

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

15/01169/F

Ward: Bicester Town

**District Councillor: Cllr Richard Mould, Cllr
Debbie Pickford**

Case Officer: Linda Griffiths

Recommendation: Approval

Applicant: Bicester Nominees Ltd and Bicester II Nominees Ltd

Application Description: Alterations to the down ramp area of the existing car park deck, landscaping and the extension of and changes to the external appearance of the reception accommodation for visitors to Bicester Village (Amendments to previously approved 13/01934/F)

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 This application relates to the Rail land car park, a tarmac surface car park covering 1.1ha and accommodating 379 car parking 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 Mackay 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 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 the weekends and bank holidays.
- 1.3 Planning permission was granted in April 2014 (13/01934/F refers) for alterations to the existing car park, including a reduction in the car park area, the erection of a parking deck and the erection of reception accommodation for visitors to Bicester Village arriving by train. The land released by the reduction in car park area now forms part of the new railway station and related works in connection with the improvements to the Oxford to Bicester rail link. The site is not within a Conservation Area and there are no listed buildings within close proximity.
- 1.4 This application seeks amendments to the previously approved scheme for alterations to the down ramp area of the existing car park deck, enhancing the visitor's reception accommodation at the car park for visitors to Bicester Village arriving by train, and introducing an area of landscaping. The proposed alterations to the car park deck are due to structural engineering issues necessitating repositioning of the down ramp away from the west boundary. Repositioning the ramp results in a vacant area within the site adjacent to the Phase 3 deck car park, this area will be landscaped. The enhanced visitor's reception accommodation includes the introduction of toilets. The previous consent has been implemented and construction works are underway. The amended proposal will result in a reduction of 27 car parking spaces from that previously approved.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice.

1 letter of support has been received: "although additional car parking is essential to help tackle local traffic management issues, I welcome the reduction of 27 car parking spaces to allow 230sq mts of landscaping that will enhance the aesthetic and visual quality of what is a very significant concentration of car parking".

3. Consultations

- 3.1 Bicester Town Council: No objection

Cherwell District Council Consultees

- 3.2 Landscape Officer: details of hard and soft landscaping must be conditioned. Tree planting pit details are also required under the relevant condition.

Oxfordshire County Council Consultees

- 3.3 Transport Officer: the principle of development in this location was permitted through planning application 13/01934/F. The modifications are relatively minor and involve the loss of 27 parking spaces compared to the original proposal.

15/0069/DISC Condition 5 – Bicester Village Car Park Management Plan is an outstanding condition from planning application 13/01934/F, as a plan has yet to be agreed with the local authorities. In particular the highways authority is concerned to ensure that the proposed access through to the station (marked as a bus gate) remains closed to all other vehicular traffic.

Regarding the layout of the car park, the drawings appear to show two-way traffic circulation and yet the lane widths appear constricted in places, with insufficient room for cars to pass, and in some places insufficient manoeuvring room. Further clarification is required via a detailed layout drawing showing circulation and tracking at narrowings. This could be conditioned but I would prefer this to be clarified at this stage.

In particular I note the constriction near to the pedestrian access from the reception building, where there appears to be insufficient room for vehicles to pass, and insufficient space for manoeuvring out of spaces. Additionally on this access route it is indicated that there will be frosted screens – further detail is required (could be conditioned) to ensure these do not obscure visibility and endanger the safety of pedestrians crossing the traffic route.

- 3.4 Drainage Officer: No comments received

Other Consultees

- 3.9 Thames Valley Police Crime Prevention: raised no objection in respect of the previous application but advised that the development should achieve Park Mark accreditation in order to retain its current Park Mark status and maintain its very low crime levels. It is suggested that this should be incorporated as a planning note.
- 3.10 Environment Agency: raised no objection to the previous application. As the development lies in Flood Zone 1, it will have no impact on fluvial flooding. It is

suggested that a planning note is incorporated in respect of works in proximity to Pingle Brook.

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: Compatibility of development in residential areas
- C32: Access and facilities for the disabled
- TR7: Development attracting traffic on minor roads
- TR10: Heavy goods vehicles

Adopted Cherwell Local Plan 2011-2031

The Cherwell local Plan 2011-2031 Part 1 was formally adopted by Cherwell District Council on 20th July 2015.

The Plan was the subject of an independent examination conducted by an Inspector appointed by the Secretary of State. The Inspector's Report was published on 12th June 2015 and the recommended main modifications required to make the plan sound have been included in the adopted plan.

The Plan provides the strategic planning policy framework and sets out strategic site allocations for the District to 2031. Now adopted, the Plan forms part of the statutory development plan, and provides the basis for decisions on land use planning within Cherwell District.

The Policies listed below are considered material to this case:

- Policy PSD1: Presumption in favour of sustainable development
- Policy SLE2: Securing dynamic town centres
- Policy SLE3: Supporting tourism growth
- Policy ESD1: Adapting to climate change
- Policy ESD7: Sustainable drainage
- Policy ESD15: Character of the built and historic environment
- Policy Bicester 5: Strengthening Bicester Town Centre

4.2 Other Material Policy and Guidance

National Planning Policy Framework 2012

Planning Policy Guidance

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 granted and the permission issued in July 2014 relating to a further extension known as Phase 4 (12/01209/F refers). This relates to the demolition of the existing Tesco store and petrol filling station and erection of a new extension to Bicester Village. This consent has yet to be implemented. At the meeting in April 2015 the Planning Committee resolved to approve a revised Phase 4 scheme subject to referral to the Secretary of State and the completion of a legal agreement (15/00082/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 was granted in December 2006 (05/02131/F) refers. This permission has been fully implemented. It is an extension to this decked car park area that this application relates.
- 5.4 Planning permission was granted in July 2008 for the change of use of the former coal yard, Station Approach to a surface car park (08/00704/F refers). This car park was for the use of Bicester Town Railway station and Bicester Village. It is this car park which is the subject of this submission. 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). This consent has been implemented.
- 5.5 Planning permission was granted in April 2014 for alterations to the existing Rail land Car Park to include a reduction in site area, erection of a parking deck and the erection of reception accommodation for visitors to Bicester Village arriving by train (13/01934/F refers). It is that consent that this application seeks to amend.

Principle of Development

- 5.6 The Development Plan for Cherwell District comprises the saved policies in the adopted Cherwell local Plan 1996 and the newly adopted Cherwell Local Plan Part 1 2011-2031. 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.
- 5.7 Saved Policies TR7 and TR10 of the adopted Cherwell Local Plan 1996 consider traffic generated by proposed development and its impact on the local highway infrastructure. Policies C28 considers the design of the proposed development and Policy C31 considers the impact of a development in a residential area. Policy Bicester 5 of the adopted Cherwell local Plan 2011-2031 aims to support the viability and vitality of the existing town centre, encourage economic activity, assist with the connectivity between the existing town centre, a new Bicester Town railway Station; Bicester Village; and the adjoining and proposed residential areas; and, improve the character and appearance of the centre of Bicester and the public realm.
- 5.8 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 taking.

- 5.9 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.
- 5.10 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 that 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. In terms of design, the proposal has been designed to reflect the existing deck car park and the existing development. It is therefore considered that the proposal accords with the requirements of the NPPF above.
- 5.11 The permitted use of the site is for car parking purposes, a permission for which was granted in 2008 as part of the Phase 3 development of Bicester Village (08/00704/F refers). A subsequent consent to which this applications seeks an amendment for a deck car park was given in 2014 (13/01934/F refers). The application site is therefore established as car parking and there are no specific policies within the Development 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.
- 5.12 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 which will be located on the west side of the railway land including the northern part of the existing Rail land car park. The construction of the new Bicester Town Railway Station is currently underway. 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 help ease congestion which currently occurs at peak times on the highway network.

Design and Effect on the Character and Appearance of the Area

- 5.13 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 on a level with the existing Station Approach and station. The proposal will be visible from Station Approach, from the London Road

behind the Talisman Centre and railway as well as the approach into Bicester Village along Pingle Drive.

- 5.14 The deck car park has been designed to reflect the existing Bicester Village deck car park, located immediately to the west. Following the design precedent of the Phase 3 car park, the massing of the proposed deck has been designed to have a horizontal emphasis. Due to the topographical variations the upper deck of this new car park will be higher than the existing Phase 3 car park. The close proximity of this existing car park however, will result in the new deck car park 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 will match the existing car park deck.
- 5.15 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.
- 5.16 The platform facing elevation of the enlarged reception accommodation will be characterised by the introduction of bay windows set within vertical timber cladding above a brickwork plinth, instead of rendered facades as approved. The design of the bay windows and the use of timber cladding are in keeping with the existing Bicester Village development and are therefore considered appropriate. The balustrade fronting onto the railway will comprise metal railing with a timber handrail. Glare prevention panelling is proposed to address train driver vision, in the interest of railway safety.
- 5.17 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. The platform frontage of the tower feature will comprise recessed glazing set within a frame formed by vertical timber cladding with inset louvres. The remaining exposed elevations will be timber clad to match the tower feature and will include cornice detailing at roof level. The elevation to the lower level of the car park will be finished in full height glazing set between rendered walls on each side.
- 5.18 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.
- 5.19 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.
- 5.20 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.
- 5.21 Paragraph 63 states ‘In determining applications, great weight should be given to outstanding or innovative designs which help to raise the standard of design more generally within an area’.
- 5.22 Policy ESD15 of the newly adopted Cherwell Local Plan 2001-2031 advises that the design standards for new development whether housing or commercial development

are equally important, and seeks to provide a framework for considering the quality of built development and to ensure we achieve locally distinctive design which reflects the built context within which the development sits. The adopted Cherwell Local Plan 1996 contains saved policy C28 which states that 'design control will be exercised over all new development to ensure the standards of layout, design and external appearance, including choice of materials are sympathetic to the character of the area and of the development.

- 5.23 Having regard to the above, it is considered that the proposed amended proposal is acceptable in design terms and will not have any detrimental impact upon the character and appearance of the locality and is therefore in accordance with the relevant policies within the Development Plan and the guidance within the NPPF.

Access and Highway Safety

- 5.24 The principle of the development in this location was approved through the previous planning permission (13/01934/F refers). The modifications are relatively minor and involve a loss of 27 car parking spaces compared to the previous permission.
- 5.25 In respect of the previous application, whilst it was recognised that there is a need for additional parking provision, the Highway Authority considered 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 was recommended in this respect. This condition remains outstanding in respect of the previous approval. In particular the Highways Authority is concerned to ensure that the proposed access to the station (marked as a bus gate) remains closed to all other vehicular traffic.
- 5.26 In respect of the initial car parking layout, the highway Authority raised concerns that the drawings appeared to show two-way traffic circulation although the lane widths were constricted in places, with insufficient room for cars to pass and in some places insufficient manoeuvring room. Further concerns were also raised in this respect regarding pedestrian access from the reception building where there appeared to be insufficient room for vehicles to pass and insufficient space for manoeuvring out of spaces. The applicants agent has sought to address these concerns, markings have been added to warn drivers to slow down, arrows on the ground, exit signs etc, a motorcycle bay has also been introduced instead of two spaces close to the up-ramp. The highway authority have responded stating that whilst the two way traffic is not ideal, it is not a highway safety matter and everything will be moving slowly, so the layout plan is now ok, and if it proves awkward, the markings could be amended.
- 5.27 A Transport Statement was submitted and considered acceptable by the Highway Authority as part of the previous application (13/01934/F refers). The assessment undertaken showed that during the week the car parks operate within capacity, but during the weekends the car parks experience utilisation beyond 100%, although this is not for significant numbers of vehicles and for short periods only. The report concluded that additional parking was necessary to manage demand for visitors at peak times.
- 5.28 Having regard to the above, Oxfordshire County Council as Highway Authority raise no objections to the proposal but recommend a number of conditions below relating to car park management and drainage.

Engagement

- 5.29 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

- 5.30 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 for the revised deck car park scheme as proposed should be granted subject to the imposition of appropriate conditions as recommended below.

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 three years beginning with the date of this permission

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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 June 2015; External lighting design planning statement dated December 2013; surface water drainage strategy dated December 2013; Drawing numbers 08048 P-540 Rev B; P-523; P-522; P-521; P-525; P-524; P-526; P-533; P-534; P-531; P-532; P-536; P-537; P-535; P-530; P-528; P-529; P-527; P-538 and P-539.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. Within one month of the date of this permission, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme 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 - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the car park being first brought into use, or on completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased

shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Within one month of the date of this permission, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. The car parking shall thereafter be carried out in accordance with the approved management plan.

Reason In the interests of highway and to comply with Government guidance within the NPPF

6. Within one month of the date of this permission a full drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Council's Drainage Team).The approved drainage scheme shall be implemented within three months of approval and shall be maintained as such thereafter.

Reason: In the interests of highway safety and flood prevention and to comply with government guidance within the NPPF.

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 Bylaws 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) Order 2015 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.