

OXFORDSHIRE COUNTY COUNCIL

STATEMENT OF JUSTIFICATION FOR PLANNING OBLIGATION REQUIREMENTS

CHERWELL DISTRICT COUNCIL REF: 17/02534/OUT-2

SITE LOCATION: Land North Of Bicester Avenue, Garden Centre, Oxford Road, Bicester.

PROPOSAL: The construction of a business park of up to 60,000 sq.m (GEA) of flexible Class B1(a) office / Class B1(b) research & development floorspace; parking for up to 2,000 cars; and associated highways, infrastructure and earthworks

R122 statement – 17/02534/OUT-2

TRANSPORT

Relevant Policies:

General

Policy for Bicester 4, of which this development is part, is set out in Cherwell District Council's Adopted Cherwell Local Plan 2011-2031. In relation to general requirements for planning obligations:

Under 'Infrastructure Needs', bullet point 2 of Bicester Policy 4 explicitly requires: "Contributions to improvements to the surrounding local and strategic road networks."

1. Strategic Highway Infrastructure Contribution

Volume 1: Connecting Oxfordshire: LTP 2015-2031

Policy 02 of the LTP states that: *Oxfordshire County Council will manage and, where appropriate, develop the county's road network to reduce congestion and minimise disruption and delays, prioritising strategic routes.*

Under this policy document (particularly in the Bicester Area Strategy), the Plan identifies Bicester as a fast-growing area that shall need a South-East Perimeter Road (SEPR) linking the Eastern Perimeter Route at its junction with Gavray Drive to the A41 (Aylesbury) road and the A41 (Oxford) road. The SEPR as a scheme has been assessed as being required by 2031 to deliver Local Plan Growth, using the Bicester Transport Model (BTM).

The Adopted Cherwell Local Plan 2011-2031

D.3 of the Plan says that the Infrastructure Delivery Plan (IDP) identifies the infrastructure necessary for the successful delivery of this plan and informed the policies for Building Sustainable Communities in Section B and Cherwell's Places in Section C. Many sites require infrastructure, such as road access, new schools, neighbourhood and health facilities. The planning process determines at what point in a development they are required. The IDP identified costs as far as possible and gaps in funding in consultation with the infrastructure and service providers operating in Cherwell.

D.17 further states "*The IDP suggests that infrastructure to support the local transport network will be a key priority for the delivery of the strategic site allocations in Bicester and Banbury. The Plan supports the delivery of highway capacity improvements on peripheral routes at Bicester and capacity improvements to north-south and east-west routes at Banbury as set out in the IDP schedule in Appendix 8. The Local Plan contains site-specific information relating to infrastructure requirements and a Developer Contributions SPD is being prepared.*"

The Adopted Cherwell Local Plan 2011-2031

The Local Plan Policy SLE 1

Recognises the importance of public transport, such as rail infrastructure in supporting employment development in areas of the district, including Bicester.

Policy SLE 4

Identifies that new development will be required to provide contributions towards transport impacts of development and recognises that development should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport etc.

2. Public Transport Contribution

National Planning Policy Framework

Paragraph 108 of the NPPF (July 2018) states that "...In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: "...appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location";

Volume 1: Connecting Oxfordshire: LTP 2015-2031

Policy 3

Oxfordshire County Council will support measures and innovation that make more efficient use of transport network capacity by reducing the proportion of single occupancy car journeys and encouraging a greater proportion of journeys to be made on foot, by bicycle, and/or by public transport.

Policy 17

Oxfordshire County Council will seek to ensure through cooperation with the districts and city councils, that the location of development makes the best use of existing and planned infrastructure, provides new or improved infrastructure and reduces the need to travel and supports walking, cycling and public transport

Policy 34

Oxfordshire County Council requires the layout and design of new developments to proactively encourage walking and cycling, especially for local trips, and allow developments to be served by frequent, reliable and efficient public transport. To do this, we will:

- secure transport improvements to mitigate the cumulative adverse transport impacts from new developments in the locality and/or wider area, through effective travel plans, financial contributions from developers or direct works carried out by developers;
- identify the requirement for passenger transport services to serve the development, seek developer funding for these to be provided until they become commercially viable and provide standing advice for developers on the level of Section 106 contributions towards public transport expected for different locations and scales of development.....

The Adopted Cherwell Local Plan 2011-2031

The Local Plan Policy SLE 1

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Policy SLE 4

Identifies that new development will be required to provide contributions towards transport impacts of development and recognises that development should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport etc.

3. Travel Plan Monitoring Fee

National Planning Policy Framework

Paragraph 111 of the NPPF (July 2018) states that "All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Connecting Oxfordshire: Oxfordshire County Council's Fourth Local Transport Plan 2015-2031 (LTP4)

Policy 34 (see above)

Also paragraphs 138, 150, 158, 232

NECESSARY TO MAKE THE DEVELOPMENT ACCEPTABLE IN PLANNING TERMS	DIRECTLY RELATED TO THE DEVELOPMENT	FAIRLY AND REASONABLY RELATED IN SCALE AND KIND TO THE DEVELOPMENT
<p>Strategic Highway Infrastructure contribution – £1,777,715.52 to be index linked from October 2015 towards the South-East Perimeter Road (western section) or a scheme of similar benefit.</p> <p>The need to provide strategic transport infrastructure for Bicester, is set out in the Cherwell Local Plan (2011-31) and Local Transport Plan 4. The South-East Perimeter Road was tested and agreed as part of a strategic infrastructure package necessary to deliver the Local Plan growth, by mitigating the combined, cumulative impact of increased demand on the highway network arising from that growth.</p> <p>A report on modelling carried out to inform the Cherwell Local Plan EIP (INF17PM – Bicester Transport Modelling, Oct 2014) identified a dramatic increase in the number of Bicester links and turns becoming over capacity in the proposed Local Plan Growth scenario without the link road, and recommended further study into possible improvements to the southern, northern and eastern corridors. Further testing of options confirmed that south east perimeter road options performed best, and the Inspector required a consultation on SEPR route options to select a preferred option.</p> <p>Following a feasibility study, a public consultation was carried out on route alignment options for the scheme in Autumn 2015. Details of this now closed consultation can be found on Oxfordshire County Council’s website here, as well as the report to the county council’s Cabinet on the conclusions and preferred alignment.</p> <p>Without improvement of infrastructure the detrimental cumulative impacts of the local plan growth, including Bicester Office Park development, would be severe. It is therefore justified, and established in policy, that local plan allocated sites should contribute towards elements of this infrastructure package, where their individual impacts on congestion are not large enough to require them to provide the elements of the package in full. This is in addition to local, direct mitigation required specifically to mitigate a severe impact arising from each site in isolation – in this case the junction capacity improvements where the road leading into the site joins the A41.</p> <p>The contribution is justified as necessary to make the development acceptable in policy terms as follows:</p> <p>Infrastructure Development Plan: The site allocation of Bicester 4 is identified as relevant to contribute towards a range of schemes as set out in the Infrastructure Development Plan. In addition, Local Transport Plan 4 Bicester Area Strategy Policy BIC1 states a need to:</p>	<p>The Transport Assessment shows that the network along the A41 corridor on which the development site sits is already under strain in the opening year of 2026 from the cumulative impact of growth. This strain will continue to grow until a trigger point when the South East Perimeter Road will be required before 2031, in order to provide relief to the A41 corridor.</p> <p>As a result, a Strategic Transport Contribution from the Bicester 4 Local Plan growth allocation is required, in addition to any local mitigation that may also be necessary.</p> <p>It is considered that the most appropriate piece of strategic infrastructure for this contribution to be allocated against is the South East Perimeter Road, as the site will directly benefit from its construction. This is supported by the independent transport consultant commissioned by Cherwell District Council specifically to provide advice relating to this case. The western section is one of three sections of the SEPR all of which shall be</p>	<p>The formula used in the following calculation is taken from the adopted Cherwell Developer Contributions Supplementary Planning Document (Feb 2018) and OCC’s emerging Developer Guide. Strategic transport contribution per unit =</p> $(X - Y - Z) \div E$ <p>Where,</p> <p>X = Cost of Scheme(s) Y = Held/Committed funding Z = LGF Funding/Alternative Funding E = Expected Growth contributing to the SEPR</p> <p>In this case the unit being applied is a peak hour trip, as the expected growth includes both residential and employment development and this is a suitable unit to calculate proportional transport impact.</p> <p>SEPR Western Section X = £21.3m (October 2015 cost estimate) for SEPR Western Section Y = £585,127.83 (estimated held or secured s106 contributions) Z = £14,185,800 (notional 66.6% match funding) E = Bic 4, Bic 10 (phase 2) and Wretchwick Green, amounting to 7463 peak hour trips in total (Wretchwick Green = 1773, Bicester 4 = 2032 and Bicester 10 = 3658 based on floor space compared with Bicester 4).</p> <p>The cost estimate was taken from the “Preliminary ecological appraisal, planning advice and engineering feasibility for the South East Perimeter Road” document that can be downloaded from the county council’s website here.</p> <p>Under section 8.2, the costing for the preferred southern alignment (option 2) is estimated at £15m engineering (structures cost) and £6.3m new highway costs.</p> <p>Contribution per unit therefore = £874.86</p> <p>Contribution requested from Bicester 4 is therefore £1,777,715.52</p>

- “Improve access and connections between key employment and residential sites and the strategic transport system.” for
- “Delivering effective peripheral routes around the town. This would enable the delivery of the sustainable transport strategy within the central area by providing a local distributor function as well as offering effective connections to strategic corridors for new residential and employment sites. Our overall plans for sustainable travel in the county are outlined in the Active & Healthy Travel Strategy chapter of LTP4. A package of phased improvements will be agreed alongside the introduction of the sustainable transport measures, including: Southern peripheral corridor: provide a South East Perimeter Road to support the significant housing and employment growth in Bicester. In the longer term, link capacity issues along Boundary Way are assessed as being a major transport issue for the town.”

In addition, **Local Transport Plan 4** - Under “Funding”, the Bicester Area Strategy states:

- “Where infrastructure schemes are needed to mitigate one particular development, the developer will be expected either to construct or provide funding for the scheme; where a scheme is required due to the impact of more than one development, each developer will be expected to make a contribution proportional to the scale of their impact, with a limit of five contributions towards any one scheme”

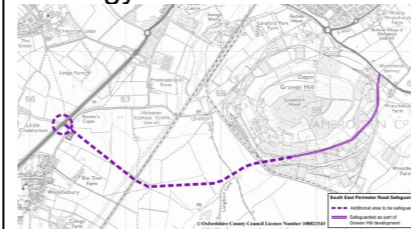
The Bicester Area Strategy Policy Bic 4 goes on to state: “To mitigate the cumulative impact of development within Bicester and to implement the measures identified in the Bicester area transport strategy we will secure strategic transport infrastructure contributions from all new development.”

This clearly demonstrates that the Strategic Transport Contribution for Bicester Office Park is well supported in policy terms, and is required to make the development acceptable in planning terms

The Bicester 4 development application submission has proposed a scheme to provide suitable access to the site locally, but has not considered its part in the strategic implications of cumulative growth in Bicester as a whole. Indeed, the Transport Assessment shows that the network along the A41 corridor on which the development site sits is already under strain in the opening year of 2026 from the cumulative impact of growth. This strain will continue to grow until a trigger point when the SEPR will be required before 2031, in order to provide relief to the A41 corridor.

part delivered by developments around Bicester. This link shall run between the western end of the Graven Hill safeguarded route and the A41 north of Wendlebury, which would be under 2km from the proposed development.

This is illustrated by Figure 2 of the Bicester Area Strategy in LTP4



Bicester Figure 2: Safeguarded alignment for the South East Perimeter Road

Due to CIL pooling regulations, Oxfordshire County Council (OCC) cannot ask all development in Bicester to contribute towards all elements of the Bicester transport strategy required to mitigate the cumulative impact of growth and therefore have selected the developments that need to contribute towards each element of the strategy on the basis of which elements are most closely related to them.

A maximum of 5 S106 agreements can be selected to contribute towards the SEPR and so Bicester 4, Bicester 10 (phase 2) and Wretchwick Green were regarded as the remaining 3 developments that a contribution would be secured from. Bicester 4 and Bicester 10 (Phase 2) as the remaining 2 sites on the A41 corridor the SEPR is looking to relieve and Wretchwick Green as it is on the SEPR itself.

Other developments such as Graven Hill are contributing by constructing the section of perimeter road through their site and contributing to its junction onto the A41. Wretchwick Green will be expected to deliver a spine road through their site as part of the perimeter route, as well as contributing to the junction onto the A41, and making a contribution to the SEPR. Further contributions will also be sought towards the SEPR from the Bicester 10 Phase 2 development that will be proportionate to the level sought from Bicester 4, as and when proposals come forward.

The formula/calculation that OCC now use to calculate contributions has only been applied to sites since February 2018, when it was adopted by Cherwell in their Developer Contributions SPD. Contributions from developments before this were individually negotiated. OCC negotiated contributions from Symmetry Park and Bicester 10 phase 1 towards the SEPR prior to the use of this methodology, and these contributions have now been included in that formula as held or secured contributions.

Graven Hill is also considered to have a part to play in the delivery of the SEPR and will be providing part of the route through their site, as will Wretchwick Green.

<p>Public Transport Contribution – £360,000 to be index linked from December 2017 towards bus service enhancement to extend a local bus service to/from this site during the major peak times – which are assumed to be 0700-1000 and 1600-1900 Mondays to Fridays over a period of 8 years</p> <p>Currently, bus services that run along the A41 make frequent connections between Oxford and Bicester Town Centre and Park and Ride but none between the site and other existing and developing residential areas in Bicester, where a large proportion of employees at the site are expected to live. A need to improve Bicester’s bus services along key routes and integrate development sites is one of the objectives of Policy Bicester 2. Contributions are therefore required to cover the estimated cost of extending a local bus service from at least one residential area (for example from the North West) to/from this site during the main journey to work times. To make the service sufficiently attractive, it needs to enter and stop within the site.</p> <p>The funding is requested over a period of 8 years as this is estimated as the length of time for the service to become commercially viable.</p>	<p>The proposed bus service would route onto Lakeview Drive. It would also serve Bicester Village rail station (for connections to other towns) then Manorsfield Road. It is also proposed to operate this service close to Bicester North rail station.</p> <p>The additional service would directly benefit employees and visitors by providing direct bus services from parts of Bicester not served by the S5 Oxford bus service, also from the rail stations.</p>	<p>Calculations are based on an estimated cost of 0.5 of an additional bus in the local network, which would be required to meet the necessary frequency on the extended route. The running cost per annum for an additional vehicle is estimated at £160,000</p> <p>The eight-year pump-priming profile matches the funding profile requested from Bicester residential development. The pump-priming amount would decline by £10,000 cumulatively per annum, to account for revenue from passengers. It is anticipated that the service extension would become commercially viable by the end of this period.</p> <p>Thus, the full amount payable over the eight years would be £360,000 made up of consecutive annual payments of £80,000 (being half the running cost of the additional vehicle in one year), £70,000, £60,000, £50,000, £40,000, £30,000, £20,000 and £10,000.</p>
<p>Public Transport Infrastructure Contribution £1,000 – towards provision of a bus stop within the site and £10,000 – towards bus Shelter including 2 flag poles on Oxford Road. (Contributions Index linked from November 2016)</p> <p>As a measure of improving accessibility and movement to public transport. This contribution shall enhance access to public transport between the site and the surrounding local and strategic road networks.</p>	<p>The bus stops would be adjacent to and within reach of the development and would serve its employees and visitors directly</p>	<p>The £1,000 and £10,000 are the procured costs of the related infrastructures and installation, and include commuted sum for maintenance.</p>
<p>Travel Plan Monitoring – £2,040</p> <p>Travel Plan Monitoring Contribution - £2,040 Indexed from Q1 2018 to cover the cost of monitoring of Travel Plans for office development for a period of 5 years after the occupation of the site.</p> <p>NPPF Paragraph 36 states that all developments which generate significant amounts of movement should be required to provide a Travel Plan.</p> <p>The travel plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car</p>	<p>The travel plan is a document that is bespoke to the individual development, reflecting the site’s current and predicted travel patterns, opportunities for sustainable travel, and targets for improving the proportion of sustainable</p>	<p>The fees charged are for the work required by Oxfordshire County Council to monitor travel plans related solely to this development site. They are based on an estimate of the officer time required to carry out the following activities:</p> <ul style="list-style-type: none"> • review the survey data produced by the developer • compare it to the progress against the targets in the approved travel plan and census or national travel survey data sets • agree any changes in an updated actions or future targets in

<p>travel and so reducing the environmental impact and traffic congestion. A travel plan is required to make this development acceptable in planning terms, and is to be secured by condition.</p> <p>A travel plan is a 'dynamic' document tailored to the needs of residents and requires an iterative method of re-evaluation and amendment. The county council needs to carry out biennial monitoring over five years of the life of a Travel Plan.</p> <p>Government guidance, 'Good Practice Guidance: Delivering Travel Plans through the Planning Process' states that: 'Monitoring and review are essential to ensure travel plan objectives are being achieved. Monitoring for individual sites should ensure that there is compliance with the plan, assess the effectiveness of the measures and provide opportunity for review....Monitoring must be done over time – it requires action and resources.'</p> <p>In accordance with this Guidance, it is the view of the county council that without monitoring the travel plan is likely to be ineffective. Therefore, monitoring of the travel plan is required to make the development acceptable in planning terms.</p> <p>The government's Good Practice Guidance has been archived but has not been superseded with any other guidance on the practicalities of implementing travel plans. The county council's own published guidance: Transport for new developments; Transport Assessments and Travel Plans, also includes the requirement for monitoring.</p> <p>Further, the Good Practice Guidance states that 'local authorities should consider charging for the monitoring process and publish any agreed fee scales'.</p> <p>Section 93 of the Local Government Act 2003 gives the power to local authorities to charge for discretionary services. These are services that an authority has the power, but not a duty, to provide. The travel Plan Monitoring Fee is set to cover the estimated cost of carrying out the above activities, and is published in the county council's guidance: 'Transport for new developments; Transport Assessments and Travel Plans'.</p> <p>As with most non-statutory activities, councils seek to cover their costs as far as possible by way of fees. This is particularly required in the current climate of restricted budgets. Without the fees the council could not provide the resource to carry out the activity, as it is not possible to absorb the work into the general statutory workload. In the case of travel plan monitoring, the work is carried out by a small, dedicated Travel Plans team.</p> <p>The travel plan monitoring fee is therefore required to make the development acceptable in planning terms, because it enables the monitoring to take place which is necessary to deliver an effective travel plan.</p>	<p>travel associated with the site.</p> <p>Therefore, the monitoring that will be charged for will be specific and relevant to this site alone.</p>	<p>an updated travel plan.</p> <p>Oxfordshire County Council guidance – 'Transport for new developments: Transport Assessments and Travel Plans' sets out fees according to the size of the development.</p> <p>The estimate is based on three monitoring and feedback stages (to be undertaken at years 1, 3 & 5 following first occupation), which would require an expected 51 hours of officer time at £40 per hour. Total £2040. Note that this is considered a fair rate, set to include staff salary and overheads alone.</p>
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