



HVJ TRANSPORT LTD

Project: Construction of five attached two bedroom dwellings

Location: Land adjacent to Cotefield House, Bodicote

Project No.: P1095

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1 INTRODUCTION AND SCOPE

- 1.1 This Technical Note is based upon instructions from Tariq Khuja and relates to the proposed residential development within the grounds of Cotefield House, Bodicote.
- 1.2 The purpose of this Technical Note is to address the highways related comments raised by Oxfordshire County Council (OCC) as part of their consultation on the submitted planning application Ref: 21/01835/F to Cherwell District Council on 24/05/21.
- 1.3 The original response provided by OCC on 7/7/21 advised there was no objection to the proposed scheme subject to conditions relating to the provision of parking and manoeuvring areas and the provision of adequate cycle parking facilities.
- 1.4 A later OCC response on 28/7/21 recommends refusal of the application and cites the following issues in support of this position:
 - Potential for existing access track to disappear if future resurfacing works are carried out.
 - Lack of facilities for pedestrians or cyclists to safely use the legal access route.
 - Potential conflict between an unspecified number of vehicles that cross the yard.
 - Lack of width for two vehicles to pass within the access track.

Additional information is provided within this Technical Note to address each of these concerns.



2 DESCRIPTION OF THE SITE & PROPOSED DEVELOPMENT

2.1 The site is located on the southern outskirts of Bodicote and approximately 3.5km to the south of Banbury (Refer Fig. 1).



Figure 1: Location plan (Source: Streetmap.org)

- 2.2 Access to the site is taken from the western side of the A4260 Oxford to Banbury Road via a tarmac access to which the owners and residents of Cotefield House have legal rights to use. The access runs through the yard of JS Auctions who also have shared legal rights of use and connects to the western edge of the A4260 carriageway via a 16.9m long dropped kerb. There is a 6.68m wide stone entrance set back 7.3m from the edge of carriageway with a 3.1m wide steel gate, that was installed without the applicant’s consent or notification, is set back 9.4m from the carriageway edge (Refer Photo 1 and Fig. 2).
- 2.3 Figure 2 also shows distances along the shared access measured from the western edge of the A4260 carriageway. These distances detail the extents of the commercial yard of JS Auctions which is defined by large concrete surfaced areas to either side of the shared access as shown in Photos 2 and 3.



Photo 1: Existing entrance gates from A4260



Figure 2: Configuration of access to the subject site



Photo 2: View of shared access and concrete hardstanding looking east towards A4260



Photo 3: View of shared access and concrete hardstanding looking west towards the subject site

- 2.4 There are buildings forming part of the Cotefield Business Park on either side of the access that are rented by JS Auctions with the access to these buildings being taken through the main business park entrance in Cotefield Drive as shown in Photos 4 and 5.



Photo 4: Access from Cotefield Drive looking towards the JS Auction buildings.



Photo 5: Plan of Cotefield Business Park showing nominated access points.



- 2.5 The main entrance to the subject site and the existing Cotefield House building is set back 61m from the edge of the A4260. As shown in Photo 6, and there is a speed hump across this 4.4m wide access.



Photo 6: Access, incorporating speed hump, to subject site

- 2.6 The A4260 is a 40mph two-way single carriageway road in the vicinity of the site access and there is also a system of streetlighting. The 40mph zone commences 54m to the south of the site access and continues to the north. To the south of the 40mph sign the speed limit is 60mph.
- 2.7 There is ample visibility at the junction of the existing access and the A4260. There is in excess of 200m visibility to the north (Photo 7) towards Banbury and 165m of visibility to the south (Photo 8) as measured on site with a calibrated measuring wheel during a site visit on 2/9/21.
- 2.8 It is noted that during an assessment of a previous scheme (Ref. 16/01589/F) OCC confirmed that the visibility to the south of 157m equated to a stopping sight distance for 52m and this was considered acceptable.



Photo 7: Visibility to the north (towards Banbury)



Photo 8: Visibility to the south (towards Oxford)

2.9 The scheme proposed under application 21/01835/F involves the construction of 5 attached residential dwellings and associated parking and manoeuvring space on land adjacent to Cotefield House. The new dwellings will utilise the existing shared access from the A4260.



3 RESPONSE TO OCC FEEDBACK

3.1 As noted, the OCC consultation feedback mainly focuses on acceptability of the existing access to meet the needs of the proposed development. The information below is provided in response to each of the issues raised. However, it must first be clarified that the access in question is currently shared and affords the residents and owners of Cotefield House legal right of access from the A4260 entrance to the Cotefield House property boundary.

Delineation of existing access

3.2 OCC has made the comment that there is potential for the existing access track to disappear if future resurfacing works are carried out. This statement fails to acknowledge that this access currently serves 12 flats within Cotefield House and the needs and legal rights of access to these properties must be maintained irrespective of whether there is any further development on the site. Alterations to the access simply cannot be undertaken without due consideration and preservation of the legal rights of access for vehicles, cyclists and pedestrians of the Cotefield House flats.

3.3 It is also incorrect to state that there are no facilities for cyclists or pedestrians to safely cross the yard. Pedestrians and cyclists are not “crossing the yard” but are in fact moving comfortably in a longitudinal direction along a clearly defined and legally designated access. The position and use of this access predates the arrangement of the yard and associated buildings and it is the responsibility of the owners of the adjacent yard to ensure their vehicles respect the long-established rights when they wish to undertake manoeuvres requiring the shared access to be crossed to reach other parts of their yard.

Pedestrian and cyclist facilities and vehicle conflicts

3.4 A lack of facilities for pedestrians or cyclists to safely use the legal access route has been suggested by OCC. As shown in Figure 2, the section of access in question is 26m long and varies in width between 3.3m and 4.0m. Photos 2 and 3 highlight the open expanse of area on either side of the access which ensures ample visibility for all users of this space.

3.5 Vehicles using this space are either associated with Cotefield House and therefore consistently travelling longitudinally along the access or are associated with the JS Auctions operation and travelling between their buildings over the short distances perpendicular to the road. As has been stated, this area is extremely wide and open and affords excellent visibility in all directions.



- 3.6 OCC has also stated that there are “often many vehicle movements” across the yard areas. This statement is both unquantified and unqualified. No data has been provided to confirm the number, type, or frequency of any such movements. Similarly, it has not been clarified if these movements are coincident with movements of people, vehicles or bicycles that may be coming to and from Cotefield House, which would typically be within the morning and evening peak hours which are usually 07.00-08.00 and 17.00 – 18.00.
- 3.7 To date, there have been no reported incidents of any conflict between vehicles and pedestrians or cyclists over this short (26m) stretch of access.
- 3.8 As part of the recent developments of new housing to the west of the application site, an assessment of pedestrian connectivity has been undertaken. As a consequence, existing footpaths have been upgraded and complemented by the construction of many new footways.
- 3.9 As can be seen in Figure 3, there is a direct means of access to a recently constructed footway along the southwest boundary of the site. This affords residents of Cotefield House and the new development an alternative option for connecting to the footway network and the A4260 footways.

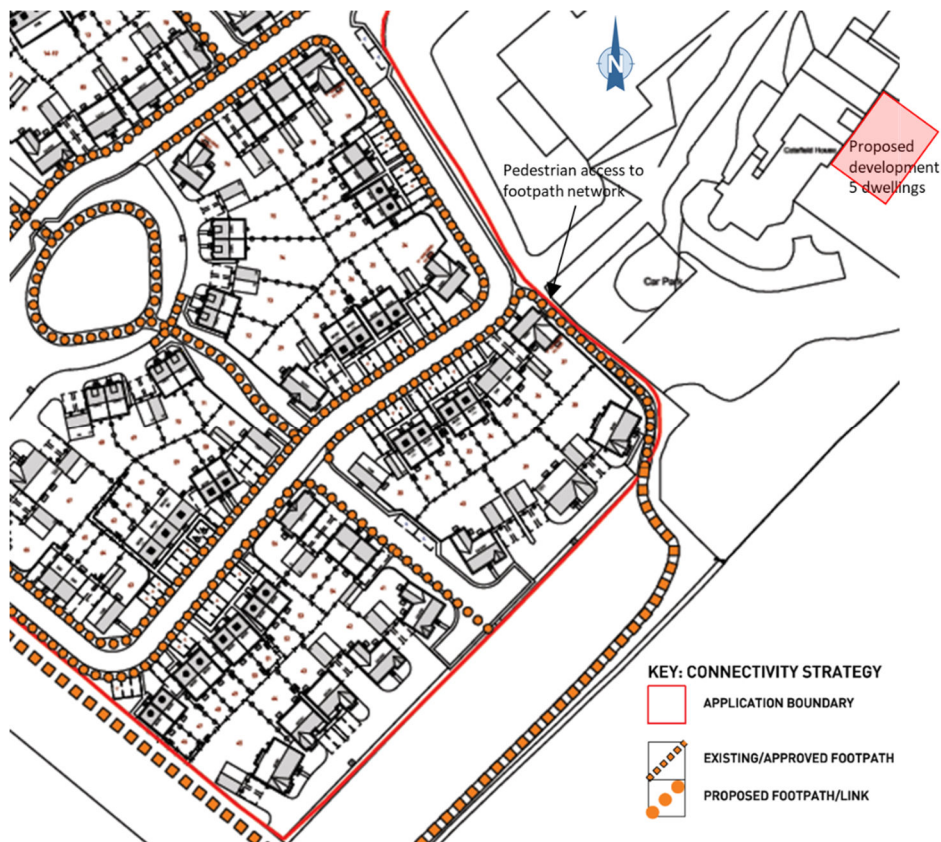


Figure 3: Pedestrian connectivity

(Extract from Pegasus Design Connectivity Strategy Drawing, Planning Ref. 18/00193/REM)



Access width

- 3.10 As noted on Figure 2, the access varies in width between 3.3m and 4.0m over a length of 26m. Manual for Streets (MfS) states that *“In lightly-trafficked streets, carriageways may be narrowed over short lengths to a single lane as a traffic-calming feature.”* MfS also states that *“Carriageway widths should be appropriate for the particular context and uses of the street.”* It is clear that the access in question is not even operating to the extent of a “lightly trafficked street” and should certainly be assessed more in line with its context and use.
- 3.11 The OCC comments have noted that there is in fact ample width either side of the access but the residents may not legally use this if it is outside of the red line area. The key point is that this is the reality of the situation that currently exists and there is a legal right of access for residents of Cotefield House. Any hypothetical change to these circumstances such as the building of a wall along the red line as suggested by OCC can only come about if SDC and OCC allow this change in recognition of the impact it will have on the current and future residents who would still have the need to utilise this access. If there is still genuine concern for the need for two vehicles to pass as a result of any future works along the access, then conditions would be necessary requiring the provision of passing bays at appropriate spacings as part of any wall or fence construction.



4 SUMMARY / CONCLUSION

- 4.1 This Technical Note has been completed to address specific transport related issues raised by Oxfordshire County Council as part of their consultation to Cherwell District Council on planning application reference 21/01835/F.
- 4.2 This Technical Note has highlighted the legal and practical aspects of the use of the shared access at this site. The access in question is currently shared and affords the residents and owners of Cotefield House legal right of access from the A4260 entrance to the Cotefield House property boundary.
- 4.3 The issues identified by OCC relate to the perpendicular crossing movements of the users of the JS Auctions manoeuvring areas whereas traffic movements for residents of Cotefield House are consistent and linear along the shared access.
- 4.4 The OCC response mainly focuses on physical constraints to the access for residents of the proposed development. The same constraints and conditions as well as any potential future hypothetical changes to the access surrounds will also affect the existing residents of Cotefield House and any such changes would be subject to assessment on transport grounds to ensure continued safe access to Cotefield House is maintained.
- 4.5 The existing configuration has provided convenient access to the A4260 for cars cyclists and pedestrians with no reported incidents. The proposed development can safely continue this arrangement and will also provide suitable turning space for emergency and waste collection vehicles.
- 4.6 There is potential for additional pedestrian access to the upgraded pedestrian footway network at the southern boundary of the site.
- 4.7 The existing junction with the A4260 provides adequate sight distance in accordance with DMRB requirements as confirmed by OCC.
- 4.8 As noted in the NPPF, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This review has not identified any aspects of this development which could cause severe harm in highway safety terms and there are no transportation reasons which should prevent the development of this site.
- 4.9 Based on the additional information provided, OCC should be able to revert to their original assessment and raise no objection to the proposed development.