

COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 17/02534/OUT-2

Proposal: OUTLINE - 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

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

Response date: 07 August 2018

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Application no: 17/02534/OUT-2

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

Strategic Comments

Further to OCC's consultation response dated 27th February 2018, this response addresses the revised transport assessment (TA) submitted by the applicant and confirms the necessary financial contributions required. All points in OCC's previous response continue to apply other than where addressed in the Transport Schedule below.

Whilst the principle of the development with B1(a) office / B1(b) research & development floorspace continues to be supported, there remain a number of outstanding issues with the planning application that are still to be resolved.

The revised TA now assesses the full 60,000 sqm of B1(a)/B1(b) office floor space development and a junction capacity assessment has been carried out for the agreed scenarios. However, there continues to be a transport objection for the following reasons:

- Insufficient local and strategic highway mitigation (contrary to local plan policy)

OCC's drainage objection has been removed as a result of the information provided at Appendix C of the Environmental Statement addendum.

As detailed in OCC's previous response, there remains an outstanding archaeology objection because the site is located in an area of archaeological interest and the results of an archaeological evaluation are required prior to determination of this application. An archaeology submission to address this issue was received 3rd August 2018 and is currently being reviewed.

Officer's Name: David Flavin

Officer's Title: Senior Planning Officer

Date: 7th August 2018

Application no: 17/02534/OUT-2

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

General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - £10,027**

This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.

- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

CIL Regulation 123

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

Application no: 17/02534/OUT-2

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

Transport Schedule

Recommendation:

Objection for the following reasons:

- The proposed development would have a detrimental impact on the existing network which has not been adequately mitigated. The proposals are therefore contrary to Local Plan Policy (including Policy Bicester 4: Bicester Business Park, and Policy SLE 4: Improved Transport and Connections) and the Local Transport Plan.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed below.

S106 Contributions

Contribution	Amount £	Price base	Index	Towards (details)
Strategic Highway Infrastructure	£2,965,185.99	TBC	Baxter	The South-East Perimeter Road (western section) or scheme of similar benefit.
Strategic Rail contribution	£670,532	TBC	RPI-x	East West Rail
Public Transport Contribution	£375,000	TBC	RPI-x	Peak hour bus service enhancement
Public transport infrastructure (<i>if not dealt with under S278/S38 agreement</i>)	(i) £1,000 (ii) £10,000	TBC	Baxter	(i) Provision of bus stop infrastructure within the site and (ii) Bus Shelter including 2 flag poles on Oxford Road.
Travel Plan Monitoring	£2,040	January 2018	RPI-x	Monitoring and review of Travel Plan
Total	£4,023,757.99			

Comments:

The application is accompanied by a TA prepared by Motion which has been amended during the consideration of the application following discussions with the County Council, as Local Highway Authority (LHA).

Vehicular access to the development is proposed to be off Lakeview Drive then A41 Oxford Road. Lakeview Drive also serves as access to the Tesco store and the recently consented development of a McDonalds Restaurant. The operation and layout of the local highway network (particularly the A41 Oxford Road corridor) is undergoing substantial changes arising from improvements relating to Bicester Village and Bicester Gateway developments.

Policy Context

Whilst the TA identifies some policies (National and Local) that are relevant and are in support of the development, OCC remains disappointed that some policies have been disregarded. The application will need to be considered in accordance with the LTP 4 Policy 02, which has not been included.

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 SEPR scheme would ease congestion on the A41, and will therefore directly contribute towards mitigating the cumulative impact of Local Plan growth in Bicester, including this proposed development's impact. This development will therefore be expected to contribute towards the SEPR or a scheme of similar benefit.

Traffic generation and distribution

The TA accompanying the planning application seeks to estimate the amount of traffic that the development would generate and what impact this might have on the surrounding transport network. It is my view that the trip rates proposed in the TA for this development are reasonable for its scale in this type of location.

The TA also predicts how trips shall likely be distributed which is based on census journey to work data. This informs the turns and direction of movements that the development would generate on the key junctions on the highway network. The LHA considers the assignment and distribution to represent a reasonable assessment of trips movement from the site.

Junction Capacity Assessment

The TA report includes junction capacity assessments undertaken to establish the potential net impact of the full development on the highway network as requested by the LHA. As requested, the assessment is now for a full 60,000 sqm of B1(a)/B1(b) office floor space development and junction capacity assessment has been carried out for the agreed scenarios.

On several occasions, the TA refers to junctions having capacity up to an RFC value of 1. This value does not make any allowances for standard error of prediction and, in line with accepted practice, OCC considers that priority junctions and roundabouts with RFC values of over 0.85 are operating above capacity. For signalised junctions, the acceptable threshold is 90% Degree of Saturation.

Oxford Road/ Middleton Stoney Road/Kings End Roundabout

Model results are presented in *Tables 6.1, 6.2 and 6.3* for the baseline traffic with committed development, baseline traffic including development and baseline traffic with the proposed development including mitigation in 2026 respectively.

Table 6.3 is a summary of the junction modelling results with 60,000 sqm of office development including proposed mitigation. The 2026 with development and mitigation scenario predicts RFC values of 0.91 on the Kings End arm (AM peak) and 0.90 on Oxford Road (PM peak) which are both well over the theoretical operational thresholds. *Para 6.11* of the TA concludes that the junction shall be expected to operate within theoretical capacity to which I disagree, again pointing out that the LHA follows the accepted practice of treating RFC values over 0.85 as being above theoretical threshold for capacities at roundabouts.

To this extent and in consideration that conventional roundabout modelling was used in place of a mini roundabout I do not agree with *para. 6.12* in the TA that claims betterment on one entry yet operation on other arms is seen to deteriorate.

A41/Vendee Drive/ Bicester Park and Ride Roundabout

The LHA officer agrees with the assessment of this roundabout which demonstrates that the junction is expected to operate within theoretical capacity during both the morning and evening peak periods in 2026 with the proposed development in place.

No mitigation is proposed for this roundabout. Whilst *Table 6.8* shows the A41 North approach arm is predicted to go slightly over 0.85 in the PM peak and the A41 South approach noticed to be close to the threshold, the LHA feels that the impact is not significant to justify further action on this roundabout.

A41 Corridor (Oxford Road/Lakeview Drive)

The operation of the above junction has been assessed using LinSig, the industry standard package for signalised junctions. The A41 corridor in the vicinity of the site is covered by 3 signalised junctions in close proximity of each other. *Tables 6.4, 6.5 and 6.6* are summarised results of the operation of each junction with a more detailed assessment on the A41 Oxford Road/Lakeview Drive junction for:

- the baseline traffic with committed development (**Do-Nothing**);
- baseline traffic, committed development including the proposed development;

- and baseline traffic with committed and proposed development as well mitigation (**Do-Something**) in 2026 respectively.

Analysis from the tables referenced above shows that without mitigation, Oxford Road/Lakeview Drive junction is predicted to deteriorate significantly. The Practical Reserve Capacity is shown to plunge into a more negative value indicating that the junction shall typically be suffering from traffic congestion, with queues of vehicles beginning to form. Degree of Saturation (DoS) values on certain arms particularly Oxford Road are observed to be significantly over the theoretical capacity.

Whereas the proposed mitigations appear to present a degree of improvement on the entire junction (as illustrated in *Table 6.6*), Oxford Road/Lakeview Drive junction is predicted to suffer more in the “Do-Something” scenario than the “Do-Nothing”. In the Do-Nothing scenario, the junction is forecast to operate with a DoS of 70.4% and 85.8% in the AM and PM peak hours respectively in 2026. With the development, including the proposed mitigation this rises to 92.9% and 97.7% in the AM and PM peaks respectively. It is without question that the development shall have a detrimental impact on the existing network which has not been adequately mitigated.

The proposed mitigations do not bring the junction operation to a level that LHA sees adequate. The TA suggests that a Degree of Saturation of up to 100% is acceptable, but the Highway Authority does not accept this, and maintains that the threshold of acceptability should be 90%.

I am very concerned about the predicted queues on certain arms of the junction. The modelling exercise (*Table 6.6*) shows queues on Lakeview Drive reaching 42 vehicles from the junction. Lakeview Drives’ distance (90 metres) from the junction to the roundabout with Tesco should be borne in mind when looking at queues of 42 vehicles. Taking a conservative approach that a queueing vehicle takes up to 6 metres, this Lakeview Drive section would accommodate only 15 vehicles before traffic backs up to the Tesco roundabout, effectively stopping any further vehicles from egressing.

With vehicles unable to exit Tesco it is likely that traffic within the site would back up to the extent that vehicles would not be able to get in, with the risk that queueing traffic would back up onto the A41.

Although *para 6.25* of the TA highlights that Lakeview Drive is privately owned and therefore queueing would be accommodated off the public highway, this section of road is shared by Tesco and the consented McDonalds restaurant. It is my opinion that it would be in public’s interest that movement of traffic on Lakeview Drive is not disrupted. Very substantial delays could also be detrimental to road safety as they may well lead to unsafe manoeuvres by impatient drivers.

A41/ A4421 – Rodney House Roundabout

A summary of junction modelling results is illustrated in *Table 6.10* of the TA and the LHA finds this analysis acceptable.

Pedestrian Infrastructure

It is acknowledged that the recent highway improvements in the vicinity of the site have provided convenient pedestrian and cycle facilities such as crossing sections and on the A41 and Lakeview Drive.

The design and access statement suggests that the development shall aim to maximise access to all parts of the development, its facilities and services for people who are occupants, visitors and members of staff regardless of disability and as required by local, regional and national policy. A secondary pedestrian access (along the A41) is thereby welcomed. Whilst I agree that the position of this access shall be informed by the internal street layout at subsequent reserved matters applications, the access should be aligned to offer the best practical desire line with the crossing on the A41 towards Pioneer Way.

LHA officers have assessed the pedestrian proposals and accept that the 3-metre widening of the section of shared footpath/cycle way on the eastern side of A41 Oxford Road between Lakeview Drive and Pioneer Way shall improve the site's sustainability particularly for those walking and cycling between the Kingsmere housing development and the proposed site.

Parking

Precise details will be looked at during the reserved matters application stage, it is however anticipated that the site can accommodate the quantum of development sought with sufficient parking provision.

Consideration of the interaction of car parking with other sites in the area e.g. acting as an overspill car parking area for Bicester Village (rather than Bicester Village visitors using the P&R) has still not been made. A robust car parking management plan should be included during reserved matters application stage.

Cycle parking details shall be dealt with at subsequent applications and I believe this shall be provided in accordance with OCC parking standards.

Drainage

The additional drainage information at Appendix C of the ES addendum is sufficient to overcome OCC's drainage objection.

Transport Strategy

Policy Bicester 4 of the Cherwell Local Plan relating to the site requires:

- Contributions to improvements to the surrounding local and strategic road networks.
- Layout that enables a high degree of integration and connectivity between new and existing development particularly the mixed use urban extension at South West Bicester to the west, the garden centre to the south, and, to the north, Bicester town centre and Bicester Village retail outlet.
- Provision for safe pedestrian access from the A41 including facilitating the crossing of the A41 to the north and west, and the provision and upgrading of footpaths and cycleways that link to existing networks to improve connectivity generally and to develop links between this site, nearby development sites and the town centre.

- Good accessibility to public transport services should be provided for, including the accommodation of new bus stops to link the development to the wider town.
- A Transport Assessment and Travel Plan to accompany development proposals.

As indicated at the pre-application stage, the A41 from which the site is accessed is heavily trafficked and will be put under further pressure from Cherwell Local Plan growth allocations, including the allocation on this site (Bicester 4).

This was recognised by Bicester Village in their application for Phase 4 of their development, where they have now delivered major highway improvements at and between the Esso roundabout and Pingle Drive junctions, having also provided a Bicester Park and Ride facility.

The highway improvements on the A41 related to the expansion of Bicester Village have delivered a new bus layby on the northbound side of the A41. The highway works which are related to the construction and use of the permitted Bicester Business Park would also have needed to provide a northbound and southbound bus layby; however, the northbound layby is now delivered and the southbound layby will now be delivered by **16/02505/OUT** – Bicester Gateway (Kingsmere Retail). Should the development proposals in question associated with Bicester 4 come forward first, they must deliver the southbound layby.

Planning consent was granted in November 2013 for the construction of a Tesco food store of 8,135 square metres and petrol filling station on part of the consented office park site (Planning Ref: **12/01193/F**). The S106 Deed of Variation in relation to the consented Tesco store and office park allows for the construction of up to 45,000 square metres of the B1(a)/B1(b) office space being delivered on the remainder of the site, as part of the previous outline planning consent for an office park.

The November 2013 deed of variation to the original Section 106 agreement (dated 26 October 2010 associated with planning permission **07/01106/OUT**) set out appropriate contributions/mitigation schemes required in order to make the development acceptable. *Para 3.36 to 3.38* in the TA that sets out the impact of the previous planning consent is misleading as it does not take account of these obligations. A new Section 106 is anticipated to secure strategic transport contributions through the new application, taking into account the increased scale of the submitted proposals and the present context.

The cumulative impact of Local Plan growth development in Bicester will be severe if appropriate contributions are not secured from all development sites towards the strategic transport infrastructure required to mitigate the increase in transport movements.

The varied Section 106 made provision for a strategic transport contribution; however, this was made prior to the current adopted Cherwell Local Plan, which includes increased growth and additional infrastructure requirements within the plan period, such as a South-East Perimeter Road (SEPR). The SEPR is also now detailed in Oxfordshire County Council's Local Transport Plan 4, as a scheme to

ease congestion on the A41, and will therefore directly contribute towards mitigating this development proposal's impact. The scheme is partly funded, but currently requires contributions to fund the western section proposed. This development will therefore be expected to contribute towards the SEPR or a scheme of similar benefit.

Strategic transport modelling demonstrates the benefits that the SEPR will bring to the A41 /Oxford Road:

- The A41 Oxford Road is a key corridor in Bicester where junctions along its length are impacted significantly as a result of the growth of Bicester, including Bicester 4. The Application Site will increase the proportion of peak hour traffic through this corridor.
- The SEPR has been identified as a key piece of strategic infrastructure that will bring direct relief to the A41 corridor, thereby facilitating improved operation of junctions directly impacted by Bicester 4.
- Modelling has demonstrated the benefits that the SEPR would bring to the A41. In the AM peak:
 - Over 1000 vehicles (pcu's) that would otherwise use the A41 Oxford Rd northbound through Vendee Drive would route via SEPR (eastbound)
 - Around 930 vehicles (pcu's) that would otherwise use A41 Boundary Way and turn left on A41 Oxford Rd southbound past Bicester 4, would route via SEPR (westbound)
 - Therefore, over 1930 vehicles (pcu's) would use the SEPR that would otherwise route along A41 past the Bicester 4 site.

It is acknowledged however that the capacity released on the A41 by the SEPR will itself encourage some traffic that might otherwise choose NOT to use the A41, to divert along the corridor. When taking diverted traffic into account, the net reduction in traffic on the A41 in the vicinity of the Bicester 4 site would be around 1130 pcu's.

Motion suggest that no further strategic transport contributions are required towards the SE Perimeter Road. A contribution towards the SE perimeter road is required, as although it is unlikely to be built by the TA assessment year of 2026, it is required within the Local Plan period before 2031 as a direct result of cumulative growth in Bicester, which includes the Bicester 4 allocation. The scheme has a direct relationship to the development site, as it will relieve congestion on the A41 through Bicester. In addition, as I will go on to outline, the mitigation proposed by Motion along the A41 is not sufficient on its own.

The varied Section 106 also made provision to support rail service improvements, now partly implemented by East West Rail phase one. Oxfordshire County Council continue to support rail improvement schemes, making this sustainable form of travel more attractive and in turn reducing single occupancy car travel. EWR Phase 2 is still to commence which on completion will provide further connectivity enhancements.

Bus Service

Bicester Policy 4 requires that “good accessibility to public transport services should be provided for, including the accommodation of new bus stops to link the development to the wider town”.

Bus Stops

The A41 bus stops will provide frequent access to the site from Oxford, from the Park & Ride site, from Bicester Town Centre and from certain northern suburbs.

The need for a ‘physical’ bus stop was identified and proposed as part of the permitted development through s278 arrangements (a layby or widening plus adjacent hard-standing etc). A bus stop will be required within the business park itself, preferably along Lakeview Drive on a location where there is already hard-standing or a footway. Provision of this infrastructure to be secured through S106 via S278.

Also, as part of the Bicester Gateway Retail Park planning consent it was proposed to include a southbound bus stop adjacent to the site along the A41 Oxford Road as part of the highway improvements. However, to allow for the possibility that that consent is not implemented either wholly or earlier than that consented development, then we will require a commitment from this development to install the same bus stop with associated infrastructure.

Two flag/pole units and a single bus shelter at a cost of around £10,000 will also be required (the northbound stop has already been provided with a shelter, but no flag/pole unit).

Bus Service Enhancement

An agreement was made through the permitted development to fund a bus service onto the site. Demand for travel to/from work on-site can be expected to be almost entirely in the morning and peak hours. Contributions are therefore required to cover the estimated cost of extending a local bus service to/from this site during the main journey to work times – which are assumed to be 0700-1000 and 1600-1900 Mondays to Fridays over a period of 5 years (see calculation below).

Back in 2010 the proposal was to extend a Bicester North to Bicester Village shuttle bus service, through to the Business Park site at peak journey to work times. Now it is more probable that a different local service would be extended, probably the proposed service from Wretchwick Green and/or from Graven Hill, although in principle it could be from a different residential part of Bicester. The payment from this development would ensure that two departures per peak hour were provided from this site.

The provision of a guaranteed on-site bus service at journey-to-work times provides employees with some certainty of departure times, especially after work. The walking distance from the site to the northbound bus stop on the A41 is not only in excess of 400 metres from much of the site, but it also requires both carriageways of the A41

to be crossed on foot. In addition, the arrival times of buses on the main road service from Oxford cannot be predicted with any degree of reliability due to variable traffic congestion.

The Council wishes to encourage the use of modes other than the car for journeys to work in the Bicester area. The provision of an on-site bus service is seen as being a much more attractive proposition than the long walk, across a busy dual carriageway road to a bus stop with a highly variable bus service.

CTMP

A construction traffic management plan is required to ensure the construction traffic is managed and does not harm free flow of traffic during the construction phase; this can be secured by condition.

Other Issues

- 5.17 and 5.18 fail to acknowledge that it is not a reasonable assumption to model the additional 15,000 additional square metres as the development assumption. The 45,000 square meters permitted has planning obligations and contributions associated with it that would not have been taken account of through this methodology and so the full 60,000 square meters proposed is deemed appropriate, as a fresh S106 is to be negotiated.
- Bicester Village Phase 4 is frequently incorrectly referred to as Bicester Gateway Phase 4.
- In the conclusion, Motion also suggest that the mitigation they are proposing is only required once the 45,000 sqm has been built out. This has not been justified earlier in the text and Motion have not accepted carrying over the S106 transport planning obligations and contributions from the permitted development, so this trigger is not considered appropriate for this development. I suggest that further discussions are held between LHA and the applicant as what level of development would trigger the implementation of the proposed mitigation. In the absence of any further detail on this, it will be assumed that all of the mitigation will be required to be delivered prior to the first occupation of the development. This would be stipulated in the S106 agreement.

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- The provision of the pedestrian access from A41 Oxford Road would be delivered as part of the Section 278 agreement associated with the proposed highways works. Drawing plan to be agreed with the HA.
- The shared pedestrian/ cycle route on the eastern side of A41 Oxford Road to be widened to 3 metres wide from the junction with Lakeview Drive to Pioneer Way junction.

- A bus stop with a flag pole within the business park, preferably along Lakeview Drive on a location where there is already hard-standing or a footway.
- Bus stop adjacent to the development on the eastern side of the A41 Oxford Road subject to the event that the Bicester Gateway development which the bus stop forms a part of is not implemented

Notes:

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into. The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements. In the event that the proposed highway works requiring carriageway widening along the A41/Oxford Road are agreed as part of S278, these should be carried as per OCC specifications. We would require the surface course in the adjacent area / lane to be replaced with a stepped joint in the layers below as illustrated in drawing **HSD 700/025** via

<https://www.oxfordshire.gov.uk/cms/content/highway-standard-details>

It is also considered that the detail of the highway signage shall be agreed as part of the technical appraisal at the s278 stage.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Accesses: Full Details

Prior to the commencement of the development hereby approved, details of the means of access between the land and the highway on (i) Lakeview Drive and (ii) the pedestrian access from A41 Oxford Road, including position, layout and vision sprints shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the occupation of the development hereby approved, the means of access shall be constructed and retained in accordance with the approved details. *Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework*

Car Parking

No buildings shall be occupied until car parking spaces to serve them have been provided according to plans showing parking and the necessary manoeuvring and turning to be submitted and agreed by the Local Planning Authority. Car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter. *Reason - To ensure appropriate levels of car parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework*

Cycle Parking Provision

Prior to the first occupation of the development hereby permitted, a plan showing the number, location and design of cycle parking for the buildings shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shown on the agreed plan shall be provided prior to first occupation of the development. The cycle parking facilities will be permanently retained and maintained for the parking of cycles in connection with the development. *Reason - To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.*

Construction Traffic Management Plan

Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details. *Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers.*

Drainage

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS – (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Government guidance contained within the National Planning Policy Framework.

Travel Plan

The submitted travel plan will be revised in line with comments received and resubmitted to the Local Planning Authority for approval before first occupation.

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):

£2,965,185.99 Strategic Highway Infrastructure Contribution

Towards:

The South-East Perimeter Road (Western Section) or scheme of similar benefit.

Justification:

The SEPR is detailed in Oxfordshire County Council's Local Transport Plan 4, as a scheme to ease congestion on the A41, and will therefore directly contribute towards mitigating this development proposal's impact. Other developments around Bicester have agreed to a proportionate contribution towards this strategic infrastructure that will bring direct relief to the A41 corridor for which this proposed development shall benefit.

Calculation:

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. OCC are available to discuss the assumptions used in this calculation further with the applicant.

Strategic transport contribution =

$$(X - Y - Z) \div E$$

Where,

X = Cost of Scheme(s)

Y = Held/Committed funding

Z = LGF Funding/Alternative Funding

E = Expected Growth

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 = £6,239,563 (notional 66.6% match funding)

E = Bic 4 and Bic 10 (phase 2) (estimated 140,000 sqm)

Total £2,965,185.99

£670,532 Strategic Rail Contribution

Towards:

East West Rail

Justification:

The extra travel demands arising from this proposal in common with other proposals has led and continues to lead towards the delivery of enhanced rail infrastructure provision, including the East West Rail provision. The extant Section 106 planning obligation for previous proposals at this site made provision to support the enhanced rail infrastructure. Part of the enhancements have been brought forward in advance of individual development growth and as such will be ready to help accommodate the extra transport demands from initial development occupation. 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 also 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. The local commitment to contribute to the East West Rail improvements includes a requirement for £11.06m to deliver the improvements. The appropriate proportion of that requirement attributable to this development proposal is identified above.

Calculation:

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. OCC are available to discuss the assumptions used in this calculation further with the applicant.

$$(X - Y - Z) \div E$$

Where,

X = Cost of Scheme(s)

Y = Held/Committed funding

Z = LGF Funding/Alternative Funding

E = Expected Growth

X = £11.06m for Oxfordshire County Council contribution to EWR

Y = £1,691,287 (committed funding)

Z = Notional 66.6% match funding - £6,239,562.86

E = Bic 4 and Bic 10 (phase 2) (estimated 140,000 sqm)

Total £1,341,064.35

Divided by two major centres served by EWR Bicester & Oxford
= £670,532 contribution towards EWR

£375,000 Bus Service Enhancement Towards

Extending a local bus service into and out of the Business Park during the main journey to work times (which are assumed to be 0700-1000 and 1600-1900 Mondays to Fridays) over a period of 5 years

Calculation

£50 per bus-hour. Six morning arrivals on Mondays to Fridays and six departures in the evening equates to £300 per working day (3 hours am and 3 hours pm) or £75,000 per annum. The cost for five years would be £375,000.

Justification

Much of the Bicester 4 site is far from the main road, particularly the northbound bus stop.

LTP policies in relation to new developments.

Local Plan Policy Bicester 4.

Assumptions in the Transport Assessment.

Demand for travel to/from work on-site can be expected to be almost entirely in the morning and peak hours. Contributions are therefore required to cover the estimated cost of extending a local bus service to/from this site during the main journey to work times. This is requested over a period of 5 years as this is estimated as the length of time for it to become commercially viable.

The provision of a guaranteed on-site bus service at journey-to-work times provides employees with some certainty of departure times, especially after work. The walking distance from the site to the northbound bus stop on the A41 is not only in excess of 400 metres from much of the site, but it also requires both carriageways of the A41 to be crossed on foot. In addition, the arrival times of buses on the main road service from Oxford cannot be predicted with any degree of reliability due to variable traffic congestion.

The Council wishes to encourage the use of modes other than the car for journeys to work in the Bicester area. The provision of an on-site bus service is seen as being a much more attractive proposition than the long walk, across a busy dual carriageway road to a bus stop with a highly variable bus service.

£11,000 Bus Infrastructure Contribution indexed from January 2018 using Baxter Index

Towards:

- (i) Provision of bus stop infrastructure within the site (£1,000) and
- (ii) Bus Shelter including 2 flag poles on Oxford Road (£10,000)

Calculation:

The £1,000 and £10,000 are the procured costs of the related infrastructures and installation.

£2,040 Travel Plan Monitoring and Review Fee indexed from January 2018 using RPI-x

Justification:

Necessary to make the development Acceptable in Planning Terms

The travel plan aims to encourage and promote more sustainable modes of transport with the objective of reducing dependence upon private motor car 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.

A travel plan is a 'dynamic' document tailored to the needs of businesses 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 which includes the following activities:

- review 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 an updated travel plan.

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.'

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.

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.

Further, the Good Practice Guidance states that 'local authorities should consider charging for the monitoring process and publish any agreed fee scales'.

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'.

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.

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.

Directly Related to the Development

The travel plan is a document which 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 travel associated with the site.

Therefore, the monitoring that will be charged for will be specific and relevant to this site alone.

Fairly and reasonably related in scale and kind to the development

The fee charged is for the work required by Oxfordshire County Council to monitor a travel plan related solely to this development site. They are based on an estimate of the officer time required to carry out the following activities:

- 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 an updated travel plan.

Oxfordshire County Council guidance – ***Transport for new developments: Transport Assessments and Travel Plans*** sets out two levels of fees according to the size of the development. This development falls into the smaller category.

Calculation:

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 £2,040. Please note that this is considered a fair rate, set to include staff salary and overheads alone.

Officer's Name: Rashid Bbosa

Officer's Title: Transport Engineer

Date: 06 August 2018
