

# 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:** 03/08/2023

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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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## **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 content of the update does not overcome OCC's previous objections.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement - please refer to Heads of Terms as stated in our previous response.

#### **Comments**

We have been consulted on a Jubb Technical note, TN16v1 dated June 2023.

This covers some aspects of the OCC response to the application at a high level. A meeting was held on 19 July with Hallam Land, OCC and CDC, to discuss its content. Taking each of the issues raised in the note in turn:

#### **Use of the Bicester Transport Model**

It was clarified at the meeting that the BTM is undergoing some checks to confirm that it is fit for use, in light of the fact that it has a 2016 base. It was updated in 2018 but only to extend the coverage to include Heyford. The model's age is beyond DfT guidance, albeit that DfT's position was relaxed due to the inability to carry out representative traffic surveys during Covid restrictions.

Surveys have recently been carried out by OCC at a number of locations and the data is being analysed. We do not expect problems and hopefully it will be confirmed in the next few weeks that the model is fit for use and the outputs can therefore be relied upon.

#### **Main Access Junctions Designs**

OCC policy supports the introduction of straight over crossings for cyclists and a phase that is all red to motor traffic. This will also benefit pedestrians, and reflects our LTCP policy to prioritise the movement of pedestrians and cyclists over motor traffic. Further discussions are recommended on the design of the junctions but our preference would be for cycles to cross closer to the stop lines than cyclists.

The layout of the western access junction needs to take into account the design of the SLR (A4095 realignment) and the placing of junctions on it, which has not yet been agreed.

### **Howes Lane/Bucknell Road/A4095 Interim Mitigation Scheme**

Clearly the cost of the scheme and its removal does need to be taken into account in any discussions about viability of development at NW Bicester, which in turn affects the deliverability of the SLR - a key concern for the highway authority.

OCC has not costed the interim scheme, but £2.3 million is considered to be an underestimate, based on experience of Banbury Rd junction. It's accepted that allowing some additional occupations ahead of the completion of the SLR would assist developers in being able to contribute towards the SLR, but the cost of financing the interim scheme would also need to be taken into account.

Aside from this, OCC has been liaising on technical matters with Jubb for many months now and has provided feedback on the layout of several iterations of the scheme. To date we have not seen a layout which would meet OCC Policy:

Policy 1: We will develop, assess and prioritise transport schemes, development proposals and policies according to the following transport user hierarchy [placing walking and then cycling first above other modes]

Policy 2a) ...All new walking and cycling schemes will be designed according to the updated Oxfordshire Walking and Cycle Design Standards... (This has not yet been published – until then LTN 1/20 guidance applies).

Even if we were to accept that the interim scheme improves conditions for pedestrians and cyclists as compared with the existing situation (and this is arguable), it would be extremely difficult for us to recommend as mitigation for new development, a scheme which does not meet the above policy requirements. Although temporary, it could be in place for many years.

The scheme involves increasing the hard surfaced area of the junction significantly, to accommodate the swept paths of vehicles at the traffic signal stop lines. This would be a large amount of abortive infrastructure, which has implications for embodied carbon.

We understand a further iteration of the layout will be provided and we will provide comments on that.

We are also asked to consider an initial phase of 1250 dwellings to be occupied prior to the delivery of the SLR and without a mitigation scheme. This is of course subject to the planning authority's position on the application of Grampian conditions. OCC will be working with CDC to look at suitable potential scenarios of development on this and other application sites, the impact of which can then be modelled. Notwithstanding the traffic impact, there are other masterplanning issues to consider, including *inter alia*

school provision and location of school sites, bus routing, interim active travel routes, and the requirement set by OCC in the Oxfordshire Street Design Guide for a development of more than 400 homes to have two or more vehicle access points.

### **Howes Lane/Bucknell Road/A4095 Final Scheme**

A layout has been provided for comment. The final road layout in this area needs to be considered as part of the wider design of the SLR and its connections to the Bicester transport network, which in turn has an impact on the access strategy for the southern part of the site to the south of the SLR.

The link from Bucknell Road south to meet the SLR at the main site access junction was originally envisaged to be a bus only link. Subsequently it was decided that Bucknell Road would not be part of the bus loop, with buses instead using Banbury Road and then looping around NW Bicester north of the railway, returning via Banbury Road. It may not be desirable in the long term for this to be an all-vehicle connection, and instead the southern arm of the main access junction could be a cul-de-sac, with no direct access onto Bucknell Road. This requires further discussion.

While the final design of the adjacent road network could form part of a separate planning application for the SLR, the cost of works to remove an interim scheme would need to be borne by the developer.

### **Upgrading of the footpath alongside the railway line**

This is a key piece of sustainable transport infrastructure for the site to deliver in order to meet the vision of low car trip generation, and is directly related to the site. For information OCC is in the process of carrying out its own cost estimate, which is greater than either option 1 or 2 as costed by the applicant. Nevertheless, it is not considered disproportionate when considered against the active travel contributions secured and to be secured from other sites. Further information on the amount of contributions will be provided, but sites south of the railway are required to fund cycle infrastructure to LTN 1/20 standards on Shakespeare Drive and Middleton Stoney Road, this being a key link to the town centre and Bicester Village station, as well as facilities at Kingsmere. Firethorn is providing funding for cycle improvements on Banbury Road, which would be the most direct route to the town centre and rail stations for its residents.

### **Bucknell Road Link Road**

The findings of the journey time analysis need to be considered in more detail, but OCC is supportive of the principle of introducing traffic calming and a 20mph restriction on this link, as the development builds out (in addition to traffic calming in Bucknell village), as a deterrent to rat-running through Bucknell, in place of the originally envisaged 'Bucknell Hook'.

**Officer's Name: Joy White**

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

**Date: 27/07/2023**