

**Site Address: Land South of Station
Approach, West of Bicester Village,
Pingle Drive, Bicester**

13/01934/F

Ward: Bicester Town

District Councillor: Cllr Edwards, Cllr Pickford

Case Officer: Linda Griffiths

Recommendation: Approval

Applicant: Bicester Nominees Limited and Bicester II Nominees Limited

Application Description: Alterations to Existing Car Park to include a reduction in site area, erection of parking deck and erection of reception accommodation for visitors to Bicester Village

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 This application relates to the Rail land car park which is a tarmac surface car park covering 1.1ha and accommodating 379 spaces. The car park lies between the Bicester Village Phase 3 decked car park to the west and the Bicester to Oxford rail link to the east. The Pingle Stream lies to the south, with the McKay Trading Estate and Bicester Town Station to the north. While the surface of the car park is level, due to the height of this car park above Pingle stream and the adjacent land, a timber retaining structure is necessary to support the west side of the car park.
- 1.2 Vehicular access to the Rail Land car park from within Bicester village is from Pingle drive and via a bridge from the upper deck of the Phase 3 car park. Access is also available via Station Approach, which in turn leads from the junction with London Road. The north end of the car park provides accommodation for users of Bicester Town Station and is available for Bicester village visitors at weekends and bank holidays.
- 1.3 The surface level of the car park will provide 288 spaces, with 305 spaces at deck level. The principle stair lift core will be located on the western edge of the car park close to the Phase 3 car park. In addition, two means of escape stair routes will be provided. A pedestrian entrance is shown leading directly to the Rail Land car park from the western downside platform of the new Bicester Town Station. Level access will be provided between the platform and the car park.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. 3 letters of representation have been received, the following issues were raised:-
 - The lamp posts are too tall and obtrusive in the landscape
 - The entrance to this car park should be from London Road so as to even out the traffic congestion in Bicester town
 - There does not seem to be any atmospheric impact assessment, we have too much pollution already
 - Privacy and overlooking of rear garden
 - Flood risk
 - Increased light pollution
 - Increased noise in what is currently a quiet part of the town

3. Consultations

- 3.1 Bicester Town Council: no objection to this application but we must make sure that the new Park and Ride is promoted by Bicester Village at weekends so that it is not bypassed by visitors hoping to park closer to the shops

Oxfordshire County Council Consultees

- 3.2 Highways Liaison Officer: Bicester Village continues to generate and attract a high number of visitor traffic movements throughout the year. The proposal for additional on-site parking has raised a concern from strategic transport colleagues on the basis that the additional parking provisions may create a negative impact on the road network by drawing more car trips to Bicester Village, especially with the future expansion of Bicester Village (ref 12/1209/F).

It is also considered that providing the additional car parking is premature without consideration to the future Bicester Park and Ride site, the improved Bicester Town Railway Station and planning permission 12/00292/F for 200 additional spaces (yet to be implemented).

However, it is acknowledged that with the ever increasing demand of visitors arriving at this shopping outlet the proposed new single deck car park will provide a highway safety benefit when the demand for car parking at Bicester Village is high (especially at peak trading times) which outweighs the additional parking concerns above.

Whilst it is recognised there is a need for the additional car park, it is essential that Bicester Village continues to promote and provide alternative non-car modes via the existing Travel Plan; and that a robust car parking management plan is provided (and imposed as a planning condition) to utilise the existing on-site parking arrangements.

- 3.3 Drainage Officer: requires clarification of the drainage details supplied. One of the items that have been identified is on the maintenance arrangements for the down pipes from the top of the deck of the parking area. This information and its submission for approval have been requested to be a prior to commencement condition.
- 3.4 Economic Development Strategy Officer: No objection
- 3.5 Street Lighting: the proposed car park lighting has been assessed to see if the design will have any adverse effects to road users, this design seems adequate and approval is given. Approval from Network Rail is advised in respect of the adjacent rail network.

Other Consultees

- 3.6 Thames Valley Police Crime Prevention: raise no objection, but recommends that the development achieves Park Mark accreditation in order to retain its current Park Mark status and maintain its very low crime levels. A condition is suggested to help the development meet the requirements of the NPPF where it is stated that development should create 'safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion; Supplementary Planning Guidance document 'Safer Places- The Planning System and Crime Prevention' ODPM 2004; and, CDC's Non-Statutory Cherwell Local plan Policy D5.

It is suggested that the above is incorporated as a planning note rather than a

condition.

- 3.7 Environment Agency: The development area lies in Flood Zone 1. Therefore the development will have no impact on fluvial flooding. We have assessed this application as having a low environmental risk and no objection is raised.

We suggest this development provides an opportunity to improve maintenance access and the ecological value of the Pingle Stream and its banks. The Pingle Stream is less than 6m from the development at its closest point. We would be happy to discuss how this could be achieved as part of the applicant's Flood Defence Consent Application.

Under the terms of the Water Resources Act 1991, and the Thames Region Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under over or within 8m of the top of the bank of the Pingle Stream, a designated 'main river'.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan 1996 (Saved Policies)

- C28: Layout, design and external appearance of new development
- C31: Development in residential areas
- C32: Access and Facilities for Disabled

Non-Statutory Cherwell Local Plan 2011

- S17: Bicester Town Rail Station
- TR3: Transport Assessments and Travel Plans
- D5: Design of the Public Realm

4.2 Other Material Policy and Guidance

National Planning Policy Framework 2012 – Core planning principles and the delivery of sustainable development with particular regard to the following sections:-

- 1: Building a strong competitive economy
- 4: Promoting sustainable transport
- 7: Requiring good design
- 8: Promoting healthy communities

Submission Cherwell Local Plan (October 2013)

The proposed Submission Cherwell local Plan was published for public consultation in August 2012. A further consultation to the proposed changes to the draft plan was undertaken from March to May 2013. On 7th October 2013, the draft Submission Plan was approved by the Council's Executive. The Plan was presented to Full Council on 21st October 2013 and Full Council endorsed it as the Submission Local Plan. It was submitted to the Secretary of State for Communities and Local Government on 31st January 2014. The Submission Plan supersedes previous stages of the Emerging Plan.

As the plan has now been submitted, the weight which can be given to it has

increased. It will, however, not form part of the Statutory Development Plan until the Examination Process is complete and is formally adopted by the Council (anticipated mid 2014)

The Plan sets out the council's Strategy for the District to 2031. The policies listed below are considered to be material to the consideration of this application:

- PSD1: Presumption in favour of Sustainable Development
- SLE2: Securing dynamic Town Centres
- SLE3: Supporting Tourism Growth
- ESD1: Adapting to climate change
- ESD7: Sustainable Drainage
- ESD16: Character of the Built and Historic Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant Planning History
- Principle of Development
- Design and Effect on the Character and Appearance of the Area
- Access and Highway Safety

Relevant Planning History

5.2 Planning permission was granted in January 1994 for Bicester Village Phase 1 for the erection of a factory outlet shopping centre (CHS 305/93 refers). Further extensions were granted in 1996, 1998 and 2001. A more recent application has been approved subject to a legal agreement relating to the Phase 4 extension (12/01209/F refers).

5.3 Planning permission for the Phase 3 extension to Bicester Village, comprising retail accommodation and a decked car park at the eastern end of the village was granted in December 2006 (05/02131/F) refers. This permission has been fully implemented.

5.4 A further application relating to Phase 4 of the Bicester village development was submitted in 2012. At the Planning Committee meeting in January 2013 it was resolved to approve the application subject to the completion of a legal agreement (12/01209/F refers). This permission has not yet been issued.

5.5 Planning permission was granted in July 2008 for the change of use of the Former Coal Yard, Station Approach to car parking (08/00704/F refers). This area is currently laid out as a tarmac surface car park for use by both the Bicester Town Railway Station and Bicester Village. This car park currently has 211 car parking spaces.

5.6 In May 2012 planning permission was granted for the use of land to the west of Pingle Drive for 20 coach and 200 car parking spaces (12/00292/F refers). To date this permission has not been implemented. The land adjacent to this area, a former plant hire yard, has had the benefit of temporary consent for parking since 2008 (08/02491/F refers). This was granted permanent consent in May 2013 (13/00448/F refers).

Principle of the Development

5.7 The Development Plan for Cherwell District comprises the saved policies in the Adopted Cherwell Local Plan 1996. Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with applications for planning permission the Local Planning Authority shall have regard to the provisions of the Development Plan, so far

as is material to the application and any material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Act, the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.

- 5.8 Policies TR7 and TR10 of the adopted Cherwell Local Plan consider traffic generated by a proposed development and its impact on the local highway infrastructure. Adopted Cherwell Local plan Policy C28 considers the design of the proposed development and Policy C31 considers the impact of development in a residential area.
- 5.9 The National planning policy Framework requires that there must be a presumption in favour of sustainable development. There are three dimensions to sustainable development, these being economic, social and environmental. The NPPF advises that these three dimensions are interlinked and that economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The presumption in favour of 'sustainable development' should be seen as a 'golden thread' running through both plan making and decision making.
- 5.10 Section 4 of the NPPF 'Promoting Sustainable Transport' at Paragraph 32 advises that all developments that generate significant amounts of movement should be supported by a Transport Assessment or Statement. Plans and decisions should take account of whether
- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure
 - Safe and suitable access to the site can be achieved for all people
 - Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where residual cumulative impacts of development are severe.
- 5.11 Since it opened in 1995, Bicester Village has traded successfully, being one of the most prestigious factory outlet destinations and has been extended a number of times. The positive impact of Bicester Village on the local and wider sub-regional economies is significant, with Bicester Village being one of the largest employers in Bicester and attracting significant numbers of tourists to the Town. There is clearly an economic benefit to the proposed development which will seek to ensure investment within Bicester Village continues which is beneficial to the town and the locality in terms of economic growth, attracting visitors to the District and securing employment opportunities. In terms of its social benefits, the proposal will ensure the benefit of the shopping facility for residents and visitors to the District and in terms of design, the proposal has been designed to reflect the existing deck car park and the existing development. It is therefore considered the proposal accords with the requirements of the NPPF above.
- 5.12 The site is currently in use for car parking purposes, a permission which was granted in 2008 as part of the Phase 3 development of Bicester Village (08/00704/F refers). The application site is therefore established as car parking and there are no specific policies within the Development Plan nor the Submission Cherwell Local plan which would preclude this use in this location. The use and suitability of the site for the purpose of car parking in conjunction with Bicester Village is therefore established.
- 5.13 The application relates to land which is known as the Rail Land, which is to be reduced in area, to facilitate the provision of the new Bicester Town Railway Station. The replacement Bicester Town Station building will be located on the west side of the railway on land including the northern part of the existing Rail Land car park. The

proposal will result in the provision of 214 new car parking spaces being provided. Due to the nature of Bicester Village, the duration of stay tends to be longer than traditional retail facilities within Town Centres or Retail Parks, so the turnover of spaces is lower, resulting in the need to provide a greater number of parking spaces than would ordinarily be associated with retail development. The development is proposed to ease congestion which currently occurs at peak times on the local highway network.

Design and Effect on the Character and Appearance of the Area

- 5.14 The site is situated within the built up limits of Bicester Town. It is bounded along its eastern edge by the Bicester to Oxford Railway line and the Talisman Business Centre, to the north by the new Bicester town Station development, to the west by the existing deck car park to Bicester village and to the south by the Pingle Brook and existing Bicester Village development. The site is elevated from the adjacent Bicester Village buildings but currently on a level with the existing Station Approach and adjacent railway building. The proposal will be visible from the approach along Station Approach, from the London Road behind the Talisman Business Centre and railway as well as the approach into Bicester Village along Pingle Drive.
- 5.15 The new deck car park has been designed to reflect the existing Bicester Village decked car park, located immediately to the west of the existing rail land car park. Following the design precedent of the Phase 3 car park, the massing of the proposed deck will have a horizontal emphasis. Due to the local topographical variations the upper deck level of the Rail Land car park will be higher than the Phase 3 car park. The close proximity of the existing car park however, will result in the new deck not being unduly prominent and apparent when viewed across from the adjacent public vantage points, these being Pingle drive and the adjacent Pingle Field recreation ground and the London Road behind the Talisman Business Centre. The new deck will be below the height of the new Bicester Town Station building and overbridge structure. The design and materials proposed will match the existing deck car park structure.
- 5.16 The design and external appearance of the entrance/stair core will match the twin cores to the existing decked car park; with the finish comprising green oak timber cladding, columns and beams, green painted hand rails and a slate roof. The surface of the car park will be tarmac as the existing.
- 5.17 The architectural feature identifying the entrance to Bicester Village from the station platform will be finished in timber boarding, with lead detailing. The Bicester Village name and motif will be displayed. The elevations of the reception buildings facing the platform will consist of painted render and glazing with a timber frame. Glazed canopies will be provided over each elevation.
- 5.18 The visitor route linking the entrance to the stair/lift core has been designed to provide a high quality, illuminated and safe pedestrian priority environment with timber columns, frosted glass screening and metal fins. The route is raised above the vehicular circulation routes as to clearly distinguish between them.
- 5.19 The car park lighting at deck level is proposed to match the rail provision while the general lighting at the lower level will match the existing provision within the enclosed area of the Phase 3 deck car park.
- 5.20 The deck balustrade on the north, south and western edges will feature planting troughs, predominantly for ivy, similar to that on the existing decked car park. The boundary treatment with the new Station adjacent will comprise timber fencing and hedging. The existing landscaped areas adjacent to the south and west boundaries of the car park and between the car park and the railway boundary will be retained and enhanced where appropriate. The existing 'hit and miss' timber fence along the

boundary with the railway will be retained.

- 5.21 Section 7 of the NPPF – Requiring good design, attaches great importance to the design of the built environment and advises at paragraph 56 that ‘good design’ is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
- 5.22 Paragraph 61 states: ‘although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 5.23 Paragraph 63 states: ‘In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally within an area’.
- 5.24 Having regard to the above, it is considered that the proposed development is acceptable in design terms and will not have a detrimental visual impact upon the character and appearance of the locality and therefore accords with the advice within the NPPF and is in accordance with policies C28, C31 and C32 of the adopted Cherwell local plan. In respect of the objections raised by residents in Priory Court, due to the distance involved between these properties and the proposed car park and the intervening car park between, it is not considered that it would impact on their residential amenities in terms of loss of privacy, overlooking or additional noise.

Access and Highway Safety

- 5.25 As part of the Chiltern Railways Everegreen 3 project relating to the upgrading and improvements to the existing railway line between Bicester and Oxford and the provision of the new Bicester Town Station, Bicester village will lose 50 car parking spaces within the northern section of the existing car park to allow a bus turnaround area and taxi rank to be provided as part of the Bicester Town Railway Improvements. Bicester Village continues to generate and attract a high number of visitor traffic movements throughout the year.
- 5.26 The proposal for additional parking has raised concerns with Oxfordshire County Council Strategic Transport on the basis that the additional traffic that may be generated may have a negative impact on the road network by drawing more car trips to Bicester Village, and in the absence of being able to assess the impact of the new Park and Ride facility at SW Bicester and the new improved rail facility. It is however, acknowledged that with the ever increasing demand of visitors arriving at this shopping outlet, the proposed new deck car park will provide a highway safety benefit when the demand for car parking at Bicester village is high (especially at peak trading times) which outweighs the negative concerns raised above.
- 5.27 While it is recognised that there is a need for this additional parking provision, the Highway Authority consider that it is essential that Bicester Village continues to promote and provide alternative non-car modes via the existing Travel Plan and that a robust car parking management plan is provided to utilise the existing on-site parking arrangements. A planning condition is recommended. The proposal will result in a total of 593 car parking spaces on this site, of which 214 additional spaces are being created by this development, which is hoped will help ease the congestion within the Village and address the consequent backing up of traffic onto the highway network which currently happens at peak times.
- 5.28 A Transport Statement has been submitted with the application. The assessment undertaken in respect of the existing parking provision and demand shows that during normal week days the car park operates within capacity, but during the weekends the

car park experiences utilisation beyond 100%, this however, is not for significant numbers of vehicles and is for short periods of time only. The statement has assessed the position with the loss of the 50 spaces due to the Bicester Town Station development and the temporary loss of car parking provision during the construction of the Phase 4 development (12/01209/F refers). The report concludes that the additional car parking is therefore necessary to manage demand for visitor parking at peak times, increased demand for coach parking which has resulted in the loss of some existing car parking spaces and to ensure sufficient car parking provision during the construction of Phase 4 thereby avoiding traffic queuing back onto the public highway. This is recognised by the Highway Authority.

- 5.29 Vehicle access to the new car park will be from the highway network via Oxford Road and Pingle Drive. The existing vehicle bridge linking the Phase 3 Rail Land car parks will be closed.
- 5.30 The altered access and egress points including deck ramps will be located at the northern end of the car park towards the proposed new Bicester Town station building and railway car park. In this area the deck will extend over the part of the Pingle Drive access road which is no longer required due to the realignment of Station Approach, which forms part of the station enhancements. The ramps will have gradients of 1:10.
- 5.31 Oxfordshire County Council as Highway Authority has addressed the proposal and raises no objections subject to the imposition of conditions relating to car park management and the submission of drainage details.

Engagement

- 5.32 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

Conclusion

- 5.33 The proposed development accords with the Development Plan and Government guidance within the NPPF representing sustainable development which would not cause harm to visual amenity and neighbour impact, design and highway safety. The application is therefore recommended for approval and planning permission should be granted subject to the imposition of appropriate conditions.

6. Recommendation

Approval, subject to:

a) the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.
Reason AR2
2. Except where otherwise stipulated by condition, the application shall be carried out in accordance with the following plans and documents: Application forms, Design and Access Statement dated 17th December 2013, Transport Statement dated 12th December 2013, External Lighting Design Planning Statement dated 6th December 2013, Surface Water Drainage Strategy dated December 2013 and the following plans: P-506-proposed finishes; P-512; P-511; P-510; P-509; P-507; P-505; P-504; P-503; P-502;P-501; and P-508 accompanying the application.
Reason AR4
3. Notwithstanding the details submitted, prior to the commencement of development, full details of the enclosures along all boundaries of the

development shall be submitted to and approved in writing by the local planning Authority. Thereafter the approved means of enclosure shall be erected prior to the car park being first brought into use and thereafter maintained and retained in accordance with the approved details.

Reason BR1

4. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include details of the proposed tree and shrub planting including their species, number, sizes and positions, together with any grass seeded/turfed areas.

Reason CR1

5. Prior to the commencement of development, a car park management plan must be submitted to and approved in writing by the Local Planning Authority. The car parking must be carried out in accordance with the details approved in the car park management plan.

Reason In the interests of highway safety and to comply with Government guidance contained within the national Planning Policy Framework.

6. No development shall commence on the site until a full drainage design for the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Council's Drainage Team).

Reason In the interests of highway safety and flood prevention and to comply with Government guidance contained within the national Planning Policy Framework

Planning Notes

1. The development shall seek to accord with 'Park Mark' accreditation.
2. Under the terms of the Water Resources Act 1991, and the Thames Region Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of Pingle Stream, designated a 'main river'

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.