

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

**District:** Cherwell

**Application no:** 21/04275/OUT

**Proposal:** OUTLINE - with all matters reserved except for Access - Mixed Use Development of up to 3,100 dwellings (including extra care); residential and care accommodation(C2); mixed use local centre (comprising commercial, business and service uses, residential uses, C2 uses, local community uses (F2(a) and F2(b)), hot food takeaways, public house, wine bar); employment area (B2, B8, E(g)); learning and non-residential institutions (Class F1) including primary school (plus land to allow extension of existing Gagle Brook primary school); green Infrastructure including formal (including playing fields) and informal open space, allotments, landscape, biodiversity and amenity space; burial ground; play space (including Neaps/Leaps/MUGA); changing facilities; ground mounted photovoltaic arrays; sustainable drainage systems; movement network comprising new highway, cycle and pedestrian routes and access from highway network; car parking; infrastructure (including utilities); engineering works (including ground modelling); demolition

**Location:** Adj Lords Lane And SE Of Hawkwell Farm, Lords Lane, Bicester

**Response Date:** 21st April 2023

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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: 21/04275/OUT**

**Location:** Adj Lords Lane And SE Of Hawkwell Farm, Lords Lane, Bicester

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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 proposed traffic capacity improvement scheme at the junction of Bucknell Road/Howes Lane/Lords Lane is considered unsafe and unsuitable for reasons set out below in Section 3 of this response.
- There remain other outstanding points of objection as set out in Section 1 of this response.
- The proposals for detailed junction modelling are not sufficient in some aspects, as set out in Section 2 of this response.

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 and informatives as previously specified, **plus others that may arise to overcome the points set out below.**

### **Comments:**

#### **Introduction**

It has been over a year since OCC Highways last responded formally to a consultation on this application. During that time, there has been extensive correspondence, which in recent months has focussed on proposals by the applicant for an interim highway capacity improvement scheme at the junction of Howes Lane/Bucknell Road/Lords Lane. The aim of this scheme would be to release housing at the site, which it is stated would help finance the construction of the A4095 realignment. There have been various iterations of this scheme following discussions and correspondence, culminating in Technical Note 10 v10. Consideration of TN10 v10 is covered in Section 3 of this response.

Additionally, the applicant has commissioned transport modelling which has generated predicted traffic flows at junctions across Bicester, relating to alternative development scenarios. A further technical note (TN11 v3) has been submitted showing the proportionate impact on flows at these junctions, with proposals for which junctions require further, detailed modelling. A technical note (TN12 v4) has also been submitted, showing the proportionate impact at junctions on the strategic road network. Consideration of TN11 v3 and TN12 v4 is covered in Section 2 of this response.

Since our last formal response over a year ago, there have also been informal submissions of other technical notes, on which OCC has provided comments. These have recently been formally submitted and are catalogued in TN14. TN09 v1 (July 2022) sets out the applicant's position with respect to addressing our initial objections. Consideration of TN09 v1 is covered in Section 1 of this response.

Ultimately, for completeness, I would expect the applicant to produce an amended TA or TA Addendum, with reference to the technical notes as appendices.

### Section 1 – TN09 v1 – addressing OCC highways' initial objections

- a) Transport impacts not modelled: Strategic modelling has been carried out using the Bicester Transport Model and initial results are contained in TN11 and TN12 – see comments in section 2. Modelling of individual junctions has still to be done.
- b) A4095 no longer funded so delivery cannot be assumed by 2026: Applicant is now pursuing an interim mitigation scheme, which is the subject of TN10. See comments in section 3.
- c) Off site pedestrian network improvements to be set out and additional ped/cycle access points required, with filtered permeability prioritising walking and cycling: Discussions were held and improvements were offered and welcomed. It was stated that the Walking and Cycling Strategy figure 7.5 in the Design and Access Statement could be updated and produced as a separate plan for approval. This should be updated and provided for consideration. More detail is required of the Bucknell Road link towards Bicester, and how it connects to the route to be upgraded alongside the railway. There was an outstanding point regarding access onto Bainton Road which should be addressed.
- d) Off site walking/cycling link to town centre via upgraded footpath alongside railway: This is a vital piece of infrastructure that the development needs to deliver. TN09 stated that Jubb had undertaken a site visit and two design options had been drawn up, and a costing exercise was being undertaken. We have not seen the outcomes of this – this needs to be provided.
- e) Travel Plan – A strong travel plan will be required to achieve the 'vision' low car trip generation, and will need to be secured via the S106 agreement. TN09 reports that an updated travel plan will be prepared. This needs to be provided for review.
- f) Car Parking standards: TN09 states that the OCC standards for parking and cycle parking will be used. These have recently been updated and can be found at [Parking standards for new developments \(oxfordshire.gov.uk\)](https://www.oxfordshire.gov.uk/parking-standards-for-new-developments). Reserved matters applications will be expected to conform to the standards current at the time of submission.
- g) Vehicle trip generation: This was the subject of TN02, TN04 and TN07. This culminated in an approach being agreed whereby the development impact would be modelled using standard residential trip rates as used in the Bicester Transport Model, and a 'vision' trip rate based on trip containment, travel plan,

- sustainable transport provision etc. The impact of the development has been modelled using both scenarios, reflecting the 'Decide and Provide' principle.
- h) Main access junction designs: It was pointed out that these did not include segregated cycle facilities, and should have had straight over crossings and refuges designed for cyclists. The applicant agreed to provide updated designs and these have not yet been submitted.
- i) Primary street (spine road) cross section: A proposed cross section was appended to TN03. OCC compared this against the *Oxfordshire Street Design Guide* and provided comments on this on 12 August 2022 but we have not seen an amended version. The comments were as follows:
- We recommend a 6.75m wide carriageway for bus routes and 5.5m for non-bus routes.
  - 2m footway width is fine
  - 2m stepped cycleway widths are fine but they should be stepped bordering the highway
  - There should be a 0.5m margin between the cycleway and parking
  - The cycleway needs to be on the footway side of parking bays to avoid conflict with vehicles
  - Potential implications of having street lighting and trees in close proximity (roots networks and ducting, etc, as well as obstructing light)
- j) Detail needed of accesses onto Bucknell and Bainton Road, since access is not a reserved matter: it is vital that the position of the accesses is established, to confirm that they can be provided safely, for which a scale drawing is required to demonstrate visibility splays and establish any land that may need to be dedicated.
- k) Connection to Elmsbrook spine road. This was subject to negotiation with A2 Dominion and an update is required. OCC's position is that a bus, walking and cycling link is required here and the development would not be acceptable without it.

## Section 2 – Percentage impact assessment – TN11 and TN12

TN11 sets out proposals for further detailed junction modelling, based on the predicted increase in traffic at junctions across Bicester, arising from modelling using the Bicester Transport Model.

Due to the age of the BTM base model, it is recommended that the applicant carries out some traffic counts in the vicinity of the site to check validation. OCC will be undertaking a present day validation check, which is anticipated in May. Further advice will be provided.

Table 3.1: While we do not support a rigid percentage threshold for a requirement to carry out further modelling, OCC supports the conclusions in this table, with the following exceptions/reservations and comments.

Ref 7 – Queens Avenue/St John's Street mini roundabout – agree that modelling should be carried out. Traffic counts will be required for validation. A proportionate contribution to a wider central corridor improvement scheme currently in development would be appropriate but we will not have a cost on which to calculate a proportion until later this year.

Ref 8 – agree that modelling should be carried out. Traffic counts will be required for validation. Options are currently being considered by OCC for an active travel connection between Bicester North and Bicester Village Stations, which will include these two junctions and help to mitigate congestion impact. A proportionate contribution to this scheme would be appropriate but we will not have a cost on which to calculate a proportion until later this year.

Ref 11 – Wretchwick Way/Charbridge Lane/Gavray Drive roundabout – agree that this is too remote and modelling not required.

15 – B4100 Banbury Road/A4095 Lords Lane roundabout – agree this doesn't require separate modelling because an improvement scheme is already planned by OCC but the results demonstrate why a contribution to this scheme is important.

Ref 16 – B4100 / Caversfield priority junction – agree that capacity improvements would simply encourage traffic to route via Aunt Emm's Lane. Agree that traffic calming/deterrent measures through Caversfield would be more appropriate and suggest these should be a s278 scheme so that the impact is avoided from the start. The applicant should propose measures, and, following discussion with OCC, engage with Caversfield Parish Council on these.

Ref 17 and 18: Further clarification is required on how these junctions have been coded in the 2031 scenario. The network in the area was proposed to change significantly in the area as a result of the A4095 realignment (as per the layout permitted under 14/01968/F), with Bucknell Rd north being closed to vehicular traffic north of the existing railway bridge, Lords Lane forming a priority junction with Bucknell Road close to the existing roundabout and at its northern end a signalised junction with the realigned A4095 close to its existing alignment, and a bus only link leading up from Bucknell Road to the main site access junction on the Strategic Link Road. It has since been agreed that the bus would route via Banbury Road so this bus only link is not required and could be closed. Can this coding be clarified?

The table shows a clear impact here. The interim mitigation scheme referred to in the table is not accepted by OCC. It's understood that the applicant will shortly propose permanent changes to the network in this area, to prioritise sustainable transport, and these arrangements will require detailed modelling. However, early delivery of the footway/cycleway alongside the railway will be important to limit vehicular impact.

Ref 19 – Howes Lane/Middleton Stoney Road/Vendee Road roundabout – there is a clear impact here, with over 10% increase in flow on the Howes Lane N arm. Detailed modelling should be carried out.

Ref 21 – Middleton Road/Bainton Road priority junction (crossroads in Bucknell) – The modelling has been coded to reflect the traffic calming along Bucknell Road and through Bucknell village proposed by the applicant instead of the 'Bucknell Hook', which was originally part of the permitted A4095 realignment scheme as a measure to deter traffic from routing through Bucknell. The model predicts significant increases in traffic, and whilst it's agreed that they are unlikely to lead to congestion at the junction, they would have an undesirable environmental impact on Bucknell village. The coding should be revisited to check that it accurately reflects likely traffic speeds and journey times, but if it does, it shows that the scheme would provide insufficient deterrent and further/alternative measures are required.

TN12 has the same purpose as TN11, except that it only covers junctions on the Strategic Road Network – namely M40 Junctions 9 and 10. It shows a minimal percentage impact on Junction 9, and the Padbury, Cherwell and Ardley roundabout elements of Junction 10. However, it does not include Baynards Green, which is part of M40 J10 and forms the junction of the A43 and B4100. **This should be included.** I note that National Highways has not yet provided comment on this technical note and still has a holding objection.

### Section 3 – Interim mitigation scheme – TN10 v10

OCC Highways has responded informally to the applicant through emails and in meetings, to previous iterations of this technical note. We have indicated that we do not support this scheme for the following reasons.

- Cost: It is proposed that the scheme would allow the site to develop up to a threshold (1250 dwellings although in TN11 it is stated that it would provide sufficient capacity for the whole development, which is not demonstrated) It is purported that this would finance the construction of part of the realignment of the A4095. We are concerned that this interim scheme would cost several million pounds and as an interim scheme, would also be costly to remove. This puts the ability to finance the A4095 realignment into question and could detract from the ability to deliver sustainable transport improvements.
- The deliverability of the scheme is questionable, given the very tight geometry. It relies on very precise manoeuvres by HGV drivers. Even if deliverable, it's unlikely to deliver the predicted capacity improvements due to the constraints.
- The scheme is likely to be in place for many years and could jeopardize the delivery of the cycle and pedestrian infrastructure improvements required to deliver the Bicester LCWIP.
- We have had safety concerns, which later iterations have sought to address, but the scheme in its current form is not acceptable and a Road Safety Audit has not yet been carried out.



The interim scheme proposes to replace the existing priority T junction of Howes Lane/Bucknell Road and the priority roundabout junction of Bucknell Rd/Lords Lane, which together form the critical constraint on the local network, with two linked signalised junctions. This would entail significant changes to kerblines and realignment of the southwestern end of Lords Lane. It has not yet been costed by the applicant so while it is proposed as a way of bringing forward housing in order to finance the delivery of the A4095 realignment, this cannot be demonstrated financially. The cost of the scheme would detract from the overall viability of NW Bicester.

The A4095 realignment will allow the road layout at this location to allocate more space to, and to prioritise sustainable transport. We await drawings from the applicant to show what they propose this final layout to look like. The kerblines and traffic signal infrastructure proposed in the interim scheme are likely to be largely redundant, and the cost of reinstatement/constructing the final layout would also need to be borne by the development.

The geometry required to accommodate the swept path of large vehicles, taking into account traffic signal stop lines and sight lines means that the hard surfaced area of the Bucknell Road/Howes Lane junction would increase, taking the kerb line and footway closer to adjacent properties. Further, the interim scheme would inevitably cause environmental damage and significant disruption, which may not be justified.

TN10 shows that the existing arrangements are far from ideal, and that congestion at the junction will become severe by 2026, even without the development. However, we are not convinced that the benefits of the scheme would outweigh its disadvantages. Alternative interim mitigation schemes at this junction have been considered over several years, and none have been found suitable due to the particular constraints at the junction, notably the skew railway bridge and its abutments. The comparative advantages of early delivery of key cycling infrastructure, in particular the route alongside the railway linking Lords Lane with Banbury Road and the onward connection to Bicester North railway station, and their role in mitigating the traffic impact of the development, should be considered.

### **Detailed comments on TN10 v10:**

1.1.9 Note that application 21/01630/OUT is now at appeal, with the inquiry due in June.

1.1.13 OCC's position on the above application may not necessarily be seen as a precedent in planning terms.

2.1.1 Note the comments above in relation to TN11 recommending further traffic counts.

2.1.2 The scenarios modelled include 675 dwellings and 1250 dwellings at the site in advance of the A4095 realignment. All of these are proposed to be accessed from the

northern access on existing Lords Lane, opposite Germander Way, as the other main access is proposed onto the A4095 realignment. Note that this northern junction has not been modelled, and will need to be. 675 dwellings would not be acceptable with only one vehicular access. As set out in the Oxfordshire Street Design Guide: *Up to 400 dwellings could be served by one access, while more than 400 dwellings must be served by more than one access. In Addition, development of more than 150 dwellings with a single vehicular access will also require an emergency access.* Clarification is needed on how this would be provided. **The trigger for opening of the secondary school south of the railway (which would serve the development) also needs to be considered – this in turn depends on the A4095 realignment for access.**

2.1.3 Several inconsistencies have been picked up between the BTM output flows and the traffic flow diagrams. As the traffic flow diagrams are then used to generate the inputs to the LinSig modelling, this means the modelling could be incorrect. Please amend or clarify reason:

AM Peak:

- Appendix A2 / Appendix B1: Bucknell Road (N) to Bucknell Road (S) table reads **159** PCU's, diagram reads **152** PCU's
- Appendix A2 / Appendix B1 Bucknell Road (N) to Howes Lane (W) table reads **667** PCU's, diagram reads **635** PCU's
- Appendix A3 / Appendix B2: Bucknell Road (N) to Bucknell Road (S) table reads **148** PCU's, diagram reads **141** PCU's
- Appendix A2 / Appendix B2 Bucknell Road (N) to Howes Lane (W) table reads **659** PCU's, diagram reads **627** PCU's
- Appendix A4 / Appendix B3: Bucknell Road (N) to Bucknell Road (S) table reads **172** PCU's, diagram reads **162** PCU's
- Appendix A4 / Appendix B3 Bucknell Road (N) to Howes Lane (W) table reads **670** PCU's, diagram reads **634** PCU's
- Appendix A5 / Appendix B4: Bucknell Road (N) to Bucknell Road (S) table reads **155** PCU's, diagram reads **146** PCU's
- Appendix A5 / Appendix B4 Bucknell Road (N) to Howes Lane (W) table reads **662** PCU's, diagram reads **628** PCU's

3.1.7-3.1.13 It is acknowledged that pedestrian and cycle movements through the junction are currently very low. However, this should not be used as an argument to justify levels of provision of pedestrian/cycle infrastructure. There are limited opportunities in the area to access the countryside. The Aldershot Farm bridleway is one such opportunity and would create a demand for pedestrian and cycle access through the junction, along with other destinations in the Shakespeare Drive and Vendee Drive direction.

3.1.13 refers to the existing active travel route adjacent to the railway as being the main desire line for cyclists towards the town centre. However, this is currently a public footpath – the development will need to upgrade it to a ped/cycle route.

3.1.14 –Tracking of articulated vehicles. It's acknowledged that their passage through the current junction arrangement relies on the ability of other vehicles to give way in unexpected places, and where they have right of way. The current priority arrangements allow for this informal negotiation of the junction, whereas the signalized arrangement with a stop line on the southbound internal Bucknell Road link would cause vehicles to wait in a position which then requires HGV drivers making the very sharp turn left out of Howes Lane to manoeuvre between the stopped vehicles and the kerbline. This would be a slow manoeuvre, perhaps not taken into account in the capacity modelling, and less skilled drivers may even get stuck. Appendix F (which does not show the full range of movements through the junction) shows an articulated HGV making the turn and how close its wheels and body need to be to the kerb on one side and the centreline/stop line on the other. See extract below. (See comments below on the proposed cycle facilities.)



*Extract from Appendix F – Signalised Junction tracking*

4.1.2-4.1.5 Alongside the acknowledged improvements for pedestrians, it needs to be factored in that the proposed cycle time for the signalised junction is 180 seconds – any less would affect the traffic capacity. We have previously raised this as a concern, and it is referred to in 4.1.23. OCC would not accept a three-minute wait for a green man. This would be less convenient for pedestrians compared to the current situation where they could cross safely in gaps at quieter times, and likely to lead to unsafe crossing movements where pedestrians are reluctant to wait for the green man. 4.1.23 states that OCC could reduce the cycle time, but this would erode the traffic capacity benefits.

4.1.5 The proposed refuge crossing could be a priority crossing as proposed by Bicester Bike Users Group.

4.1.7-8 Bicester Bike Users Group proposed a layout including off- carriageway cycle facilities. This would fit with the emerging update to the Bicester LCWIP which highlights the importance of this junction on the cycle network (as does the current

LCWIP) and requires off carriageway facilities. 4.1.8 states that the interim scheme is unable to deliver this but does not state why. BBUG provided a sketch of how they consider it could be accommodated and the applicant should demonstrate why, if they do not consider it achievable.

The proposed arrangement of on-carriageway feeder cycle lanes and advance stop lines (ASLs) is not considered safe. The vehicle tracking shows how cyclists could be dangerously squeezed, particularly when turning left out of Howes Lane. The feeder lanes would not permit cyclists to reach the ASLs when traffic is queueing because the vehicle lanes are narrow and larger vehicles would occupy the feeder lanes. When traffic is moving to turn left, it would be safer for cyclists to occupy a central position in the traffic lane to avoid getting squeezed, and the presence of the feeder lane may discourage this

Additionally the ASLs are too short. TSRGD Diag 1001.2 requires them to be min 4m deep and max 6m.

Appendix H shows the location and repositioning of signage and lighting, although it is not clear that all signage will be achievable without obstructing footways. It does show the need, and therefore expense, of relocating lamp columns. We have concerns about the signal heads opposite Howes Lane, which could be confusing given the small angle between them.

4.1.18 The phasing and staging of the signals has been adjusted to overcome previous safety concerns and this is reflected in the LinSig inputs.

4.2.21 It's acknowledged that adjustments have been made to the scheme to improve pedestrian facilities compared to what was initially proposed, and reduce the impact on adjacent dwellings, which has had an impact on vehicle capacity. The outputs show negative practical reserve capacity even in the lowest impact scenario – 675 dwellings using the 'vision' trip generation. In this scenario the Degree of Saturation is over 90% (OCC's threshold of acceptability for new schemes) on three lanes in the am peak, and one lane in the pm peak. This means the capacity benefits could easily be eroded due to fluctuations in traffic flow over the peak hour. Microsimulation could be used to model the junction more accurately, as there are some limitations of LinSig.

4.1.24-26 It should be noted that the modelling does not include the Firethorn development (currently at appeal) in the reference case, so does not factor in the additional impact of that development, if it is allowed.

5 – this section acknowledges that further detail will be provided of the final road layout in this area, so I make no comment on this section.

**Officer's Name: Joy White**

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

**Date:** 20/04/2023