

Application no: 19/01047/OUT

Location: Land North East Of Oxford Road West Of Oxford Canal And East Of Bankside Banbury

Transport Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as summarised in the table below and justified in the county council's previous responses (and as updated below):
- **An obligation to enter into a S278 and S38** agreement as detailed in the county council's previous responses.
- **Planning Conditions** as detailed in the county council's previous responses.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Strategic Transport Contribution 1	£121,476	December 2019	Baxter	BAN1 scheme – Hennef Way improvements
Strategic Transport Contribution 2	£215,537.12*	May 2020	Baxter	BAN2 scheme – Tramway Road
Bridge Street junction improvement	£150,750	December 2019	Baxter	A scheme to improve public transport access through this junction.
Oxford Road Cycleway**	£47,466	April 2020	Baxter	Contribution towards the provision of a shared use cycleway between the southern site access junction and Cotefield Drive
Oxford Canal Pedestrian and Cycle Route Contribution	£610,000	April 2020	Baxter	BAN4 scheme - provision of a high-quality walking and cycling route along the Oxford Canal towards the town centre and employment areas
Public Transport Services	£770,000	December 2019	RPI-x	Towards the cost of pump-priming a public transport service

				operating at a 30-minute frequency during the weekday daytime.
Traffic Reg Order <i>(if not dealt with under S278/S38 agreement)</i>	£6,380 (2*£3,190)	April 2020	RPI-x	Two standard TROs 1. To extend the 40mph speed restriction on Oxford Road beyond the southern site access 2. To consult on and enable on-street parking restrictions along the bus route within Longford Park
Travel Plan Monitoring	£2,346	December 2019	RPI-x	To enable the Residential Travel Plan to be monitored for a period of 5 years following occupation
Public Rights of Way	£90,000	December 2019	Baxter	Towards enhancements to the Public Rights of Way network in the vicinity of the development site.

*based on cost estimate provided by the applicant. Estimate to be checked by OCC engineers.

**sought as part of the contribution towards the funding of the secondary school.

Key Points:

- This supplemental consultation response should be read in conjunction with the Highway Authority's previous responses to this application.
- This supplemental consultation response confirms the Highway Authority's position on the need for the funding towards, or delivery of, a high-quality continuous and direct pedestrian and cycle route between the development site and the town centre.
- This supplemental response also updates on the financial contributions sought towards the Tramway Road scheme and Public Transport Services.

Comments:

It is noted that the applicant has stated that they do not consider the contribution of £610,000 towards upgrading the Oxford canal towpath to create a direct pedestrian

and cycle route between the site and the town centre to be justified and have indicated that they will not agree to such a contribution.

The applicant has stated that they do not consider the contribution justified as there are already suitable alternative pedestrian and cycle routes from the site to the town centre available. However, the Highway Authority does not consider this to be the case.

The cycle facilities along the Oxford Road route towards the town centre consist of a short section of advisory lanes along a 40mph stretch of the road between Broad Gap and the flyover, then a very substandard section of shared pedestrian / cycle footway up to Bloxham Road, then mandatory cycle lanes (again substandard) up to Banbury Cross). No improvements to this route are proposed.

The advisory cycle lanes that are being installed along Bankside were agreed around 4 years ago when the Longford Park Phase 1 mitigation works were revised to remove the traffic calming chicanes. This was the best that could be done within the context of the agreed scheme. However, these advisory lanes do not provide a continuous cycle route between the site and the town centre, only along Bankside itself. Furthermore, advisory cycle lanes are now considered to be of the lowest quality of cycle infrastructure according to national standards set out in the LTN 1/20.

Modern standards set out in LTN1/20 require pedestrian and cycle facilities to be continuous, direct and segregated from vehicular traffic. There are no such facilities between the development site and the town centre whether via Oxford Road or Bankside.

The Government has recently (in July 2020) published the 'Gear Change' document, which further sets out that pedestrian, and in particular, cycle infrastructure must be prioritised in all future development and road schemes, given the wide health, traffic, environmental and economic benefits that increases in walking and cycling provide. Gear Change sets out that *'in order to see the increases in cycling we want, the quality of cycling infrastructure installed on our roads must dramatically improve.'* It goes on to state that *'cycling is or will become mass transit and must be treated as such. Routes must be designed for larger numbers of cyclists, for users of all abilities and disabilities.'*

Gear Change also recognises that *'developments often do little or nothing meaningful to enable cycling and walking. Sometimes they make cycling and walking provision worse. We want new developments to be easily and safely accessible and navigable by foot and bike, and to make existing cycling and walking provision better.'*

The Transport Assessment submitted with the application clearly sets out that the development would have a significant traffic impact, particularly along the Oxford Road corridor, due to additional car trips generated by the development. As recognised in the statement above, this makes conditions worse for other road users, primarily pedestrians and cyclists. The application proposes nothing to improve conditions for pedestrians or cyclists.

The TA recognised the need for mitigation schemes. However, the proposals set out in the TA were for traditional junction mitigation schemes along the Oxford Road, which would have increased capacity for motor vehicle traffic at those junctions. The Highway Authority considered that those schemes were undeliverable, due to the required loss of trees along that corridor, and were undesirable in that those schemes would have simply funnelled more motor vehicle traffic into the town centre, contributing to increased congestion in the town centre and a worse situation for other road users.

The Highway Authority's previous responses have therefore set out that mitigation should take the form of significant improvements in access to sustainable transport between the development site and the town centre. The contributions towards public transport services and infrastructure have been agreed and are certainly welcome. However, as set out above, there is a requirement to provide high quality safe and suitable pedestrian and cycle facilities between the development site and the areas that residents are most likely to travel towards.

If the applicant does not consider that the contribution towards upgrading the canal route for pedestrians and cyclists is justified, then the applicant must demonstrate which alternative routes are proposed to enable residents of the proposed development to safely walk or cycle from the site to key destinations in order to meet Local Plan Policy SLE4, Local Transport Plan policies 3, 17 and BAN 4, the NPPF requirement to prioritise sustainable transport and provide safe and suitable access to all users, and the requirements set out in Gear Change and LTN 1/20 (indicated above).

Strategic Transport Contribution 2 – £215,537.12* index linked using Baxter Index from May 2020

Towards:

Tramway Road scheme to provide improved sustainable transport access to Banbury Station as identified in LTP4 Policy BAN2.

Justification:

Paragraph 103 of the NPPF states that:

‘Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.’

Paragraph 108 requires from the development that:

‘...appropriate opportunities to promote sustainable transport modes can be – or have been – taken up...’

Paragraph 110 requires that developments must give priority to *‘facilitating access to high quality public transport’*.

The Banbury Area Strategy sets out that *‘a step-change in the increased use of sustainable transport modes is essential to support growth in Banbury. The Sustainable Transport element of the Strategy will play a key role in reducing the volume of traffic associated with the town’s significant growth and mitigating the traffic impacts on local roads serving Banbury’.*

Policy BAN2 of the Banbury Area Strategy states that the county council; *‘will work closely with Cherwell District Council, bus operators and other strategic partners to deliver the Banbury Bus Strategy, which seeks to deliver a commercial bus network for Banbury. Increased bus use will be achieved by:*

- ...
- *Opening up Tramway Road as an access for cars into and out of the station car park and access to the Canalside development.*
- *Exploring opening Station Approach to through bus services via Tramway Road.*
- *Seeking funding from new development sites to ensure they are served by high quality commercial public transport services.*

Policy Banbury 4 of the Cherwell Local Plan relates specifically to the site and requires:

‘Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops and the provision of a bus route through the site’

The national and local policies outlined above demonstrate that the provision of high-quality public transport services and routes are required to support new development and accommodate the cumulative impact of growth.

The scheme will directly benefit the proposed development by enabling a direct and high-quality public transport service between the site, town centre and Banbury Station and is essential to ensure that the site is able to exploit opportunities to promote sustainable transport use and to provide mitigation of the development’s traffic impact.

These improvements will also go towards mitigating the development’s detrimental traffic impact upon public transport services.

Calculation:

The applicant has drawn up a scheme of mitigation measures for the Oxford Road corridor in order to mitigate the development’s traffic impact. As stated above, it is not considered suitable in this instance for additional capacity for vehicle traffic to be provided on approaches toward the town, as this will serve to induce more traffic to the detriment increased congestion in the town centre.

The county council therefore considers that it would be fair, reasonable and necessary to direct the cost of the scheme proposed as mitigation by the applicant towards strategic transport improvements which directly benefit the development site in terms of improving the provision for sustainable transport.

The contribution sought is therefore equal to the value of the works proposed by the applicant on Oxford Road.

The applicant has provided a cost estimate of £215,537.12 for these works.

*This cost estimate is to be double-checked by OCC engineers.

£770,000 Public Transport Service Contribution indexed from December 2019 using RPI-x

Towards:

Providing a daytime bus service between the development and Banbury town centre at a 20-minute frequency. For the county council to deliver such a service.

Justification:

Specifically related to this site, Cherwell Local Plan Policy Banbury 4 requires for the site:

'Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops and the provision of a bus route through the site'

The NPPF states that developments should be located and designed where practical to give priority to pedestrian and cycle movements and have access to high quality public transport facilities.

Connecting Oxfordshire: Oxfordshire County Council's Fourth Local Transport Plan 2015-2031 (LTP4) [adopted in September 2015] includes the following policies:

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 policies outlined above identify the requirement for the development to be served by a frequent, reliable and efficient public transport service. The contribution sought is required in order to provide such a service in line with these policies.

It is extremely important that an attractive bus service can be provided to this site, to provide excellent connectivity with the Town Centre and Rail Station, thus giving new residents access to employment, education, retail opportunities and leisure activities. Bus services to other destinations can be accessed in Banbury Town Centre whilst the rail station (to be accessed off the new Tramway link) will give access to other opportunities across the South-East and West-Midlands.

Provision of a frequent service is of fundamental importance in providing a credible transport mode for travel to work, education and for other reasons where movement can be made by means other than the car.

Calculation:

The public transport strategy for access to the proposed development alongside existing routes has been reviewed. It is now suggested that the existing service be split between a half-hourly service which continues as per existing with an additional half-hourly route through Longford Park and into Phase 2. This proposal has wider benefits and would require one extra vehicle rather than two as previously requested.

A six-year subsidy period has been agreed after which it is envisaged that the service would become commercially viable. A contribution of £770,000 is required to be paid over the six-year period, post first occupation, in order to fund the new service arrangements.

Officer's Name: Tim Peart

Officer's Title: Senior Transport Planner

Date: 02 June 2021
