

**From:** White, Joy - Communities

**Sent:** 21 October 2020 12:10

**To:** Andrew Lewis

**Cc:** Planning Consultations - E&E ; Nichols, Chris - E&E ; Sarah Stevens ; David Peckford ; Caroline Ford ; JacquiCox (OCC) ; DC.Consults ; Manku, Amrik - Communities ; Owens, Eric - Communities

**Subject:** RE: P16-0631 Heyford Park Masterplan-18/00825/HYBRID- Amended Transport Mitigation Potential Approaches Offer Note and Explanatory Note

Hi Andrew

Thank you for consulting us on the attachments.

1. OCC agrees with the 'current situation' as described, in that the 'wider transport mitigation package' loosely described in the note is balanced and meets all necessary CIL Reg 122 (not 123 as in the note) tests. This includes the need for mitigation to the congestion at Middleton Stoney, which would jeopardise the ability to serve the development with a frequent bus service that becomes commercially viable at the end of the funding period.
2. OCC acknowledges the strength of objection locally to the proposed bus only restriction at Middleton Stoney, but supports the principles of this scheme as previously stated. The scheme would enable a strong sustainable transport corridor, with a reliable and frequent bus service, together with a cycle route between Heyford and Bicester. It is important to note, however, that such a scheme could not be introduced without further consultation by OCC, since it involves Traffic Regulation Orders.
3. Although the trigger point for the scheme becoming necessary has not been agreed, there would be time beforehand to carry out further monitoring and look at adjustments and alternatives to the scheme, that provide similar benefits.
4. The proposals in the note are designed to allow for a period of monitoring and development of alternatives, putting the responsibility of that monitoring and development with the developer. OCC officers advise strongly **against** agreeing to the proposals as set out, for the following reasons:

Points a and b relate to the principle of the proposals:

- a) The proposals raise the possibility of no mitigation being secured in relation to the need demonstrated in the TA at Middleton Stoney. Conditions may change in the future, but accepting that mitigation need can be determined at a point in the future has potentially serious repercussions for negotiations on mitigation more generally.
- b) A detailed methodology for monitoring and assessment, agreement on how the results would be interpreted and alternatives developed, would need to be agreed in the S106, otherwise there would be no way of enforcing the further actions by the developer. This could add months of complex and difficult negotiations to the timescale needed to agree the S106, delaying the start of the development.

Points c, d and e relate to the detail of the proposals

- c) It is not clear what the intentions are with regard to village traffic calming. As it stands, the applicant has agreed to contributions for traffic mitigation in 9 villages, but the new proposals seem to wrap up village traffic calming generally with the Middleton Stoney package, for which funding may or may not be secured, thereby giving uncertainty over whether any monies would be secured towards village traffic calming.
- d) The proposals cast uncertainty over whether any cycle route would be secured between Heyford and Bicester.
- e) The triggers are too late in the development - even if it is determined that mitigation is still required at Middleton Stoney, the contribution might only be paid when all 1600 homes are built. Bearing in mind the congestion worst affects buses travelling to Heyford in the morning peak (affecting residents), the problems for the bus service would be severe well before then. Also, all residents would still be waiting for the cycle link to Bicester. There would then be a delay while the scheme is developed and implemented by OCC.

Our alternative proposal is that, instead of the works to deliver the Middleton Stoney package being secured in the S106 agreement (as requested in our Single Response), a contribution of equivalent value is secured as a definite obligation, to include an amount for monitoring. This would then be carried out by OCC in the firm knowledge that monies are available to deliver the Middleton Stoney package including the bus-only restriction if it is shown to be required, or an alternative solution of equivalent benefit. As with any S106 contribution, the money would be refundable if not spent on the purpose for which it is collected, and we would be prepared to agree to a longstop.

Kind regards

Joy

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