comments:**

This application is for 180,000sqm GIA of logistics space, located to the west of the A43, stretching between the M40 and the B4100, with access via a new roundabout onto the B4100. A separate full application (21/03266/F) has been submitted for the roundabout and access road into the parcel.

A separate outline application has been received from the same applicant for a further 100,000sqm GIA of logistics space to the east of the A43, again with access via a new roundabout onto the B4100. A transport assessment has been provided, assessing the impact of each site, and the cumulative impact of the two sites together.

## **Vehicular access**

A new roundabout junction is proposed onto the B4100. A drawing has been provided showing how this meets DMRB standards. However, OCC has concerns about the straightness of the approaches on the B4100, especially given the national speed limit. Experience of similar layouts of recently constructed roundabouts on high speed roads has shown that some drivers fail to appreciate the roundabout until the last minute, leading to collisions or driving over the roundabout. Further work is needed to adjust the alignment of the B4100 on approaches. This is challenging due to the land on the northern side of the B4100 not being available. This has not been picked up in the Road Safety Audit provided, but OCC would welcome further discussions given their experiences elsewhere. Consideration could be given to a reduction in the speed limit along the site frontage extending to Baynards Green roundabout.

Drawings have been provided showing the new roundabouts in the context of the current highway network including Baynards Green Roundabout, and in the context of the proposed redesign of Baynards Green, which is being taken forward by National Highways and currently due for completion in 2024 (the 'Growth Deal' scheme referred to in the Transport Assessment). However, the Road Safety Audit has not taken into account the new accesses in conjunction with the new layout. This must be addressed.

Further discussion will be needed with OCC about the extent of adoption. Normally OCC does not adopt cul de sacs into industrial estates, but if this is to be formally part of a bus route that will need to be considered.

## **'Growth Deal' scheme**

A scheme to increase capacity at M40 J10 is planned to be delivered by National Highways in 2024, using forward funding from the Oxfordshire Growth Deal. This will

see Baynards Green roundabout enlarged and signalised, and the signalisation of the junction of the M40 northbound off slip with the A43.

In both the Oxfordshire County Council's Local Transport Plan 4 LTP4 policy document and Cherwell District Councils Local Plan and Infrastructure Delivery Plan (IDP), there is a strong emphasis on seeking the necessary contributions relating to junction capacity improvements on the M40 junction 10.

- The Cherwell District Council IDP refers to Junction capacity improvements with contributions necessary as required by the Highways England (now National Highways) – see Appendix 8; no. 14b.
- The Cherwell District Council IDP refers to Junction capacity improvements with contributions necessary as required by the Highways England (now National Highways) – see Appendix 8; no. 14e.
- LTP4 - BIC1 – Improve access and connections between key employment and residential sites and the strategic transport system by:
  - Continuing to work with HE to improve connectivity to the strategic highway. Continue to work in partnership on the A34 and A43 strategies, as well as Junction 9 and 10 of the M40 to relieve congestion particularly in the peak periods.

The modelling carried out so far shows that Baynards Green roundabout is operating over capacity and the addition of the development will make it worse. If the development is approved a S106 financial contribution must be made towards the improvement scheme. We would expect that to be proportionate in terms of peak hour trips with contributions being secured from development at Heyford. It may also be necessary to restrict development that can be occupied prior to the scheme being implemented.

Depending on further modelling results, it may be necessary to provide additional capacity to accommodate the traffic from the development. Further works or contributions may be sought.

### **Sustainable transport access**

The site is remote from any built up area, but is within reasonable cycling distance from Bicester, which would generate a large proportion of the potential workforce. The developer is offering to construct an off carriageway cycle route within highway land between the site and Elmsbrook, where cyclists could connect safely with the rest of Bicester. The proposed cycle route would be a 3m wide route (with slight narrowings in some places where there is insufficient highway land) shared with pedestrians. Given the likely level of usage by pedestrians and cyclists in any hour, based on the travel

plan targets, and the constraint of the available highway land, this is likely to be acceptable in the context of LTN 1/20 guidance.

There would be a 1m separation from the carriageway, which should be increased where possible as it would make the route more attractive. Most of the route would not be lit, and it needs to be acknowledged that some potential cyclists would not use the route for that reason.

Having walked some of the route, I noted that the ground slopes away from the carriageway in places, which could make construction challenging. Also along part of the route there are ditches and trees on the road side of a fence. The highway boundary will need to be researched carefully to ascertain whether there is sufficient space.

Given how critical this cycle route is to the sustainability of the site, and to providing safe access via a choice of sustainable modes, more information is required to demonstrate its feasibility. The information must be based on a topographical survey and include cross sections. This should not be left to condition given how critical it is. Without a safe walking and cycling route, OCC would consider the site unsustainable.

The TA acknowledges that further work is required to assess how the cycle and pedestrian facilities can be accommodated into the Growth Deal scheme. Without this work there is a risk that there is insufficient space within the highway boundary to accommodate the cycle link.

The TA proposes an interim scheme, which could be delivered in advance of the Growth Deal scheme, which includes a Toucan crossing of the A43. This would need to be agreed with National Highways.

Where the shared use route runs along the site frontage, it would be preferable for it to run within the site rather than adjacent the carriageway, as it would only be accessing the site. To provide a direct route to the western building in the indicative masterplan, I recommend a safe crossing point part way along the access road – this could be a parallel crossing if the access road is subject to a 30mph speed limit, or combined with some sort of traffic calming feature such as a refuge.

The crossing of the A41 across to the motorway service area should be made suitable for cycles, providing a good quality refuge and a 3m wide path on the northern side, leading into the service area track that connects to bridleway 367/29 (see Public Rights of Way below).



## Public transport

Bus service requirements:

An existing bus route, 505 (Bicester – Brackley), currently passes to the north of the eastern part of the site along the B4100 from Bicester, then turns right at Barnard's Gate towards Brackley along the A43.

The route is S106 funded by West Northamptonshire using money from housing developments in Brackley. Initially the service was hourly but since Covid has been permanently reduced in frequency to eight journeys in each direction per day. The funding for the service will run out in the near future and the service is not financially viable at present without further funding. It is reasonable to assume that route 505 will no longer exist when this development commences.

Looking at the combined public transport demand from this site and the proposed western site, the transport assessment has a 7.5% bus mode share for bus equating to 564 trips per day, and a higher bus target of 10% by 2030 in the travel plan. (However looking at the predicted 18-hour car trip generation and factoring this down base on the ratio of 'bus' to 'car driver' percentage modal shares below, I estimate 493 trips in 2025, and 763 in 2031).

To achieve this level of bus usage will require an attractive, high quality bus service with the timetable covering the majority of shift change times. The stated level of trips by bus generated by the development, 564 per day, won't alone be sufficient to support a financially sustainable bus route in the long-term. However the trips will generate revenue to form a substantial proportion of bus routes costs, which when combined with other passenger flows not related to the development (e.g. Bicester to Brackley), should be enough to financially sustain a service at the level required.

For a sufficiently attractive service, a service operating half-hourly in each direction for most of the operating day will be required. A Bicester to Brackley via Barnard's Green service will require two buses to operate at this frequency. While it is acknowledged that substantially fewer trips generated by the development will originate from Brackley compared to Bicester, we feel the proportion from Brackley will be considerably higher than the 4% stated, given the population of the town and the short distance to the development. In addition, non-development related passenger flows between Brackley and Bicester are needed to secure the overall long-term financial viability of the service. There are also bus connections at Brackley to a wide area towards Banbury, Towcester and Milton Keynes that will enable a wider range of possible bus journeys to the development.

A contribution is required towards the cost of providing two buses over an eight year period to serve the development, to provide a Bicester – Barnard's Green – Brackley route operating half-hourly most of the day and hourly in the evenings and on weekends. Costs have been calculated based on OCC's standard declining subsidy

profile – subsidy costs decline each year as patronage/revenue levels rise, ultimately to the point that the service requires no subsidy after eight years.

**Costs:**

Monday to Friday core service (half hourly 6am – 6pm, 2 buses): £300,000 per year

Monday to Friday evenings / early am (hourly, 5am – 6am, 6pm – 10pm, 1 bus): £50,000 per year

Saturdays and Sundays (hourly, 5am – 10pm, 1 bus): £75,000 per year

Year 1 cost	£425,000
Year 2 cost	£375,000
Year 3 cost	£325,000
Year 4 cost	£275,000
Year 5 cost	£225,000
Year 6 cost	£175,000
Year 7 cost	£125,000
Year 8 cost	£75,000
Total	£2,000,000

The rate of subsidy decline is £50,000 per year.

Costs have been based on bus operating costs of £50 per hour during core times and £40 per hour at other times.

OCC would endeavour to integrate the route with others to provide longer distance direct journey opportunities (e.g. Oxford – Bicester – Barnard’s Green).

We have considered the situation where the western and eastern sites come forward in isolation, which is quite likely, since they are proposed via separate planning applications. The potential passenger numbers from a single site are unlikely to ever be enough for financial sustainability of a half hourly service. A lesser lower level of service would reduce the attractiveness of public transport, and it is highly unlikely the predicted modal share would be achieved.

The proportion of the contribution split based on size would be £714,000 east and £1,286,000 western, which is almost exactly the split of the differences in costs for each bus (one bus does all day and weekends, the other does just 6-6 Mon-Fri).

The eastern site contribution would pay for one bus – operating M-F core service hourly, while the western site would pay for one bus – operating M-F core service hourly + evenings and weekends hourly

This would allow OCC to be able to procure a sensible proportion of the total service if one site comes forward independently of the other.

OCC considers that the modal share target will be challenging to achieve due to the isolated location. The application does not specify the number of parking spaces. Alongside travel plan incentives to support use of the bus service, we would want parking provision to reflect modal share targets, supported by parking demand management.

#### Bus stop locations:

The two bus stop locations proposed, one within each part of the development, are well located for the development. They are however located off-line of a Bicester to Brackley bus route – to serve them will increase the overall bus journey time and lessen the attractiveness of the bus for passengers travelling that are not going to the development. This is particularly the case for the western side of the development. However, locating the stops on the B4100 would increase the walking distance to the development and lessen the attractiveness of bus for passengers travelling to the development. On balance, the proposed stop locations are probably the best within the constraints of the current development proposal. If the layout of the development is revised, it would be beneficial to investigate whether more efficient stop locations can be found, particularly for the western part of the site, without the stops becoming too remote from the building entrances they serve.

#### Bus stop facilities:

Both bus stops should have a bus shelter (at least three bays long with seating) provided and maintained by the site. In addition, a separate bus stop pole, flag and timetable cases should be provided to OCC specification. The shelters must be suitable for OCC to install real time information displays, with ducting provided. A contribution will be sought for the provision of these displays.

### **Travel Plan**

A draft Framework Travel Plan has been produced for this application, as part of the Environmental Statement, but it requires further site-based information before it can meet the criteria outlined within appendix 7 of the OCC guidance document 'Transport for New Developments – Transport Assessments and Travel Plans 2014'. I have added some specific points below for information.

- As the site is adjacent to another large site and employees will be travelling to a similar destination it would be advantageous to open a dialogue with the adjacent site to discuss possible joint working opportunities. It is therefore encouraged that this is included as an action for the TPC and identified within the action plan.

- Information about on site facilities should be included. Levels and type of cycle parking, changing facilities, restaurant facilities (reducing the need to leave the site during the day) etc.
- A dedicated cycle route to Bicester has been discussed within the document but this has not been included within the action plan. Similarly with information about EV charging points?
- Anticipated number of occupiers on site?
- Estimated date of occupation?
- What are the barriers to the promotion of sustainable, active travel in this location? How will these be mitigated?
- How will deliveries be managed?

It is requested that an amended travel plan is submitted as a separate document.

Cycle parking and EV charging points for both cycles and vehicles should be provided within the site boundary. Cycle parking must be covered and secure and conveniently located near to the entrance to each building.

As each of the units will be occupied independently by different organisations, a Framework Travel Plan and associated monitoring fee (£2,379 index linked) will be required for the site. Depending on the individual sizes of the units it is likely that each organisation will also be required to produce either a Full Travel Plan (with associated monitoring fee) or Travel Plan Statement. However, as I am unable to find definitive sizes, I am unable to confirm the exact requirements. I have therefore included a copy of the threshold and monitoring fee table relevant to this application for information.

<b>B8 Storage or distribution</b> <ul style="list-style-type: none"> <li>• wholesale warehouses;</li> <li>• distribution centres;</li> <li>• repositories.</li> </ul>	<b>B8 Storage or distribution</b> - This class includes open air storage.	Over 7500m <sup>2</sup>	Travel Plan	2,379
		3000-7499 m <sup>2</sup>	Travel Plan	2,379
		2000-2999 m <sup>2</sup>	Travel Plan Statement	None

## Traffic impact

A Transport Assessment has been provided, covering both the western and eastern sites, and considering them individually and cumulatively. The TA acknowledges that further modelling work is required to make use of the local, detailed VISSIM Model that National Highways holds for M40 Junction 10, including Baynards Green roundabout. This was recommended as part of our preapplication advice and is a vital part of understanding the traffic impact of the site, given the proximity of the access junctions to Baynards Green, and the complex interaction of the various junctions that form M40 Junction 10. Modelling the roundabouts individually (as has been done in this TA) is not sufficient, largely because traffic is not free flowing at each due to their proximity. Traffic queueing on the A43 at Baynards Green could lead to exit blocking for the M40 northbound off slip, which would then present a safety hazard due to queueing on the M40, so this needs to be examined carefully. Lack of this modelling in the current application is a reason for objection.

The TA also acknowledges that further modelling must be carried out to take into account the Growth Deal scheme. Again, lack of this modelling in the current application is a reason for objection.

**At the time of writing, discussions are ongoing to scope out the further traffic modelling work that will be necessary, in conjunction with National Highways. The Highway Authority will submit further representations in due course, to take into account this work.**

I have the following further comments on the TA:

*Future year baseline traffic:* Traffic counts were carried out in June 2021, when traffic volumes were still below pre-pandemic levels. No assumptions can be made that future traffic volumes will remain lower than pre-pandemic levels. These counts have then been growthed up using TEMPRO. Instead, future year flows from the Bicester Transport Model should be used, as this takes into account the concentration of development locally. This data is being used for transport assessments of other strategic developments in the area.

*Committed development:* Cumulative assessment should take into account the Oxfordshire Strategic Railfreight Interchange. It is formally registered with the Planning Inspectorate and public consultation is expected in spring 2022. It is therefore moving forward on a scale of certainty of delivery. The published scoping report provides sufficient information on land use to make assumptions about lorry movements, and additional information could be provided. OCC considers that it should be taken into account in the cumulative assessment, at least in a form of sensitivity test. Emerging proposals for significant employment development at Junction 9 should also be taken into account, **as should the consented Great Wolf resort and other significant development proposed in the area.**

*Trip generation:* The proposed trip generation is based on surveys obtained or carried out by the applicant for comparable sites. The full survey report should be provided.

*Trip distribution:* Light traffic has been distributed on the basis of 2011 Census travel to work data for an MSOA in NE Bicester. I do not follow the discussion in paragraph 5.3.5. Although I understand why the MSOA in which the proposal is located, has not been used (there is very little employment in the ward), I don't follow the justification for using a ward in Bicester, where it is very likely that employment would attract a large proportion of employees from the immediate surrounding area. A site remote from Bicester would certainly attract a high proportion of employees from Bicester, as it is the nearest town, but I think would attract more people from other settlements than would a site in Bicester.

*HGV distribution:* This has been based on DfT data using a 2006 base year, which is considered too old as it would not take into account the pattern of development since then. A more recent dataset should be used or an alternative methodology for distribution should be discussed with OCC and NH. A gravity model would be more appropriate.

*Trip assignment:* For both light and heavy traffic, tables should be provided to show how the assignment was arrived at. Given the desire to locate on the M40 corridor, the proportions predicted to travel via M40 N and S look surprisingly low.

*Junction capacity assessment:* M40 Junction 10 has not been assessed, which is unacceptable for a development of this scale, which will clearly have an impact on the junction. The TA shows that the development would increase the traffic on the A43 approaching the junction by 7%, which demonstrates a significant impact that must be assessed.

Junctions 10 software has been used to assess the site access roundabouts and Baynards Green roundabout, as well as the A4095/B4100 junction at Bicester. For reasons stated above this is not sufficient for the first three. Notwithstanding that, I query whether the assessments are reliable because the queue lengths at Baynards Green have not been validated against the traffic surveys, albeit those surveys themselves are not reliable due to the fact they were carried out when traffic conditions were not back to pre-pandemic levels. Even taking the output tables at face value, the roundabout is showing as over capacity in the base year and the development, individually and cumulatively with the eastern site, makes the RFC worse.

At the A4095/B4100 junction, the queue lengths are not validated and the queue lengths are not borne out by anecdote. The planned improvement scheme there will deliver additional capacity, but that additional capacity is intended to release housing growth at Bicester.

I will leave NH to comment on the M40 slip roads and the merge/diverge assessments.

*Interim mitigation scheme:* A slight increase in flare on the approach to Baynards Green roundabout has been proposed. This is shown to bring about only marginal benefit on some arms and makes one arm worse. The scheme would cause significant disruption to construct at this very busy junction.

## **Public rights of way**

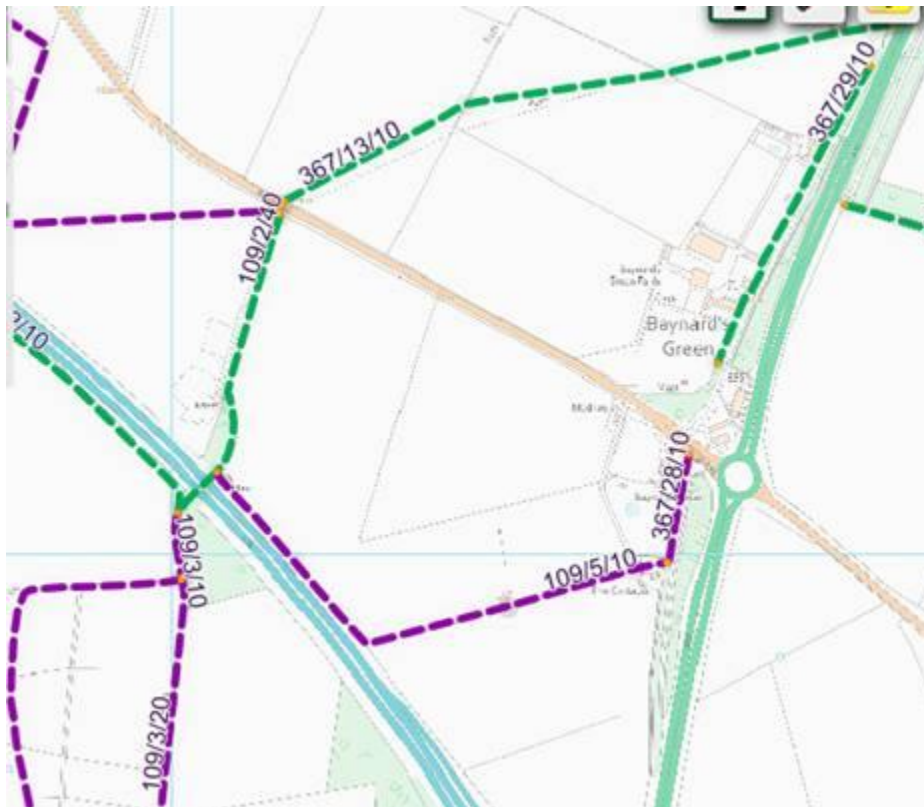
Footpath 109/5/10 is proposed to be diverted as it passes through the site. OCC would like to see this dedicated as a bridleway at the same time as any diversion, which would allow for cycling, and complete a missing link between Stoke Lyne Bridleway 367/29 and Ardley Bridleway 109/2. This could be a 3m wide tarmac path with a verge on either side. See map and annotations below. This comment is made without prejudice to the desirability/outcome of any application to divert PRow. The existing/altered footpath connection to opposite the services should be retained.

The preferred alignment would be as shown below, and make use of the 3m wide cycle connection to the site, although as stated above, it would be better within the site rather than alongside the B4100. An improved crossing point leading across the B4100 into the service area site, would provide an onward connection to brideway 367/29. As the area of highway land on the western side of the service area access is quite wide, it should be separated from the access road by a verge until it can connect with the access road at a safe point.



It is suggested that a bridleway/cyclepath margin is provided for within the red line of the site rather than trying to upgrade footpath 367/28 which has a potentially hazardous road crossing.

As part of the S278 works, it is also requested that the bridleway crossing of the B4100 at the western end of the site, is improved by creating a more level and suitably surfaced landing area on the northern side, as well as veg clearance to provide improved visibility.



**A contribution of £65,000 is requested towards upgrading public rights of way to enable cycling between the site and Fewcott and/or Fritwell. This offers onward connections via quiet roads, including to Heyford Park. This contribution would be spent on OCC Countryside negotiating upgraded access rights and undertaking surface and furniture measures to provide access for cyclists/riders**



on a number of route options between the site and Fewcott as well as improvements for bridleway to Fritwell – plus other minor works within 3km of the site. This would further improve the possibilities of sustainable access to the site, with Heyford Park becoming a more important potential source of employees over the next few years.

**S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):**

**£TBC Highway Works Contribution** indexed from TBC using Baxter Index  
**Towards:** Capacity improvements at M40 J10 including Baynards Green Roundabout

**Justification:** A high proportion of the development traffic will pass through Baynards Green and the rest of Junction 10. A scheme of improvements is planned for the junction, which is required to accommodate planned growth. Subject to further modelling, additional works may be required to accommodate the traffic from this development.

**Calculation:** TBC - Contribution towards the planned scheme will be proportionate based on contributions to be secured from development at Heyford, with additional amount as required to provide for additional capacity.

**£1,286,000 Public Transport Service Contribution** indexed from November 2021 using RPI-x

**Towards:** Bus services serving the site.

**Justification:** A range of sustainable travel options to the site is required to make the site sustainable in planning terms. The existing bus service between Bicester and Brackley is unlikely to continue past the end of its current contract, which would leave the site with no public transport.

**Calculation:** See commentary above.

**£8,904 Public Transport Infrastructure Contribution** indexed from Sept 2020 using Baxter Index

**Towards:** Provision of Real Time Information unit in the bus shelter which are to be provided by the developer.

**Justification:** To encourage public transport use, people will need the reassurance that the bus is on its way, especially given local traffic congestion.

**Calculation:** The amount will be based on the cost to OCC to provide the unit, together with a commuted sum for maintenance.

**£TBCTravel Plan Monitoring Fee** indexed from December 2020 using RPI-x

**Justification:** To ensure that the travel plan is delivered and revised as required in order to be effective, OCC will need to monitor it over its life.

**Calculation:** The amount is based on the staff cost for OCC to monitor the travel plan, based on an estimate of the time it will take over the life of the plan.

**£65,000 Public Rights of Way Contribution** indexed from November 2021 using Baxter

**Justification:** The improvements are required to ensure that a range of sustainable travel options are provided to the site, as well as ensuring safe and suitable access from the nearest settlements. In particular this would assist in making it possible to cycle to the site from the nearby large and growing settlement at Heyford Park.

**Calculation:** The amount is based on a desk top estimate for negotiating upgraded access rights and undertaking surface and furniture measures. OCC would agree to a longstop of 10 years in the event that if it is not possible to negotiate upgraded rights.

### **S278 Highway Works:**

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

- Access junction- details to be agreed, including bus turning facility and bus stop
- Footway/cycleway linking the site with Elmsbrook, Bicester
- Crossing facilities over the B4100 at the service area, plus minor improvements to bridleway crossing to west of site

### **Notes:**

This is to be secured by means of S106 restriction not to implement development (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. With this site, the safety of construction traffic access will be critical, so the junction may be required to be constructed prior to construction activity on the rest of the site. The footway/cycleway would be required prior to first occupation.

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. A detailed survey of the highway boundary should be carried out to ensure that the adopted highway abuts the land holding. This may not be the case where there is a

ditch, and all highway record plans provided by OCC contain a caveat about this. Such 'gaps' can lead to significant delays to S278 agreements.

### **S38 Highway Works – [Spine Road ]/[ On-Site Rights of Way]:**

An obligation to provide a bus turning loop will be required for the development. The S106 agreement will secure delivery via future completion of a S38 agreement.

### **Planning Conditions:**

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

No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

No development shall commence unless and until full specification details (including construction, layout, surfacing and drainage) of the turning areas and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, have been submitted to and approved in writing by the Local Planning Authority. The turning area and car parking spaces shall be constructed in accordance with the approved details prior to the first occupation of the development shall be retained as such for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

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, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve, and retained as such thereafter.

Reason - To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

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.

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason - In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

The development shall not be occupied until a signage strategy for the site has been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be completed and signage installed in accordance with the approved details prior to the first use of any building on the site.

Reason - To ensure that traffic is directed along the most appropriate routes and to comply with Government guidance contained within the National Planning Policy Framework.

*Subject to further traffic modelling:* The development shall not be occupied until the planned scheme of enlargement and signalisation of Baynards Green roundabout, or other similar capacity improvement scheme as agreed with National Highways, has been implemented at Baynards Green junction.

**Officer's Name: Joy White**

**Officer's Title: Principal Transport Planner**

**Date: 2 November 2021**

**Application no: 21/03268/OUT**

**Location: NW Of Baynards House, Ardley**

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Detailed comments:**

Unable to find FRA in the submission.

Where car parking spaces and access roads are proposed, water quality standards must be met. Proposed development needs a water quality assessment in accordance with Section 4 and Section 26 of SuDS Manual.

Proposed development must meet local standards, L19, "At least one surface feature should be deployed within the drainage system for water quality purposes, or more features for runoff which may contain higher levels of pollutants in accordance with the CIRIA SuDS Manual C753. Only if surface features are demonstrated as not viable, then approved proprietary engineered pollution control features such as vortex separators, serviceable/ replaceable filter screens, or pollution interceptors may be used"

Furthermore, a detailed surface water management strategy must be submitted in accordance with the [Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)

In line with this guidance, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site as much as possible.

The applicant is required to provide a Surface Water Management Strategy in accordance with the following guidance:

The [Sustainable Drainage Systems \(SuDS\) Policy](#), which came into force on the 6th April 2015 requires the use of sustainable drainage systems to manage runoff on all applications relating to major development. As well as dealing with surface water runoff, they are required to provide water quality, biodiversity and amenity benefits in line with

National Guidance. The [Sustainable Drainage Systems \(SuDS\) Policy](#) also implemented changes to the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2010](#) to make the Lead Local Flood Authority (LLFA) a statutory Consultee for Major Applications in relation to surface water drainage. This was implemented in place of the SuDS Approval Bodies (SAB's) proposed in Schedule 3 of the Flood and Water Management Act 2010.

All full and outline planning applications for Major Development must be submitted with a Surface Water Management Strategy. A site-specific Flood Risk Assessment (FRA) is also required for developments of 1 hectare or greater in Flood Zone 1; all developments in Flood Zones 2 and 3 or in an area within Flood Zone 1 notified as having critical drainage problems; and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

Further information on flood risk in Oxfordshire, which includes access to view the existing fluvial and surface water flood maps, can be found on the [Oxfordshire flood tool kit](#) website. The site also includes specific flood risk information for developers and Planners.

The [National Planning Policy Framework \(NPPF\)](#), which was updated in July 2021 provides specific principles on flood risk (Section 14, from page 45). [National Planning Practice Guidance](#) (NPPG) provides further advice to ensure new development will come forward in line with the NPPF.

Paragraph 159 states; “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”

As stated in Paragraph 160 and 161 of the NPPF, we will expect a sequential approach to be used in areas known to be at risk now or in the future from any form of flooding.

The [Non-statutory technical Standards for sustainable drainage systems](#) were produced to provide initial principles to ensure developments provide SuDS in line with the NPPF and NPPG. Oxfordshire County Council have published the “[Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)” to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The SuDS philosophy and concepts within the Oxfordshire guidance are based upon and derived from the CIRIA [SuDS Manual \(C753\)](#), and we expect all development to come forward in line with these principles.

In line with the above guidance, surface water management must be considered from the beginning of the development planning process and throughout – influencing site layout and design. The proposed drainage solution should not be limited by the proposed site layout and design.

Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site. Therefore, we will expect existing drainage features on the site to be retained and they should be utilised and enhanced wherever possible.

Although we acknowledge it will be hard to determine all the detail of source control attenuation and conveyance features at an outline stage, we will expect the Surface Water Management Strategy to set parameters for each parcel/phase to ensure these are included when these parcels/phases come forward. Space must be made for shallow conveyance features throughout the site and by also retaining existing drainage features and flood flow routes, this will ensure that the existing drainage regime is maintained, and flood risk can be managed appropriately.

[Drainage Pro-Form](#)

**Officer's Name: Sujeenthan Jeevarangan**

**Officer's Title: LLFA Planning Engineer**

**Date: 18 November 2021**

**Application no: 21/03268/OUT**

**Location:** NW Of Baynards House, Ardley

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## **Archaeology**

### **Recommendation:**

Objection

### **Key issues:**

The site is located in an area of archaeological interest on the site of a medieval and post medieval green mentioned in historical records. An archaeological desk based assessment will need to be undertaken for the site to assess the potential of any proposed development to impact on archaeological deposits and heritage assets. The results of an archaeological field evaluation will also need to be submitted along with any planning application for the site.

### **Legal agreement required to secure:**

### **Conditions:**

### **Informatives:**

### **Detailed comments:**

The site is located in an area of archaeological interest immediately south of the site of a medieval and post medieval green mentioned in historical records. The area of the green has been suggested to be either the site of medieval jousting or a camp site for these jousts, horse racing and a rendezvous site during the C17th civil war. A number of possible Bronze or Iron Age banjo enclosures have been recorded in the vicinity of the site from aerial photographs and a ring ditch has been recorded 500m north east of the site.



An archaeological desk-based assessment will need to be undertaken for the site to assess the potential of any proposed development to impact on archaeological deposits and heritage assets.

A written scheme of investigation has been agreed for this desk-based assessment and a short statement on the historic environment has been submitted with this application. This submitted document however does not however appear to contain the whole assessment as set out in the agreed WSI. This will need to be submitted.

A programme of archaeological evaluation will need to be undertaken on the site and the report submitted ahead of the determination of any planning application. This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This evaluation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

**Officer's Name: Richard Oram**  
**Officer's Title: Archaeology Lead**  
**Date: 27 October 2021**