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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Committee: Planning Committee
Date: Thursday 6 November 2025
Time: 4.00 pm
Venue 39 Castle Quay, Banbury, OX16 5FD

Membership

Councillor Barry Wood (Chair)

Councillor Chris Brant
Councillor Phil Chapman
Councillor Jean Conway
Councillor Ian Harwood
Councillor Fiona Mawson
Councillor Robert Parkinson
Councillor David Rogers
Councillor Dr Kerrie Thornhill

Councillor Amanda Watkins (Vice-Chair)

Councillor John Broad
Councillor Becky Clarke MBE
Councillor Dr Isabel Creed
Councillor David Hingley
Councillor Lesley McLean
Councillor Chris Pruden
Councillor Les Sibley
Councillor Douglas Webb

Substitutes

Councillor Rebecca Biegel
Councillor Andrew Crichton
Councillor Dr Chukwudi Okeke
Councillor Rob Pattenden
Councillor Nigel Simpson
Councillor Linda Ward

Councillor Nick Cotter
Councillor Harry Knight
Councillor Lynne Parsons
Councillor Edward Fraser Reeves
Councillor Dorothy Walker
Councillor John Willett

AGENDA

1. **Apologies for Absence and Notification of Substitute Members**
2. **Declarations of Interest**

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting

3. **Requests to Address the Meeting**

Requests to address the meeting (including the application, whether you will speak in support of or objection to the application, your contact details) should be

submitted to democracy@cherwell-dc.gov.uk Addresses can be made virtually or in person.

The deadline for requests to address this meeting is noon on Wednesday 5 November 2025.

Requests to address the meeting are only permitted on planning applications to be determined by the Planning Committee (items 8, 9 and 10 on this agenda) . Full details of public participation at Planning Committee meeting is available in the Constitution, [Planning Committee Procedure Rules](#).

4. Minutes (Pages 5 - 25)

To confirm as a correct record the Minutes of the meeting of the Committee held on 2 October 2025.

5. Chair's Announcements

To receive communications from the Chair.

6. Urgent Business

The Chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

7. Proposed Pre-Committee Site Visits (if any)

The Committee to consider requests for and proposed pre-committee site visits.

Any requests or recommendations for site visits will be published with the written update.

Planning Applications

- 8. Land South of Anniversary Avenue East Between Milne Street and Read Place Graven Hill Ambrosden (Pages 28 - 52) 25/00882/F**
- 9. Poultry House Rickfield Farm Station Road Milcombe OX15 4RS (Pages 53 - 71) 23/03290/F**
- 10. Woodgreen Leisure Centre Woodgreen Avenue Banbury OX16 0HS (Pages 72 - 78) 25/01963/ADV**

Consultation Responses, Review and Monitoring Reports

- 11. Oxfordshire Strategic Rail Freight Interchange Consultation Response (Pages 79 - 211)**

****No public speaking permitted on this item as it is not a planning application for determination by Cherwell District Council****

Planning Committee is asked to consider and approve Cherwell District Council's Written Response to the Stage 2 Oxfordshire Strategic Rail Freight Interchange (OxSFRI) Consultation

Recommendations

The Planning Committee resolves:

- 1.1 To approve the approve the phase 2 consultation joint response to the applicant.

12. Appeals Progress Report (Pages 212 - 223)

Report of Assistant Director Planning

Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

Recommendations

The Planning Committee resolves:

- 1.1 To note the position on planning appeals contained within the report.

Councillors are requested to collect any post from their pigeon hole in the Members' Lounge at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Evacuation Procedure

If you hear the fire alarm, please leave the building via the nearest available exit. The fire assembly point is outside the Premier Inn, adjacent to the canal.

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Webcasting and Broadcasting Notice

The meeting will be recorded by the council for live and/or subsequent broadcast on the council's website. The whole of the meeting will be recorded, except when confidential or exempt items are being considered. The webcast will be retained on the website for 6 months.

If you make a representation to the meeting, you will be deemed by the council to have consented to being recorded. By entering the Council Chamber or joining virtually, you are consenting to being recorded and to the possible use of those images and sound recordings for webcasting and/or training purposes.

The council is obliged, by law, to allow members of the public to take photographs, film, audio-record, and report on proceedings. The council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

Queries Regarding this Agenda

Please contact Matt Swinford / Martyn Surfleet, Democratic and Elections
democracy@cherwell-dc.gov.uk, 01295 221534

Shiraz Sheikh
Monitoring Officer

Published on Wednesday 29 October 2025

Cherwell District Council

Planning Committee

Minutes of a meeting of the Planning Committee held at 39 Castle Quay, Banbury, OX16 5FD, on 2 October 2025 at 4.00 pm

Present:

Councillor Barry Wood (Chair)
Councillor Amanda Watkins (Vice-Chair)
Councillor Rebecca Biegel
Councillor Chris Brant
Councillor John Broad
Councillor Phil Chapman
Councillor Becky Clarke MBE
Councillor Jean Conway
Councillor Dr Isabel Creed
Councillor Ian Harwood
Councillor David Hingley
Councillor Fiona Mawson
Councillor Robert Parkinson
Councillor Chris Pruden
Councillor Les Sibley
Councillor Douglas Webb

Apologies for absence:

Councillor Lesley McLean
Councillor Dr Kerrie Thornhill

Officers:

Paul Seckington, Head of Development Management
Lewis Knox, Senior Planning Officer
Sophie Browne, Principal Planning Officer
Andy Bateson, Team Leader - North Area Major Developments
Denzil Turbervill, Head of Legal Services
Saba Ahmed, Trainee Solicitor
Natasha Clark, Governance and Elections Manager
Martyn Surfleet, Democratic and Elections Officer

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Declarations of Interest

9. Glebe House, 8 Mill Street, Kidlington, OX5 2EF.

Councillor Fiona Mawson, Other Registerable Interest, as a member of Kidlington Parish Council which had been consulted on the application.

53 **Requests to Address the Meeting**

The Chair advised that requests to address the meeting would be dealt with at each item.

54 **Minutes**

The Minutes of the meeting held on 4 September 2025 were agreed as a correct record and signed by the Chair.

55 **Chair's Announcements**

1. The Chair reminded members of the public that only registered speakers were entitled to speak at the committee meeting at the time instructed by the Chair and requested members of the public to remain quiet during the meeting and not cause disturbance.
2. Members were reminded to remain in their seats throughout the presentation and discussion on each item. Should they need to leave the room during consideration of an item, they should refrain from speaking or voting on that item.
3. As far as practicable, a comfort break would be taken after around two hours.
4. Members were advised that due to there being no substantial updates, an appeals report was not included on the agenda. An Appeals update report would be included on the November agenda.

56 **Urgent Business**

There were no items of urgent business.

57 **Proposed Pre-Committee Site Visits (if any)**

There were no proposed pre-committee site visits.

58 **Land At Hanwell Fields, Dukes Meadow Drive, Banbury**

The Committee considered application 25/01545/OUT, for outline planning application for up to 150 dwellings and associated open space with All Matters Reserved other than access, at Land at Hanwell Fields Dukes Meadow Drive Banbury, for Manor Oak Homes and Mr and Mrs Donger.

Alex Munro, agent on behalf of the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Brant and seconded by Councillor Webb that application 25/01545/OUT be refused against officer recommendation, as it was not land allocated within the Local Plan, would exacerbate the coalescence of Hanwell village and Banbury town, cause undue visual harm to the local area, and would contribute to the loss of G2/3 agricultural land and impact on biodiversity.

The proposal was debated and on being put to the vote the motion was lost and therefore fell.

It was proposed by Councillor Conway and seconded by Councillor Watkins that application 25/01545/OUT be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report and presentation, public speakers and the written updates.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 25/01545/OUT subject to:

- i. The conditions set out below (and any amendments to those conditions as deemed necessary) and
- ii. The completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):
 - a. Provision of 30% affordable housing on site
 - b. Contribution to the provision or enhanced facilities at Hanwell Fields Community Centre; - £165,301.20
 - c. Contribution towards outdoor sport provision; - £438,908.00
 - d. Contribution towards indoor sport, Woodgreen Leisure Centre or a new indoor sport facility in the locality; - £166,333.00
 - e. Contribution for community development worker to help integrate residents into the wider community; - £18,724.91
 - f. Contribution towards initiatives to support groups for residents; - £6750.00
 - g. Contribution towards public art within the vicinity; - £42,000.00
 - h. £5,000 monitoring fee.
 - i. £292,350 – public transport;
 - j. £2035 – travel plan monitoring;
 - k. £65,000 – public rights of way;
 - l. £150,000 – Local Cycling & Walking Infrastructure Plan (LCWIP)
 - m. £1,500,372 – secondary education;
 - n. £144,936 – secondary land contribution;
 - o. £129,841 – special education;
 - p. £15,525 – household waste and recycling centres.

- q. Health Care Provision - £TBC
- r. Thames Valley Police - £30,521

CONDITIONS

Time Limit

1. No development shall commence until full details of the layout including the layout of the internal access roads and footpaths), scale, appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the case of the reserved matters, the final application for approval shall be made not later than the expiration of 18 calendar months beginning with the date of this permission.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission and the development hereby permitted shall be begun either before the expiration of 40 calendar months from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended). The time period for submission has been reduced from standard period. The application has been submitted to address the Council's 5-year housing land supply position and is in accordance with the applicant's planning statement.

Compliance with Plans

4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

Forms and Certificates - PP-14068191
Covering Letter – Ref: 00825/L0002
Planning Statement / SCI – Ref - 00825/S0001

Design and Access Statement – Ref: 103-184 06/06/25 Rev A
Site Location Plan – Ref: 103-184 001 C
Parameter Plan – Ref: 103-184 003 K
Access Drawing – Ref: 1340-TA10
Landscape Strategy (illustrative only) – Ref: DL06 Rev A
FRA & Drainage Strategy – Ref: 1340-FRA-01-0
Transport Assessment – Ref: 1340-TA-01-0
Travel Plan- Ref: 1340-TP-01-0
Heritage Statement – Ref: 10365
Archaeology Desk Based Assessment – Ref: DMB25/76 May 2025
Archaeology Geo-Physical – Ref: DMB25/76 June 2025
Landscape and Visual Impact Assessment (3 files) – Ref:
I000911_DL101A
PEA / Ecology – Ref: 6007-02 ecoap dv3
BNG Report and Metric – Ref: 6007-02 BNG dv1 CL
Arboricultural Impact Assessment – Ref: 250522 25038 AIA V1
Sustainability & Energy Statement – Ref: BAN 3 MOH SES

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

5. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. As part of any reserved matters application a specialist acoustic consultant's report that demonstrates that all habitable rooms within the dwelling and external areas will achieve the noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) shall be submitted to and approved in writing by the Local Planning Authority. Where acoustic glazing and alternative means of ventilation are required to achieve this standard full details of these elements shall be submitted with the report for approval. Should alternative means of ventilation be required then an overheating report will also be required. Thereafter, and prior to the first occupation of the dwellings affected by this condition, the dwellings shall be insulated and maintained in accordance with the approved details.

Reason: To ensure the development provides a good standard of amenity for future residents in accordance with Policy ESD15 of the Cherwell Local Plan Part 1 (2015) and Government guidance in the National Planning Policy Framework.

7. No development shall commence until a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the local planning authority. No development shall take place until the local planning authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework

8. If a potential risk from contamination is identified as a result of the work carried out under condition 7, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No development shall take place unless the local planning authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

9. If contamination is found by undertaking the work carried out under condition 8, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No

development shall take place until the local planning authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. If remedial works have been identified in condition 9, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

11. Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include damage cost calculations where applicable along with detailed mitigation measures proposed by the developer, in order to address any adverse impacts on local air quality. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.

Reason: To protect the amenities of nearby residents and the character of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

12. As part of any application for reserved matters relating to layout, a detailed 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 not be implemented other than in accordance with the approved details and shall be implemented before the development is completed. It shall thereafter be managed in accordance with the approved details. The scheme shall also include:

- Discharge rates based on 1:1 year greenfield run off rate
- Discharge Volumes
- SUDS
- Maintenance and management of SUDS features (To include provision of a suds Management and Maintenance Plan)
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers.
- Network drainage calculations
- Phasing
- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)
- A detailed maintenance regime for all proposed drainage features and suds features.
- A detailed surface water catchment plan.

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community and to ensure compliance with Policy ESD 6 and 7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

13. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

14. No works shall commence until full engineering details of the proposed TOUCAN crossing on Dukes Meadow Drive have been submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until the approved TOUCAN crossing has been constructed in its entirety.

Reason: To ensure that a safe, suitable, and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 115 and 117 of the National Planning Policy Framework.

15. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24-hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic and Highway condition survey pre and post construction;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

16. No development shall commence unless and until full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing, lighting and drainage, have been submitted to and approved in writing by the Local Planning Authority. The access, driveways and turning areas shall be constructed in accordance with the approved details prior to the first occupation of any of the dwellings and shall be retained as such thereafter.

Reason: In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

17. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in accordance with the approved details prior to first occupation of the development and shall be retained as such thereafter.

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

18. No development shall commence above slab level unless and until a scheme for electric vehicle infrastructure to serve each dwelling has been submitted and approved in writing by the Local Planning Authority. The approved electrical vehicle charging infrastructure shall be provide in accordance with the approved details prior to the first occupation of the dwelling it serves.

Reason: To maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

19. No properties shall be occupied until approval has been given in writing by the Local Planning Authority that either:
- Evidence to demonstrate that all water network upgrades required to accommodate the additional flows/demand from the development have been completed; or
 - A housing and infrastructure phasing plan has been agreed with Thames Water and the Local Planning Authority in writing to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

20. No development shall commence including any demolition, and any works of site clearance, unless and until a method statement and scheme for enhancing biodiversity such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, has been submitted to and approved in writing by the Local Planning Authority, which shall accompany any reserved matters application for layout and landscaping. This shall also include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out in accordance with the approved details and shall be retained as such thereafter in accordance with the approved details.

Reason: To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

21. No development shall commence unless and until a Landscape and Ecology Management Plan (LEMP), which shall also cover the construction phase of the development, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the

development shall not be carried out or managed other than in accordance with the approved LEMP.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

22. Prior to the installation of any external lighting, a full lighting strategy to include illustration of proposed light spill and which adheres to best practice guidance in relation to ecological impact, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved document.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

23. As part of any submission for reserved matters, full details of a renewable energy strategy for the site in accordance with Policy ESD5 of the Cherwell Local Plan, shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of any building the renewable energy serves.

Reason: To encourage the use of renewable and low carbon energy in accordance with Policy ESD5 of the Cherwell Local Plan Part 1.

24. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations (unless a different standard is agreed with the local planning authority) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until it has been constructed in accordance with the approved energy performance measures.

Reason: In the interests of environmental sustainability in construction in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance in the National Planning Policy Framework.

25. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

26. A) No tree shall be cut down, uprooted, damaged or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998: Recommendations for Tree Works.

B) If any retained tree is cut down, uprooted, destroyed or dies, another tree shall be planted in the same place in the next planting season following the removal of that tree, full details of which shall be firstly submitted to and approved in writing by the Local Planning Authority.

In this condition a "retained tree" is an existing tree which shall be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) shall have effect until the expiration of five years from the date of the approval of the final reserved matters.

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 ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Further It was further resolved that as statutory determination period for this application expired on 3 October 2025, if the section 106 agreement/undertaking was not completed and the permission was not able to be issued by this date, and no extension of time had been agreed between the parties, the Assistant Director for Planning and Development be given delegated authority to refuse the application for the following reason:

1. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate mitigation required as a result of the development and necessary to make the ecological, landscape and highway impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to development plan policies SLE4, ESD10, ESD13, INF1, C7, C8 and C28 and national guidance contained in the National Planning Policy Framework.

The Committee considered application 24/03174/F, for the demolition of existing buildings on site and the erection of retirement living apartments with associated access, car parking, landscaping, ancillary facilities and

associated works, at Glebe House, 8 Mill Street, Kidlington, OX5 2EF, for McCarthy and Stone Retirement Lifestyles Ltd.

Councillor Ian Middleton addressed the committee as local ward member.

Rachel Clare, agent for the applicant, addressed the Committee in support of the application.

It was proposed by Councillor Mawson and seconded by Councillor Creed that application 24/03174/F be approved, in line with the officer recommendation.

In reaching its decision the Committee considered the officer's report and presentation, public speakers and the written updates.

Resolved

That, in line with the officer's recommendation, authority be delegated to the Assistant Director for Planning and Development to grant permission for application 24/03174/F subject to –

- i. The conditions set out below (and any amendments to those conditions as deemed necessary).
- ii. The completion of a planning obligation under section 106 of the town and country planning act 1990, as substituted by the planning and compensation act 1991, to secure the following (and any amendments as deemed necessary):
 - a) Payment of a financial contribution to be confirmed towards off site affordable housing in lieu of on-site provision
 - b) Payment of a financial contribution towards off site sports and recreation provision in the locality of £2,017.02 per dwelling (outdoor sport provision) and £335.32 per occupier of each dwelling (indoor sport provision)
 - c) Payment of a financial contribution towards the enhancement of community hall facilities of £28,442.72 (index linked)
 - d) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £106 per dwelling (index linked)
 - e) Payment of a financial contribution towards expansion and efficiency of Household Waste Recycling Centres of £,871
 - f) Payment of a financial contribution towards public artwork of £8,512.00
 - f) Payment of a financial contribution towards primary care provision of £24,552 (index linked).
 - g) Payment of the Council's monitoring costs of TBC.

CONDITIONS

Time Limit

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.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the form and following approved plans:

MI-2991-03-AC-0001 C
MI-2991-02-AC-0011 A
MI-2991-03-AC-0012 A
MI-2991-03-AC-0013 A
MI-2991-03-AC-0014 A
MI-2991-03-AC-2000 A
MI-2991-03-AC-2001 A
MI-2991-03-AC-0003 B
2305-KC-XX-YTree TPP01 0
MI-2991-03-LA-001 P2
MI-2991-03-LA-002 P1
MI-2991-03-LA-003 P1
MI-2991-03-DE-100 P01
MI-2991-03-DE-101 P01

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

3. Notwithstanding the approved details within drawing number MI-2991-03-LA-001 P2 ('Landscape Layout'), the pedestrian access and internal footpaths shall be laid out in accordance with the details shown within drawing number MI-2991-03-AC-0001 C ('Proposed Site Plan').

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

4. If the development hereby approved does not commence by 22nd October 2025, a revised bat roost assessment and survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on bats. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local

planning authority. Thereafter, the development shall be carried out in full accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

5. No development shall commence, including any works of demolition, until a Construction Environment and Traffic Management Plan (CETMP) has been submitted to and approved in writing by the local planning authority. The statement shall provide for at a minimum:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition and construction working hours;

The approved CETMP shall be adhered to throughout the construction period for the development.

Reason: To ensure that residential amenity and the environment are protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

6. Construction shall not begin prior to the approval of a detailed surface water drainage scheme for the site, 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 include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;

- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems
- CCTV survey to confirm the existing drainage and identify the remedial works required as part of the overall drainage strategy.

Reason: To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework.

7. No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The HMMP shall include:

- a non-technical summary
- the roles and responsibilities of the people or organisation(s) delivering the HMMP
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development
- the monitoring methodology and frequency in respect of the created or enhanced habitat

Notice in writing shall be given to the local planning authority when the:

- HMMP has been implemented
- habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP or such amendments as agreed in writing by the local planning authority.

Monitoring reports shall be submitted to the local planning authority in writing for approval in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

8. No development shall commence (including demolition, ground works, vegetation clearance) unless and until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and

approved in writing by the local planning authority. The CEMP: Biodiversity shall include as a minimum:

- Risk assessment and mitigation of potentially damaging construction activities
- Identification of 'Biodiversity Protection Zones'
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). In relation to great crested newts, these should include: storage of demolition materials off the ground in skips or other containers; storage of building materials (bricks, stone etc) on pallets; provision of covers or ramps to any trenches left overnight to prevent animals becoming trapped, and; maintenance of all vegetation within the works area at a maximum height of 30mm until construction is complete
- The location and timing of sensitive works to avoid harm to biodiversity features
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

9. No development shall commence until the existing trees to be retained as shown on approved plan ref. MI-2991-03-LA-001 P2 have been protected in accordance with the approved Tree Protection Plan, ref. 2305-KC-XX-YTREE-TTP01 0 and an Arboricultural Method Statement that shall first be submitted to and approved in writing by the local planning authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development or demolition and shall be maintained until the development is completed. Nothing shall be stored or placed within the areas protected by the barriers.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

10. No development shall commence above slab level until a schedule of materials and finishes to be used in the roofs and balconies of the building, and the hard surfacing and boundary treatments throughout the site, has been submitted to and approved in writing by the local planning authority. Notwithstanding the details shown on approved drawing no.MI-2991-03-AC-0003 B, the boundary treatment fronting Mill Street shall be a 1.4m railing over a 0.6m masonry dwarf wall and access-controlled gates shall be installed at the vehicular entrance. The development shall not be carried out other than in accordance with the approved details and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area, and in the interests of preventing crime and creating a safe environment for future occupiers, in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

11. No development shall commence above slab level until details of the construction, including cross sections, cill, lintel, reveal and colour/finish of the proposed windows, doors, and dormers, to a scale of not less than 1:10 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

12. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
- a. As built plans in both .pdf and .shp file format;
 - b. Photographs to document each key stage of the drainage system when installed on site;
 - c. Photographs to document the completed installation of the drainage structures on site; and
 - d. The name and contact details of any appointed management company information.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

13. Prior to first occupation, full details of the highway works required to implement the alterations to the site access, including construction, drainage and a layout that enables pedestrian priority and tactile paving, shall be submitted to and approved by the Local Planning Authority. The means of access shall be constructed in strict accordance with full details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason: In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

14. Prior to first occupation the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To ensure all residents and employees are aware from the outset of the travel choices available to them, and to comply with Government guidance contained within the National Planning Policy Framework.

15. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

16. Prior to first occupation or use of development, an external lighting scheme shall be installed, the details of which shall first be submitted to and approved in writing by the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents. The lighting strategy shall be designed in accordance with best practice to prevent unacceptable impacts to protected species and their habitats.

Reason: In the interests of preventing crime and creating a safe environment for future occupiers, and to ensure that the development does not cause harm to any protected species or their habitats, in accordance with accordance with Policies ESD10 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

17. No part of the development shall be occupied until a postal strategy has been submitted to and approved in writing by the Local Planning Authority. The approved strategy will be implemented prior to first occupation and retained in perpetuity.

Reason: In the interests of preventing crime and creating a safe environment for future occupiers, in accordance with accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

18. The development hereby approved shall be carried out in strict accordance with the approved landscaping scheme (drawing number MI-2991-03-LA-001 P2) and the hard landscape elements shall be carried out prior to the first occupation or use of the development and shall be retained as such thereafter.

All planting, seeding or turfing included in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or 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 next planting season with others of similar size and species. The approved hard landscaping and boundary treatments shall be completed prior to the first occupation of the development and shall be retained as such thereafter.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of visual amenity of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

19. The existing trees and hedges along the north western boundary of the site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

20. The external materials to be used for the walls of the development hereby approved shall be 'Burwell Buff' brick and 'Welford Buff Multi' brick, as shown in the photograph dated 10th April 2025.

Reason: To safeguard the character and appearance of the area and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

21. The development hereby permitted shall be carried out in full accordance with the specifications set out within the 'Energy Statement' by Focus Consultants, dated 23rd September 2024, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

22. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason: In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

Informatives:

1. A Section 278 Agreement with the Local Highway Authority will be required in order to construct the alterations required at the site access junction.
2. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

The meeting ended at 6.45 pm

Chair:

Date:

Agenda Annex

CHERWELL DISTRICT COUNCIL

Planning Committee – 6 November 2025

PLANNING APPLICATIONS INDEX

The Officer's recommendations are given at the end of the report on each application.

Members should get in touch with staff as soon as possible after receiving this agenda if they wish to have any further information on the applications.

Any responses to consultations, or information which has been received after the application report was finalised, will be reported at the meeting.

The individual reports normally only refer to the main topic policies in the Cherwell Local Plan that are appropriate to the proposal. However, there may be other policies in the Development Plan, or the Local Plan, or other national and local planning guidance that are material to the proposal but are not specifically referred to.

The reports also only include a summary of the planning issues received in consultee representations and statements submitted on an application. Full copies of the comments received are available for inspection by Members in advance of the meeting.

Legal, Health and Safety, Crime and Disorder, Sustainability and Equalities Implications

Any relevant matters pertaining to the specific applications are as set out in the individual reports.

Human Rights Implications

The recommendations in the reports may, if accepted, affect the human rights of individuals under Article 8 and Article 1 of the First Protocol of the European Convention on Human Rights. However, in all the circumstances relating to the development proposals, it is concluded that the recommendations are in accordance with the law and are necessary in a democratic society for the protection of the rights and freedom of others and are also necessary to control the use of property in the interest of the public.

Background Papers

For each of the applications listed are: the application form; the accompanying certificates and plans and any other information provided by the applicant/agent; representations made by bodies or persons consulted on the application; any submissions supporting or objecting to the application; any decision notices or letters containing previous planning decisions relating to the application site.

Item No.	Site	Application Number	Ward	Recommendation	Contact Officer
8	Land South of Anniversary Avenue East Between Milne Street and Read Place Graven Hill Ambrosden	25/00882/F	Bicester South And Ambrosden	Approval*	Sarah Tucker
9	Poultry House Rickfield Farm Station Road Milcombe OX15 4RS	23/03290/F	Deddington	Approval*	Katherine Daniels
10	Woodgreen Leisure Centre Woodgreen Avenue Banbury OX16 0HS	25/01963/ADV	Banbury Ruscote	Approval*	Astrid Burden

*Subject to conditions

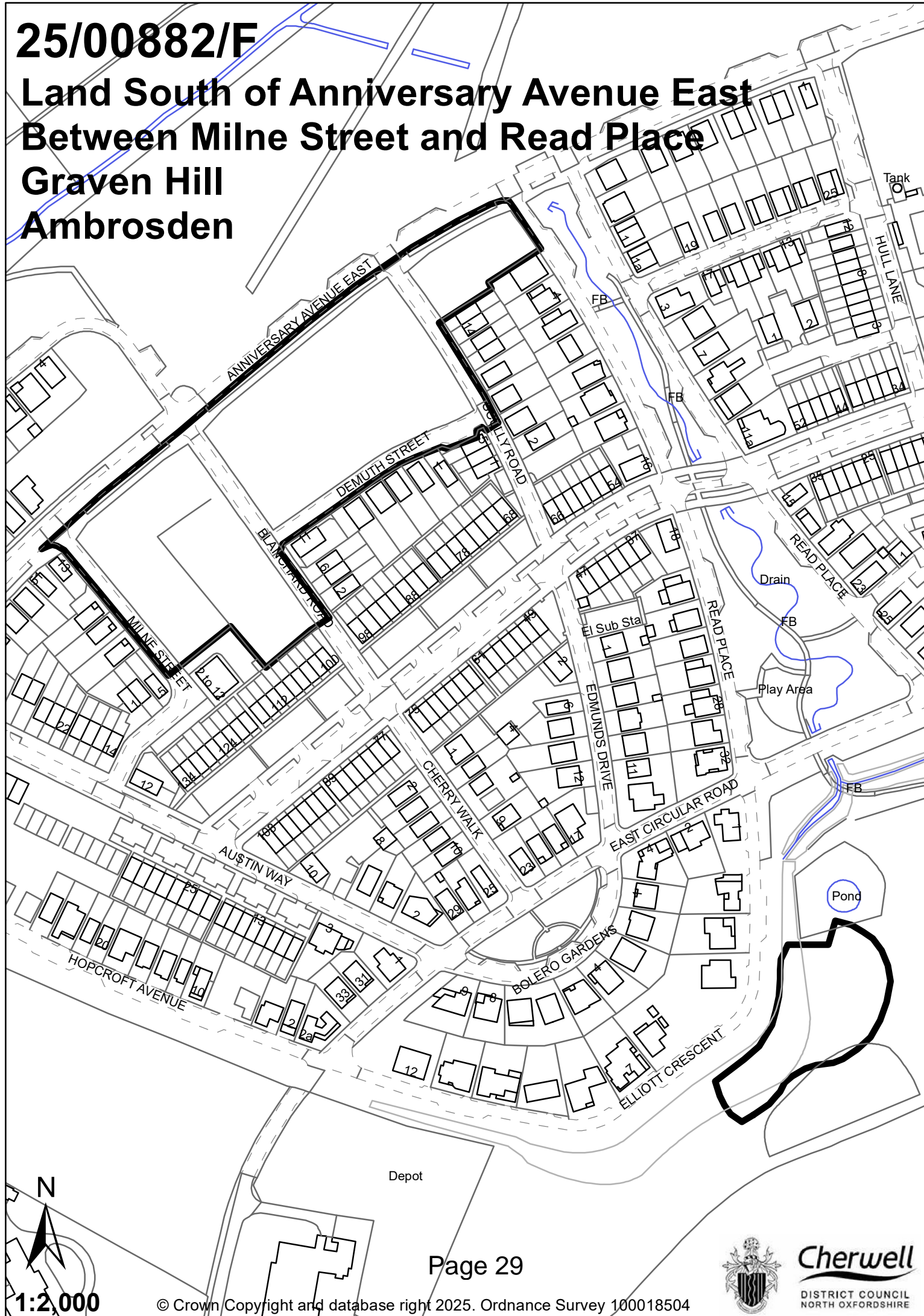
Cherwell District Council Democratic and Elections Team, 39 Castle Quay, Banbury, OX16 5FD

**Land South of Anniversary Avenue East
Between Milne Street and Read Place
Graven Hill
Ambrosden**



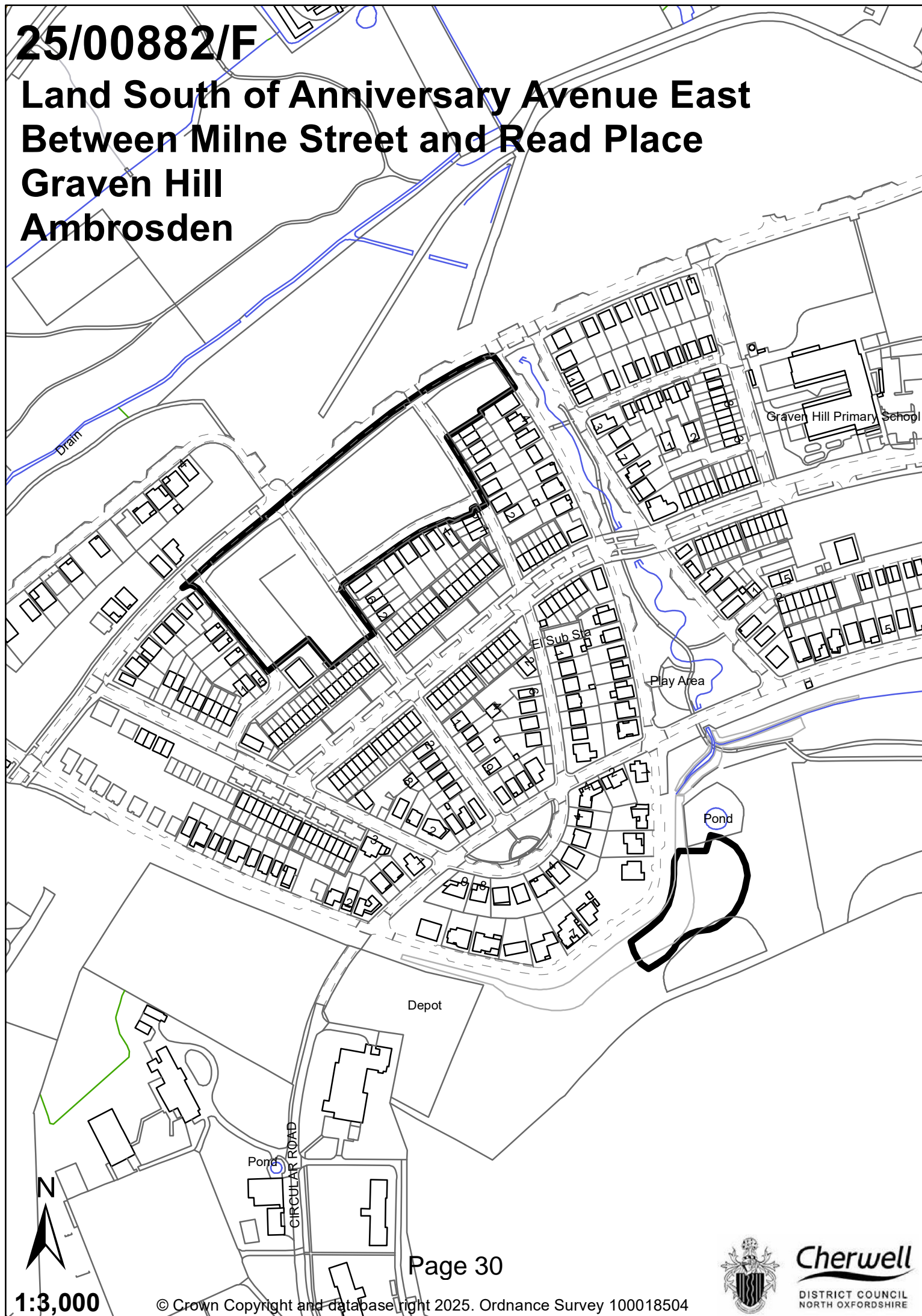
25/00882/F

**Land South of Anniversary Avenue East
Between Milne Street and Read Place
Graven Hill
Ambrosden**



25/00882/F

**Land South of Anniversary Avenue East
Between Milne Street and Read Place
Graven Hill
Ambrosden**



Case Officer: Sarah Tucker

Applicant: Graven Hill Village Development Company

Proposal: Erection of 66 dwellings with associated highways works and landscaping

Ward: Bicester South And Ambrosden

Councillors: Councillor Cotter, Councillor Ideh and Councillor Pruden

Reason for Referral: Major development

Expiry Date: 3 October 2025

Committee Date: 06 November 2025

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE RECEIPT OF AMENDED PLANS TO THE SATISFACTION OF THE ASSISTANT DIRECTOR FOR PLANNING AND CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The site consists of land previously operated by the Ministry of Defence as a training facility, ordinance depot and distribution centre. The current site is located in the western section of Graven Hill Village, along Anniversary Avenue East to the west of the village centre. The area is defined in the now out of time Phase 1 outline application as residential. Approximately 745 homes have permission on Phase 1.
- 1.2. The site consists of two parcels: the first one is a 1.72ha parcel currently empty of development, rectangular in shape with two 'steps' southwards and eastwards. The northern boundary of the site is defined by Anniversary Avenue East, which has been constructed in full as part of Stage 1, to the west lies Milne Street, to the east Scully Road and Read Place and to the south Demuth Street, Milne Street and Blanchard Road. Demuth Street and Scully Road lie within the development site, but they have already constructed dwellings on the opposing side of these streets (either wholly or partially). This parcel is mostly flat and currently empty. The second parcel is a 0.29ha kidney shaped parcel lying to the south of the main parcel, adjacent to Elliott Crescent, currently consisting of modified grassland which is proposed to provide biodiversity net gain for the proposed development.

2. CONSTRAINTS

- 2.1. The application site is within the site allocated by Policy Bicester 2 of the Cherwell Local Plan 2011-2031, the land has some potential to be contaminated and there are ecological constraints within the area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The description of development is erection of 66 dwellings with associated highway works and landscaping. The proposals are for market and affordable housing and are not self build, as some of the previous development on site is.
- 3.2. The proposed development is in the form of three blocks of flats comprising 8 dwellings in each on 3 storeys on the corners of Milne Street, Blanchard Road and Scully Road where they meet Anniversary Avenue East. The remaining 40 units proposed are 2 storey houses, 21 of which are detached, with the rest semi-detached, and 3 flats of over garages (FOG's). The development ranges from 1 bed flats to 5 bed houses. 46 of the units are proposed to be open market, with 20 of them affordable, representing 30% of the total number of units as affordable. Within the affordable category there are 7 x 1 bed units, 5 x 2 bed units and 8 x 3 bed units.
- 3.3. All apartment blocks and housing are proposed to have off-street parking.
- 3.4. The layout of the proposal is in a 'block structure' similar to surrounding developments.
- 3.5. The application has been amended to provide amenity space for the occupiers of the proposed flats and in terms of design and highway details. Further amendments have been sought and those amendments are awaited.
- 3.6. The proposals also include land for biodiversity enhancement in a separate 0.29ha kidney shaped parcel to the south of the main development parcel adjacent to Elliott Crescent, at the bottom of the 'hill' of Graven Hill. The area is currently modified grassland and is proposed to be planted with enhanced modified grassland (a meadow seed mix), native hedge species and trees (silver birch and holly). A post and rail fence is proposed to delineate the parcel.
- 3.7. It is of note that the highways within this application were approved under 21/03654/REM (see planning history below).
- 3.8. The application has been amended following consultation with the consultees, to amend highway widths, parking and design of the scheme, and the consultation period extended. Further amendments are awaited.
- 3.9. *Timescales for Delivery:* The applicant/agent has advised that, in the event that planning permission is granted, they anticipate development commencing by September 2025 with completions April/May 2026. Obviously, this will now need to be updated given the timescales have moved.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

11/01494/OUT: Outline - Redevelopment of former MOD sites including demolition of existing buildings, development of 1900 homes; local centre to include a 2 form entry primary school (class D1), a community hall of 660sqm, five local shops or facilities to include A1, A2, A3, A5 and D1 uses totalling up to 1358sqm, up to 1000sqm gross A1 uses, a pub/restaurant/hotel (class A4/A3/C1) up to 1000sqm and parking areas; employment floorspace comprising up to B1(a) 2160sqm, B1(b) 2400sqm, B1(c) and B2 20520sqm and B8 uses up to 66960sqm; creation of public open space and associated highway improvement works, sustainable urban drainage systems, biodiversity improvements, public transport improvements and services infrastructure. Erection of a 70400sqm fulfilment centre on 'C' site and associated on site access improvement works, hardstanding, parking and circulation areas

Approved 08/08/2014 but now out of time insofar as no further reserved matter applications can be made

15/02159/OUT: Variation of Conditions 2 (approved plans), 26 (masterplan and design code), 27 (reserved matters first phase), 32, 33 (building heights), 39, 40 (construction standards), 41, 42 (housing mix), 51, 52 (highways works), 56 (lighting scheme), 58 (internal access), 68 (approved drainage strategy) of 11/01494/OUT

Approved: 03/06/2016

16/01807/REM: Reserved matters to 16/01802/OUT - Reserved matters in respect of public areas in Phase 1a and part of phase 1b

Approved 06/10/2017

16/01802/OUT: Variation of Condition 30 of 15/02159/OUT - Revised Design Code and Master Plan, and Removal of Condition 35 - Housing Mix

Approved 21/06/2017

17/02352/REM: Reserved Matters to application 18/00325/OUT - access, layout, scale, appearance and landscaping in respect of public areas in Phase 1b and part phase 3

Approved: 08/03/2019

18/00325/OUT: Variation of conditions 2 (plans), 28 (Phasing), 30 (building heights), 33 (Non-Residential Construction Standards), 38 (Landscape Habitat Management Strategy), 46 (Archaeology), 54 (Ground levels), 57 (Entrance works), and 71 (Phase 1 Masterplan) and removal of condition 58 (Pioneer Junction works) of 16/01802/OUT

Approved: 03/08/2018

19/00937/OUT: Variation of Conditions 2 (plans), 28 (Phasing) and 29 (Masterplan and design code) of 18/00325/OUT - to amend the site wide phasing plan and to include proposed earlier phasing for the employment land. (Original outline reference 11/01494/OUT, amended by 15/02159/OUT, 16/01802/OUT. Outline - Redevelopment of former MOD sites including demolition of existing buildings, development of 1900 homes; local centre to include a 2 form entry primary school (class D1), a community hall of 660sqm, five local shops or facilities to include A1, A2, A3, A5 and D1 uses totalling up to 1358sqm, up to 1000sqm gross A1 uses, a pub/restaurant/hotel (class A4/A3/C1) up to 1000sqm and parking areas; employment floor space comprising up to B1(a) 2160sqm, B1(b) 2400sqm, B1(c) and B2 20520spm and B8 uses up to 66960sqm; creation of public open space and associated highway improvement works, sustainable urban drainage systems, biodiversity improvements, public transport improvements and services infrastructure. Erection of a 70400sqm fulfilment centre on 'C' site and associated on site access improvement works, hardstanding, parking and circulation areas)

Approved 03/01/2020

21/00585/REM: Reserved matters application to 19/00937/OUT - Proposed details of Western access road

Approved 17/09/2021

21/03654/REM: Reserved matters application for 21/03749/F - Phase 3a and 3b, Graven Hill: reserved matters for 43 dwellings (Plots 393-415, 448-455 and 482-493), together with associated road infrastructure and open space.

Approved 15/8/2022

21/03749/F: Variation of condition 2 (plans) of 19/00937/OUT - The submitted proposals show the relocation of the Community Centre, Extra Care Facility, Nursery and Pub, as explained in the submission. The masterplan is amended to include these proposals, and excludes the employment land, for clarity

Approved: 22/03/2022

22/01504/REM: Reserved matters application to 21/03749/F - Plots 464-481, Plot 736 and Block G

Approved 04/10/2022

22/02312/REM: Reserved matters application for 21/03749/F - Zone 3a Home Zone 2 & 3 (93 units including 6 x 1 bed apartments)

Approved: 01/09/2023

22/03217/M106 To amend schedule 8 (play areas) of the S106 Agreement for 21/03749/F (originally 11/01494/OUT) - play areas will now comprise 4 x LAPs (numbers 1,2, 3 & 4) and 2 x LEAPs (numbers 701 & 702) in Phase 1, and 2 x LEAPs and 2 x NEAPs in Phase 2.

Approved: 04/10/2024

24/00648/REM: Variation of Condition 1 (plans) of 16/01807/REM - amended drawings to change the approved layout of this area to reflect existing changes approved under other reserved matters decisions, and new changes, most notably the inclusion of a memorial to the Pioneer Memorial, as a celebration of local military heritage

Approved: 11/11/2024

25/01768/HYBRID

Hybrid planning application comprising:

- Outline planning permission (with all matters reserved apart from access) for the development of up to 1,295 residential units (up to 1,235 homes (Use Class C3) and up to a 60-bed extra care facility) and supporting infrastructure, a pub / restaurant up to 1,000sqm, and associated parking areas, access, allotments and public open space; and
- Full planning permission for the development of 34 residential units (Use Class C3) and associated parking areas, access and public open space.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. There are no direct pre-application discussions for this parcel of land, which was included as part of the original 2011 outline application (11/01494/OUT) but was not built out as a reserved matter before the outline became out of time.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a Site Notice displayed near the site, expiring 20 October 2025, by advertisement in the local newspaper expiring 23 October 2025 and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was 23 October 2025.

6.2. The comments raised by third parties are summarised as follows:

- The proposed flats, parking and bins will be an eyesore to the area
- The three-storey building will block out our sunlight and cause significant overshadowing in the afternoon/evenings due to narrow width of existing streets
- Three storey building would result in a loss of privacy and a negative impact on the local character
- Concern about impact on traffic and on-road parking which is already an issue affecting emergency access
- Set a precedent to build the same height buildings
- Inappropriate cladding colour – entirely out of keeping with the surrounding buildings and the character of the area. It is visually jarring and will negatively impact the overall streetscape and local aesthetic. More sympathetic materials and colours should be considered to preserve the visual harmony of the neighbourhood
- Overdevelopment – another flat development in an area already burdened with high density housing, will lead to overcrowding
- Increased pressure on local infrastructure
- The architectural quality compared to the existing context is extremely poor
- The colours and finish of materials show a total lack of cohesive aesthetic design
- Previous schemes have missed out elements such as bike and bin storage and a lack of landscaping; would happen here - CDC should enforce
- Demuth Street is a very narrow road, the new houses have been brought forward to the edge of the pathway, which will cause the street to feel claustrophobic
- Issues of daylight and privacy issues would affect Demuth Street
- Demuth Street not wide enough for on-street car parking
- High rise flats should be in another part of the site near the retail part of the estate
- Will these homes meet current building regulations

- The approved masterplan did not show three storey flats here.
- Result in property devaluation on surrounding properties.
- The scale and massing of the flats is out of scale with the existing 2 storey buildings
- The proposal conflicts with policies ESD15 of the 2011 Cherwell Local Plan, policies C28 and C30 of the 1996 Saved Cherwell Local Plan, Cherwell Residential Design Guide and the NPPF Chapter 12
- Layout and form of the buildings do not reflect the garden village principles which underpin the Graven Hill Masterplan
- Detrimental effect on local wildlife
- No amenities in this part of Graven Hill- there was supposed to be a bus along Anniversary Avenue, lack of public transport provision
- Proposal has been put forward without adequate communication or consideration for the existing community
- Poorly designed parking provision - will conflict with on-street parking
- Lack of parking provision - especially for blocks of flats which will be purchased by investors and rented out
- Increase in noise and disruption due to the apartment blocks affecting existing residents
- There are alternative development options that should be explored
- Plans have changed since people bought their original plots
- Flats should be included in future plots, not here
- The three storey flats will render the streets completely impassable due to on street parking and be very dangerous for children and pedestrians
- Developers becoming greedy
- The appearance of the buildings is indistinct - neither traditional or contemporary and does not reflect the character of Graven Hill
- Auxiliary buildings have not been integrated with the overall design - cycle parking should be at least as convenient as car parking
- Narrow fronted deep plan detached properties are not supported
- The scheme does not provide for private outdoor space for the residents of the flats as per the Residential Design Guide
- The proposal does not meet the design criteria of the NPPF, Local Policy and the Design Code

- No planning application for further residential development should be granted until GHVDC has remedied the serious breach of legal obligations in the S106 agreement: there is no community centre provided for the 600 existing occupations which was required at 500 dwellings
- Negative impact on community wellbeing

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

7.2. **Bicester Town Council** - The Town Council welcomes the provision of housing put forward but raise concerns over:

- The quality of the design
- The massing of the buildings
- Energy efficiency standards

7.3. **OCC Transport** Initial comment dated 30/05/2025: Objection on the following grounds:

- The application fails to demonstrate that the internal layout complies with the NPPF as well as standards set within the Oxfordshire County Street Design Guide
- Visitor parking allocation seen outside of the red line boundary

If permission is granted then OCC requires the payment of additional contributions secured under the principal S106 agreement totalling £111,157

Condition required for EV charging scheme.

Further comment dated 17/09/2025: A technical note dated July 2025 has been submitted on behalf of the applicants. Street widths are not acceptable for shared surfaces and must be a minimum of 6m wide excluding service strips, and an objection is upheld on his basis.

Concerns regarding vehicle tracking conflicting with parking spaces 497 and 503.

Further comment dated 18/09/2025: It has been noted that the proposed shared surface roads are intended to remain private and not up for adoption. Since these roads are being constructed to acceptable standards, we don't foresee any issues with this arrangement from the Oxfordshire County Council's perspective.

Additionally, it seems there is ample space to accommodate the required carriageway width, incorporating the necessary service strips on either side. This should meet the design requirements and ensure functionality and accessibility. However, in acknowledgment of the consultation timescales, I request that a planning condition regarding estate roads is imposed.

The revisions on vehicle tracking are noted and considered acceptable. With the above, I am minded to withdraw OCC's previous objection. I now recommend that planning permission may be granted subject to planning conditions.

OCC LLFA: No objection subject to conditions. The approved drainage system shall be implemented in accordance with the Detailed Design.

OCC Education: Further S106 contributions are required as these dwellings are above the 745 permitted on site: Secondary: £177,427, SEN: £6,431, Social and Community: £31,743

OCC Archaeology: Initial comment 30/5/25: The site lies in an area of archaeological interest and potential, which has been outlined in the submitted heritage assessment (Waterman 2025). A previous watching brief was carried out in the eastern half of the site during the demolition of the MOD structure E2. This recorded no archaeological deposits in the area, and it was observed that the area has been subject to considerable truncation. Within the western half of the site, a geophysical survey was carried out on part of the area, and a watching brief was undertaken during the demolition of MOD structures. The geophysical survey recorded disturbances likely from the MOD use of the site and the watching brief recorded no archaeological deposits.

No archaeological investigations have been carried out in the south western part of the site, and LiDAR data suggests the presence of Medieval ridge and furrow surviving, showing this area was not disturbed during the MOD use of the site. Archaeological investigations across other areas of the Graven Hill development have recorded Iron Age, Roman and Medieval remains, with an Iron Age settlement and a Medieval farmstead recorded in excavation areas. Though the area in the present proposals is small, there is still potential for archaeological remains to survive.

No objection subject to conditions.

Further comment 29/10/25: following the submission of the updated Heritage Impact Assessment, no archaeological conditions are required.

- 7.4. **NHS Commissioning Group:** The ICB would like to raise an objection to the proposed development unless a developer contribution of £57,996 towards the creation of additional clinical capacity at Montgomery House Surgery or an identified primary care estates project in the local area to serve the development is secured through a Section 106 Agreement.
- 7.5. **OCC Fire and Rescue:** It is taken that these works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service where applicable, to ensure compliance with the functional requirements of The Building Regulations 2010
- 7.6. **NatureSpace:** we are satisfied in this case that works to parcel A are unlikely to present a risk to great crested newts due to previous mitigation work completed onsite, and that due to the nature of works to parcel B, that this is also unlikely to pose a risk to great crested newts, provided that avoidance measures are used during implementation. We are therefore satisfied that a precautionary working method would be suitable here, and recommend that this is secured via condition. It is however important to note that due to the presence of great crested newts onsite, more impactful works to the wider site may require further information/a licence to support future applications

- 7.7. **Thames Valley Police:** Holding objection: issues regarding parking courtyards that are highly permeable and devoid of surveillance, creating opportunities for vehicle crime and burglary. Curtilage parking is preferred and parking courts should be avoided as they can attract those intent on crime and antisocial behaviour. Parking courtyards should be well lit with clear stemmed variety of trees. Issues regarding natural surveillance and blank elevations. Side or rear access routes should be protected. Many vulnerable side/rear garden boundaries are exposed with no protection from unauthorised entry attempts. Apartment block entrances are recessed creating a vulnerable space and should be recessed no more than 600mm to facilitate clear lines of sight for occupants. Request conditions relating to lighting and construction management plan specifying boundary treatments, access control, lighting, alarms and security protocols for the storage of tools, materials, plant and machinery.
- 7.8. **CDC Recreation and Leisure:** With regards to the S106 contributions we understand that this will be treated as a qualifying application.
- 7.9. **CDC Building Control:** The proposal is subject to the building regulations hence an application will be required to be submitted.
- 7.10. **CDC Strategic Housing:** Strategic Housing support this proposal in principle and it will address some of CDC's current affordable housing priorities, particularly 3-bed social rented dwellings. However the proposed affordable mix requires to be amended before we can fully support the proposal. Some 4 and 5-bed dwellings are proposed as market housing and we require a proportion of these as social rented.

The Planning Statement refers to apartments, however doesn't appear to specify how many are proposed or what sizes. We don't tend to support 2-bed apartments as they will be occupied by families with children, however if necessary we will accept a small number on the ground floor with some private/garden space.

The indicative mix sets out numbers which will meet the most pressing identified needs in the District, whilst taking into account the numbers proposed, particularly for the larger sizes. (We would usually expect 15-20% of the affordable housing to be 4+ bed however on this proposal we will accept 10% due to the overall numbers proposed).

We welcome discussions regarding the affordable mix including how wheelchair adapted provision can be achieved.

Further comment dated 09/09/2025: Strategic Housing are aware that the applicant considers the proposed affordable housing mix to be acceptable as it reflects the requirements of Appendix 2 of the S106, signed in 2014. The proposed mix as it stands will not sufficiently address current affordable housing needs priorities, especially as zero 4-bed rented dwellings are proposed. Housing needs have changed significantly since the S106 was signed and Appendix 2 drawn up, particularly in respect of 3 and 4-bed houses. The need for 4-bed dwellings is particularly pressing. We currently require 15-20% of new developments to be 4+beds to make up the shortfall. Whilst we are not necessarily expecting this level to be delivered at Graven Hill, we would urgently request that the applicant reviews the mix to include a proportion of 4-bed rented dwellings and an increased number of 3-bed rented dwellings, based on the caveat in the S106 mentioned above regarding an alternative mix being agreed with CDC and the evidence of need.

- 7.11. **CDC Ecology:** Initial comment dated 17/06/2025: The EcIA refers to species enhancements but they are not clearly identified on the submitted plans. The majority of the ecological concerns have been addressed. BNG: it is not clear why

the modified grassland in parcel B is considered 'lost' rather than 'enhanced' to other neutral grassland. Clarification is needed on these including further justification for some of the justification, management details of Parcel B and the hedgerows in parcel A and an updated metric.

Further comments dated 07/08/2025 following amendments: The updated BNG offsite landscape softworks plan now includes a post and rail fence, which will ensure that access is restricted in this area. However, I can't see that any of the other concerns I raised in my response dated 17 June have been addressed. Several of those points require updates to both the BNG plans and the metric, as well as updates to the CEMP, so I would expect revised documents to be submitted with the necessary information included. Additionally, it appears that the NatureSpace query regarding GCN monitoring surveys has not yet been addressed.

Further comment dated 05/09/2025 following further amendments: The submitted documents sufficiently address my concerns. However, the enhancement works include planting 45 trees in Parcel B, which the EclA identifies as likely to contain GCN. These enhancement works will eventually be beneficial but could still impact GCN (if present) during implementation. NatureSpace requested further details, and I would like to see their response regarding requirements for GCN for this site. Other than that, Ecology conditions should include adherence to the CEMP, a lighting design for biodiversity, and a species-specific enhancement plan (bird/bat boxes). In terms of BNG, my comments have been addressed.

Further comment dated 17/09/2025: We'd recommend securing a legal agreement to cover the monitoring fees, as this is the only way to ensure the council isn't left covering the cost. We're required to monitor habitat creation and enhancement for 30 years, including annual checks in the early years, and without the fees in place, this would be a financial burden for the council.

That said, for this site it's really just Parcel B that needs monitoring, which isn't too onerous a task. While a legal agreement is preferred, if you feel it's disproportionate in this case, we can go with a HMMP condition instead.

- 7.12. **CDC Urban Design:** Initial comment 23/5/2025: The appearance of the buildings is indistinct – it is neither traditional nor contemporary and does not reflect the characterful architectural language of Graven Hill. Guidance contained within 'Building for a Healthy Life', expects places to be locally inspired or to otherwise have distinctive character.

The street scenes do not present a harmonious composition. The Residential Design Guide expects layouts to consider the composition and arrangement of buildings across the street as a whole, rather than just the design of individual buildings in isolation. Individual buildings should be designed to relate well to their neighbours, creating a harmonious overall composition.

Auxiliary buildings have not been integrated with the overall design – they only appear on the landscape plans and details of their appearance are not provided. Design guidance and best practice expect cycle storage to be at least as convenient as access to car parking (Manual for Streets para. 8.2.1)

Narrow fronted, deep plan detached properties with traditional pitched roofs are not supported (Residential Design Guide, page 93). They result in over wide and high gables with little or no fenestration.

The scheme does not provide private outdoor space for the residents of flats. The Residential Design Guide expects usable outdoor amenity space to be provided for

flats in the form of balconies, roof gardens or shared gardens (page 98). The proposal is for market and affordable housing as a single development rather than the self-build approach of previous phases. As such, it should be expected that the scheme reflects the character of the wider development, whilst achieving a greater degree of coherence and consistency. As set out in my comments I do not consider that this has been achieved. The proposals would not meet the design requirements of the NPPF, Local Policy, Guidance and The Code.

Further comments following amendments dated 18/08/2015: I suggest the following amendments are needed:

- Separate bin and cycle storage.
- Cycle storage to the front of the building or access from the main entrance lobby.
- Adjoining ground floor apartment relocated to the rear of the building to benefit from a southerly aspect and greater privacy and better relationship with external space.
- Flats Above Garages (FOG's) FOG's have been added to the masterplan – plots 430, 439 and 504. These would add some additional enclosure and potential surveillance to the proposed courtyard areas.
- The rear-side elevations require fenestration to provide passive surveillance of the communal garden areas and garden boundaries.
- Information is required to understand the location of bin and secure bike storage.

Communal Amenity Space: The addition of communal amenity spaces for the apartments and FOGs is welcomed. However, the communal space for plot 430/431 is small and entirely north facing. I suggest a larger space with at least two benches is required.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1 - Presumption in Favour of Sustainable Development
- BSC3 - Affordable Housing
- BSC4 – Housing Mix
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land – Brownfield Land and Housing Density
- BSC4 – Housing Mix

- BSC7 – Meeting Education Needs
- BSC8 – Securing Health and Wellbeing
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 - Sustainable Construction
- ESD4 – Decentralised Energy Systems
- ESD5 – Renewable Energy
- ESD7- Sustainable Drainage Systems
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment
- Policy Bicester 2: Graven Hill
- Policy INF 1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design of New Residential Development

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Graven Hill Design Code 2018

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway Issues
- Drainage Issues
- Ecological Issues and BNG
- Heritage Issues
- Sustainability
- S106 obligations and Qualifying Applications
- Other matters

8.2 Principle of Development

Policy Bicester 2: Graven Hill of the Cherwell Local Plan Part 1 2015 is an overarching policy that allocates 241 ha of land at Graven Hill for 2,100 dwellings, employment land and other facilities and infrastructure.

8.3 The current application site was originally included as part of the outline application 11/01494/OUT (see above in planning history) approved in 2014 for 1900 homes and included in the Graven Hill Design Code. Whilst this outline permission is now out of date and therefore cannot be implemented further this current application is defined as a ‘qualifying’ application in that it is subject to the S106 agreement

pursuant to that outline permission. The full definition of a qualifying application in the S106 agreement is as follows:

"Qualifying Application" means an application for approval of Reserved Matters or any separate application(s) for full planning permission for any part (but not the whole) of the Development or any application under Section 73 of the Act relating to the Planning Permission or to any permission issued pursuant to a Qualifying Application (other than an application which incorporates an increase in the number of Dwellings to be permitted on the Site)"

- 8.3 Given this, and the fact that residential development was considered acceptable at outline stage and the proposal complies with Policy Bicester 2, the current application is considered acceptable in principle.
- 8.4 Design, and impact on the character of the area
Policy ESD15 of the adopted 2011 Plan states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. It further states that all new development will be required to meet high design standards. Policy Bicester 2: Graven Hill requires proposals to comply with Policy ESD15.
- 8.5 The Graven Hill Design Code, whilst now no longer extant, states that it focuses on the characteristics desired for each area and stipulates design rules for all features. The document is considered a reference point for an ongoing design process. Since it was adopted in 2018 it is somewhat old and pre-dates current NPPF guidance on design, however, it is an important reference point in assessing the current application under consideration.
- 8.6 The proposed development is in the form of three blocks of flats of 8 dwellings on 3 storeys on the corners of Milne Street, Blanchard Road and Scully Road where they meet Anniversary Avenue East. The remaining 40 units are proposed are 2 storey houses, 22 of which are detached, with the rest semi-detached. The development ranges from 1 bed flats to 5 bed houses. The development effectively 'fills in the gaps' at the end of the Scully Road, Blanchard Road and Milne Street northwards to Anniversary Avenue East.
- 8.7 The layout is in the form of 'block structures' where existing roads are extended to meet Anniversary Avenue East. The masterplan approved under the original outline does not indicate apartment blocks in this part of the site.
- 8.8 Whilst the scheme has been amended in discussion with the Urban Design officer there are still a number of concerns with aspects of the design that have not been resolved. There are two elements: rear parking courtyard arrangements and design and elevation treatment, as set out below:

Layout concerns- Rear Parking Court Arrangements:

There are two main areas of the site where the current layout of rear parking courts raises significant concerns. These are 1) behind plot numbers 442 to 445 and 2) at the rear of plots 498 to 503. These arrangements result in:

- A poor use of space, with excessive hardstanding.
- Highly contrasting garden sizes, some of which are severely compromised.
- Lack of surveillance to parking areas
- Exposing rear gardens, making them less secure

These issues are compounded by feedback received from Thames Valley Police who have expressed concerns regarding the safety and surveillance of the rear parking courtyards.

Design and Elevational Treatment

House Types

- There are considered to be too many flat roofed dwellings which are not typical in Cherwell
- Concern that the appearance of the dwellings are not distinct; they are neither contemporary nor traditional and there is such a mixture of styles that the resulting street scenes are unlikely to represent a harmonious composition. This will mean that the scheme will not be cohesive.
- There are many varying styles, elevational detailing styles, material distributions that the scheme is overly fussy and we are concerned that this results in the design impacting the viability of the scheme.

Apartments

- The articulation of elevations is appreciated, but the overall appearance is overly fussy.
- There is a lack of coherence in window styles and sizes.
- Material distribution appears inconsistent, particularly where marked with red lines on the plans.
- The use of blue-black brick is likely to be oppressive. Concerns have been raised from neighbouring residents and by considering the design and materials to be used, we think this would assist the apartments in sitting more comfortably in the street scene in this part of the site.
- The side elevation (bottom right) is notably less well considered and would benefit from further refinement.

8.9 Amended plans have been requested to resolve these issues and members will be updated at committee. Delegated powers are requested to enable Officers to determine the application subject to appropriate plans to the satisfaction of the Assistant Director for Planning.

8.10 The three proposed apartment blocks are not included in the original masterplan for the site, and local residents have raised concerns regarding their scale and massing looking out of place in the context. However, the maximum height of the apartment blocks is 3 storeys, with some elements of the blocks 2 storey. Given that the apartment blocks will be only one storey higher than existing housing in the area, and the fact that they all face the main road of Anniversary Avenue East, articulating corner plots in the scheme, they are considered acceptable in this visual context, subject to the resolution of the elevational treatment issues raised above. Other concerns raised by residents regarding impact on residential amenity are set out below.

8.11 Overall, it is considered that the scheme could be made visually acceptable with the receipt of amended plans to resolve the issues summarised above. Subject to these, the design and layout of the scheme would be appropriate for the context of Graven Hill. Members will be updated on this at committee.

8.12 Residential Amenity

The adopted Cherwell Residential Design Guide sets out principles for amenity space, including a minimum distance of 22m back to back between properties, a minimum of 14m distance required from rear elevation to two storey side gable and first floor habitable room windows must not be within 7m of a neighbouring property.

8.13 Concerns have been raised by local residents, especially in relation to the impact of the proposed apartment buildings and proposed build lines on Demuth Street.

The proposed apartment building on Milne Street would lie 12m to the front of the nearest existing residential property on that street. The proposed apartment building on Scully Road is 23m to the nearest existing residential property on that road. From these distances, there will be no loss of light to adjacent existing properties. 12m is an acceptable distance between front elevations and it is considered there would be no adverse impacts on the residents of Milne Street or Scully Street, as a result of the proposed apartment buildings. Proposed houses on Demuth Street would be 12m from existing residential properties on that street, and again, it is considered an appropriate relationship between front elevations. The FOG's are between 12.5m and 17m from existing residential properties on Milne Street and Scully Road.

- 8.14 Both the Urban Design Officer and the Police consider the combined bin and cycle storage at the rear of the apartment buildings to be somewhat problematic in that it does not provide a safe or easy place to park bikes. As such, a condition seeking revised bin and cycle storage for the flats is recommended. Whilst the police have concerns about the recessed entrance, details of all external lighting is recommended to ensure that this area is adequately lit.
- 8.15 All proposed houses have rear gardens and are either at or over the distance requirements set out in the Residential Design Guide. Larger units have larger gardens. The proposed apartment buildings and FOG's have some rear communal amenity space in line with the Residential Design Guide. Furthermore, the proposed FOG's next to the proposed apartment blocks will provide natural surveillance of the parking courtyards.
- 8.16 Given the above, it is considered that the residential amenity of the proposals is acceptable and would not unduly impact on existing neighbouring properties and would be in accordance with the adopted Residential Design Guide in this regard.
- 8.17 Highway Issues
The NPPF para 115 states in applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users, the design of the streets and parking areas reflect national guidance and any significant impacts from the development can be mitigated.
- 8.18 The development consists of three streets accessed off Anniversary Avenue East into the site, Milne Street, Blanchard Road and Scully Road and Demuth Street linking Blanchard Road and Scully Road. Milne Street and Demuth Street are shared surfaces. These roads were granted planning permission as part of permission 21/03654/REM (see planning history above). Parking is proposed on plot or in off-street parking courtyards. Cycle parking is proposed in the apartment buildings in an internal shared space with bin storage.
- 8.19 The OCC Highway Officer has raised no objection to the scheme on the basis of layout, parking or traffic generation subject to conditions on EV parking and the standard estate roads conditions. However, whilst the EV parking condition is recommended the estate roads condition is not considered necessary since the roads gained planning permission previously under permission 21/03654/REM. Cycle parking is not considered appropriate in the same internal room as bin storage and, notwithstanding the submitted plans, a detailed cycle parking plan is recommended by condition.
- 8.20 Some local residents have raised concerns regarding the lack of public transport in the vicinity. Stagecoach services H5 and 29 run from Foundation Square either hourly or on the half hour. This is 600m from the application site. Whilst it is appreciated that this is some way from the site, the overall site is still under

construction and some way from completion where there will further improvements in bus services as more parcels are built out.

- 8.21 Given the Highway Officer has no objection to the proposals, and the fact that the roads already have planning permission, subject to the recommended conditions, the highway impacts of the proposal are considered acceptable.

8.22 Drainage Issues

Policy ESD7 of the adopted Local Plan states that all development will be required to use sustainable drainage systems for the management of surface water run off. Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems. Policy Bicester 2: Graven Hill requires development to use SUD's in accordance with Policy ESD7.

- 8.23 The site lies in Flood Zone 1 and there is a low risk of groundwater and surface water flooding. With regard to surface water drainage, there is an existing drainage network installed for previous development at Graven Hill. Drainage of surface water is proposed to discharge to the recently adopted Thames Water public sewer network within the highway to the northwest of the site. The public sewer has been designed to accommodate surface water from the Graven Hill development. Rain gardens are also proposed within build outs of the shared surface areas.

- 8.24 The LLFA raised no objection to the scheme subject to a condition, which is recommended. Subject to this condition there are no outstanding drainage issues.

8.25 Ecological Issues and BNG

Policy Bicester 2: Graven Hill states that biodiversity protection and enhancement measures should be implemented in any future development. Protected species surveys for bats and great crested newts will be required, and sufficient mitigation measures agreed prior to planning permission being granted. Policy ESD10 states that: in considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources. The requirement for biodiversity net gain (BNG) is now a mandatory requirement.

- 8.26 The site itself is previously development land and part of it was covered by a large MOD building which has now been demolished. There is therefore minimal ecological interest on the existing site. There is a separate parcel of land, Parcel B, within the application, to the south of the main development site, which is proposed for BNG. Parcel B is a 0.29ha kidney shaped parcel to the south of the main development parcel adjacent to Elliott Crescent, at the bottom of the 'hill' of Graven Hill. The area is currently modified grassland is proposed to be planted with enhanced modified grassland (a meadow seed mix), native hedge species and trees (silver birch and holly). The proposals also include a Construction Environmental Management Plan (CEMP), which has been amended following discussions with the Council's Ecologist.

- 8.27 The Council's Ecologist is satisfied with the BNG metric and provision in Parcel B, however, has raised concerns regarding the likelihood of great crested newts (GCN) on site and the impact of the tree planting. NatureSpace also raised the issue of GCN monitoring but following submission of further reports relating to impacts on GCN are now satisfied that the proposals will not result in harm to these protected species.

- 8.28 The Council's Ecologist has requested conditions regarding the habitat management and monitoring plan (HMMP), adherence to the submitted CEMP, a lighting design for biodiversity and a species-specific enhancement plan, all of which are recommended.
- 8.29 Subject to the addition of the recommended conditions the ecological and BNG implications of the proposal are acceptable.
- 8.30 Heritage Issues
Policy ESD15 states that development proposals should conserve, sustain and enhance designated and non-designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG.
- 8.31 The site lies in an area of archaeological interest and previous watching briefs were carried out in the eastern and western sides of the site during the demolition of an MOD building which recorded no archaeological remains. However, no archaeological investigations have been carried out in the south western part of the site and LiDAR data suggests the presence of medieval ridge and furrow surviving, showing this area was not disturbed during the MOD use of the site. Archaeological investigations across the rest of the site have resulted in archaeological deposits. An updated Heritage Impact Report was submitted and the OCC Archaeologist is satisfied that there are no archaeological remains on site and has withdrawn the request for recommended conditions.
- 8.32 Given the above, there are no adverse heritage impacts of the proposal.
- 8.33 Sustainability
Policy ESD3 of the adopted Local Plan states that all development proposals will be encouraged to reflect high quality design and high environmental standards. Some of the requirements set out in this policy have now been superseded by Part L of the 2021 Building Regulations.
- 8.34 The proposed new dwellings are proposed to be heated by air source heat pumps. This results in the development complying with the Passive Standards set out in Part L of the Building Regulations. It is understood that PV panels are not proposed.
- 8.35 Given this, it is considered the sustainability of the proposals are acceptable.
- 8.36 S106 contributions and Qualifying Applications
The application site must be seen under the auspices of the original outline permission 11/01494/OUT, whilst now out of date, the S106 is still in force, and this sets out the definition of a 'qualifying application', set out in paragraph 8.3 above. Whilst a number of consultees have raised requirements for further funding via S106 obligations, the application is considered a qualifying application and is covered by the original S106 pursuant to 11/01494/OUT and therefore cannot be requested now. Whilst it is noted that the ICB have requested a contribution, although no health contribution was sought by the original outline application, it is not considered possible to request this for this proposal due to this being a 'qualifying application'. A request has been made by the ICB to the Stage 2 application and this will be considered through that separate application.

- 8.37 The Strategic Housing officer has raised issues with the proposed affordable housing in that it is not providing the Council's need, especially with regard to 4 bed properties, and states that there is a caveat within the S106 that allows for the affordable housing package to be re-evaluated. However, the applicants were not willing to change the affordable housing package put forward as part of the scheme, pointing to the definition of a qualifying application.
- 8.38 Whilst noting the concerns of the Strategic Housing Officer, it is considered that since the applicant is unwilling to change the package, citing historical agreements on previous schemes in the Graven Hill development area, and they are providing 30% affordable housing, it would be difficult to refuse the application on this basis and as such, the proposed affordable housing package is considered acceptable. It is also relevant that the wider site (subject of a stage 2 application) will be subject to a s106 to include affordable housing.
- 8.37 Concerns have been raised by local residents that the Graven Hill Development Company is in breach of the S106 in that a community centre has not been built within the required timescale set out in the S106. This is not a matter that can be taken into account in the assessment of this application and is a matter that the Council's Planning and Enforcement Teams are in the process of resolving.
- 8.37 Other issues
Concerns have been raised by local residents that a precedent will be set by approving 3 storey buildings. However, each application must necessarily be assessed on its own merits, and as such, no precedent will be set by three storey apartment blocks here.
- 8.38 Concerns have been raised by local residents regarding the requirement for alternative options for this development, or for flats to be built elsewhere, however the current scheme is the only one that can be assessed, and as set out above, is considered appropriate for flats. The current scheme under consideration is part of the wider Graven Hill development and must be seen in this context.
- 8.39 Concerns have been raised regarding noise and disturbance as a result of the proposals. However, the site is within the wider Graven Hill development area, which is anticipated to be subject to further development given the site allocation. Noise and disturbance during the construction process could be controlled by conditions required as part of the construction management process.
- 8.40 Comments have been made regarding 'greedy developers' and surrounding property devaluation as a result of the development. However, these are not planning matters that can be taken into account in the assessment of this current application.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The principle of the scheme is acceptable since this site was originally granted outline permission for residential development in 2014. Whilst this permission is now out of time, the application is classed as a 'qualifying application' under the S106 pursuant to the original outline.

- 9.3. There are no harmful adverse impacts as a result of the proposal, subject to revised plans for the layout and design as set out above in paragraph 8.9, including to residential amenity, highways, drainage, ecology, heritage or sustainability issues. This is subject to the imposition of planning conditions including with respect to BNG which is suitably addressed in Parcel B with recommended conditions. Whilst some consultees have requested further S106 contributions to mitigate the impacts of the development, this has already been included in the original S106 agreement. Whilst there are some concerns regarding the package of affordable housing proposed, this is not considered unacceptable on balance to result in a recommendation to refuse the application.
- 9.4. Given the above, the planning balance of the application is that the development is acceptable, and permission is recommended for approval.

10. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING TO GRANT PERMISSION, SUBJECT TO:

- i. THE RECEIPT OF AMENDED PLANS TO THE SATISFACTION OF THE ASSISTANT DIRECTOR; AND**
- ii. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)**

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 conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:

TBC

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

3. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of first occupation:

Reference:

WIE11386-219-92-0501-P04 - HZ4 Proposed Private Plot Drainage Layout (26 Plots)

WIE11386-219-92-0502-P04 - HZ4 Proposed Private Plot Drainage Layout (38 Plots) Sheet 1 of 2

WIE11386-219-92-0503-P04 - HZ4 Proposed Private Plot Drainage Layout (38 Plots) Sheet 2 of 2

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal

4. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans in both .pdf and .shp file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal

5. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with an approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

- a) HMMP has been implemented; and
- b) habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP or such amendments as agreed in writing by the Local Planning Authority.

Monitoring reports shall be submitted to the local planning authority in writing for approval in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

6. A method statement for enhancing biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall include proposals for installing at least one integrated bird or bat box per dwelling (these may be clustered to reflect species requirements and site layout) along with at least one bee brick per dwelling. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

7. Prior to the first use of the development hereby approved details of the external lighting scheme including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved scheme prior to the first use of the development hereby approved and shall be operated and maintained as such at all times thereafter.

Reason: In the interests of biodiversity of the area and to protect the amenities of nearby residents and to comply with Policy ESD15 and ESD10 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

8. The proposals shall be implemented in accordance with the Construction and Environmental Management Plan submitted by Waterman Infrastructure and Environment Ltd August 2025.

Reason: To ensure that the biodiversity of the area is not unduly affected by the construction of the development and in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 Part 1 and the National Planning Policy Framework

9. The development hereby approved shall not be occupied until a scheme for the provision of electric vehicle charging infrastructure to serve the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the type and location of the infrastructure to be installed and shall have regard to information held by the local distribution network operator regarding the availability of electricity supply. Electric vehicle charging infrastructure shall be provided in accordance with the scheme approved before first occupation of the development and shall remain in place thereafter.

Reason: To maximise the opportunities to promote the use of sustainable transport

modes and the use of renewable energy, and to limit the impact of new development on air quality, to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained in the National Planning Policy Framework

10. Notwithstanding the submitted plans, prior to the relevant element of the development commencing, amended details of bin and cycle storage for the three apartment blocks, showing separate areas for bin/recycling and cycle storage shall be submitted to and approved in writing to the local planning authority. Thereafter the development shall be implemented in accordance with the revised approved plans.

Reason: To ensure appropriate bin/recycling and cycle storage to maximise the opportunities to promote the use of sustainable transport modes,, to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained in the National Planning Policy Framework

11. No development shall commence above slab level until a sample brick, render or cladding panel (1 metre x 1 metre minimum) of the external walls of the development hereby approved, which shall be constructed in brickwork, render or cladding, of a type, colour, texture, face bond and pointing which is in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the local planning authority. The sample panel shall be constructed in a position that is readily accessible for viewing in good natural daylight and shall not be removed from the site until completion of the development. The development shall be constructed in full accordance with the approved sample panel and shall be retained as such thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Case Officer: Sarah Tucker

23/03290/F

Agenda Item 9

**Poultry House
Rickfield Farm
Station Road
Milcombe
OX15 4RS**



1:2,600

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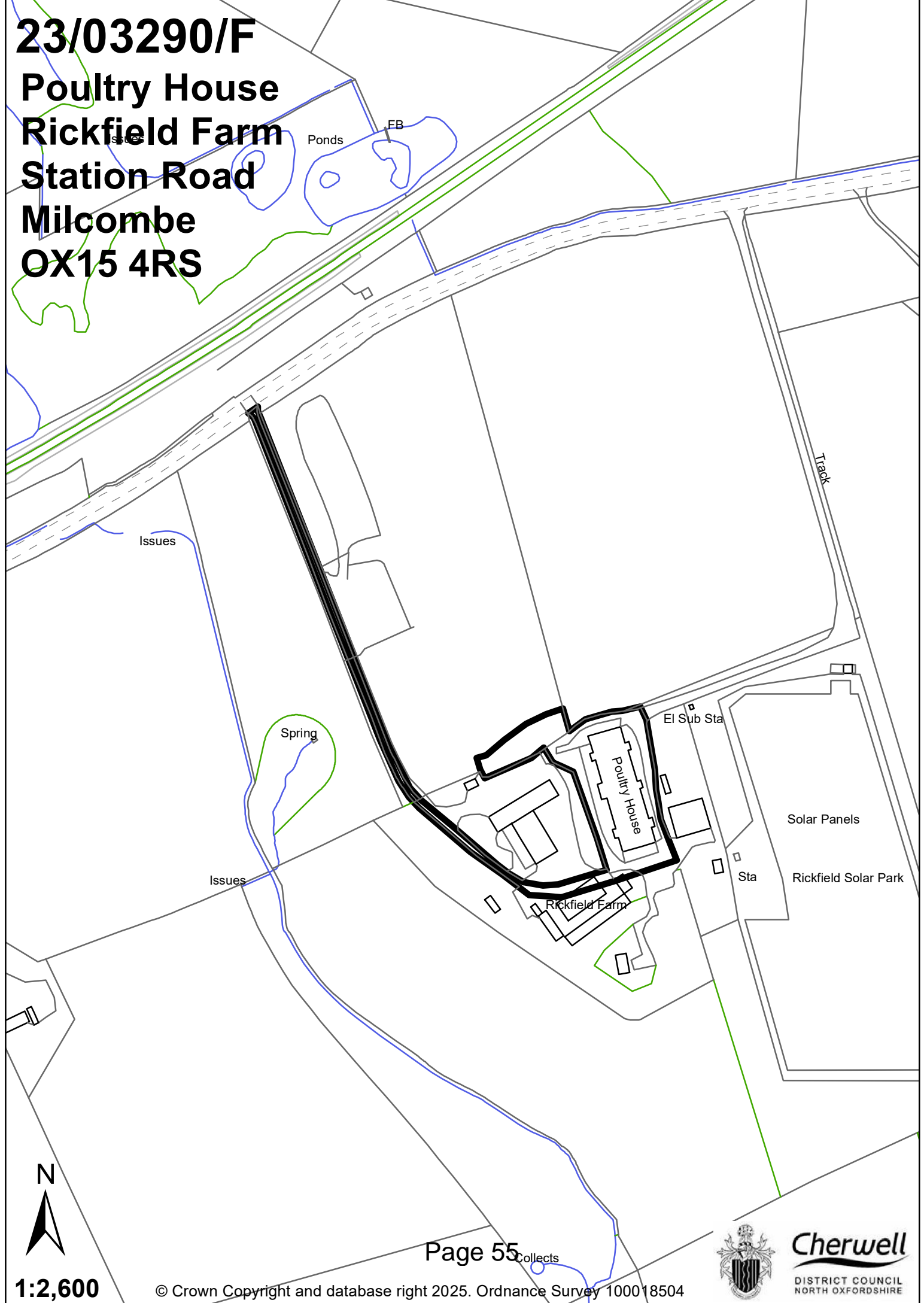


Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

23/03290/F
Poultry House
Rickfield Farm
Station Road
Milcombe
OX15 4RS



23/03290/F
Poultry House
Rickfield Farm
Station Road
Milcombe
OX15 4RS



Case Officer: Katherine Daniels

Applicant: Mr Geoffrey Taylor

Proposal: Change of use of existing poultry shed to container storage (Use Class B8) including associated landscaping

Ward: Deddington

Councillors: Councillor Zoe McLernon, Eddie Reeves, David Rogers

Reason for Referral: Called in by former Councillor Andrew McHugh for the following reason: To consider the benefits of farm diversification away from poultry

Expiry Date: See background

Committee Date: 6 November 2025

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND THE PRIOR COMPLETION OF A S106 LEGAL PLANNING OBLIGATION

BACKGROUND: This application was presented to the Planning Committee on 15 February 2024 and 1 August 2024, each time with a recommendation for refusal. On both occasions, Members resolved to approve the application. However, both decisions were successfully challenged on the basis that the Council had not given legally adequate reasons for departing from the officer recommendation. The Council now has to reconsider the application. The application has now been brought back to committee for its redetermination.

Following the most recent quashing of the permission, the applicant has provided further supporting information to reflect the operation's most up to date circumstances, including an Addendum Planning Statement and a Farm Diversification Statement. The amended supporting documentation has been subject to a consultation exercise. The comments received have been reported in the consultation and publicity section below.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site forms part of an agricultural unit located at Rickfield Farm, approximately 500 metres south-west of the village of Milcombe. The site is located within the open countryside. The application relates to a poultry shed. The poultry shed is relatively enclosed.
- 1.2. The buildings are east of an existing building which benefits from planning permission for a mixed Class B2 (general industrial) and B8 (storage and distribution) use. To the north and south of this site are sites occupied by storage containers, which do not benefit from any planning approval. The northern of these two sites has 39 storage containers, and is subject to a refused Lawful Development Certificate application ref. 23/02626/CLUE. The south site has 53 storage containers.

- 1.3. A solar farm exists to the east of the site and is in the same land holding as the application site.

2. CONSTRAINTS

- 2.1. To the west of the site is a public bridleway which goes through a local wildlife site (South Newington Valley). To the west of the site is a Conservation Target Area and the habitat is noted to be potential NERC S41 priority habitat (lowland mixed deciduous woodland). These do not extend into the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks planning permission for a change of use of existing poultry shed to include shipping container storage. This would include 56 containers in the existing poultry shed building. Associated landscaping is also proposed.
- 3.2. The application is a re-submission of a refused application – 23/02423/F – which sought permission for 70 storage containers within the poultry shed and adjacent Dutch barn.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

Application: 23/02423/F	Refused	2 nd November 2023
Change of Use of existing poultry shed and Dutch barn to container storage (Use Class B8) including associated landscaping		

- 4.2. The application was refused for the following reason:

- The self-storage facility is in a geographically unsustainable location. The scale and nature of the use is considered inappropriate in a rural location and the application fails to demonstrate exceptional circumstances or adequate justification for why the development should be located on an unallocated rural site. In addition, the siting of storage containers within the Dutch barn would have an urbanising effect and would adversely affect the character and appearance of the area. The proposed development is therefore contrary to Policies SLE1, ESD1 and ESD13 of the Cherwell Local Plan 2011-2031 and Government guidance in the National Planning Policy Framework.*

- 4.3. The following planning history is associated with the wider site:

Application: 23/02626/CLUE	Refused	17 November 2023
Certificate of Lawfulness for the Existing Development: Operational development - comprising 25no storage containers - which have been sited on land at Rickfield Farm, Station Road, Milcombe, Oxfordshire, OX15 4RS for longer than 4 years.		
Application: 23/02024/F	Permitted	27 September 2023
Erection of 2no proposed polytunnels and retention of existing hardstanding and bunds (part retrospective)		

Application: 22/00536/F	Permitted	17 June 2022
Variation of Condition 4 (hedgerow management scheme) of 21/03635/F		
Application: 21/03838/F	Refused	28 January 2022
Retrospective - Development of the container storage facility		
Application: 21/03635/F	Approved	31 January 2022
RETROSPECTIVE - Change of Use of agricultural building to B2 General Industrial and B8 Storage and Distribution - re-submission of 21/02648/F		
Application: 21/02648	Refused	7 October 2021
Retrospective - Change of use of agricultural building to B2 General Industrial and B8 Storage and Distribution		

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **21 July 2025**, although comments received after this date and before finalising this report have also been taken into account.

6.2. The comments raised by third parties are summarised as follows:

- Nothing has changed for the Case Officer to justify altering officers' assessment
- It is not regenerative farming at the site
- The scale of 56 storage containers is still significant
- The nature of use has not changed since the previous refusal
- Farming pressures are not exclusive to the applicant, and there are different farms that have used different farming methods to diversify
- No exceptional circumstances presented to justify the proposal
- Would not constitute sustainable development
- Granting permission for more storage containers in geographically unsustainable locations could result in more farms nearby submitting similar proposals
- Detrimental impact to the character of the countryside location
- The use of storage container does not relate to a regenerative agricultural operation

- Diversification has already taken place through the solar farm and change of use of other buildings
- Only agricultural building left on site, and could be considered the loss of the farm holding in its entirety
- More traffic movements, including lorries, to the site as existing beyond what has been described within the application
- Associated traffic relating to the proposal increases the urbanising effect of the change of use and will cause visual intrusion and undue harm
- Proposal would result in damage to adjacent site of biodiversity (Conservation Target Area and Local Wildlife Site).
- Milcombe Parish Council have raised objections to the proposal
- Emerging Policy LEC 8 does not provide support of the proposed development
- The building subject to the fire was being investigated by planning enforcement
- Would impact upon the character and appearance of the locality, which is proposed to be designated as a Local Landscape Designated Area

The National Farmers Union and The Country Land and Business Association (CLA) supports the proposal as it would represent farm diversification.

CPRE have also commented on the application and have objected to the scheme due to it becoming an industrial site.

- 6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. MILCOMBE PARISH COUNCIL: **Objections.** Concerns regarding highway safety and the number of vehicles going through the village. Concerned about what is stored within the building, following the fire. Better suited elsewhere.

OTHER CONSULTEES

- 7.3. CDC DRAINAGE: **No comments or objections** to make.
- 7.4. CDC ENVIRONMENTAL HEALTH: **No comments** to make on noise, contaminated land, air quality, odour or light.
- 7.5. OCC HIGHWAY AUTHORITY: **No objections** or conditions suggested.
- 7.6. CDC ECOLOGIST: **No Objections.** Has reflected on the and considered comments from a neighbour and considers that the change of use with the increase of vehicles

a day would not have a significant ecological impact. However has recommend conditions to be imposed.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE1 – Employment Development
- SLE4 – Improved Transport and Connections
- ESD1 – Climate Change
- ESD7 – Sustainable Drainage Systems
- ESD10 – Protection and Enhancement and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C8 – Sporadic development
- C28 – Layout, design and external appearance of new development
- ENV1 – Pollution control

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Local Plan Review 2042 (Reg 19 version)
 - Policy LEC 8 – Rural Diversification
 - Policy SP1 – Settlement Hierarchy
 - Policy CSD 1 – Mitigating and Adapting to Climate Change
 - Policy CSD 11 – Protection and Enhancement of Biodiversity.
 - Policy CSD 12 – Biodiversity Net Gain
 - Policy CSD 17 - Pollution and Noise
 - Policy CSD 18 – Light Pollution
 - Policy COM 10 – Protection and enhancement of the landscape
 - Policy COM 11 – Cherwell Local Landscape Designations

9. APPRAISAL

- 9.1. As with previous occasions when this application has been considered, the most important policy in the development plan is policy SLE1 of the Cherwell Local Plan 2011-2031 (‘CLP 2015’). This policy contains several criteria dealing with different planning impacts, which will be considered in turn below.

- 9.2. Before considering policy SLE1, officers note that government guidance contained within the NPPF seeks the promotion of a strong rural economy, through the support of sustainable growth and expansion of all types of business and enterprise in the rural areas and the promotion of the development and diversification of agricultural and other land-based rural businesses.
- 9.3. Paragraphs 88 and 89 of the NPPF outlines parameters for supporting a prosperous rural economy. Paragraph 88 outlines that *“planning policies and decisions should enable:*
- a) *The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
 - b) *The development and diversification of agricultural and other land-based rural businesses;*
 - c) *Sustainable rural tourism and leisure developments which respect the character of the countryside; and*
 - d) *The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”*
- 9.4. Paragraph 89 outlines that *“policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances, it will be important to ensure that development is sensitive to surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable...The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”*
- 9.5. Policy SLE1 of the CLP 2015 relates to employment development, defined as B Use Classes, and has a strong urban focus, and a focus on existing employment sites. In the rural areas it states that unless exceptional circumstances are demonstrated, employment development should be located within or on the edge of Category A villages. The applicant points to what are now paragraphs 88 and 89 of the NPPF, which provide support of sustainable growth of rural businesses and diversification of agricultural and other land based rural business. However, this sits alongside the Local Plan policies which allows for such development where it is adequately justified. The NPPF should not be interpreted as unconditional support for the provision and expansion of rural businesses or farm diversification in geographically unsustainable locations and still needs to be balanced against other objectives such as reducing the need to travel, reducing car dependency and associated carbon reductions. Policy SLE1 and ESD1 which sits alongside this is therefore considered to be consistent with the NPPF and given full weight.
- 9.6. The closest village to the site is Milcombe, which is a category A village. However, given the site is located approximately 500 metres from the edge of the village it is not considered to be ‘on the edge of the village’ as required by Policy SLE1. Therefore, in accordance with the wording of Policy SLE1 the proposal would need to demonstrate ‘exceptional circumstances’ to justify its location. Previous advice from officers to members has been that exceptional circumstances cannot be demonstrated in the present case. The issue of exceptional circumstances is addressed below.
- 9.7. In addition to the policy requirement to demonstrate exceptional circumstances, Policy SLE1 goes on to note that new employment proposals within rural areas on non-allocated sites will be considered against a list of criteria. These are also considered

to be relevant to the assessment of whether the location has been adequately justified. Below is an assessment of the proposal against these criteria.

Outside the Green Belt

- 9.8. The site is outside the Green Belt.

Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.

- 9.9. The applicant has provided additional information on diversification of the site, and other sites the applicant owns. The applicant has also provided a Response to the Richard Buxton Solicitors letter of 21 July 2025. The proposal seeks the re-use of a redundant building following the cessation of the poultry element of the enterprise. Intensive poultry farming is not within the ethos of the existing farming enterprise. Financial pressures are noted, as there are pressures throughout the farming sector that are not exclusive to the current applicant. It is noted that the site has been subject to a fire, which has impacted the enterprise. There are appeal decisions which state storage facilities can operate as farm diversification (APP/X3540/W/24.3342705 in Suffolk and APP/D0840/W/24/3358167, in Cornwall). The applicant states that the income from the storage container enterprise would go back into regenerative farming over the whole facility, and that the applicant needs to have stable streams of income, which provide sufficient funding to continue in regenerative farming. The enterprise is situated at two sites, Rickfield Farm and Lower Nill Farm. The storage container enterprise would appear to operate as a totally distinct and separate business; however, in order to make an application acceptable the Council could impose planning conditions or legal agreement to ensure any profit from the change of use goes into the farming enterprise, as the applicant has sought to demonstrate as part of his submission statements.
- 9.10. It is noted the proposals under 21/03635/F for the conversion of the western building to a mixed B2 and B8 use were considered acceptable on a very fine balance (see paragraph 8.21 of the officer report). This was on the basis of the similarity between the scale of operation then proposed and what was/is allowable under 'permitted development'. Any additional B class land use at the site would not benefit from the same justification. At paragraph 8.15 of the report for the 2021 application, the officer highlighted that the scale of non-farming activities on this part of the site could be out of scale with the farming enterprise at this part of the farm holding. It has been noted in previous officer reports that the loss of the poultry shed would reduce the farming significantly on the site, and that there is very little farming activity at Rickfield Farm. As such, the proposal would not be a diversification of the agricultural enterprise at Rickfield Farm but of the wider enterprise.
- 9.11. The application building is currently unused and has been vacant since 2022. The applicant is seeking to use a vacant building to provide an additional income stream to invest into the regenerative farming enterprise at the two sites.
- 9.12. The proposal seeks to create an additional income stream for the enterprise. The applicant has submitted further supporting information, as well as impacts from recent events, to set out that the conversion to a local storage facility is needed more than ever to aid the regenerative farming the applicant would like to carry out.
- 9.13. On balance, officers are satisfied there is sufficient justification for the re-use of the poultry shed to the use of storage containers in this particular case, on the basis that the proposal seeks to diversify the existing enterprise, and provided that this linkage is secured through an appropriate legal agreement.

- 9.14. It is noted that the comments from the neighbours suggest that this is not sufficient to demonstrate exceptional circumstances on the site, that the diversification statement should be relevant to Rickfield Farm only, and not Lower Nill Farm. While officers acknowledge these comments, there are many agricultural enterprises which comprise more than one site. It is considered that a legal agreement provides an appropriate means to ensure that the benefits of the diversification of the scheme are put back into the regenerative farming.

Very high standard of design using sustainable construction, appropriate in scale and respecting the character of the villages and surroundings

- 9.15. In relation to the scale of the proposal, it is important to consider that it amounts to the change of use of an existing building rather than the construction of a new building.
- 9.16. As to design and impacts on character, this element of the policy needs to be considered alongside policy ESD13, which states that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. It also states that proposals will not be permitted if they would cause undue visual intrusion into the open countryside, cause undue harm to important natural features, be inconsistent with local character, harm the setting of settlements, or harm the historic value of the landscape. Policy ESD15 states that new development will be expected to complement and enhance the character of its context through sensitive design and siting. Saved Policy C8 seeks to resist sporadic new development in the open countryside. This is considered to be consistent with the NPPF which seeks to ensure that planning decisions recognise the intrinsic character and beauty of the open countryside. Policy SLE1 requires “High quality design, appropriate in scale and respect the character of the villages and surroundings”.
- 9.17. In relation to the need for a very high standard of design, one needs to approach this element of the policy in the context of the proposal being to reuse an existing building, as opposed to being a newly constructed building. While officers would not describe the proposal as necessarily being of a “very high standard”, the design is nonetheless of an acceptable standard given what is being proposed. As to impacts on character / surroundings, officers consider the poultry shed to be relatively enclosed, such that there would be a limited impact on the character of the area from the siting of storage containers within the poultry barn. The change to the character would result in the travel movements to the site increasing as a result of the self-storage use. However, the movements would be at varying times; therefore, the impact of the comings and goings on the landscape would be negligible.

Small scale, unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment

- 9.18. This has effectively been covered above already. The proposal would see no expansion beyond the existing scale of the poultry shed. It is not considered to be small scale. However, officers do not consider the proposal to give rise to significant adverse impacts on the character of a village or surrounding environment.

No undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally, including on any designated buildings or features (or any non-designated buildings or features of local importance).

- 9.19. This policy criterion deals with several different elements.

- 9.20. As to residential amenity, officers also note that Policy ESD15 of the CLP 2015 requires a good standard of amenity for future and proposed residents. Saved Policy ENV1 seeks to restrict development which would be materially harmful by way of noise or air pollution.
- 9.21. Environmental Health Officers do not consider there to be any harm to odour, light, or noise, and would therefore not impact any neighbours in this respect. There are no neighbours in close proximity to the site, and therefore officers do not raise any concerns in regard to residential amenity.
- 9.22. As to the highway network, officers have reviewed the Transport Statement dated September 2025, submitted by the applicant. Based on that information, which estimates the anticipated trip generation (7 movements per day), officers are satisfied that there would be no undue detriment to the highway network.
- 9.23. The impacts on the character of the village and wider landscape have already been considered above. There would be no impacts on designated or non-designated assets.

The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.

- 9.24. The traffic impacts are considered above and in the Transport Statement. The proposal will not give rise to inappropriate traffic, and it is noted that there are public rights of way and an hourly bus service in the vicinity of the site.

There are no suitable available plots or premises within existing nearby employment sites in the rural areas.

- 9.25. Policy SLE1 goes on to note that the Local Plan has an urban focus, and that justification will be required for new sites in rural areas, and this should include applicants demonstrating a need for and benefits of employment development in a particular location and explaining why the proposed development should not be located at the towns.
- 9.26. Further information has been submitted to justify its rural location, including the Addendum Planning Statement and the Farm Diversification Statement, which set out a need for and benefits of employment in this particular location. The applicant has sought to demonstrate that there are no other employment sites in the locality. What is presently generally available are office buildings, or buildings that do not have the required space. The applicant also contends there has been a precedent set with other applications for storage containers being allowed in the rural area. Applications should be determined on their own merits. There appear to be self-storage facilities in Deddington, Chipping Norton, Steeple Aston and Epwell as well as in Banbury. The closest of these is approx. 6.5 miles away. There are no other commercial facilities in the immediate locality. Therefore, it is considered that there are no other suitable plots or premises within existing sites in the locality. This site is available for use.
- 9.27. The proposal has been reduced from the previous refusal from 70 storage units to 56 storage units. The previous refusal included the adjacent Dutch barn, which has been omitted from the application, so the storage containers would be sited solely within the poultry shed. Given the recent fire on site, and although the scale of 56 storage containers is still considered to be large, the proposal could be considered acceptable if suitable measures are in place to ensure the income stream benefits the wider enterprise elsewhere.

- 9.28. As members will know, the proposal was previously recommended for refusal on the basis of an absence of exceptional circumstances. However, officers note the recent fire and the additional information and updated financial information supplied by the applicant, which demonstrates the regenerative farming of the overall enterprise. This information must be considered as part of the redetermination of this application. The additional information shows that there are economic benefits for the site, and the overall farming enterprise. Officers consider that the applicant has provided acceptable responses to the concerns of objectors in their Response to the Richard Buxton Solicitors letter of 21 July 2025.
- 9.29. Overall, having carefully considered all of the criteria above, applied to the supporting information, and notwithstanding it is in a rural area, officers conclude that the applicant has demonstrated exceptional circumstances justifying the proposal. Accordingly, officers conclude that the proposed development complies with Policy SLE1 of the CLP 2015, provided suitable measures are in place to ensure the income generated from this farm diversification is redeployed within the overall enterprise. This is required, especially as the enterprise covers more than one site.

Other matters in relation to the principle of development

- 9.30. The Council has submitted its Local Plan Review (December 24) for examination. LEC 8 supports Rural Diversification. This states the following:

In rural areas, proposals for economic activities that bring about rural diversification shall normally be permitted, providing that the following criteria are met:

- i. The development is operated as part of a viable rural business (including farm holding) and demonstrably contributes to the viability of the holding;*
- ii. The proposed use does not detract from or prejudice the existing agricultural undertaking or its future operation;*
- iii. It is not detrimental to the character and appearance of existing buildings and their setting within the landscape;*
- iv. Existing buildings are used in preference to new buildings or extensions;*
- v. Utilities and other infrastructure are available or can be provided, and*
- vi. There is access by means of an existing road; no highway hazards are created or increased; and road improvements incompatible with the character of the surrounding area are not required.*

- 9.31. Paragraph 49 of the NPPF states that Local Planning Authorities may give weight to relevant policies in emerging plans according to,
- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater weight that may be given);
 - b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that can be given); and
 - c) The degree of consistency of the relevant policies in the emerging plan to this Framework (The closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.32. There have been 6no letters of representation on policy LEC 8 alone. These objections do not raise significant objections to this policy. It may be reasonably considered that policy LEC 8 can be given greater weight in determining this

application. It cannot be given full weight, but in this assessment officers consider that this policy can be given moderate weight. The consideration of the policy criteria is set out below, having regard to the Addendum Planning Statement which addresses this emerging policy.

- 9.33. The applicant has provided information that the proposal is for an economic activity that brings about rural diversification, and the money raised as part of this application would be reinvested within the farming enterprise. It is considered that this can be controlled by way of a planning obligation. Criterion (i) is therefore met.
- 9.34. Although it is noted that the farming enterprise within this location is smaller than the remainder of the larger enterprise on Nill Farm, it would not prejudice the day to day running of the farm. The building is currently vacant and not used for the existing enterprise. Therefore, the loss of this building would not affect the remainder of the enterprise. Criterion (ii) is met.
- 9.35. As discussed already, the development will not be detrimental to the character and appearance of the locality. It is considered that the proposal accords with criterion (iii).
- 9.36. The proposal seeks to convert an existing building, rather than construct a new building. The proposal therefore accords with criterion (iv).
- 9.37. Utilities are provided on site; therefore, the proposal is considered to be in accordance with criterion (v).
- 9.38. Criteria (vi) relates to highway safety. The proposed development would utilise the existing access from the main road serving the farmyard. The Local Highway Authority (LHA) has raised no objection, as the proposed increased vehicle trips would be 7 per day, which the LHA considers to be minimal in terms of impact on highway safety. The site is set back from the highway by approximately 500m, and as a result there is minimal risk of parking overspill onto the highway.
- 9.39. It is considered that the proposal would not have a detrimental impact on highway safety therefore accords with this criterion.
- 9.40. Overall, the proposal is considered to also accord with the emerging Local Plan Policy LEC8.
- 9.41. It is noted that Milcombe is set to be downgraded to a category B village within emerging Policy SP1; however, this policy has attracted a number of (currently unresolved) objections, so should be given less weight in the determination applications at this time, in line with Paragraph 49 of the NPPF.

Ecology

Legislative context

- 9.42. The Conservation of Habitats and Species Regulations 2017 consolidated the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.

- 9.43. Under the Regulations, competent authorities, i.e. any Minister, Government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.44. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.45. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative; and
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.46. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipelines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.47. Paragraph 180 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.48. Paragraph 186 states that when determining planning applications, local planning authorities ('LPAs') should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 9.49. Paragraph 191 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.50. Policy ESD10 of the CLP 2015 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.51. Policy ESD11 is concerned with Conservation Target Areas (CTAs) and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.52. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.53. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that LPAs should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.54. The site is located near/adjoining a Local Wildlife Site, and the Council's Ecologist has commented on the application, where they do not raise any objections to the proposal. It is noted that there is an objection to the proposal from the neighbour raising concerns that the development would have a detrimental impact on the Wildlife site, including hedgerow removal on site previously. The application should be determined on its own merits, and given that this is an application for the conversion of the building, it is considered not to have an impact on the protected species.
- 9.55. Given the comments from the Council's ecologist there is not an objection to the proposal. Therefore, based on the comments from the Council's Ecologist, there is no reason to suspect the proposal will have a detrimental impact on ecology, and is in accordance with the aforementioned policies.

9.0. PLANNING BALANCE AND CONCLUSION

- 9.1. The proposal is considered to accord with Policy SLE1 and other relevant development plan policies, for the reasons set out in the report above and in the applicant's supporting information, subject to the completion of a legal agreement as set out above. Following the submission of up to date information to support the application - including the consideration with the recent fire on site and the farming enterprise - the principle of development is considered to acceptable within the rural area, provided measures are in place to ensure that the proposal is for farm diversification. The test of exceptional circumstances in policy SLE1 is considered to be met. In addition, the proposal accords with emerging Policy LEC8, which should

be given moderate weight, considering the stage of the Plan, as well as the limited objections submitted on this policy. The proposal is considered not to result in any significant environmental impacts, for the reasons set out above. The proposal is therefore considered to accord with the development plan taken as a whole, and no material considerations would justify a departure. Officers recommend therefore that the application be granted planning permission.

10. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING TO GRANT PERMISSION, SUBJECT TO:

- i) THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- ii) THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE BENEFITS OF THE PROPOSAL AS SET OUT BY THE APPLICANT/THEIR AGENT AND TO TIE THESE TO THE ENTERPRISE IN PARTICULAR THE REGENERATIVE FARMING PRACTICES:**

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 conditions attached to this permission, the development shall be carried out strictly in accordance with the application form and the following plans and documents:
 - TAY001/003 Rev A – Site Location Plan
 - TAY001/004 Rev A – Site Plan
 - TAY001/005 Rev A – Container Layout Plan
 - TAY001/006 Rev A – Landscaping Plan
 - Planning, Design and Access Statement
 - Protected Species Survey by Philip Irving, dated August 2023

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

3. The site shall not be used other than for the purpose of a self-storage facility and for no other purpose whatsoever, including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification, and there shall be no more than 56 containers on the site at any one time.

Reason - In order to safeguard the character and appearance of the area and the amenities of the occupants of nearby residential dwellings, and in the interests of sustainable development, in accordance with Policies SLE1, ESD1, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

4. No storage containers hereby approved shall be sited at or within the site other than those inside the Poultry Barn building as identified on the drawings listed in Condition 2 of this planning permission, and no open storage of plant, materials, products, goods for sale or hire or waste shall take place on any part of the application site at any time.

Reason - To safeguard the character and appearance of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

5. No external lighting shall be installed at the site unless and until full details of that external lighting have first been submitted to and approved in writing by the Local Planning Authority. Those details must include the design, position, orientation of the lighting and must demonstrate the extent of and mitigation for any light spillage. The lighting shall be at a low level, consisting of LED light sources and must be fitted with directional accessories to avoid light spillage. The lighting shall not be installed other than in full accordance with the approved details prior to the first use of the development hereby approved and shall be retained and maintained as such at all times thereafter.

Reason: In order to safeguard the character and appearance of the area and in the interests of highway safety and to ensure that the development does not cause harm to any protected species or their habitats and to comply with Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. A full method statement for enhancing the biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to the first use of the development and retained in accordance with the approved details.

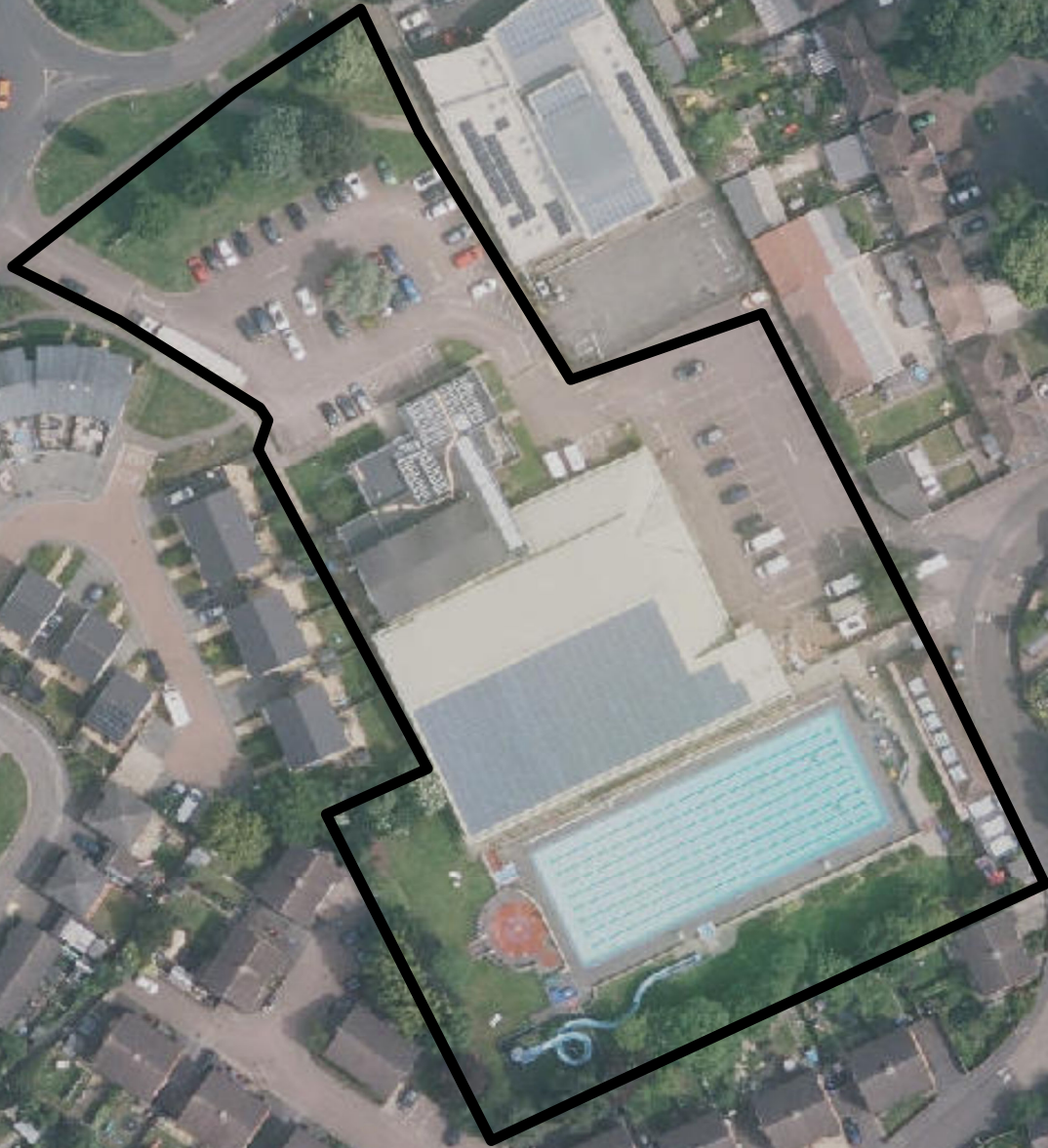
Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

7. All site clearance (including the removal of any vegetation or works to hedgerows) shall be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless the Local Planning Authority has confirmed in writing that such works can proceed, based on submission of a survey (no more than 48hrs before works commence) undertaken by an ecologist (member of the IEEM or similar related professional body) to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site as required.

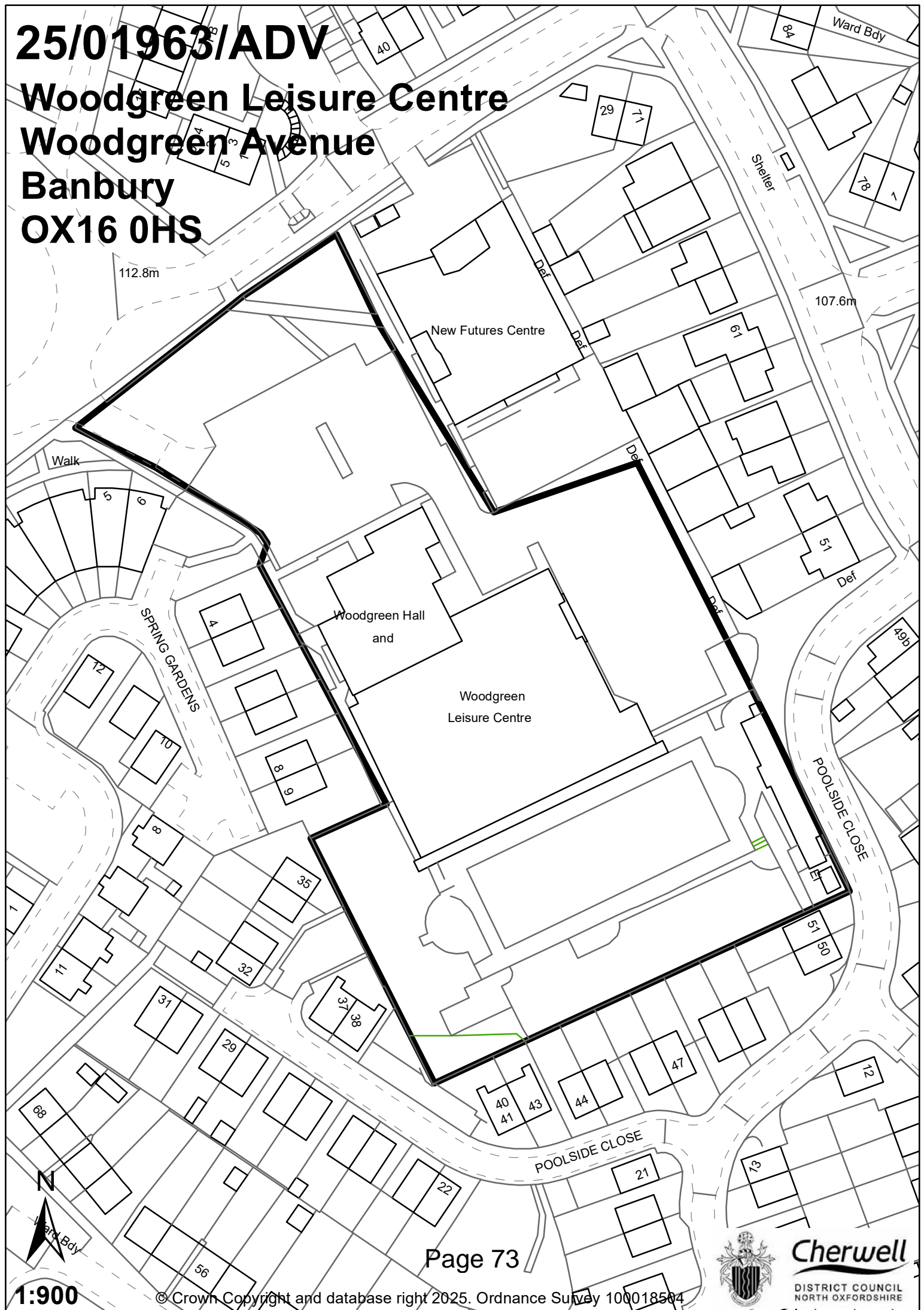
Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with Government guidance contained within the National Planning Policy Framework.

CASE OFFICER: Katherine Daniels

Woodgreen Leisure Centre
Woodgreen Avenue
Banbury
OX16 0HS



25/01963/ADV
Woodgreen Leisure Centre
Woodgreen Avenue
Banbury
OX16 0HS



25/01963/ADV

Woodgreen Leisure Centre
Woodgreen Avenue
Banbury
OX16 0HS

LB

113.1m

112.8m

109.4m

110.0m

107.6m

108.5m

103.9m

105.2m

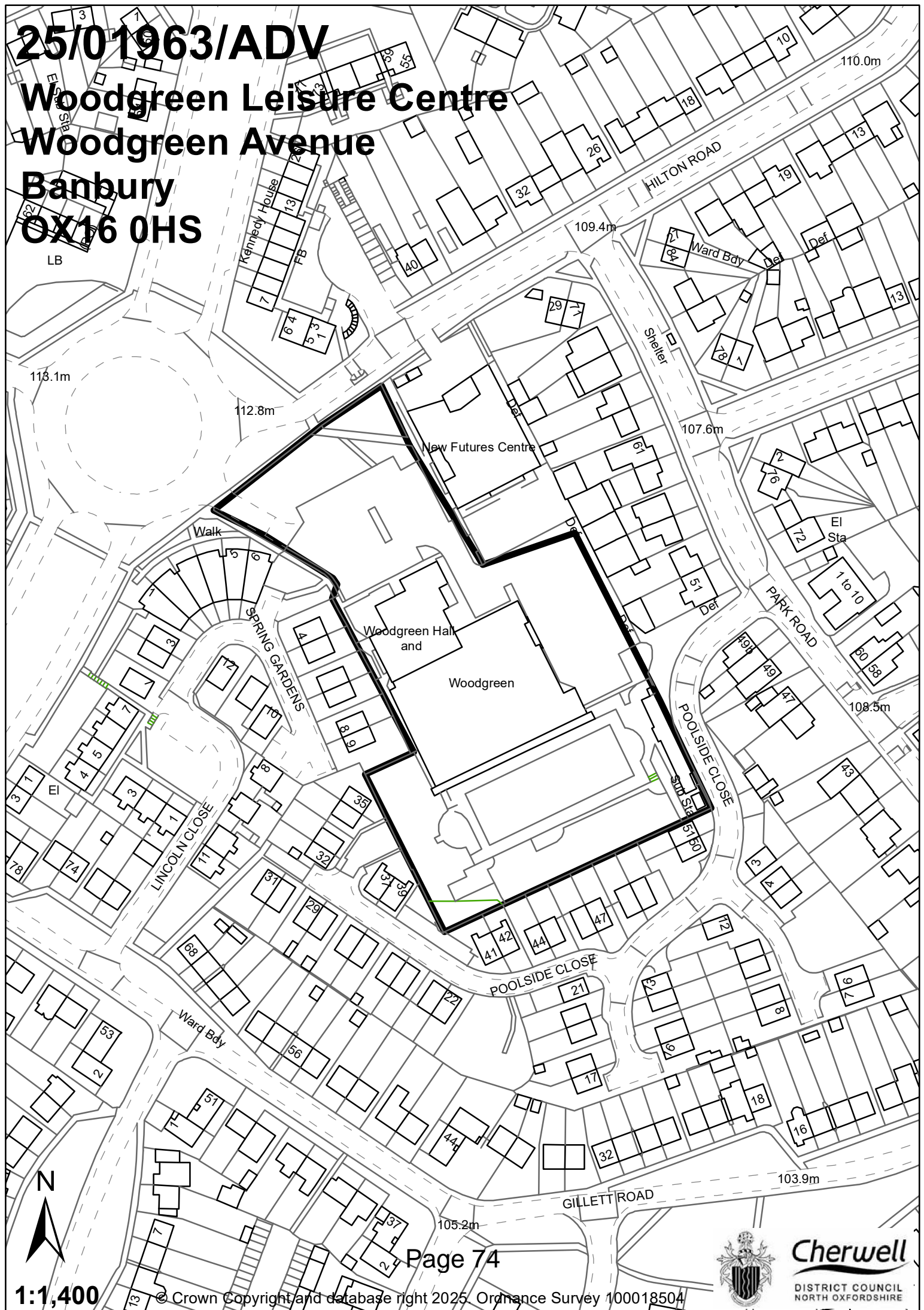
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Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE



Case Officer: Astrid Burden

Applicant: Banbury Cross Indoor Bowls Club

Proposal: Installation of a steel framed Noticeboard to carry advertisements for Banbury Cross Indoor Bowls Club

Ward: Banbury Ruscote

Councillors: Councillors Mark Cherry, Dr Isabel Creed and Amanda Watkins

Reason for Referral: Application affects Council's own land

Expiry Date: 14 October 2025

Committee Date: 6 November 2025

SUMMARY RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is Woodgreen Leisure Centre which consists of a leisure centre with outdoor pool, indoor bowls hall, gym and exercise studio, along with a library. It is accessed from a roundabout on Woodgreen Avenue and has car parking situated to the north and west of the building.
- 1.2. The proposal is for a noticeboard on a grassed area between the roundabout and parking area which, at the time of the site visit, had trees and two existing metal noticeboards.

2. CONSTRAINTS

- 2.1. No relevant site constraints.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application relates to a proposed steel framed noticeboard to advertise the Banbury Cross Indoor Bowls Club. The steel posts would be supported by concrete 1 metre below ground level, the height above ground level would be approximately 2 metres, and the width of the banner would be approximately 2.5 metres
- 3.2. In between the car park and the roundabout's grass verge is a grassed mound where the advertisement is proposed. The proposed board would be seen from anywhere on the roundabout, especially when entering Woodgreen Leisure Centre from the main vehicular entrance.
- 3.3. The sign would contain the branded Logo and colours, along with the club's opening times, contact details and key activities offered.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

- 4.2. 11/00956/CDC – 1 no. banner sign and 1 no. freestanding sign. Permitted

4. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal

5. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site. The final date for comments was **24 September 2025**, although comments received after this date and before finalising this report have also been taken into account.

- 6.2. No comments have been raised by third parties

6. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

- 7.2. BANBURY TOWN COUNCIL: **No objections**

- 7.3. OCC HIGHWAYS: **No objections**

- 7.4. RECREATION & LEISURE: **No objections subject to changes to signage**

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for advertisement consent must be determined in accordance with the development plan and any other relevant factors.

- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011-2031 PART 1 (CLP 2015)

- ESD15 - The Character of the Built and Historic Environment

- 8.3. Other Material Planning Considerations

- The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) – "The Advertisement Regulations"
- National Planning Policy Framework (NPPF) in particular Paragraph 132
- Planning Practice Guidance (PPG)

8. APPRAISAL

- 9.1. Regulation 3 of the Advertisement Regulations limits the Local Planning Authority's powers in respect of advertisement applications to the consideration of amenity and public safety. Therefore, these are the key issues for consideration in this case.

Amenity

- 9.2. Regulation 3(2a) of the Advertisement Regulations states that: *factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.*

- 9.3. Paragraph 141 of the NPPF recognises that: *The quality and character of places can suffer when advertisements are poorly sited and designed*. However, it goes on to state that: *Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts*.
- 9.4. There is a similar existing structure close to, and on the same grass mound, where the new sign is proposed. The scale of the proposed sign seems to be larger than the existing, and at 2.5m wide could have impacts on the visual amenities of the area.
- 9.5. However, the proposed location for the sign would be at a greater distance from the nearest housing than the existing signage, and the proposed orientation of the sign would face the roundabout, making it mostly visible to Kennedy House and other housing around the roundabout when the trees don't screen it in winter.
- 9.6. The applicant has confirmed that the sign would not be illuminated.
- 9.7. The Council's Recreation and Leisure team has commented that the appearance of the sign should be changed to include fewer details so as to avoid the need for a new sign if those details would change. That said, they do not raise any objections to the size or siting of the proposed sign.
- 9.8. Overall, officers do not consider the amenity impacts to be of an adverse degree.

Public Safety

- 9.9. Regulation 3(2b) of the Advertisement Regulations makes clear that factors relevant to public safety include the safety of persons using the transport network, including the potential for an advertisement to obscure views of transport signage or equipment, and the potential for an advertisement to hinder the operation of any device used for security purposes.
- 9.10. The advertisement is not proposed in a location that contains transport signs or equipment at present. Although the proposed notice would be 2.5m in width, the safety of people using the roundabout would not be compromised by the sign. Further, the Local Highway Authority (OCC) has raised no objections to the proposal.

9. PLANNING BALANCE AND CONCLUSION

- 10.1. Having regard to its scale, design and siting, the proposed development would not adversely affect public safety or local visual amenity. Therefore, the proposed development complies with Policy ESD15 of the CLP 2015 and the relevant Government guidance contained within the NPPF.

10. RECOMMENDATION

GRANT CONSENT, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2. Except where otherwise stipulated by conditions attached to this consent, the development shall be carried out strictly in accordance with the information

contained within the application form and the following approved plans: Site Location Plan (dated 28 July 2025); Block Plan (dated 14 August 2025); Noticeboard specifications (dated 19 August 2025).

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

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. No advertisement shall be sited or displayed so as to -

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

7. Where an advertisement is required under the Advertisement Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

CASE OFFICER: Astrid Burden

Oxfordshire Strategic Rail Freight Interchange.

25/02512/OxSRFI

Case Officer: Nick Wyke

Applicant: Oxfordshire Rail Freight Limited.

Proposal: Strategic Rail Freight Interchange and associated road improvement works - Nationally Significant Infrastructure Project (NSIP)

Wards: Fringford & Heyford

Councillors: Cllr Grace Conway-Murray, Cllr Nigel Simpson, Cllr Barry Wood

Reason for Referral: Major development

Expiry Date: 04 November 2025

Committee Date: 06 November 2025

SUMMARY RECOMMENDATION: To approve Cherwell District Council's Written Response to the Stage 2 OxSRFI Consultation.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. This report has been prepared in conjunction with the stage 2 consultation on the Oxfordshire Strategic Rail Freight Interchange (OxSRFI). A full description of the proposals is contained below but in summary it constitutes an intermodal freight rail interchange terminal with sidings and associated works to the rail line, associated warehousing development (805.133m²) and significant highways works to M40 J10, a new Ardley bypass, relief road around the north-eastern side of Middleton Stoney, link road connecting B430 to Camp Road, Heyford Park, stopping up the existing B430 south of Ardley, widening the A43 north of M40 J10 to the B4100 at Baynards Green, improvements to the A43/B4100 junction and improvements to M40 Junction 9.
- 1.2. The main site for the Strategic Rail Freight Interchange extends to 241 Ha and mostly comprises agricultural land used for the growing of crops and grazing of livestock.
- 1.3. It is located to the west of the B430 and is bound by the existing Chiltern Railway line to the north and the B4030 to the south.
- 1.4. Within the site there is Ashgrove Farmstead (Ashgrove Farm) which includes farm buildings and farm- house. The on-site threshing barn is Grade II Listed.
- 1.5. Also within the main site is the In Vessel Compositing Facility that is operated by Biffa. The lease on the facility is due to expire in 2030 at which point the owner will vacate the site. There is also an underground reservoir in the south-eastern part of the site which will remain in place.
- 1.6. Within the site to the south of Ashgrove Farm is a deciduous woodland which is designated as a priority habitat. Adjacent to the site to the south of Camp Road is another area of deciduous woodland. The site is divided into field parcels by mature hedgerows within which are mature trees.

- 1.7. The Ashgrove Brook flows through the application site and is identified by the Environment Agency as being at risk of surface water flooding. The remaining parts of the site fall within flood risk zone 1.
- 1.8. To the north of the site and running parallel with the Chiltern Railway Line is the Ardley Cutting Site of Special Scientific Interest. To the east of the site on the opposite side of the B430 is the Ardley Trackways Site of Special Scientific Interest. This SSSI is split into northern and southern parcels. Figures 1 below shows the areas of SSSI. To the west of the site is RAF Upper Heyford Local Wildlife Site.

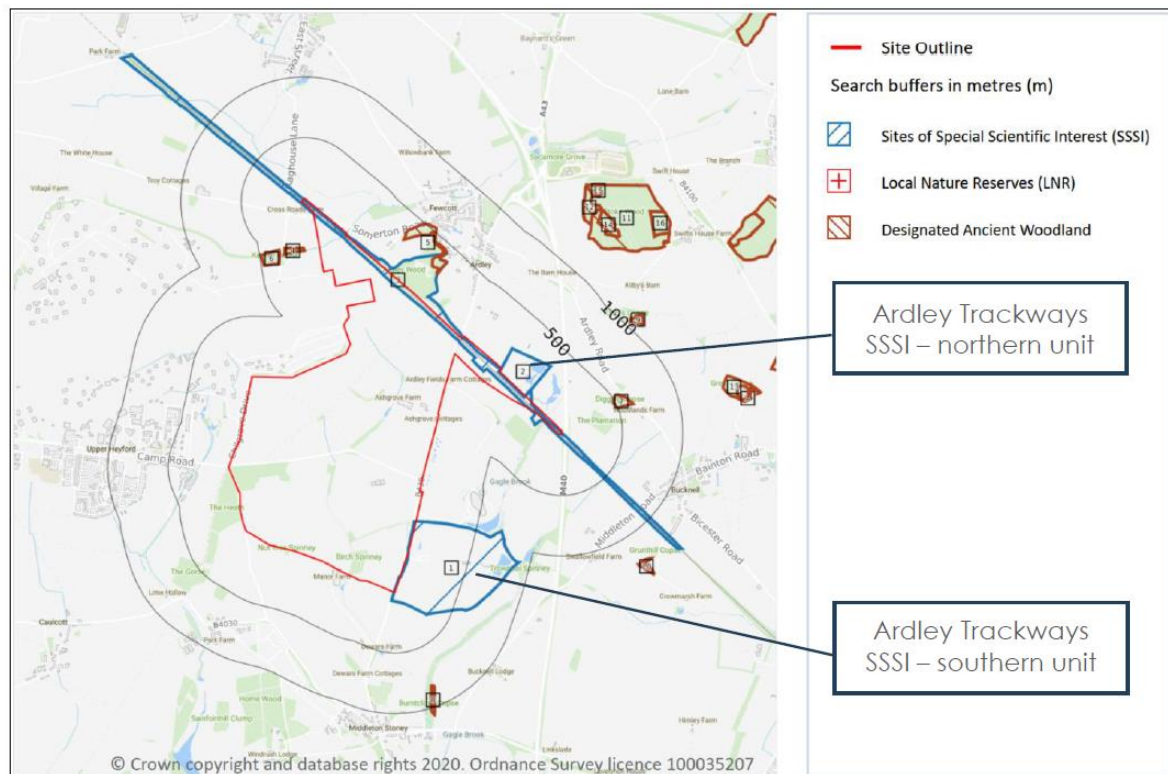


Figure 1 showing the two SSSI Areas. The red line shown denotes the application boundary for the main site.

- 1.9. To the west of the application boundary is the former RAF Upper Heyford Airfield which is a designated Conservation Area. Within the former airfield are two Scheduled Monuments in the form of the northern and southern bomb stores.
- 1.10. The site is within the Ardley and Upper Heyford Conservation Target Area.
- 1.11. Two public rights of way (PROW.109/30/10 and PROW 109/29/20) cross the site connecting Ardley with Upper Heyford.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 Due to the scale of the proposals, the scheme is classified as a Nationally Strategic Infrastructure Project (NSIP) and so are subject to the 2008 Planning Act. This is a separate process to ordinary planning applications which are assessed under The Town and Country Planning Act 1990. It is currently anticipated that the OxSREI will include three NSIP's. Two of the three will be for the associated highway works including the motorway construction works to M40 Junction 10 and the alteration of a trunk road (A43). The third NSIP will be for the rail infrastructure works and associated warehousing.

2.2 The key proposals for this project are:

- An intermodal rail freight terminal, including rail connections and improvements to the Chiltern Main Line including works to Ardley Tunnel, rail sidings, container storage, HGV parking and associated buildings;
- Up to 603,850 sqm (approx. 6.5 million square feet) of warehousing and ancillary buildings, plus up to 201,283 sqm of additional floorspace in the form of mezzanines.
- A secure, dedicated HGV Parking area including driver welfare facilities;
- New road infrastructure and works to the existing road network, including improvements to M40 J10 and junctions on the A43 provision of the principal site access and associated works on the B430, a bypass to the village of Ardley linking the site directly with M40 J10, a relief road around the north eastern side of the village of Middleton Stoney, a link road connecting the B430 to Camp Road, improvements to M40 J9 and other highway improvements at junctions on the local highway network and related traffic management measures;
- New and improved pedestrian and cycle infrastructure both on the Main Site and in the surrounding area connecting the Main Site to local communities;
- Demolition of existing structures and earthworks to create development areas,
- Construct the rail freight terminal and connections to the Mainline and form landscape screen mounding each of around 10m in height and 100m in width;
- Landscape bund around the perimeter of the site (excluding access points) extending between 8.5m-10m in height and between 75m-100m in width.
- Once operational the proposed development is expected to generate up to 1000 car trips and 300 HGV trips during the morning and evening peak hours.

Key benefits arising from the development are as follows:

- The applicant claims the scheme could remove over 53 million HGV miles per year saving an estimated £61 million annually in environmental costs.
- Fund new and enhanced bus services to and from Heyford Park, Bicester, and Banbury.
- New pedestrian and cycle facilities along the B430, Middleton Stoney Relief Road, and Heyford Park Link Road.
- A 10% net gain in biodiversity
- Approximately 56ha of new native woodland, 7.6ha new scrub, 1.9ha new tree planting and 0.28ha orchard planting, significantly in excess of the existing trees/ woodland to be lost. Equates to in excess of 150,000 new native trees and other plants;
- In excess of 13km of new native and species rich hedgerows – equates to over 50,000 new native plants;

- Over 110ha of native species grassland, comprising a mix of calcareous grassland, lowland meadow, and neutral grassland – significantly in excess of the area to be lost.
- Over 6ha of wetland and waterside habitats including sustainable drainage basins and swales designed and managed for biodiversity benefit
- Extensive new off-road footways/ cycleways/ bridleways – connecting up and extending existing surrounding routes – including circuitous trails
- The provision of over 50% of land on the Main Site dedicated to landscape and habitat related proposals;
- Expected generation in the region of 9,600 jobs once operational based upon the following:
 - 8% driving roles;
 - 25% in office based roles including Information Technology, customer service, sales, and engineering support;
 - 12% in managerial roles;
 - 6% other roles.
- Estimated GVA of around £361 million per annum.
- 20% EV Charging provision for cars.
- Warehouse buildings to be constructed to BREEAM Excellent rating targeting outstanding rating.
- Warehouses designed to accommodate up to 100% solar PV on useable warehouse roof space.
- Targeted 90% recycling of construction waste materials.
- Cut and fill of the land to reduce the height of the land by up to 7m below current ground levels.

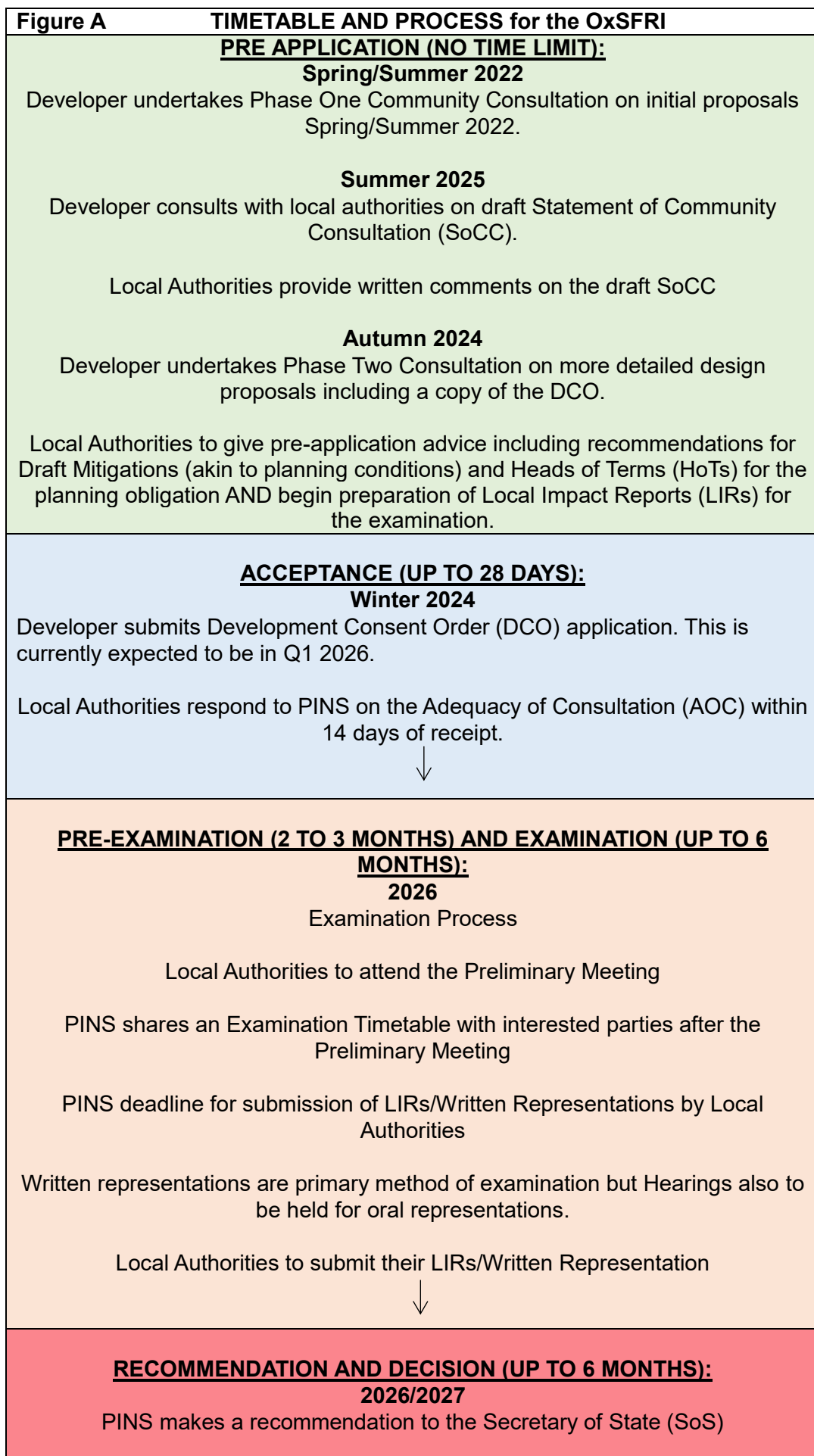
The above works would be phased over a 7 – year period.

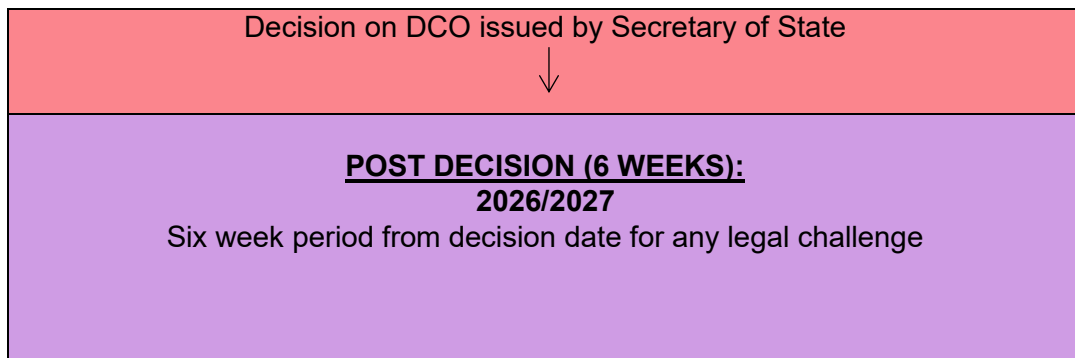
3. RELEVANT PLANNING HISTORY

- 3.1 The stage 2 consultation which is currently being undertaken follows a stage 1 consultation that was undertaken in the Spring/Summer 2022.

4. PROCESS AND TIMELINE

- 4.1 The scale of this application means that it is defined as a Nationally Significant Infrastructure Project (NSIP). Developments of this type are determined by the relevant Secretary of State (SoS) with the Planning Inspectorate (PINS) acting as the examining authority who make a recommendation to the SoS as to whether a Development Consent Order (DCO) should be granted. Local Authorities (LAs) are consultees in this process and are not determining authorities.
- 4.2 Figure A below is a table summarising the process so far and going forward for the OxSRFI. The next stage is for the DCO to be submitted to the Planning Inspectorate after which a public examination into the proposals will commence.





- 4.3 As the application boundary is all within the jurisdiction of Cherwell District Council they are the host authority along with Oxfordshire County Council for the purposes of this NSIP application. Neighbouring authorities including West Northamptonshire District Council, West Oxfordshire District Council, Oxford City Council, South Oxfordshire and Vale of White Horse will all being consulted as part of the NSIP process.
- 4.4 Cherwell District Council and Oxfordshire County Council have until the 04th November 2025 in order to provide a response to the Stage 2 Consultation. The attached joint response has been prepared on behalf of Cherwell District Council and Oxfordshire District Council.

5. PRINCIPLE

- 5.1 Both CDC and OCC have declared has declared a climate emergency and is committed to tackling climate change. CDC recognise the government's goal of increasing rail freight by 75% by 2050. CDC accepts that there is a compelling need, as a matter of principle to reduce carbon emissions. Both OCC and CDC are therefore supportive of projects such as this which seek to reduce road base freight transport movements and use rail-based alternatives. There is however concern over the environmental impacts caused by the scale of the proposals and the adequacy of the mitigation being proposed. Changes are also needed to the DCO.
- 5.2 The applicant considers that the SRFRI would serve markets in London, Birmingham along with connections to the UK's key seaports, many of which are connected to the rail freight network. Further evidence is required in the form of a Marketing report in order to be clear what markets the SRFI will serve.
- 5.3 The National Networks National Policy Statement prescribes a number of criteria that a SRFI must meet in order to be considered a NSIP project. These include the ability to accommodate 4 freight trains per day each of a length of 775m and the ability for the rail network to accommodate a minimum of W8 guage which is required for freight rail transport. Oxfordshire County Council have requested further evidence to demonstrate that 4 trains per day can be achieved and there is capacity within the rail network to accommodate this increase in movements from identified markets.
- 5.4 The National Networks National Policy Statement does not however prescribe a minimum or maximum floorspace figure for the warehouse logistics space required to be provided as part of the rail freight terminal. The proposal is for in the region of 6.5 million sqft of warehouse space with a further 1.5 million sqft in the form of mezzanines. These units will be set into the site through the proposed cut and fill exercise but will extend up to 25m in height. Given the scale of the

proposals and identified harm caused by such scale, further justification is required as to why this level of floorspace is required.

- 5.5 In terms of changes to the DCO, requirement five of the DCO seeks to allow occupation of 2.5 million sq ft of warehouse floorspace on the main site prior to a fully functioning rail freight terminal capable of accommodating a minimum of 4 trains per day being completed. Both CDC and OCC do not consider that the wording of this restriction is sufficient. It does not explicitly reference providing a connection to the rail freight terminal to the Chiltern Main Line. A situation could therefore arise whereby the terminal is constructed but is not able to be used as it is not connected to the freight network. This could potentially allow warehousing to come forward that is reliant on road rather than rail-based transport for movement. Both OCC and CDC consider that this requirement should be re-drafted to make it more explicit that the connection to the Chiltern Main Line is included in the associated rail infrastructure. Similar approaches have been taken on other SRFI's such as that at Northampton Gateway.
- 5.6 Paragraph 4.83 of the National Networks NPS makes clear that SRFI's may not be considered suitable adjacent to residential areas. With Heyford being identified by the Ministry of Housing, Communities and Local Government as a potential location for a 13,000-home new town further evidence is required that the proposed SRFI would not adversely affect potential future occupants of these dwellings.
- 5.7 Each of the topics contained in the draft Environmental Statement have been reviewed by the relevant service within OCC/CDC. A response on the adequacy of the mitigation proposed and level of impact is contained within the draft response.
- 5.8 Due to the lack of internal landscape expertise, LUC were appointed on behalf of CDC and OCC to review the landscape chapter of the Environmental Statement. They have provided 25 recommendations as part of their response on changes that are required to scheme and where further information is required.
- 5.9 Following the discovery of evidence of dinosaurs at the Ardley Quarry on the opposite side of the B430, and further evidence having previously been uncovered at the Ardley Trackways SSSI, details of a geological watching brief are recommended to be agreed as part of the DCO for any works on site should further remains be found.
- 5.10 Further details on the recommendations and views of those consulted within Cherwell District Council and Oxfordshire County Council are contained in the attached formal response.
- 5.11 It is Officer's recommendation that members agree to submission of the attached response as part of the stage 2 consultation.

6. RECOMMENDATION

APPROVE THE PHASE 2 CONSULTATION JOINT RESPONSE TO THE APPLICANT.

**Joint Response of
Cherwell District Council
and
Oxfordshire County Council
to the Oxfordshire Strategic Rail Freight Interchange Stage 2
Consultation**

November 2025



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Executive Summary

This response has been prepared on behalf of Oxfordshire County Council (OCC) and Cherwell District Council (CDC) in conjunction with the Stage 2 Consultation for proposals put forward by Oxfordshire Rail Freight Limited for a Development Consent Order (DCO) for a Strategic Rail Freight Interchange (SFRI) on land adjacent to the Chiltern Main Line and close to Junction 10 of the M40.

The main site for the Strategic Rail Freight Interchange extends to 241Ha and mostly comprises agricultural land used for the growing of crops and grazing of livestock. Within the site there is Ashgrove Farmstead (Ashgrove Farm) which includes farm buildings and farm- house. The on-site threshing barn is Grade II Listed. Also, within the main site is the In Vessel Compositing Facility that is operated by Biffa, which is safeguarded within the Oxfordshire Minerals and Waste Local Plan. There is also an underground reservoir in the south-eastern part of the site which will remain in place. The site also covers a Minerals Safeguarded Area.

The main site is within the Ardley and Upper Heyford Conservation Target Area. Within the site to the south of Ashgrove Farm is a deciduous woodland which is designated as a priority habitat. Adjacent to the site to the south of Camp Road is another area of deciduous woodland which is also a priority habitat. The Ashgrove Brook flows through the application site and is identified by the Environment Agency as being at risk of surface water flooding. The remaining parts of the site fall within flood risk zone 1.

A summary is provided below based on section 3.8 of the Planning Statement accompanying the consultation:

- An intermodal rail freight terminal, including rail connections and improvements to the Chiltern Main Line including works to Ardley Tunnel, rail sidings, container storage, HGV parking and associated buildings;
- Up to 603,850 sqm (approx. 6.5 million square feet) of warehousing and ancillary buildings, plus up to 201,283 sqm of additional floorspace in the form of mezzanines.
- The retention, rejuvenation and re-use of Ashgrove Farm and associated buildings as part of a 'central hub' to provide estate management, training and communal facilities to serve the site;
- A secure, dedicated HGV Parking area including driver welfare facilities;
- New road infrastructure and works to the existing road network, including improvements to M40 J10 and junctions on the A43 provision of the principal site access and associated works on the B430, a bypass to the village of Ardley linking the site directly with M40 J10, a relief road around the north eastern side of the village of Middleton Stoney, a link road connecting the B430 to Camp Road, improvements to M40 J9 and other highway improvements at junctions on the local highway network and related traffic management measures;

- New and improved pedestrian and cycle infrastructure both on the Main Site and in the surrounding area connecting the Main Site to local communities;
- Demolition of existing structures and earthworks to create development areas, construct the rail freight terminal and connections to the Mainline and form landscape screen mounding;
- The retention of key landscape features together with new strategic landscaping, general planting and biodiversity enhancements.
- On and off site works associated with utilities including for foul drainage connections.

The development proposals for the strategic rail freight interchange can be divided into four zones (A, B, C and D) further details of which are contained on the parameter plan.

Zones B and C will comprise the freight terminal and the associated infrastructure. The rail freight terminal, rail corridor and associated infrastructure (sidings, storage facilities) are located adjacent to the Chiltern Mainline in the northern most part of the site with rail connections to allow for access to and from the Chiltern Main Site in both directions.

The associated rail infrastructure will include rail reception sidings, container storage area and associated transfer equipment including cranes along with a re-fuelling facility. Secure HGV parking and amenity facilities are proposed which will be available only for those delivering the site.

The Chiltern main line existing route where it passes the site is currently in a cutting and is within a designated Site of Special Scientific Interest. Significant earthworks are required in order to ensure that the rail terminal will be at the same level to the main line. The new south-eastern connection off the main line will pass through the existing Ardley Landfill Site. These works will therefore include the excavation and re-depositing of landfill material elsewhere within the existing Ardley Landfill site.

The use of zone B is still to be determined. It could either be used for warehousing or will form part of the rail freight interchange infrastructure.

When fully complete and operational, the terminal will be capable of accommodating:

- East and West facing main line connections to the Chiltern Main Line together with appropriate signalling;
- 5 sidings each capable of stabling a full length 775m freight train, with 2 sidings closest to the main line being reception sidings and 3 handling sidings, although all sidings will be capable of receiving trains directly from the main line to minimise shunting;
- a 775m head-shunt and additional sidings to provide direct access to the yards of some of the warehouses;
- An extensive area for container storage, with the ability for efficient layout and operation through reach stackers and gantry cranes;
- Passive provision for future electrification;
- Management offices and welfare facilities;

- Gatehouses and extensive HGV parking areas;
- A maintenance compound.

Due to the scale of the proposals, the scheme is classified as a Nationally Strategic Infrastructure Project (NSIP) and so are subject to the 2008 Planning Act. This is a separate process to ordinary planning applications which are assessed under the Town and Country Planning Act 1990. It is currently anticipated that the OxSRFI will include three NSIP's. Two of the three will be for the associated highway works including the motorway construction works to M40 Junction 10 and the alteration of a trunk road (A43). The third NSIP will be for the rail infrastructure works and associated warehousing.

It is anticipated that the finalised Development Consent Order will be submitted to Planning Inspectorate in the first quarter of 2026. A public examination on the proposals will take place in 2026 after which the Planning Inspector will make a recommendation to the Secretary of State as to whether the development consent order should be approved.

The Department for Transport has published a series of National Policy Statements (NPS) which will be used by the Secretary of State as the primary basis for making decisions on development consent applications for NSIP's. The NPS which is most relevant to this application is the National Networks NPS dated March 2024. The policies contained in the adopted and draft Local Plan will also be considered along with the National Planning Policy Framework. Under Section 104 of the Planning Act 2008, the Secretary of State in making their decision must decide an application for a Nationally Significant Infrastructure Project in accordance with the NPS unless he/she is satisfied that do so would:

- Lead to the UK being in breach of its international obligations
- Be unlawful
- Lead to the Secretary of State being in breach of any duty imposed by or under any legislation.
- Result in adverse impacts of the development that outweigh its benefits
- Be contrary to legislation about how the decisions are made.

The NPS's offer topic specific guidance on impacts relevant to any infrastructure development. Paragraph 4.2 of the NPS makes clear that there is a presumption in favour of granting development consent for national networks Nationally Significant Infrastructure Projects which comply with the policies in the NPS. This includes Strategic Rail Freight Interchanges.

Both Oxfordshire County Council and Cherwell District Council have declared a Climate Change Emergency. This seeks to reduce carbon emissions by 50% by 2030 as part of an ambitious step to net zero by 2050.

The NPS refers to the government's commitment to supporting growth of rail freight in particular due to the environmental and economic benefits of the sector. It goes

onto refer to the need for a network of SRFI's in order to aid the transfer of freight from road to rail and the important role SRFI's play in reducing trip mileage of freight movements on the road networks when supported by intermodal Rail Freight Interchanges. The government has set a target of at least 75% growth in rail freight by 2050 and is committed to meeting this figure. The NPS states that SRFI's are crucial to rail freight growth.

Both Oxfordshire County Council and Cherwell District Council are supportive of low carbon freight movements and recognise the benefits of reducing road-based HGV movements. There are however concerns over the scale of the proposals and the resulting environmental impacts. These concerns principally surround landscape, flood risk, minerals safeguarding, arboriculture, ecology and archaeology. We are also concerned over the loss of a permitted waste management facility. Further information and justification is required on each of the above prior to the DCO application being submitted before Cherwell District Council or Oxfordshire County Council can confirm whether they are supportive of the proposals.

Changes and commitments are recommended prior to the DCO application being submitted. These include:

- Changes to the DCO.....
- In accordance with the OCC Parking Standards SPD and OCC Local Transport and Connectivity Plan agree to a commitment to ensure that 25% of all vehicle spaces are provided with EV Charging points with the remaining 75% provided with EV Charging ducting to encourage the use of electric LGV Vehicles.
- Provision of on-site hydrogen fuel cell charging in order to meet the Government's objective for a thriving low-carbon hydrogen economy that decarbonises hard to electrify sectors.
- Confirmation on the height of the container storage area and quantum of containers to be stored
- Confirmation on the height of gantry cranes
- A commitment to a watching paleontology brief in light of the discovery of dinosaur footprints on the adjacent site.
- Demonstrable conformity with Policy M8: Safeguarding Mineral Resources, of the Oxfordshire Minerals and Waste Local Plan Mineral Safeguarding, through extraction of mineral prior to development or otherwise justification that the need for the development outweighs the economic and sustainability considerations relating to the mineral resource.
- Demonstrable conformity with Policy W11: Safeguarding waste management sites, of the Oxfordshire Minerals and Waste Local Plan, by retaining the waste management facility on site, or alternatively replacement with equivalent waste management capacity elsewhere, or through demonstrating that the site is no longer required for waste management.

1 Introduction

- 1.1.1 Oxfordshire Strategic Rail Freight Interchange (OxSRFI) comprises approximately 461ha of land that is located within the administrative areas of Cherwell District Council (CDC) and Oxfordshire County Council (OCC) (collectively 'the Councils' or 'The Host Authorities')).
- 1.1.2 Both Cherwell District Council and Oxfordshire County Council welcome the opportunity to comment on OxSRFI's consultation pursuant to Section 42 of the Planning Act 2008.
- 1.1.3 Unless explicitly stated the views expressed in this response are those of both councils.

2 Proposed Development

- 2.1.1 The proposed development is set out in Schedule 1 of the DCO and comprises:
- Railway works to the Chilterns Main Line (Work No.1);
 - Construction of new Private Railway lines (Works No.2);
 - Construction of a new Freight Rail Terminal (Works No.3) – a plateaued terminal site with rail sidings, internal roads and parking areas, signalisation, storage, security and drainage;
 - Construction of a plateau area (Works No.4) for use either as an extension to the freight rail terminal (described in Works No.3) or for construction of rail served warehousing (described in Works No.6);
 - Construction of new private Rail Sidings (Works No.5) to directly serve Warehousing (Works No.6) – comprising tracks, railway cuttings and embankments, railway infrastructure, security fencing and CCTV and construction of a new road bridge over the main line railway (Bridge 5);
 - Construction of Rail Served Warehousing (Works No.6) – comprising earthworks, formation of development platforms, demolitions, new warehousing and gatehouses, service yards with vehicle & cycle parking, drainage and landscaping, weighbridges, access routes for all modes, photovoltaics, plant, maintenance areas, hardstandings, HGV parking, container storage, energy centre, electric sub-station, management offices, new, stopped-up and diverted PRow, and closure of existing private accesses;
 - Construction of private Estate Roads (Works No.7) – including roundabouts and other junctions, connections with the principal access road and a realigned Heyford Park Link Road (Work No.12), construction of a new bridge over the main line railway (Bridge 5) for the estate road,

new footways and cycleways, cycle parking, vehicle lay-bys and bus stops and shelters;

- Landscaping (Works No.8) including surface water attenuation basins, amenity open space, acoustic fencing/landscape screening and new wayfinding signage;
- Construction of a Central Hub (Works No.9) including retention of the Threshing Barn as a welcome building and provision of ancillary buildings and open space for employees and site visitors;
- Retention and conversion works to Ashgrove Cottages (Work No.10) for use as rail and estate management offices/welfare facilities;
- Construction of a new Principal Access to the Main Site (Work No.11) – including construction of a new off-set roundabout on the B430 just south of the railway bridge (connecting to works packages No.7 and 20), a segregated left turn land exiting the main site onto a new B430 Ardley Bypass (Work No.20), a new bridge (Bridge No.6) to take the new highway over the new private railway and sidings, alterations to the B430 access junction to the Ardley Fields Energy From Waste Management Facility, and new bus stops and shelters;
- Formation of a realigned Heyford Park Link Road (Work No.12) connecting from the B430 to Camp Road/Chilgrove Drive junction (Work No.13B), construction of a T-junction off the new road to form a secondary access to the Main Site, formation of footways/cycleways between the eastern edge of Heyford Park and a new Middleton Stoney Relief Road (Work No.23), realignment of the B430 with two signalised junctions connecting the Link Road to the B430 and Middleton Stoney Relief Road, crossing the Ashgrove Brook tributary to Gagle Brook (Bridge 18) and stopping-up diverting or creating PRoW;
- Construction of an Aves Ditch Bridleway connection (Work No.13A), including a signalised crossing of the Camp Road/Chilgrove Drive junction;
- Reconfiguration of the Camp Road/Chilgrove Drive upgraded junction (Work No.13B) to change junction priority and extend the shared footway/cycleway;
- Alterations to M40 Junction 10 (Work No.14) comprising an M40 northbound to A43 northbound link road, with diverge and bridge over the M40 (Bridge 12), stopping-up the existing M40 northbound slip road and providing a replacement, including a crossing of Padbury Brook (Bridge 13), widening the M40 southbound slip road to provide 2 lanes, realignment of the M40 northbound and southbound slips connecting to upgraded A43 Ardley and Padbury roundabout junctions (part Work No.15), and resultant alterations to the M40 signage;
- Alteration to lengths of the A43 Trunk Road (Work No.15) including signalisation of the Ardley and Padbury roundabouts, upgrade of the Cherwell roundabout, widening the A43 to 3 lanes between the Padbury

roundabout and Baynards Green, widening the A43 southbound between the Padbury and Cherwell roundabouts to 4 lanes, new signage, extension of the Padbury Brook culvert plus stopping-up, diversion and creation of new shared-use PRow;

- Upgrade to the A43/B4100 Baynards Green roundabout junction (Work No.16) including widening to 3 lanes with shared use PRow and improved signalisation;
- Widening of the B4100 at its junctions with the A43 at Baynards Green (Work No.17) to increase highway capacity and provide shared-use PRow;
- Realignment of the B439 south of Ardley roundabout (Work No.18);
- Realignment of B430 Ardley Road south of the M40 J10 Ardley roundabout (Work No.19) including construction of a bridge over the new bypass (Bridge 16);
- Formation of an Ardley Bypass (Work No.20) to the east of Ardley between the Ardley roundabout (Work No.15) and the principal access to the Main Site (Work No.11) including Bridge 7 over the railway line, and provision of shared-use PRow with landscaping bunding and earthworks;
- Alterations to the B430 Station Road between the railway line and Upland Cottage, south of Ardley (Work No.21A) including stopping-up the B430 in the vicinity of the railway bridge except for maintained access for pedestrians, cyclist and horse-riders;
- Stopping-up, diversion and creation of new PRow alongside the Ardley Bypass (Work No.21B) including construction of Bridge No.9 (Work No.2) over the private railway
- Alteration of M40 Junction 9 (Work No.22) to include widening of the A34 approach to the junction and widening the northbound slip to the M40 to 3 lanes plus stopping-up of PRow;
- Construction of a Middleton Stoney Relief Road to the NE of the village (Work No.23) connecting to the Heyford Park Link Road (Work No.12), a new roundabout on the B430 and the A4095 to the east of the village, including shared-use PRow alongside (Work No.24) plus a bridleway underpass beneath the Link Road (Bridge No.19) and crossing of Gagle Brook (Bridge No.20) with landscaping and alterations to PRow;
- Construction of a shared-use Cycle Link between the new Link Road and Middleton Road (Work No.24) including alterations to the bridge over the M40 (Bridge No.22) with signalisation and connections to existing PRow beyond the motorway;
- Minor Works to the B430 (Work No.25) including a shared-use cycle track on the west side of the B4030 with a new toucan crossing and removal of the existing B430 and Upper Heyford Road;
- Formation of a Turning Head & Bridleway at Quarry Cottages, Somerton Road north of the Chiltern Main Line railway (Work No.26) including

stopping-up the lane south of the new turning head and its conversion to a bridleway and with works to the railway bridge (Bridge No.3);

- Works within Middleton Stoney at the Crossroads (Work No.27) including signalised pedestrian crossing within the existing signalised junction across the B430 southern arm and B4030 western arm, with bus stops on the B430 north and south of the junction and a zebra crossing on the B430 north of the junction;
- Works to Aves Ditch PRoW north of the former RAF Upper Heyford airfield (Work No.28);
- Provision of Biodiversity & Landscape Enhancement works North (Work No.29) including new calcareous grassland close to Ardley Cutting & Quarry SSSI, broadleaved woodland and tree planting, cereal crops for foraging Corn Bunting and other priority farmland bird species, plus a new bridleway connecting Work No.28 and Work No.8;
- Provision of Biodiversity & Landscape Enhancement works South (Work No.30) including landscaping south of the Heyford Park Link Road with earthworks and s/w attenuation basins and altered PRoW;
- Provision of Biodiversity & Landscape Enhancement Woodland Planting works (Work No.31) including broadleaved woodland and native hedgerow and tree line to the west;
- Provision of Biodiversity & Landscape Enhancement MSRR North works (Work No.32) including an area of open neutral grassland with scrub and trees, a native hedgerow, treeline stopped-up and diverted PRoW;
- Provision of Biodiversity & Landscape Enhancement MSRR South works (Work No.33) including broadleaved and mixed deciduous woodland, neutral grassland, tree groups and new PRoW bridleway;
- Landfill Works to the Waste Management site south of the Chiltern Main Line railway (Work No.34) including removal/relocation of buried waste, import of inert material and construction of railway works (Work Nos.1, 2 and 11);
- Construction of a Foul Sewer Outfall to Middleton Stoney and/or Bicester (Work No.35);
- Construction of a Foul Sewer Outfall to Ardley (Work No.36);
- Provision of Biodiversity & Landscape Enhancement works North of Ardley Road (Work No.37) including calcareous and neutral grassland, cereal crops for foraging Corn Bunting and other priority farmland bird species, plus provision of a private means of access; and
- Works to Ardley Tunnel (Work No.38) to provide W8 loading gauge clearance through the tunnel.

- 2.1.2 The DCO also includes two potential further areas of work, including:
- Upgrade of the B4030/A4095 Roundabout (Work No.39) including upgrading to a signal-controlled gyratory with crossings; and
 - Amendments to the junction between the B4030 and Empire Road, and/or potential changes to the layout of Empire Road (Work No.40).
- 2.1.3 Further works are also permitted by the DCO provided that any such works do not create materially different significant effects requiring assessment under the EIA Regs. These further works include ancillary works within Work Nos.1-10 and 11-40 and temporary works as Work Nos.1-40
- 2.1.4 If consented by the Secretary of State, the DCO contains wide-ranging powers designed to enable swift delivery of the authorised development. Prior to final determination by the SoS the application will be subject to consideration at Examination by The Planning Inspectorate (PINS) who will seek to ensure that it is subject to appropriately designed mitigation.
- 2.1.5 The scope of the DCO is divided into six parts:
- Part 1 – Development that it is authorising and controls by applying requirements, similar to planning conditions attached to a planning permission;
 - Part 2 – Authorisation and governing highway works to be undertaken as part of the proposed development;
 - Part 3 – Orders, such as highway orders and footpath diversion orders, required to implement development – avoiding any need to be separately obtained;
 - Part 4 – Supplemental powers regarding water discharge, land surveys, protective works and removal of human remains;
 - Part 5 – Powers to acquire land speedily through Compulsory Purchase Order (CPO) to ensure landowners cannot frustrate development delivery and override easements and other rights. It includes protective provisions for parties, such as utility companies, whose assets may be affected by development; and
 - Part 6 - Miscellaneous provisions to ensure no obstacles to development delivery

3 The Site

- 3.1.1 The site consists of land necessary to deliver a Strategic Rail Freight Interchange alongside associated landscaping and highways works and ecological improvements.
- 3.1.2 The main part of the site is located between the former RAF Upper Heyford to the west and the B430 to the east. To the north of the site is the existing Chiltern Railway Line which runs between London and Birmingham. The villages of Ardley and Fewcott are located to the north of the railway line along with Junction 10 of the M40. The market town of Bicester is located approximately 5 miles east of the application site. To the south of the site is the village of Middleton Stoney.
- 3.1.3 The site is mostly comprised of agricultural land used for the growing of crops. In addition, there is a disused water reservoir located to the west of the B430 and the Ardley IVC Composting Facility, which is adjacent to the reservoir. Within the site there are areas of established woodland, mature individual trees and established hedgerows.
- 3.1.4 Two public rights of way (PROW.109/30/10 and PROW 109/29/20) cross the site connecting Ardley with Upper Heyford.
- 3.1.5 The Cherwell Local Plan Proposals Map designates the site as being within a Conservation Target Area. There are also NERC Act S41 Habitat's on site and areas of Site of Special Scientific Interest both within and adjacent to the site. The western boundary of the site is adjacent to RAF Upper Heyford Conservation Area and a Local Wildlife Site which is within the former airfield.
- 3.1.6 The site lies within a Mineral Safeguarding Area for Crushed Rock as identified and safeguarded within the Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (2017) under Policy M8.
- 3.1.7 The proposed development is of a substantial scale and is comprised of various elements that will have an impact on the site and surrounding area. The impacts of the proposed development and the proposed mitigations are considered in detail in Section 8.

4 Relevant Planning History

4.1 Site Specific Relevant Planning History

- 4.1.1 Prior to the Stage 2 consultation on the SRFI proposals, a Stage 1 (non-statutory) consultation on the proposals took place in the Spring/Summer 2022. The stage 1 consultation included four public exhibitions and two webinar sessions all held in May 2022, with one additional exhibition held in June 2022

4.1.2 Based on the Draft Consultation Report Covering the Stage 1 Consultation prepared by Oxalis The following key themes and topics were raised during the consultation:

- Traffic impacts and transport issues (including the proposed Highways Works and sustainable travel opportunities);
- Loss of countryside / industrialisation of area;
- Greenfield / farmland development;
- Need for the proposed SRFI;
- Location of the Proposed Development;
- Impact on wildlife/ecology;
- Noise and light impact;
- Landscape and visual;
- Local and environmental potential impacts (including heritage);
- Alternative sites.

4.1.3 There are a series of applications for planning permission and listed building consent associated with Ashgrove Farm within OxSRFI's proposed main site. The most recent of these are 16/01618/LB and 16/01617/F which granted permission for the 3 no. farm buildings into 5 no. dwellings.

4.1.4 The former airfield at Heyford Park has been subject to a series of previous consents, most notably 18/00825/HYBRID which granted permission for (among other things): Outline planning permission for up to 1,175 new dwellings (Class C3); 60 close care dwellings (Class C2/C3); 929 m2 of retail (Class A1); 670 m2 comprising a new medical centre (Class D1); 35,175 m2 of new employment buildings, (comprising up to 6,330 m2 Class B1a, 13,635 m2 B1b/c, 9,250 m2 Class B2, and 5,960 m2 B8); 2.4 ha site for a new school (Class D1); 925 m2 of community use buildings (Class D2); and 515 m2 of indoor sports, if provided on-site (Class D2)

4.1.5 More recently an application was submitted to Cherwell District Council (25/02190/HYBRID) for permission to secure:

- Demolition of 222 existing buildings and structures, up to 9,000 new dwellings (Class C3) comprised of: Outline planning permission for up to 8,848 dwellings (Class C3)
- Change of Use of Buildings 320, 345, 350,172 for up to 152 dwellings (Class C3)
- Outline planning permission for up to: 4,610sqm of new light industrial buildings (Class B2)
- 2,600sqm of new warehouse buildings (Class B8)
- 5,500sqm of new hotel buildings (Class C1)

- 40,650sqm of new commercial, business and service buildings (Class E), comprising of retail, restaurant/cafe, indoor sport/recreation and fitness, medical/health services, creche/nursery, and office/research & development.
- Learning buildings (Class F1), comprising of four primary schools (1 x 2FE and 3 x 3FE), 1 secondary school (1 x 9FE) and a Centre for Peace Studies (1,100sqm)
- 1,770sqm of local community uses (Class F2), comprising of community centre and library buildings
- 1,000sqm of Public House/restaurant (sui generis)
- 7,500sqm for datacentre buildings (sui generis)
- Renewable energy generation with associated infrastructure, including 3 wind turbines, solar pv and battery energy storage systems

4.1.6 At the time of drafting this response 25/02190/HYBRID had yet to be determined.

5 Legislation and National Policy Context

This section outlines the legislative and planning policy context of the proposed development

The legislative basis for the proposed development is set out in the Planning Act 2008, which defines the process under which consent for NSIPs are determined, and secondary legislation made under that Act.

In accordance with Section 104(2) of the Planning Act 2008, the Secretary of State is required to have regard to any relevant national policy statements (NPS), amongst other matters, when deciding whether or not to grant a development consent.

5.1 National Policy Statement for National Networks (NNNPS)

- 5.1.1 The relevant NPSs to this NSIP is the National Policy Statement for National Networks which was last updated in 2024.
- 5.1.2 The NPS outlines the overarching general principles, processes and impacts to be taken into consideration for all types of NSIP relating to the national road and rail networks including bespoke sections on Strategic Rail Freight Interchanges. Parts 1 to 4 set out introductory themes, the Government's general policy on the demand and need for new transport infrastructure, the need for new NSIPs and assessment principles.
- 5.1.3 Paragraph (1.4) states that under section 104 of the Planning Act 2008, the Secretary of State must decide an application for a relevant NSIP in accordance with the NPS unless he/she is satisfied that do so would:
- Lead to the UK being in breach of its international obligations

- Be unlawful
 - Lead to the Secretary of State being in breach of any duty imposed by or under any legislation
 - Result in adverse impacts of the development outweighing its benefits
 - Be contrary to legislation about how the decisions are to be taken
Paragraph 1.5 states that the thresholds of nationally significant road, rail and strategic rail freight infrastructure projects are defined in sections 22, 25 and 26 of part 3 of the Planning Act 2008.
- 5.1.4 Paragraph 3.97 of the NPS states that SRFI developments will need to be sensitive to, respond to, and contribute to their environmental context. For developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements. It is important for the environmental impacts to be taken into account when planning a development, by avoiding harm wherever possible, where adverse impacts are unavoidable adequately mitigating or as a last resort, compensating as well as delivering environmental enhancements.
- 5.1.5 Paragraphs 3.98-3.103 outline the basis of need for SRFI and the positive benefits that intermodal interchanges that allow transition of freight from road to rail will have on emissions, air quality and congestion on the Strategic Road Network.
- 5.1.6 Paragraphs 4.80-4.89 outlines the criteria for SRFI and are discussed further in Section 6 below.
- 5.1.7 Paragraph 4.27 of the NPS outlines that good design should be an integral consideration from the outset of a proposal and that this should not be limited to aesthetics. The NPS draws attention to the NIC's four design principles: Climate, People, Places, and Value.
- 5.1.8 Paragraph 4.28 goes further and outlines that good design should include the application of the mitigation hierarchy: Avoid, Mitigate or as a last resort Compensate for the identified problems and existing adverse impacts.
- 5.1.9 Paragraph 4.29 states that the Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable, having regard to appropriate industry good design guidance, and that the applicant has considered, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme's contribution to the quality of the area in which it would be located).
- 5.1.10 Paragraphs 5.160-5.179 outline the approach applicant should take towards assessing landscape and visual impacts and mitigation against these impacts to minimise harm.
- 5.1.11 Paragraph 5.43-5.69 outlines the principles for assessing ecological impacts and the expectations on applicants to mitigate harm and provide Biodiversity Net Gain.

- 5.1.12 Paragraphs 5.204-5.226 outline how harm to heritage assets should be assessed and mitigated for. It also outlines what weight should be given to harm different types of heritage asset depending on their significance and the level of harm.
- 5.1.13 Paragraphs 5.227-5.242 outline how applicants and the SoS should assess noise and vibration impacts both at construction and operational stages of development.
- 5.1.14 Paragraph 5.243 - 5.251 outlines socio-economic impacts
- 5.1.15 Paragraph 5.252 - 5.268 outlines water quality and resources impact
- 5.1.16 Paragraphs 5.269-5.291 outlines how applicants should approach transport impacts resultant from a National Networks NSIP, how these impacts should be assessed and how mitigation should be applied.
- 5.1.17 Paragraphs 5.191 and 5.196 discuss the important role of NSIPs have in safeguarding minerals resources and outlines that the Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.
- 5.1.18 Finally paragraphs 4.33-4.44 of the NPS outlines how National Network NSIPs should approach Climate impacts including carbon neutrality, assessing Greenhouse Gas emissions and ensuring that schemes are sufficiently climate resilient.

5.2 National Planning Policy Framework (NPPF)

- 5.2.1 The NPPF (December 2024) is a material consideration for determining planning applications under the Town and Country Planning Act 1990 (TCPA 1990).
- 5.2.2 Paragraph 5 of the NPPF states that it does not contain specific policies for NSIPs and that applications for NSIPs are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the NPPF).
- 5.2.3 Paragraph 109 of the NPPF requires development proposals to:
- Understand and address the potential impacts of development on transport networks (Part C)
 - Realise opportunities from proposed transport infrastructure and changing transport technology and usage (Part D)
 - Identify, assesses and take into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. (Part F)

- 5.2.4 Paragraph 110 of the NPPF requires the planning system to actively manage patterns of growth in support of the objectives identified in paragraph 109. It goes on to state that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 5.2.5 Paragraph 114 of the NPPF recognises the importance of providing adequate overnight lorry parking facilities. Paragraph 114 goes on to state that proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.
- 5.2.6 Paragraph 115 sets out the considerations for development proposals. It states that in assessing specific planning applications it should be ensured that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on the highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 5.2.7 Paragraph 116 states that development should only be prevented or refused on highways ground if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios
- 5.2.8 Paragraph 117 sets out five requirements which planning applications are required to adhere to. Part E is of particular relevance requiring development to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 5.2.9 Paragraph 187 of the NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland (Part B).
- 5.2.10 Part D of paragraph 187 of the NPPF requires development to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporate features which support priority or threatened species such as swifts, bats, and hedgehogs.
- 5.2.11 Part E of paragraph 187 of the NPPF should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans
- 5.2.12 Paragraph 193 of the NPPF requires local planning authorities to apply the following principles:

- Part A. if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
- Part B. Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest
- Part C. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

5.2.13 Footnote 70 provides clarity on what are considered wholly exceptional reasons. It includes nationally significant infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of the habitat

5.2.14 Paragraph 213 of the NPPF sets out the considerations when assessing the harm to a designated heritage asset caused by a proposal. It states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification

5.2.15 Para 222 states that “it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation”

5.3 National Planning Policy for Waste (NPPW)

5.3.1 Much like the NPPF, the NPPW is a material consideration for the SoS when determining applications for development consent.

5.3.2 Section 5, paragraph 7 of the NPPW, states that local authorities should ensure that the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.

5.4 National Planning Policy Guidance (NPPG)

5.4.1 National Planning Practice Guidance (PPG) sits alongside the National Planning Policy Framework and is a material consideration in the determination of applications for Development Consent.

5.4.2 The following PPG's are considered relevant

- Air Quality
- Appropriate Assessment
- Biodiversity Net Gain
- Climate Change
- Design: Process and tools
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Healthy and Safe Communities
- Historic Environment
- Light Pollution
- Minerals
- Natural Environment
- Noise
- Transport Evidence Bases in Plan Making and Decision Taking
- Water Supply, Waste Water and Water Quality

6 Local Policy Context

When determining an application for development consent, by section 104(2)(d), the Secretary of State must have regard to any other matters the Secretary of State thinks are both important and relevant matters and this could include local planning policy.

Equally Section 104(2)(b) of the Planning Act outlines that the SoS must have regard to any Local Impact Report submitted by a host authority. Local Impact Reports are expected to assess compliance with Local Policy and factor this into the assessment of Local Impacts. In this way Local Policy is a material consideration for the SoS in determining and application for Development Consent.

As such, Oxfordshire's Development Plan and the local planning policies within it present a significant material consideration, particularly where they are consistent with NPSs.

The Development Plan for Oxfordshire is the adopted District Local Plans, Minerals and Waste Local Plan and Neighbourhood Plans. For the area covered by the SRFI these are the Cherwell Local Plan, Oxfordshire Minerals and Waste Local Plan and the Mid Cherwell Neighbourhood Plan.

The policies within these Plans provide a clear framework by which the councils wish to see new development come forward within their areas, which should be weighed in the overall planning balance.

Details of the Development Plan for each Council within the area of the SFRI, as well as the relevant policies from each Development Plan as they relate to the OxSRFI proposal are set out below.

6.1 Cherwell District Council (CDC)

- 6.1.1 For Cherwell District the Development Plan comprises the Adopted Cherwell Local Plan 2011-2031 (Part 1) (CLP), 'Saved' policies of the Adopted Cherwell Local Plan 1996 and the Adopted Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need, alongside the Oxfordshire Minerals and Waste Local Plan (2017).
- 6.1.2 The policies contained in the draft Cherwell Local Plan 2019-2040 (Regulation 19) which was submitted for examination on the 31st July 2025. Whilst it does not form part of the development plan against which applications should be assessed against, it is a material consideration in the determination of the application. The amount of weight that can be attributed to the draft policies is dependent on the number of objections.
- 6.1.3 Regulation 10A reviews of the Cherwell Local Plan 2011-2031 Part 1 took place in 2020 and 2023. In 2020, the Council undertook a 5 Year Review of the Local Plan and concluded that the majority of the policies were generally consistent with government policy and/or local circumstances. It did not indicate that the Local Plan policies needed updating. The Review was presented to and approved by the Council's Executive on 4 January 2021.
- 6.1.4 Two material changes in circumstance since that approval prompted the 2023 Local Plan Review:
- Termination of the Oxfordshire Joint Local Plan work programme; and
 - New evidence in the form of the Housing and Employment Needs Assessment (HENA) 2022
- 6.1.5 The Regulation 10A Review of Local Plan Policies (February 2023) showed that nearly all policies were generally consistent with government policy and/or local circumstances. It did not indicate that the policies needed updating at this time, with the exception of Policy BSC1 District-Wide Housing Distribution.
- 6.1.6 The Adopted Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need was formally adopted as part of the statutory Development Plan in September 2020. The Partial Review provides the strategic planning framework and sets out strategic site allocations to provide Cherwell District's share of the unmet housing needs of Oxford to 2031.

- 6.1.7 The site falls within the Mid Cherwell Neighbourhood Plan which was adopted in May 2019 and therefore forms part of the Development Plan. The Mid Cherwell Neighbourhood Plan is in the process of being updated. The pre-submission version (Regulation 14) was consulted upon in May 2025. As it has not been adopted, only moderate weight can be attributed to the policies contained within it.

Cherwell Local Plan 2011-2031 Part 1 (CLP) including saved policies from the Cherwell Local Plan 1996 (CLP 1996 Saved)

Relevant Policies

Adopted Cherwell Local Plan 2011-2031 (Part 1) (CLP)

PSD1 – Presumption in Favour of Sustainable Development

SLE4 - Improved Transport Connections

ESD1 - Mitigating and Adapting to Climate Change

ESD2 – Energy Hierarchy and Allowable Solutions

ESD3 – Sustainable Construction

ESD5 – Renewable Energy

ESD6 – Sustainable Flood Risk Management

ESD7 – Sustainable Drainage Systems

ESD8 – Water Resources

ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment

ESD12 – Cotswold Area of Outstanding Natural Beauty

ESD13 – Local Landscape Protection and Enhancement

EDS14 – Oxford Green Belt

ESD15 – The Character of the Built and Historic Environment

ESD17 – Green Infrastructure

'Saved' policies of the Adopted Cherwell Local Plan 1996

C15 – Prevention of Coalescence of Settlements

C25 – Development affecting the site or setting of a scheduled ancient monument

C33 – Protection of Important Gaps of Undeveloped Land

Partial Review (CLP review), adopted in 2020

Relevant policies

None

Emerging Cherwell Local Plan

- 6.1.8 CDC has prepared a proposed submission draft (Regulation 19) of the Cherwell Local Plan Review 2042 which is published and open for public consultation until 25 February 2025 under the transitional arrangements set out in paragraph 234(a) of the revised NPPF.
- 6.1.9 Under the transitional arrangements set out in paragraph 235, the Cherwell Local Plan Review 2042 will be examined under the December 2023 version of the NPPF.
- 6.1.10 The weight to be afforded to this plan is currently limited but this will increase as the plan progresses through the consultation and examination process. This plan is intended to replace the adopted Cherwell Local Plan 2015 and 'saved' policies in the Cherwell Local Plan (1996).

Relevant Policies

CSD 1 - Mitigating and Adapting to Climate Change;

CSD 3 - Achieving Net Zero Carbon Development, Non-residential

CSD 5 - Embodied Carbon;

CSD6 - Renewable Energy;

CSD7 - Sustainable Flood Risk Management;

CSD8 - Sustainable Drainage Systems (SuDS);

CSD9 - Water Resources and wastewater infrastructure;

CSD11 - Protection and Enhancement of Biodiversity;

CSD12 - Biodiversity Net Gain;

CSD13 - Conservation Target Areas;

CSD14 - Natural Capital and Ecosystem Services;

CSD15 - Green and Blue Infrastructure;

CSD16 - Air Quality;

CSD17 - Pollution and Noise;

CSD18 - Light Pollution;

CSD19 - Soils, Contaminated Land and Stability;

CSD21 - Waste Collection and Recycling;
 CSD22 - Sustainable Transport and Connectivity Improvements;
 CSD23 – Assessing Transport Impact/Decide and Provide;
 LEC5 – Community Employment Plans;
 LEC6 - Supporting a Thriving and Resilient Farming Sector;
 LEC7 - Best and Most Versatile Agricultural Land;
 LEC9 - Tourism;
 COM10 – Protection and Enhancement of the Landscape;
 COM12 – The Oxford Green Belt;
 COM13 – Settlement Gaps;
 COM14 – Achieving Well Designed Places;
 COM15 – Active Travel – Walking and Cycling;
 COM16 – Public Rights of Way;
 COM18 – Creating Healthy Communities;
 COM20 – Providing Supporting Infrastructure and Services;
 COM24 – Open Space, Sport and Recreation;
 COM25 – Local Green Space;
 COM26 – Historic Environment;
 COM27 – Conservation Areas;
 COM28 – Listed Buildings;
 COM29 – Registered Parks and Gardens and Historic Battlefields;
 KID1 – Kidlington Area Strategy;
 KID2 - London Oxford Airport;
 KID3 – Delivery of Transport Schemes within the Kidlington Area;
 KID H1 – South-East of Woodstock

6.2 Oxfordshire County Council (OCC)

The Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy

- 6.2.1 The Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy adopted September 2017 sets out the vision, objectives, spatial planning strategy and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire over the period to 2031.
- 6.2.2 Policy M8 of the Minerals and Waste Local Plan safeguards mineral resources within the county. Development that would prevent or hinder minerals extraction within Minerals Safeguarding Areas is not permitted unless the site is allocated within a Local or Neighbourhood Plan, the need for the development outweighs the economic and sustainability considerations relating to the minerals resource or if the mineral will be extracted prior to the development taking place.
- 6.2.3 Policy W11 of the Minerals and Waste Local Plan safeguards Waste Management Sites within the County. Development which will prejudice the use of safeguarded waste management sites is not permitted unless the site is allocated within a Local or Neighbourhood Plan, equivalent waste management capacity can be appropriately and sustainably provided elsewhere or it can be demonstrated that the site is no longer required for waste management.

Relevant Policies

Policy M3 - Principal Locations for Working Aggregate Minerals

Policy M5 - Working of Aggregate Minerals

Policy M8 - Safeguarding Mineral Resources

Policy W8- Safeguarding Waste Management Sites

6.2.4 Local Transport and Connectivity Plan (2022)

- 6.2.5 The Oxfordshire Local Transport and Connectivity Plan 2022 (LTCP) is OCC's statutory Local Transport Plan, required under the Transport Act 2000.

Relevant Policies

Policy 1 – Transport User Hierarchy
Policy 2 – Cycle and walking networks
Policy 3 – Local Cycling and Walking Infrastructure Plans
Policy 4 – Strategic Active Travel Network
Policy 5 – Public Rights of Way
Policy 6 – Greenways
Policy 9 – Health Impact Assessment
Policy 15 – Vision Zero
Policy 21- Rail Strategy
Policy 29- Zero Emission Vehicles
Policy 30- Green Infrastructure
Policy 31 – Network Management
Policy 33 – Parking Management
Policy 40 – Connected and Autonomous Vehicles.
Policy 47 – Freight and Logistics Strategy
Policy 48 – Long Distance Movement
Policy 49- Local Movement
Policy 50 – Last Mile Movement
Policy 52- Movement and Place Strategies.

Oxfordshire CC. Electric Vehicle Infrastructure Strategy (March 2021)

- 6.2.6 The Oxfordshire Electric Vehicle Infrastructure Strategy was adopted in March 2021. It sets out the policies and plans to realise OCC's vision for EV Charging across Oxfordshire. The following policies are considered relevant.

Relevant Policies

Policy EVI11.
Policy EVI 13.
Policy EVI 16

Oxfordshire County Council Freight and Logistics Strategy (July 2022)

- 6.2.7 The Oxfordshire County Council Freight and Logistics Strategy is a supporting strategy to the Oxfordshire County Council Local Transport And Connectivity Plan. It addresses some of the challenges associated with the movement of goods in Oxfordshire and sets out the actions required to deliver appropriate, efficient, clean and safe movement. It builds on the high-level freight policies contained in the Local Transport Connectivity Plan. The following actions contained within the strategy are considered relevant.

Relevant Policies

Action 1. Promote Rail Freight

Action 2. Work with stakeholders to increase rail network capacity

Action 6. Work and lobby a range of stakeholders at the regional and national level to encourage the shift of long distance freight from road to rail.

Action 9. Promotion of Oxfordshire HGV Route Map.

Action 17. Promote the creation of rest stops and lorry park facilities.

Action 18. Support of the freight industry's electric vehicle charging requirements.

Action 19. Monitor alternative HGV fuel requirements and options

Action 20. Strategically locate refuelling infrastructure.

Action 25. Support the provision of freight interchanges.

Action 30. Promote cycle freight across Oxfordshire.

OxRail 2040: Plan for Rail (Draft – September 2025)

- 6.2.8 Oxfordshire County Council are in the process of preparing a plan for the future of rail in Oxfordshire. The plan is being developed to support the overarching aims and ambitions of the Oxfordshire Local Transport and Connectivity Plan.
- 6.2.9 Page 14 of the document provides details of proposed new stations in Oxfordshire in order to support growth. The Plan for Rail references a new station at Ardley being explored in order to serve Heyford Park housing, new leisure development and the proposed Strategic Rail Freight Interchange.
- 6.2.10 Page 18 of the document refers to freight terminals and facilities expansion. It states that freight growth must shift from road to rail in or to cut congestion and emissions. The SRFRI at Ardley is referenced as being a major new hub.
- 6.2.11 The Strategy is expected to go before Cabinet in November 2025 and will be adopted in January 2026 and as such will have the full weight of an adopted strategy by the time the OxSRFI application is submitted to the Planning Inspectorate in Q1 2026.

7 The Principal of Development

Key Policies

NPS	NNNPS
Cherwell	CLP ESD1: Mitigating and Adapting to Climate Change CLP ESD2: Energy Hierarchy and Allowable Solutions CLP ESD5: Renewable Energy
Oxfordshire County Council	Oxfordshire County Council Freight and Logistics Strategy (July 2022) Local Transport and Connectivity Plan (2022)

Policy Detail

- 7.1.1 The principle of a Strategic Rail Freight Interchange needs to be considered against the context of National Policy. Section 3 of the National Policy Statement for National Networks outlines the need for Strategic Rail Freight Interchanges to accommodate a modal shift for freight from road to rail. Paragraph 3.99 makes clear the Government's goal of a 75% growth in rail freight by 2050
- 7.1.2 Paragraph 3.101 specifically outlines that there will need to be a network of 'appropriately located' SRFI around the country to make the 75% growth in rail freight feasible.
- 7.1.3 Paragraph 3.103 states that it is important that SRFIs are located near the markets they will serve – major urban centres, or groups of centres – and are linked to key supply chain routes. Given the locational requirements and the need for effective connections for both rail and road, the number of locations suitable for SRFIs will be limited, which will restrict the scope for developers to identify viable alternative site.
- 7.1.4 Paragraph 3.105 specifically outlines the challenge of delivering rail freight interchanges serving London and the South East.
- 7.1.5 Paragraph 3.106 outlines that consideration should be given to ensure the location of existing SRFI is taken into account when planning an SRFI, but recognises there is likely to be clusters of SRFI in the heartland of the nation.
- 7.1.6 Paragraph 4.9 states that applications for road and rail projects should be supported by a local transport model to provide sufficiently accurate detail of the impacts of a project. An assessment of the benefits and costs of schemes under a range of scenarios should reflect future uncertainty, in addition to the core case.

- 7.1.7 Paragraph 4.10 of the NPS outlines that the viability of an SRFI should take account of relevant government strategies. It also outlines that the radial proximity of an SRFI to another SRFI is a consideration as SRFIs should not abstract traffic from existing SRFI.
- 7.1.8 Paragraph 4.12 states that a key part of the environmental assessment is the consideration of cumulative effects. The applicant should provide information on how the effects of the proposal would combine and interact with the effects of other development where relevant. Applicants are required to consider the impact of other existing or committed developments within an appropriate geographical area and assess the additional impact of their own development.
- 7.1.9 Paragraph 4.20 outlines that applicants must adequately assess alternatives to the proposed development in line with policies within the NPS as well as the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Habitats Regulation and Water Environment (Water Framework Directive)(England and Wales) Regulations 2017.
- 7.1.10 Paragraph 4.27 states that applicants should include design as an integral consideration from the outset of a proposal. Applying good design to national network projects should not be limited to general aesthetics. High quality and inclusive design extends beyond aesthetic considerations. The four design principles contained within the National Infrastructure Commission as outlined in paragraph 4.27 should be adhered to.
- 7.1.11 Paragraph 4.80 of the NPS outlines that SRFI should be planned in a form which accommodates both rail and non-rail activities including appropriate provision for HGV drivers.
- 7.1.12 Paragraph 4.81 states that SRFI should be appropriately located relative to the markets they serve focusing on urban centres and key supply routes. Given these requirements countryside locations may be required for SRFI.
- 7.1.13 Paragraph 4.82 acknowledges that adequate links to the rail and road networks are essential. Paragraph 4.82 goes onto outline that as a minimum SRFI should ideally be located on a route with a gauge clearance of W8 or more, or capable of enhancement to a suitable gauge.
- 7.1.14 Paragraph 4.83 states that given that SRFI tend to operate 24 hour days and involve large structures they may not be considered suitable adjacent to residential areas or environmentally sensitive areas such as national parks or National Landscapes.
- 7.1.15 Paragraph 4.85 outlines that in decision making the SoS should be satisfied that the rail facilities will come forward in a timely manner.
- 7.1.16 Paragraph 4.88 outlines that the SoS may allow warehousing to be brought into use in advance of rail facilities becoming operational by use of a Requirement but must be certain that rail facilities will come forward in a timely manner. Applicants should provide confirmation from Network Rail of the timescales proposed for connection to the freight network.

7.1.17 Finally, paragraph 4.89 outlines that SRFI as a minimum should be able to handle four trains per day, ideally with the capability to increase the number of trains handled. They should also ideally be able to handle a 775 metre train.

Commentary

7.1.18 Both Oxfordshire County Council and Cherwell District Council have declared a Climate Change Emergency. As part of this there is a commitment to reduce carbon emissions. The OCC Local Transport and Connectivity Plan states that the movement of goods in HGV's and Light Goods Vehicles contributes to emissions, congestion and impact on the environment. The supporting text to Policy 47 refers to the priority to support the modal shift of freight to rail providing this does not affect the passenger rail work. The supporting text goes on to refer to having a clear policy direction to encourage rail freight. The need to move more freight via rail based transport is therefore supported. This need has to be balanced against the environmental impacts of providing such infrastructure. Based on the proposals forming the basis of the Stage 2 Consultation, both Cherwell District Council and Oxfordshire County Council have concerns over the environmental impacts of the proposals and whether these can be sufficiently mitigated.

7.1.19 The NPS outlines several criteria that must be met for a proposed Rail Freight Interchange to address the need for SRFI outlined within the NPS.

7.1.20 Firstly, SRFI need to be appropriately located to ensure they have access to both the Strategic Road network and the rail freight network (NPS Paragraphs 4.81 and 4.82). The applicant has outlined in their Planning Statement and in the criteria used in their Assessment of Alternatives that the proposed site provides links to the Strategic Road Network via Junction 10 of the M40 and connection to the rail freight network via the Chiltern Main Line.

7.1.21 Whilst the Councils' continue to question whether the Chiltern Main Line provides the most appropriate link to the rail freight network within Oxfordshire (especially given the opportunities that EWR may provide for freight connections to the east) it is acknowledged that the site is capable of being connected to the existing freight network and that its proximity to Junction 10 provides a connection to the Strategic Road Network.

7.1.22 Another essential criteria is proximity to the markets which the SRFI would serve, noting the support of the NPS on SRFI that can serve the South East (NPS Paragraphs 3.103, 3.105 and 4.81).

7.1.23 The Planning Statement and Rail Report submitted by the applicant envisage the OxSRFI serving markets in London and Birmingham along the M40 Corridor as well as other urban locations within Oxfordshire. If this is the case then it is envisaged that the location of the SRFI could fill the criteria of being located near the markets they serve. However, the councils have not been presented with a Marketing Report which is referenced in paragraph 3.9 of the submitted Planning Statement and so it is not explicitly clear which markets the SRFI would serve.

- 7.1.24 If Birmingham is to be one of the target markets for the SRFI then there are several existing SRFI in greater proximity to Birmingham (such as East Midlands Gateway, Northampton Gateway, and DRIFT) which are better placed to serve the market, particularly as these facilities are located adjacent to freight lines which are more active than the Chiltern Main Line.
- 7.1.25 If the target market is to be considered London, then the site's location approximately 50 miles from the outskirts of greater London via the M40 could not be considered 'near' to the target market.
- 7.1.26 Whilst the councils await further detail of the markets the proposed site would be intended to serve it is acknowledged that the location of the proposed SRFI would allow it to serve major urban centres such as Oxford, Northampton or Milton Keynes via the Strategic Road Network and as such is likely to be considered by the SoS to be located near major urban centres, particularly those within the South East
- 7.1.27 Another essential criteria of an SRFI is the ability to handle 4 goods trains per day and as well as trains up to 775m long (NPS paragraph 4.89). The Councils acknowledge the position statements of Network Rail and GB Rail Freight which indicates that modelling has been carried out and at least 4 paths in and out of the site have been identified as possible throughout a 24 hour period.
- 7.1.28 Whilst it is acknowledged that based on previous SoS decision letters for SRFI, it is likely that the Network Rail position statement will be sufficient to provide the SoS confidence that the proposed development will meet the criteria of paragraph 4.89, the Councils remain concerned around the viability of the proposed freight paths. The Council's comments regarding rail can be found in section 8.2 below.
- 7.1.29 Broadly the Councils concerns relate to the viability of the site as a commercially attractive SRFI based on it's siting on the Chiltern Main Line and the difficulty associated with pathing freight to this location from deep sea ports. Suggestions are made at 8.2 below on how the applicant could alleviate these concerns.
- 7.1.30 In relation to the length of train that the proposed development site would be able to accommodate, the Councils are content with the evidence provided by the applicant in their Rail Report and railway general arrangement drawings as well as the position statement of Network Rail, that the proposed terminal will be capable of serving goods trains up to 775m long.

- 7.1.31 Paragraph 4.82 of the NPS outlines that SRFI need to be located on route with at least W8 clearance. The Councils note and acknowledge the Network Rail position statement which indicates that a gauging study has been undertaken which outlines that W8 gauge clearance can be achieved on routes to and from the site, but that this would require works to be undertaken to Ardley Tunnel to ensure that there is clearance for W8 gauge. The Councils also note that Work No.38 as identified in Schedule 1 of the dDCO would secure these works. Given this the Councils are content that the proposed development would meet the gauging criteria outlined in paragraph 4.82 of the NPS.
- 7.1.32 However, as is outlined in section 8.2 below the Councils have concerns that the site only being served by W8 gauge clearance would impact the commercial viability of the SRFI. As outlined above if the site is not commercially attractive it will not address the need for intermodal freight terminals established within section 3 of the NNNPS.
- 7.1.33 Another consideration within the principle of development is the interpretation of several of the paragraphs contained within section 4 of the NPS.
- 7.1.34 Paragraph 4.88 of the NPS outlines that the Secretary of State may consider the need to deliver warehousing ahead of the final delivery and commissioning of connections to the rail network coming forward, but must ensure that the rail infrastructure is delivered 'in a timely manner'. This paragraph also outlines that the applicant should provide evidence of discussions and demonstrate agreement with Network Rail regarding the planned timeframe for the delivery and commissioning of rail network connections.
- 7.1.35 The Councils note the inclusion of a Grampian Requirement at Requirement 5 of Schedule 2 of the DCO which would limit to amount of warehousing floorspace that could be occupied within the site to 232,258 square metres until a freight terminal capable of handling four 775m trains per days has been constructed and is available for use.
- 7.1.36 It is noted that similar requirements have been used for previously consented SRFI, such as Requirement 2 of the East Midlands Gateway DCO, and Requirement 3 of the Northampton Gateway DCO following an Amendment Order approved by the SoS in October 2023.
- 7.1.37 The Councils will outline their concerns about the cumulative impact of the SRFI and other logistics parks within the area below, however a key concern is that without the intramodality provided by a rail terminal connected to the freight network, the site will operate as a logistics park with freight being transported both to and from the site exclusively by HGV. This would result in the proposed development failing to address the national need for SRFI outlined within Section 3 of the NPS.

- 7.1.38 The Grampian Requirement 5 as drafted within the draft DCO does not provide the Councils with sufficient certainty that the required intermodality could be achieved. The drafting outlines that the restriction on occupation only 'until the rail freight terminal which is capable of handling a minimum of four 775 metre trains per day and the associated rail infrastructure required for those purposes has been constructed and is available for use'.
- 7.1.39 The wording of the Requirement does not explicitly reference the connection of the rail terminal to the Chiltern Main Line. As such a situation could arise where the terminal is constructed and 'available for use' but is not able to be used as it is not connected to the freight network. This could result in the full 603,850 sqm of warehousing coming into use for an indeterminate amount of time until the connection to the mainline is established. The requirement should be redrafted to make it explicit that the connection to the Chiltern Main Line is included in the 'associated rail infrastructure'. This approach is consistent with Requirement 3 of the Northampton Gateway Order and would ensure that the development would result in the required intermodality.
- 7.1.40 Furthermore, and in support of this point, the last sentence of paragraph 4.88 outlines that the 'applicant should provide evidence of discussions and demonstrate agreement with Network Rail regarding the planned timeframe for the delivery and commissioning of rail network connections.' Based on the Agreed Position Statement with Network Rail included in the Phase 2 consultation documentation there is not yet an agreed 'connection date' with Network Rail (i.e. a timeframe for the delivery and commissioning of the rail network connections). Without this certainty, the currently proposed wording of the Grampian, which does not explicitly limit occupation until after the rail terminal has been connected to the network, would not provide the SoS with certainty that operational rail connections would come forward in a timely manner as is required by paragraph 4.88.
- 7.1.41 The Ministry of Housing, Communities and Local Government on behalf of the New Towns Taskforce published its report (New Towns Taskforce, Report to Government) in September 2025 shortlisting 12 potential locations for new towns. One of the locations identified for a new town is land at the former RAF Upper Heyford for 13,000 homes. There is currently a live planning application for a mixed-use development on the former airfield at Upper Heyford which if allowed would provide up to 9000 dwellings.
- 7.1.42 The site boundary for the SRFI would adjoin that of the proposed development at Upper Heyford. It is considered that only moderate weight can be attributed to the potential for a new town at Upper Heyford given further work is required by MHCLG on the potential locations and the fact the proposed application is a departure from both the Cherwell Adopted Local Plan and Draft Local Plan.

- 7.1.43 Paragraph 4.83 of the National Policy Statement states SRFIs tend to be large scale commercial operations, which are most likely to need continuous working arrangements (up to 24 hours). By necessity they involve large structures, buildings and the operation of heavy machinery. In terms of location therefore, they may not be considered suitable adjacent to residential areas or environmentally sensitive areas such as National Parks, the Broads and Areas of Outstanding Natural Beauty. However, depending on circumstances, appropriate mitigation measures may be available to limit the impacts of visual intrusion, noise and light.
- 7.1.44 Given the NPS recognises that SRFI's need continuous working arrangements and may not be suitable to adjacent to residential areas, both CDC and OCC request further information on the noise, air, and light impacts on the residential dwellings forming the basis of submitted application (LPA Ref; 25/02190/Hybrid) at Upper Heyford.
- 7.1.45 Paragraph 4.83 of the NPS refers to SRFI's tending to be large scale operations. The NPS does not however prescribe an upper or lower limit on the amount of warehouse floorspace required to operate an SRFI. Paragraph 3.8 of the draft Planning Statement sets out a description of the proposed SRFI scheme. It states that one of the main components is up to 603,850sqm of warehousing and ancillary buildings plus up to 201,283sqm of additional floorspace in the form of mezanines. As the mezanines will form part of the primary use of the development (Use Class B8) they should be included as part of the overall Use Class B8 floorspace proposed. Further justification should also be provided on why this level of warehouse floorspace is required given the environmental harm that would arise from such a large level of development.

Conclusions on the Principle of Development

- 7.1.46 The Councils require further evidence to be satisfied that the SRFI is located near to the market that it would serve in line with paragraph 3.103 of the NPS.
- 7.1.47 The Councils would like to see Requirement 5 redrafted to make it explicitly clear that the remaining warehousing could not be occupied until the rail terminal and associated infrastructure is available for use and connected to the Chiltern Main Line.
- 7.1.48 The Councils request further information on how the proposed development would not result in an adverse impact on adjacent proposed residential development at Heyford Park to ensure compliance with NPS paragraph 4.83.
- 7.1.49 In addition to addressing the concerns listed above with the principle of the development, the applicant must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately managed and/or mitigated through the DCO process. The topic sections of below therefore consider the potential impacts of the development and will discuss the adequacy of any proposed mitigation measures.

8 Environmental Impacts

Chapter 8 and sub-chapters consider the environmental impacts of the proposed development.

Each chapter identifies the relevant policies within development plans and other local policy, the key issues raised by the proposed development, the extent to which the applicant addresses them and thus the degree to which the councils consider the proposal to comply with local policy and where applicable the NPSs. Each chapter is based on a chapter within the draft Environmental Statement (with the exception of Design) and will also provide comments on any relevant supporting documentation.

Where applicable, additional mitigation or amendments to the scheme deemed necessary to reduce its local impacts are suggested.

In assessing the local impacts of the proposals, the Councils have drawn on the expertise of both relevant qualified officers of their councils e.g. environmental health, ecology, landscape, minerals and waste alongside that of external professional consultants to ensure that a suitably qualified response, based on local knowledge and expertise, is provided on each of the issues. Each environmental impact is considered below

8.1 Design

Summary

- The applicant has presented a generally well-considered approach to urban design. It is considered that the balance between functionality, flexibility and aesthetics is successful. In instances where detailed design of the buildings do not accord with the principles set out within the Design Document, then clear and compelling justification should be provided.
- The planting proposed along key road, pedestrian and cycle routes, as well as the bunding should be implemented at the earliest stage of the development process.
- The colours of the warehouse buildings should be informed by a separate Environmental Colour Assessment (ECA) that should be developed in accordance with the Landscape Institute Technical Note 04/2018.
- Adherence to The Design Approach Document Principles and Coding should be conditioned.

Policy Detail

- Paragraphs 4.27 to 4.32 of the National Networks NPS relate to the importance of the delivery of good design for national network infrastructure. It states that design should be an integral consideration from the outset. Well-designed infrastructure should be delivered that gives places a strong sense of identity, make a positive contribution toward local landscapes.

- In relation to urban design, proposals should meet the objectives of the mitigation hierarchy to avoid, mitigate and as a last resort, compensate for the identified problems and existing adverse impacts. The scheme design should incorporate both functionality and aesthetics and give regard to industry good design guidance.
- The submission should demonstrate how the design process was conducted, include engagement with local communities and detail on the evolution of the design of the proposal.
- Policy ESD15 of the Cherwell Local Plan states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. It further states that all new development will be required to meet high design standards. Design should deliver high quality, safe, attractive, durable and healthy places to live and work in. Buildings places and spaces should be delivered that adapt to changing social, technological, economic and environmental conditions. Development proposals should also support the efficient use of land and infrastructure, through appropriate land uses, mix and development intensity.
- Policy ESD10 of the Cherwell Local Plan states that development will be expected to respect and enhance local landscape character and secure appropriate mitigation where damage to local landscape character cannot be avoided.

Commentary

- The applicant has submitted a Design Approach Document, which outlines the design approach taken to the layout and orientation of buildings, scale, height and massing, appearance and materials, building signage and numbering, hard infrastructure (including car parking, service yards, boundary treatments, security and retaining features), active travel infrastructure, on-plot amenity, landscape design.
- The Design Code will identify the coding principles to be referenced within the design of each building and its plot layout, The overall objective will be design buildings that respond to the needs of future occupiers needs and be flexible and functional. In the design evolution of each building, high quality design, placemaking, connectivity and wellbeing will be key drivers, as outlined within the Design Approach Document.
- Cherwell's Urban Design Officer has considered the details presented and considers that the scheme has been developed through an iterative process of design and assessment. The Urban Design Officer considers that the scheme has been generally well integrated into the landscape, particularly through the re-use of the listed farm building, retention of existing planting, new planting and the creation of new pedestrian and cycle routes.
- Strategic planting associated with the road, pedestrian and cycle network and bunding will need to be implemented at an early stage in the life of the project.
- If future proposals do not accord with the coding principles, clear justification must be provided, and it must be shown that any alternative design solution

will in no way undermine key design objectives expressed throughout the Design Code.

- In relation to the scale, height and massing of the proposal as well as appearance and materials , the Design Approach Document states that the banding colours on the warehouse will grade from darkest at ground level up to the lightest colour at the parapet line, with the objective being that this would visually soften the building's form against the skyline. Cherwell would add to this point that the exact colours should be informed by an Environmental Colour Assessment (ECA) that should be in accordance with the Landscape Institute Technical Note 04/2018.

8.2 Transport and Access

Summary

- There has been extensive engagement with OCC and National Highways officers through the Transport Working Group. The approach to testing the peak hour traffic impact in terms of capacity is agreed, but some scenario testing has yet to be done, including opening year and 'with travel plan' scenarios. Further cumulative scenarios to include other development proposals in the area are likely to be required for the Examination in 2026.
- The Public Transport Strategy is agreed by officers, and contributions are offered to allow the site to be connected to Bicester and Heyford Park on a half-hourly service including early and late and weekend services.
- Significant traffic mitigation would be provided as part of the scheme, including extensive changes to M40 J10, a change to the A34 approach to M40 J9, a by-pass for Ardley in Phase 1 and a relief road for Middleton Stoney in Phase 2, which would be accompanied by pedestrian improvements in Middleton Stoney village. The new roads are considered by officers to be a requirement for environmental reasons and in the case of Middleton Stoney, to enable the development to be served effectively by bus.
- Highway works general arrangements have been reviewed by officers and are considered acceptable subject to review of further detail and detailed capacity testing, consideration of lower speed limits, and review of the lighting strategy.
- Further mitigation on the B4030 corridor towards Bicester is still being discussed with officers.
- Significant improvements to public rights of way connectivity in the area are proposed, but there are some gaps and queries highlighted in this report, which should be the subject of further discussion ahead of the DCO submission.
- Cycle facilities would be provided through the site and on adjacent and new roads, but a commuter-style cycle route to Bicester is not currently proposed. Officers consider that this should be provided and further information is expected.
- All post completion lorry movements would be routed directly to M40 J10, enforced through physical measures and cameras, and villages accessed north of the site from the B430 would be protected by environmental weight limits as part of the Development Consent Order. The details of the proposed environmental weight limit areas are still being reviewed by officers.
- Construction routes and accesses would not be fixed by the DCO but would be subject to later approval for each element of the project. Officers require this to be considered ahead of the DCO submission and restrictions set out in the overarching CEMP or an overarching CTMP.

- Primary vehicular access would be via a signalised roundabout on the B430 immediately south of the Chiltern main line. The Ardley bypass would lead from this roundabout, with the current B430N being closed to motor traffic at this point.
- Secondary vehicular access at the southern end of the development would be for bus and active travel only.
- The number of car and cycle parking spaces is not specified. This is likely to be the subject of further detailed submissions and officers will expect it to confirm to OCC Parking Standards.
- A Framework Travel Plan is being reviewed by our Travel Plans team.
- The assessment of environmental impact of traffic across the day has not yet been completed and is subject to the further scenario testing mentioned above. Whilst not falling within the transport chapter, the Noise and Vibration Chapter states that the noise impact of traffic has not yet been assessed.
- Officers have concerns about the impact of construction traffic on the B430 through Ardley, ahead of the opening of the Ardley bypass. A haul route on the alignment of the bypass should be considered – further information is required.
- A Sustainable Transport Working Group is proposed to monitor the travel plan and HGV routing Strategy. Terms of reference will need to be agreed ahead of the DCO submission. A S106 contribution will be required to cover the cost of monitoring by OCC
- OCC has concerns about the viability of the site an intermodal freight terminal based on the freight paths proposed by the applicant and due to the inability to achieve a gauge clearance greater than W8.
- OCC also has ambitions to deliver a new station at Ardley. It is possible that this station will not be at the site of the former Ardley Station. OCC will undertake further work to shortlist potential sites for the Ardley Station.

Mitigation/Improvements

- Further scenario testing needs to be completed by the applicant including opening year ‘with travel plan’, and taking into account further cumulative scenarios that are reasonably foreseeable.
- Highways works general arrangements will require further review once further detail is available.
- Some gaps and queries in the PRow improvements should be addressed.
- A commuter style cycle route from Bicester is required. Further dialogue with OCC is needed.
- The details of the proposed environmental weight limit areas are still being reviewed by officers. OCC requests further dialogue with the applicant once this review is completed.
- Construction routes should not be left until detailed design stage, these need to be considered ahead of the DCO submission.

- Numbers of cycle parking spaces and their design needs to be in accordance with OCC's parking standards.
- The Framework Travel Plan is still being considered by OCC's officers. OCC request future dialogue on this if required.
- The noise impact of traffic during construction and operation needs to be assessed.
- The applicant should consider a haul route along the alignment of the Ardley Bypass during the earliest stages of construction to reduce the amount of construction traffic that would need to route through Ardley.
- Terms of reference for the Sustainable Working Group need to be agreed prior to submission.

NPS	NNNPS
CDC	
OCC	<p>Bicester Area Transport Strategy</p> <p>Local Transport and Connectivity Plan (2022):</p> <p>Policy 1 – Transport User Hierarchy</p> <p>Policy 2 – Cycle and walking networks</p> <p>Policy 3 – Local Cycling and Walking Infrastructure Plans</p> <p>Policy 4 – Strategic Active Travel Network</p> <p>Policy 5 – Public Rights of Way</p> <p>Policy 6 – Greenways</p> <p>Policy 9 – Health Impact Assessment</p> <p>Policy 15 – Vision Zero</p> <p>Policy 21- Rail Strategy</p> <p>Policy 29- Zero Emission Vehicles</p> <p>Policy 30- Green Infrastructure</p> <p>Policy 31 – Network Management</p> <p>Policy 33 – Parking Management</p> <p>Policy 40 – Connected and Autonomous Vehicles.</p> <p>Policy 47 – Freight and Logistics Strategy</p> <p>Policy 48 – Long Distance Movement</p> <p>Policy 49- Local Movement</p> <p>Policy 50 – Last Mile Movement</p> <p>Policy 52- Movement and Place Strategies</p> <p>Oxfordshire County Council Freight and Logistics Strategy (July 2022):</p> <p>Action 1. Promote Rail Freight</p> <p>Action 2. Work with stakeholders to increase rail network capacity</p> <p>Action 6. Work and lobby a range of stakeholders at the regional and national level to encourage the shift of long</p>

	<p>distance freight from road to rail.</p> <p>Action 9. Promotion of Oxfordshire HGV Route Map.</p> <p>Action 17. Promote the creation of rest stops and lorry park facilities.</p> <p>Action 18. Support of the freight industry's electric vehicle charging requirements.</p> <p>Action 19. Monitor alternative HGV fuel requirements and options</p> <p>Action 20. Strategically locate refuelling infrastructure.</p> <p>Action 25. Support the provision of freight interchanges.</p> <p>Action 30. Promote cycle freight across Oxfordshire.</p>
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Policy Detail

- 8.2.1 Paragraph 4.82 of the NPS outlines that adequate road and rail links are essential to SRFI developments.
- 8.2.2 Paragraph 5.271 states that applicants should consult with Local Authorities and Transport Authorities and that applicants should have appropriate regard to Local Plans and Local Transport Plans, Local Cycling and Walking Infrastructure Plans and Public Rights of Way Improvement Plans.
- 8.2.3 Paragraph 5.273 outlines that applicants should seek to offer an integrated transport outcome, significantly considering opportunities to support other sustainable transport modes, as well as improving local connectivity and accessibility in developing infrastructure. The needs of pedestrian and other vulnerable road users should be considered, where appropriate, in line with the principles of the road user hierarchy.
- 8.2.4 For SRFI paragraph 5.276 states the applicant's assessment should include an assessment of the transport impacts on other networks as part of the application, based on discussions with the Local Highway Authority and Local Planning Authority
- 8.2.5 5.728 outlines that applicant should also prepare a travel plan outlining management measures to mitigate transport impacts. This plan will understand the needs of people walking, wheeling or cycling. Audits should be undertaken and opportunities should be explored to improve the environment for all users including providing appropriate facilities. The development should also facilitate modal shift by enhancing modal interchanges. Proposals should reduce the need for parking and should make provision for alternative fuels.
- 8.2.6 Paragraph 5.781 states that mitigation should be proportional, reasonable and focussed on facilitating journeys by active travel, public transport, shared transport and cleaner fuels.

- 8.2.7 Paragraph 5.783 outlines that the applicant should provide evidence that the development improves the operation of the network and assists with capacity issues.
- 8.2.8 When it comes to decision-making in relation to SRFI paragraph 5.290 states that where a development negatively impacts on surrounding transport infrastructure including connecting transport networks, the Secretary of State should ensure that the applicant has taken reasonable steps to mitigate these impacts. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should expect applicants to accept requirements and/or obligations to fund infrastructure or mitigate adverse impacts on transport networks
- 8.2.9 CLP...
- 8.2.10 Improving connectivity between key employment and residential sites and the strategic transport system is one of the policies in the existing Bicester area transport strategy – BIC1. There has been extensive work on assessing the impact and options for mitigating the proposed development's impact at Junction 10 of the M40. This is the right approach to safeguard the villages and local Bicester roads from vehicles travelling longer distances. This is summed up in the Preliminary Environmental Information Report, Appendix 3.25 in paragraph 4.1 with vehicles reassigning to higher category roads.
- 8.2.11 Reducing the impact on the B430 by delivering improvements at Junction 9 of the M40 is also welcomed, where there are considerable existing congestion problems, and works to keep vehicles heading northbound towards the development site on the strategic road network is an appropriate strategy.
- 8.2.12 The policy emphasis within the Oxfordshire Local Transport & Connectivity Plan is on sustainable transport. Although a development of this nature will inevitably produce a high number of motorised vehicles, it is imperative that as many trips as possible are by active travel or public transport. Chapter 3, Appendix 3.1 sets out the Sustainable Transport Strategy and there is more detail provided in the separate Public Transport Strategy report. From a transport strategy point of view, the focus on bus is appropriate and ensuring that the proposed Ardley passenger station is not prejudiced is also welcomed.
- 8.2.13 The Bicester cycle connectivity plan in Appendix K contains a number of improvements – this is covered in more detail below, including the need for a commuter cycle route provision between the site and Bicester.

Commentary

- 8.2.14 There are considerable transport challenges given the location. The site is in a rural area but close to M40 J10. It will generate significant amounts of traffic movements, including a very high number of HGV movements being concentrated at the site, both associated with the warehousing and the rail terminal. (There will be HGV trips to and from the rail terminal that are not associated with the warehousing.)
- 8.2.15 The strategy to direct all HGV movements directly to M40 J10 is supported and must be controlled. Ardley village is located on the B430 between the site and M40 J10, and would be bypassed as part of the scheme's embedded mitigation, protecting the village from the environmental impact of HGV and other traffic. This infrastructure is required prior to first occupation of the site and significant use of the B430 by construction traffic.
- 8.2.16 Substantial improvements are proposed to M40 J10, also as embedded mitigation. This includes changes to the slip roads and the junctions through from Ardley Roundabout to Baynards Green, as well as an additional northbound direct connection between M40 S and A43 N. These changes have been the subject of extensive engagement with National Highways and OCC.
- 8.2.17 For phase 2 of the development, the existing road link to Heyford Park from the B430 is proposed to be stopped up and a Heyford Park Link Road provided immediately south of phase 2 of the development. This will link to the B430 with a signalised junction. Immediately south of this, a signalised junction will provide access to a Middleton Stoney Relief Road between the B430 and the B4030, to mitigate the impact on Middleton Stoney Village and provide a route for a reliable bus service between the site and Bicester.
- 8.2.18 The proposed highway works are set out in section 2.7 of the consultation plans, with an overview of phase 1 and phase 2 works in the ES Chapter 3. Phase 2 (full build out) is expected in year 4 of the development.
- 8.2.19 A Sustainable Transport Strategy, including a good bus service and active travel infrastructure, which will be supported by a Travel Plan, seeks to encourage sustainable travel to the site, but the traffic assessment is based on what we consider a realistic modal share given the rural nature of the site and dispersed travel patterns. A 'travel plan scenario', which assumes travel plan targets to reduce car mode share are achieved, has yet to be modelled.

Adequacy of the draft ES and proposed mitigation

Vehicular Access Arrangements

- 8.2.20 The primary vehicle access would be via a signalised roundabout on the B430 immediately south of the Chiltern Main Line. Officers have reviewed the General Arrangement drawing and are content with the arrangements in principle subject to the approval of detailed design and final traffic modelling, provided sufficient land is included with the DCO to carry out the works.

- 8.2.21 The junction will incorporate physical measures to require HGVs to turn left out of the site, as set out in section 4 of the proposed HGV Routeing Strategy. A bypass lane with a rising barrier will allow buses to turn right out of the site.
- 8.2.22 The secondary access would be for controlled for active travel and buses only, at the southern end of the development spine road. OCC's preference would be for this to be controlled formally by an Order preventing traffic from turning from the highway into the secondary access.
- 8.2.23 The B430 would be closed to motor traffic north of the site access and diverted onto the Ardley bypass. The link would remain open for non motorised users.
- 8.2.24 A signage strategy has been provided which shows the proposed directional signs on the new highway works. OCC requires further time to review the detail of this, but we have the following comments:
- The freight terminal will be attached to a logistics park, which will probably have a name – shouldn't the name be on the signs?
 - RAF Croughton (signed from B4100) spelt incorrectly
 - Why would the freight terminal not be signed from B4100? It will employ thousands of people. If it's only being signed from freight routes, then why is it being signed from the B430 south?
 - RS25 (on exit from the freight terminal) should say something about HGVs not being allowed to turn right to Bicester and Middleton Stony.
 - RS83 should indicate the turn into the Rail Freight Terminal is for buses and deliveries only (this access will be gated with a rising barrier)
- 8.2.25 A financial contribution will be required for OCC to install signage further away from the site, on existing routes. The amount is to be confirmed.

Active Travel

- 8.2.26 Cycle and pedestrian access is shown in the Walking, Cycling and Rights of Way Strategy Plan and provides an off-carriageway link to Ardley as part of the main access junction/Ardley bypass works. An off-carriageway cycle link would connect the site at its southern end to works to be provided by the current permissions at Heyford Park in Phase 1, and a cycle route along the site frontage on the B430 would be provided.

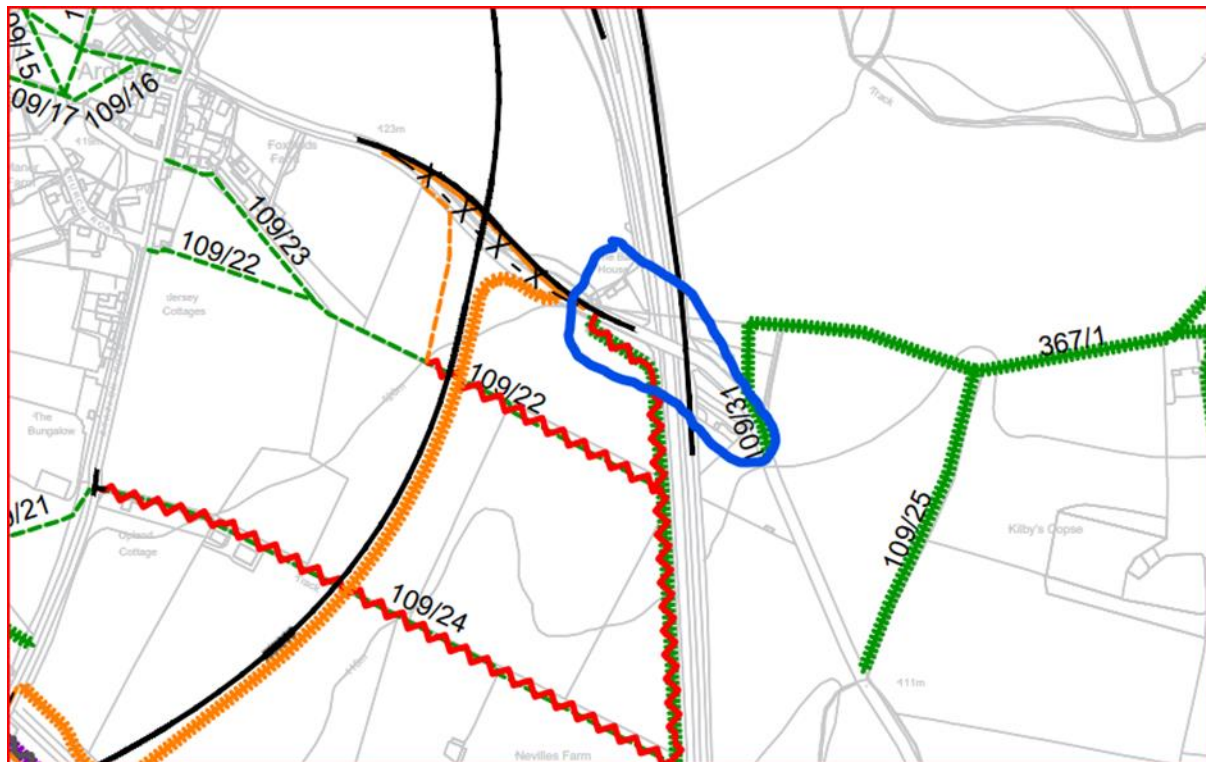
- 8.2.27 The Sustainable Transport Strategy acknowledges the importance of providing a cycling route to Bicester, and this is a requirement that OCC strongly supports. In phase 1 this is proposed to be part-provided via the Greenway bridleway upgrade via Trow Pools Nature Reserve to Aldershot Farm at NW Bicester, which is to be funded from current planning permissions at Heyford Park, as well as funding from development at NW Bicester. This will eventually provide a route away from motor traffic, suitable for use by all types of bicycle, horse and pedestrians but would be unsealed, narrow, unlit and isolated, and therefore unattractive for many users as a commuting/utility route and not compliant with LTN 1/20 standards, albeit it would be used by some commuters in preference to cycling along roads, and for leisure purposes
- 8.2.28 In Phase 2, it is proposed that an off carriageway cycle link would connect the southern access alongside the new Heyford Park Link Road and Middleton Stoney Relief Road to a new cycleway connection linking with the minor road between Middleton Stoney and Bucknell, where cyclists could cycle on-carriageway (with traffic calming) into the future network of the proposed Hawkwell Farm cycle routes, or the eastern portion of the above mentioned bridleway. The Sustainable Transport Strategy describes how this option (Route 3) was selected over a route (Route 4) that continued alongside Middleton Stoney Road to connect with existing and proposed facilities at the forthcoming Himley Village development. The main reason was constraints of available highway width along Middleton Stoney Road.
- 8.2.29 Given the very large scale of the development and number of employees, many of whom would be able to cycle from Bicester, OCC considers that the cycle route must be of a utility/commuter style and in accordance with LTN 1/20, including appropriate lighting. The proposed Route 3 would not be compliant with LTN 1/20 as it is not lit along its entire length and includes on-carriageway cycling through Bucknell, albeit via rural lanes, would not be suitable for all users in accordance with LTN 1/20, based on traffic speeds and volume.
- 8.2.30 Route 4 alongside Middleton Stoney Road should be further explored. OCC would accept departure from LTN 1/20 at pinch points in terms of width and segregation, given that there would be very small numbers of pedestrians, and, while we would not support the removal of significant trees and hedges, the DCO would allow additional land behind the hedge/trees to be CPO'd where necessary. This route is more legible and direct than the other options and therefore more likely to be used. It would connect to a major active travel scheme on Middleton Stoney Road leading into Bicester. The scheme should include wayfinding along the route, within the site, and within Bicester.

- 8.2.31 Additionally, improved pedestrian facilities would be provided in Middleton Stoney, and there would be cycle connections within the site, including a publicly accessible route along the spine road (also set out in the Sustainable Transport Strategy). Appendix M of the Sustainable Transport Strategy shows how the improvements would be phased.
- 8.2.32 The scheme would also provide improved pedestrian/cycle connectivity as part of improvements at M40 J10, where currently there is no safe way to walk or cycle across the junction. (The nearest shops to Ardley Village are at Cherwell Valley Services on the opposite side of the M40.) However, this is not shown as a continuous link on the WCH Strategy Plan – this should be clarified.
- 8.2.33 We would also like to point out that the Figure 5, Page 10 of Chapter 3 of the Preliminary Environmental Information Report (PEIR) is out of date and Bicester has an updated town and villages map for LCWIP, follow the link - <https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-policies-and-plans/BicesterLCWIPTownVillagesmapUpdate2023.pdf>
- 8.2.34 Active travel routes within the site are indicated on the illustrative masterplan, but it's not possible to distinguish footpaths from cycle paths. Cross sections are not provided – we will expect these to be compliant with LTN 1/20. We will require further details for approval.
- 8.2.35 In order to minimise cycling distances, a cycle route should connect the Hub to the cycle path along the B430. The B430 cycle path appears to divert behind buildings, which may present a problem for dedication as highway, and should be avoided.

Public Rights of Way

- 8.2.36 **WCHAR Assessment Report.** The contents of this are noted. STRAVA Heatmaps only record uses by users of STRAVA and so are not a comprehensive source of information. Alongside Heatmaps, reference should be made to 'segments' which are user defined within STRAVA. With regard to the 'no equestrians' statement at 3.154 this needs to be read in the context of a currently disconnected public rights of way network that intersects with busy and noisy roads. So although current use is low or non-existent it is more likely to mean that these users are being restricted by these issues and that their use of an improved/mitigated network will increase as a result of proposed measures.

8.2.37 Access and PRow Strategy Plan. This is a broadly welcomed wide ranging set of impacts and mitigation measures, and discussions to date have been positive. What is missing is at the Ardley Road, where the M40 overbridge is almost impossible for NMUs to navigate safely. In addition the revised road and bridleway arrangement moves the path further away from the bridge and the paths east of the M40. This oversight needs to be included in the dDCO order limits (extend to include this along with on/off carriageway mitigation measures as per Bucknell Road Bridge 22).



8.2.38 Phase 1 Access and PRow Plan. Phase 1 proposes stopping up the public rights of way across the site, the proposed link to Ardley across the railway, stopping up the unnamed road to the B430, and stopping up rights of way west of the M40. In terms of replacement PRow there's a walk/cycle connection from Ardley bridleway 27 which joins on to a new bridleway to Aves Ditch (south of Camp Road/Chilgrove Drive junction), and a link parallel to the railway from Ardley Bridleway 26 west and north to the Ardley Road. The new bridleway to Chilgrove Drive just terminates on the B430 with no onward connection. What seems to be missing is the key connection around the western perimeter of the site so that the Aves Ditch (south) bridleway can have a route north to the Somerton Road. There's also no temporary or permanent connection to Ardley in the form of a dedicated bridleway bridge over the railway line. The new Bridleway from Chilgrove Drive needs to have an onward connection over the B430 to the east. Phase 1 works should be adjusted so that the impact on residents and PRow users is recognised and more mitigation/benefits are brought forward to the pre-occupation stage. Note that this should include both of the M40 overbridge and approach roads improvements for NMUs.

8.2.39 Phase 2 Access and PRow Plan. Phase 2 proposes providing the upgraded footpath to bridleway from the Cherwell Valley Greenway south west to the new Middleton Stoney access road, diverting the bridleway to Trow Pools at the Bucknell Road, Providing NMU facility at the M40 overbridge and approaches between the two bridleways forming part of the Cherwell Valley Greenway. On site the major proposal is the creation of the western perimeter bridleway from Chilgrove Drive, east round the airfield up to Ardley and Somerton Road. Given the size and scale of the development and the disruption caused by roads and the loss of onsite bridleways and connections I think it is reasonable to ask that ALL public right provision is brought forward to Phase 1. This will provide timely mitigation and enable existing and new residents and colleagues to benefit from the better networks whilst the development is then built out and occupied. This would also enable landscaping and habitat/wildlife elements along the path corridors to mature and at an earlier stage. Note that even if the works are provided at phase 1 temporary restrictions would be possible for operational developments.

8.2.40 Bridge 2 (proposed bridleway crossing of revised railway line) to Ardley. This needs to be included in phase 1, alongside the bridleway creation as this is a replacement for the stopped up bridleways and committed link to Ardley from Heyford Park development

8.2.41 Bridge 8 and 9. Quarry/Landfill site railway overbridge. Works to provide this for NMUS along with the linking bridleways need to be included within phase 1.

8.2.42 Bridge 16 (Ardley Road overbridge). There's no specific equestrian provision apparent here and this should be corrected by adjusting parapet height and the surface/width provision as NM equestrians will need to pass west and east from here. Importantly as per the map extract above, there's no provision along the Ardley Road for equestrians between the diverted bridleway 109/26 and the bridleway 109/31 east of the M40. The dDCO boundary needs to extend to include this along with on/off carriageway measures as per Bucknell Road (Bridge 22).

8.2.43 Bridge 19 (Middleton Stoney Relief Road underpass). The provision of a box culvert is noted to accommodate the proposed new bridleway. Ideally the headroom would be increased along with increased insulation to reduce the feeling of enclosure and noise/vibration from vehicles passing overhead. Drainage needs to extend past the curtilage of the structure to ensure year round use is possible and careful design should be applied for surface treatment, lighting and wall covering material. Approach slopes and any fencing needs careful design to ensure suitable all year surface, visibility and protection from unauthorised access.

8.2.44 Bridge 22 (Middleton/Bucknell Road overbridge). Works to provide NMU safety features incl equestrian parapets, signalised shuttle and allocated/separated carriage way and approaches for NMUs needs to be included in phase 1.

8.2.45 Access and Rights of Way Sheets 1-8. The accuracy of the lines, status and number shown as public rights of way cannot be verified or guaranteed. The walked, ridden or wheeled line on the ground or the status of the route may differ to that recorded on the Definitive Map & Statement and there may be additional unrecorded rights of way in the area covered by the dDCO. Comments on the Access and Rights of Way sheets are therefore made based on the lines shown on the plans without prejudice to the accuracy of those lines, nor the presence or otherwise of unrecorded rights or disputes over access and rights of way related issues.

Sheet Number	Public Right of Way/point	Comment	Proposed solution
1		No comment	
2	All	Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing adjustment requested	Bring works forward to pre-occupation in order to achieve public benefits.
3	All	Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing	Bring works forward to pre-occupation in order to achieve public benefits.

		<p>adjustment requested</p> <p>dDCO does not include M40 overbridge and road to bridleway 109/31 nor NMU provision to Ardley along the carriageway</p>	<p>Extend dDCO boundary to include M40 overbridge and Ardley Road to junction with bridleway 109/31. Include works in pre-occupation phase</p>
4	All	<p>Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing adjustment requested</p>	<p>Bring works forward to pre-occupation in order to achieve public benefits.</p>
5	All	<p>Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing adjustment requested</p> <p>Unclear if new bridleway between 26 and 29 will have grade-separated crossing of the new road</p>	<p>Bring works forward to pre-occupation in order to achieve public benefits.</p> <p>Provide grade-separated or signal controlled crossing of the new road as per 32 and 33</p>
6	All	<p>Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing adjustment requested</p> <p>Unclear if new bridleway between 31 and 32 will be Pegasus type signalised NMU crossing.</p>	<p>Bring works forward to pre-occupation in order to achieve public benefits.</p> <p>Provide grade-separated or signal controlled crossing of the new road.</p>
7	All	<p>Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing adjustment requested</p> <p>Unclear why mitigation works on M40 overbridge and approaches between bridleways 148/6 and 148/4 is not included on this plan</p>	<p>Bring works forward to pre-occupation in order to achieve public benefits.</p> <p>Include mitigation works on M40 overbridge and approaches between bridleways 148/6 and 148/4 on this plan and bring forward to pre-occupation</p>
8	All	<p>Provision supported, subject to detail of route, surface, infrastructure, signing, landscaping etc but timing adjustment requested</p>	<p>Bring works forward to pre-occupation in order to achieve public benefits.</p> <p>Need permanent access</p>

		Unclear why permissive cycling route proposed between point 46 and 60.	rights for the public
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Sustainable Transport Strategy

8.2.46 The Sustainable Transport Strategy presents baseline and target modal shares with comparisons with other SRFIs, as well as TRICS data. The modal share targets of 4% walking and cycling, 8% public transport, 20% car share and 68% single occupancy vehicle represent a 26% shift from the baseline single occupancy vehicle mode share, which is considered ambitious but achievable, given the shift patterns and remote location, and the extensive sustainable travel improvements being proposed. The sustainable travel improvements are considered necessary to contribute to achieving the target modal shares, along with the travel plan

Public Transport

8.2.47 The Public Transport Strategy has been discussed with OCC and reflects the contribution levels and outputs agreed as necessary to mitigate the impact of the development. A Bus Service Contribution would be paid to OCC through a S106 obligation to enable OCC to provide a half hourly service linking the site to Bicester and Heyford, including weekends, early and late services. This is described in paragraph 6.5 with the route shown on Figure 8. It would also provide for a bus service to Banbury covering morning and evening peak hour and shift change, introduced when demand warrants it. The route is shown in Figure 10.

8.2.48 New bus stops would be provided by the developer within the site, on the Heyford Park Link Road, on the B430 and in Middleton Stoney Village.

8.2.49 Some relatively minor points:

- 4.2: Sunday service now in operation, timetable available [here](#).
- 4.3: typo – Headington, not Headingham
- 5.13: implies that Middleton Stoney may not be served by bus without an increase in service (section 6 details that this would not be the case)
- 6.9: typo – A4260, not A4620
- 6.20: the six-month free bus pass offer is most welcome, and we would need to consider how this would be enacted in practice and whether any financial offsets would be needed

8.2.50 For the avoidance of doubt, the contribution figures referred to in 6.11 (services) and 6.14 (infrastructure) are agreed, as well as the reimbursement arrangements for the gross cost contract as discussed.

Cycle and Car Parking

8.2.51 The number of car and cycle parking spaces to be provided is not confirmed. The masterplan is only illustrative at this stage. A commitment to adhere to Oxfordshire Parking Standards should be made, in order to support the Sustainable Transport Strategy

Framework Travel Plan

8.2.52 This is still being reviewed by OCC Travel Plans team.

HGV Routing Strategy

8.2.53 All HGVs from the site would be required to route directly to M40 J10, and not to use the B430 south of the main site. The HGV Routing Strategy (for operational traffic) sets out the permitted routes direct to the SRN.

8.2.54 This route would be supported by signage but also physical measures at the main access (as described above) and ANPR cameras, some on and some off highway on the B430. Those on highway would be managed and maintained by the applicant under licence-type provision with the DCO. The ANPR cameras would detect HGV drivers choosing to do a U turn at Ardley Roundabout to travel south along the B430. The Strategy sets out how monitoring and enforcement would be carried out by the SRFI management company, but data would be provided to OCC, who would have an ongoing role as part of a Sustainable Transport Working Group in setting the level of fines.

8.2.55 The Routing Strategy notes that the routing restriction would not be enforced if the M40 was closed between J10 and J9. When this occurs, the B430 is the official National Highways diversion route. The impact on Middleton Stoney village is significant, due to the proximity of residential properties to the B430, and the additional impact of HGVs from the development should be considered. Data should be obtained on the frequency of such closures in recent years.

8.2.56 Additionally, to prevent the possibility of HGVs from the site using routes through local villages by turning off the B430 into Ardley or Bucknell, a 7.5T environmental weight restriction zone is proposed around the villages to the north and west of OxSRFI, covering Ardley and Fewcott, Fritwell and Bucknell. OCC requires further time to review the detail of these zones, design and positioning of ANPR cameras etc.

8.2.57 Any associated costs for signage and road marking will be met by the promoter.

Proposed Speed Limits

8.2.58 While the proposed speed limits are arguably consistent with Table 2 in [Setting local speed limits - GOV.UK](#)), these are framed as recommendations. In the light of the OCC Vision Zero strategy (information on this in agenda item 8 in [Choose agenda document pack - Cabinet 23 April 2024 | Oxfordshire County Council](#)) and the adoption of a 'Safe System' approach, officers would suggest the following generic amendment to the proposed speed limits on the proposed new roads should be considered:

- Currently proposed 50mph speed limits to be 40mph.
- Currently proposed National speed limit to be 50mph.

- 8.2.59 Based on speed data for what are likely comparable existing roads in Oxfordshire, the actual journey time impacts of the above lower limits should be fairly minimal, also noting that HGVs are subject to a 50mph limit.
- 8.2.60 Further discussion is needed on this, which will need to take into account the design speed of the roads and traffic modelling.
- 8.2.61 The B430 in Ardley could be 20mph to match speed limits in the rest of the village, bearing in mind it will be bypassed by the scheme. Additionally, a Quiet Lane approach could be considered on the stub.
- 8.2.62 Officers would support a 40mph zone approach on the unnumbered roads in the mid Cherwell area which could include e.g. the Bicester – Bucknell – Ardley road.

Sustainable Transport Working Group

- 8.2.63 It is proposed a Sustainable Transport Working Group is set up to monitor the Travel Plan and the Routing Strategy. This is mentioned in the draft DCO in Schedule 2 Part 1, but further discussion is required to agree terms of reference for the group, in order to ensure this requirement is enforceable. OCC normally charges a monitoring fee for travel plans, and in this case a contribution will be required to cover the cost of OCC resourcing their participation in the Sustainable Transport Working group and the necessary monitoring work.

Traffic Impact

- 8.2.64 There has been extensive engagement on the preparation of the Transport Assessment through the Transport Working Group, which includes OCC and NH. Alongside agreement in principle on the sustainable transport and highway mitigation schemes (subject to detailed modelling), there has been agreement on the estimate of trip generation and trip distribution, the calculation of which is set out in appendices 6.1AD, AE and AF.
- 8.2.65 The rail terminal would be a trip generator in its own right, as is the warehousing, but there is interaction between the two. The traffic assessment assumes 12 trains per day, but the NSIP requirement is for a minimum of 4 trains per day.
- 8.2.66 The final trip generation for full development with the proposed sustainable travel improvements but no travel plan is set out in paragraph 8.3 of the Trip Generation technical note appendix 6.1AD.

total development pre-peak hour, peak hour, and daily vehicle trips (no Travel Plan)									
period	light vehicles			heavy vehicles			total vehicles		
	arrive	depart	2-way	arrive	depart	2-way	arrive	depart	2-way
AM pre-peak	665	211	876	124	157	280	789	368	1,156
AM peak	903	97	1,000	172	159	331	1,075	256	1,331
PM pre-peak	217	806	1,023	132	89	221	349	895	1,244
PM peak	298	1,038	1,336	157	143	300	455	1,181	1,636
daily	7,929	7,801	15,730	2,459	2,461	4,920	10,388	10,262	20,650

8.2.67 OCC is satisfied that this estimate is reasonably robust and represents a modal share with the proposed connectivity improvements but without additional incentives for sustainable travel that would be introduced through a travel plan.

Trip distribution (origin and destination of vehicle trips) for light vehicles was derived from the BTM, which is a gravity model. For HGV trips, a bespoke trip distribution was agreed with OCC and NH as set out in Appendix 6.1AF HGV Trip Distribution.

8.2.68 It was agreed that the impact of the development would be tested in the opening year (2031) and completion year (2034). The reference case includes all committed development and forecast local plan allocation completions for 2031, scaled up proportionately for 2034. It includes the Albion Land development proposals at Baynards Green because they gained a CDC resolution to grant permission in August. Note that it does not include Puy du Fou or the Heyford Park new town proposals; at the time of writing these are not considered committed development, however, this position is likely to change ahead of or during the Examination, so officers advise that it is considered as soon as reliable information becomes available.

8.2.69 To date only the full development 2034 scenarios – reference case RC3A and ‘Do Something’ DS3A (with development) have been tested. Further scenarios will test the development impact cumulatively with draft local plan development (2042) and provide for the NH requirement to test the full development in the opening year. ‘With travel plan’ scenarios will also be tested.

8.2.70 The Do Something scenario includes the embedded highway works listed in the Stage 2 Modelling Report at paragraph 3.14. In addition to the new roads directly connecting to the new development and improvements at M40 J10, an improvement to the A34 approach at M40 J9 is also included.

- 8.2.71 The strategic modelling has been undertaken using the Bicester Transport Model, as agreed with OCC and NH. As set out in Appendix 3.5 of the Transport chapter, the model has a 2016 base year, but was not revalidated in 2021 due to lockdown impacts. Instead, the developers' consultants worked on the model to address issues on the A43 near Baynard's Green Roundabout, the A41 and the B4100. The model was then agreed for use. Further information on validation of the BTM should be provided as supporting material.
- 8.2.72 Figures 3 and 4 of the Stage 2 Modelling Report show how the BTM assigns development traffic to the network in each of the peaks. The numbers of PCUs on each link are tabulated in 4.12 and 4.14. Flow difference plots, showing the impact of the development on traffic flows across the network, are shown in figures 5, 6, 7 and 8 and tabulated in 5.16, 5.18, 5.29 and 5.34, and the report describes the impacts. Appendices H and I show percentage impacts at junctions and from that proposes junctions for further detailed analysis.
- 8.2.73 OCC agree with the conclusion of this report, "...it can be concluded that the significant upgrades to M40 Junction 10, including further works at Baynard's Green, and the improvement scheme at M40 Junction 9, help to release congestion and allow long distance traffic to use the SRN. The Ardley Bypass, MSRR and HPLR creates an improved, more direct route between Bicester, Heyford Park, the Proposed Development, and M40 Junction 10, which draws traffic away from lower category or congested routes through local population centres. Hence, the embedded mitigation strategy has a positive effect on traffic flow change." There is a significant amount of new highway infrastructure proposed but given the volume of vehicles predicted this is assessed as necessary, and also ensures protection for the villages and other unsuitable roads, and will enable buses and cyclists to have effective routes.
- 8.2.74 The Interim Stage 3 Modelling report describes initial testing of junctions within the proposed study area, and will be updated once the remaining scenarios are modelled. However, we note the following points which we will expect to be addressed:
- Only an interim report has been issued; a further submission (final Transport Assessment) is expected once the remaining scenarios have been tested.
 - It appears that no local model validation or calibration has been undertaken.
 - M40 Junction 9 continues to show negative PRC values even with mitigation.
 - B4030 Middleton Stoney Road / Empire Road Junction 10: DS3A scenario shows overcapacity; four mitigation options have been identified. This is subject to further discussion.

- B4030 Middleton Stoney Road / Howes Lane Roundabout: DS3A scenario also shows overcapacity; consideration of mitigation is ongoing. A linked model should be considered for suitability when developing mitigation for these junctions.
- Should additional significant mitigation schemes be required at other locations identified through strategic model outputs (e.g. signalisation of B4030 / Howes Lane roundabout), consideration may need to be given to undertaking a further model run that includes all proposed highway mitigation. This would capture potential re-assignment effects of both baseline and development flows resulting from the introduction of further significant highway mitigation - an iterative process.
- M40 J10 is being tested using NH's VISSIM microsimulation model, which is being extended to include the proposed Ardley bypass and main site access

8.2.75 OCC fully agree with the approach taken and it is right that Junction 10 is the focus as much of the modelling and work. With regard to Junction 9, there is still some way to go before there is an agreed way forward with some form of mitigation scheme at Junction 9, agreed with NH. Paragraphs 3.46 - 3.57 discuss this under the title "M40 Junction 9 third-party proposed improvement scheme. However, there is still the opportunity to agree this with NH in the near future and in paragraph 3.48, the report states: "...given the in-principle support for the scheme from National Highways, it was agreed with the TWG that there is strong enough certainty of the improvement scheme at M40 Junction 9 becoming committed that it should be included within the 2034 RC3A model runs, and therefore it is also included in the DS3A scenario." Again, this perhaps is a little optimistic at this stage.

8.2.76 It is stated in the report that work to model the wider study area is ongoing and will be reported in full in the TA, OCC will therefore comment on these results. However, work done so far of the DS3A scenario in the Stage 2 Transport Modelling report has highlighted large traffic flows increases on the B4030 Middleton Stoney Road corridor between Vendee Drive and the MSRR. The junction of Vendee Drive and the A41 is to be subject to a study looking into congestion at that point and this will be useful to the TA.

8.2.77 As far as can be seen, all the right modelling has been carried out, and the study area is comprehensive and is supported by OCC.

- 8.2.78 B4030 Middleton Stoney Road/Howes Lane roundabout has been modelled, and the results show that in the RC3A morning peak hour the roundabout would operate reasonably well, with only the B4030 Middleton Stoney Road approach operating with an RFC above 85%. However, in the RC3A evening peak hour, the results show that the B4030 Middleton Stoney Road and the Vendee Drive approaches would be congested, particularly the Vendee Drive arm which would be operating at 121% of its capacity. It goes on to say that the emerging solution is for the roundabout to be upgraded to a traffic signal controlled gyratory, with two lanes on each approach and two lanes on the circulating carriageway. Initial high-level appraisals suggest that this form of junction could be achieved within the available highway boundary and would deliver a material improvement in performance. OCC would actively engage in such discussions
- 8.2.79 An estimate of the level of construction traffic is set out in Appendix 3.29 Construction Traffic. 2.1 sets out the proposed construction schedule. 3.9 sets out the estimated light and heavy construction traffic on each road link. Although there is no commitment in the overarching CEMP to route all HGV construction traffic to M40 J10, this is stated in the Appendix 3.29, paragraph 3.6. There is to be a separate P-CEMP agreed at a later stage for each project component, at which stage construction access and routing would be agreed, but officers would like to see a firm commitment to this in the overarching CEMP, with plans. OCC has concerns about damage to the unnamed road linking Camp Road and the B430, from which the secondary operational access would be taken in Phase 1. If this is to be used as a construction route, pre-emptive works would need to be undertaken to avoid it becoming so damaged that it would need to be closed. The on-site spine road should be constructed to allow construction traffic to route through the site instead.
- 8.2.80 The Ardley Bypass would be completed in year 3, but prior to that there would be an increase of well over 30% HGVs on the B430 through Ardley, which is the IEMA Guidance threshold for impact assessment. The threshold is not predicted to be exceeded on any other road link as a result of construction traffic.
- 8.2.81 The construction schedule in paragraph 2.1 of Appendix 3.29 describes works that would be started prior to the opening of the bypass. The extent to which excavation of on-site materials are used in construction, to minimise lorry movements, is not discussed here but we understand has been taken into account, and the schedule should be re-worked to prioritise the completion of the bypass or the use of its alignment as a construction haul road.
- 8.2.82 It should be noted that the transport chapter only assesses community severance, driver and NMU delay, NMU amenity, fear and intimidation, road user and pedestrian safety. Noise and vibration is covered in Chapter 5, and it is noted that the assessment of traffic noise is not yet complete (5.5.4). Vibration from traffic impact does not appear to be considered.

8.2.83 The assessment of the B430 through Ardley correctly states that there is a footway and signalised crossings but does not mention the narrow width of the footway and the fact that it has no verge separation.

8.2.84 It is assumed that light construction vehicles and cars would not be controlled by a routing agreement. It is not clear in the ES whether routes of these vehicles south of the site have been considered, and this should be clarified.

8.2.85 The opening year scenario, when modelled, must include the construction traffic associated with the development at that time:

Environmental assessment of post-completion traffic impacts

8.2.86 ES Chapter 3 considers the traffic impacts of daily operational stage traffic on the network, as well as the above-mentioned construction impacts. It is expected that this will be updated following the completion of the traffic modelling work.

8.2.87 Table 3.33 sets out the initial assessment of the percentage increase in traffic on links within the study area, with many links experiencing an increase of traffic flow greater than 30%. Most of these are new links or within the mitigating highway works which will provide additional traffic capacity. However, there would be some very large increases on the existing network. The exact location of some of the links needs clarifying – I cannot locate a plan. Table 3.34 lists the links and a classification of sensitivity of receptors on the link, but there is no description of how this has been assessed. The assessment of some links as ‘high’ or ‘very high’ sensitivity is appreciated, but to ensure that no sensitive receptors have been missed from the assessment, further detail is required. Paragraph 3.5.136 indicates that this assessment will be forthcoming once the traffic modelling has been completed. For the opening year assessment, construction traffic should be considered cumulatively with operational traffic.

Rail

8.2.88 Oxfordshire County Council has adopted a Freight and Logistics Strategy as a supporting document for the Local Transport and Connectivity Plan. As part of this strategy at Action 1 the County Commits to supporting modal shift from road to rail. As such the Council supports the principal of schemes that support uptake of rail freight.

8.2.89 Further, Action 25 states that we will ‘support the provision of rail freight interchanges.’ However, under this action it is noted that:

‘We will support the provision of appropriately sited rail freight interchanges, subject to funding being available and having regard to the impacts on local communities and/or any other relevant planning considerations, and on the capacity and suitability of impacted road and rail networks.’

8.2.90 In this case, we do not believe that the proposal fully meets the criteria set out above. In particular, the Council has concerns around the operational viability of the proposed rail freight interchange which may result in the terminal not being able to provide the benefits associated with intermodal transit of freight from rail to road and visa versa. This would also prevent the facility fulfilling the need for SRFI identified in the National Policy Statement for National Networks.

8.2.91 The Council has two main concerns with regards to the viability of the freight terminal. Firstly, the ability to path freight trains from key locations such as Southampton to the proposed development site and the gauge clearance of the line able to serve the proposed SRFI.

Pathing

8.2.92 The applicant has included four key documents relating to the ability of the proposed site to accommodate freight traffic:

- Rail Report
- Supporting Statement form GB Railfreight
- Agreed Position Statement with Network Rail
- Formulation of new train paths for OxSRFI

8.2.93 The applicant's rail report at paragraph 5.1.4 identifies possible sources of demand for intermodal rail traffic. The first bullet point identifies deep sea ports such as Southampton, Felixstowe, Teesport and London Gateway. The second bullet point refers to markets from existing IRFI and SRFI whilst the last bullet point identifies a possible demand from freight traffic from Europe via the Channel Tunnel.

8.2.94 The statement from GB Railfreight also identifies at paragraphs 54-55 that both Southampton and Teesport could be potential sources of demand for the OxSRFI as well as SRFI as far north as Lanarkshire in central Scotland.

8.2.95 The NNNPS identifies a need to connect SRFI to deep sea ports at paragraphs 3.84, 3.85 and 3.87. Paragraph 3.91 and 3.92 specifically pick up on the need to develop the connectivity from ports to customers via rail, Paragraph 3.92 states 'it is important that there is a mix of freight options for movement of goods from ports, with safe, direct and efficient freight routes for road-based journeys and with rail freight acting as a key factor in securing sustainable modal shift, and many ports noting demand for rail freight and seeking enhanced rail connectivity'.

8.2.96 Paragraph 3.93 of the NNNPS concludes that 'such connectivity links need to be considered as a system with key routes from ports to major logistics hubs and SRFIs being upgraded to confer the full benefits of rail freight and to not build in bottlenecks.'

- 8.2.97 It is therefore clear from the applicants own consultation documents and the National Policy Statement that links to deep sea ports are a vital part of an SRFI's ability to viably function.
- 8.2.98 In the applicant's pathing report it has been indicated 4 possible paths were available from Crewe to the application site. Connections to Crewe have the potential to provide connectivity to Teesport but would be reliant on paths between Teesport and Crewe. Evidence for this has not been provided within the applicant's submitted documentation.
- 8.2.99 Connections to Felixstowe would also be difficult and do not seem to have been considered a viable option by the applicant as they are not referenced within any of the applicant's consultation material. The logical connection between Felixstowe and Oxfordshire would be the EWR line once this has been completed. The location of the facility on the Chiltern Main Line would make a connection to the EWR line challenging due to the difficulty of connecting the Chiltern Main Line to the Cherwell Valley Line (discussed below).
- 8.2.100 The closest deep sea port to the application site (and to Oxford) is Southampton. Currently freight from Southampton either moves through Oxfordshire to existing SRFI in the midlands via the Cherwell Valley Line or makes use of HGV's via the A34 and M40.
- 8.2.101 As the GB Railfreight statement outlines Southampton is only 80 miles from the application site and would logically seem to be the most viable deep sea port to connect to. As previously indicated the Cherwell Valley Line, which runs through Oxfordshire, is the main avenue for rail freight coming from Southampton and would be the obvious route for rail freight from the port to access the County. Unfortunately, due to the inadequacy of existing rail infrastructure it is not possible for a train heading northbound along the Cherwell Valley Line to easily access the Chiltern Main Line. This includes capacity constraints to the north of Oxford, as well as the need for train reversing movements in the Banbury area that are likely to impact on operations of existing services.
- 8.2.102 The alternative proposed by the pathing document within the consultation material is a path which utilises the Great Western Main Line from Reading to the Greenford Branch Line. The path then uses the Greenford Branch Line to join to the Chiltern Main Line and there on access the site. The pathing report indicates that this route only provides one possible return path per day which would require significant modification of existing timetabling.

- 8.2.103 The Council notes that the section of Great Western Mainline between Reading and West Ealing is used extensively by Elizabeth Line services which take up significant capacity on this line. This would result in a bottle neck in the route which is contrary to paragraph 3.93 of the NNNPS and would not result in a 'safe, direct and efficient freight route' which is contrary to paragraph 3.92 of the NNNPS. The Council therefore think it will present a significant challenge for a freight operator to be able to find regular paths via this route to the OxSRFI which will prevent the OxSRFI from being able to reliably receive freight from Southampton contrary to what is claimed by GB Railfreight at paragraph 54 of their statement.
- 8.2.104 It is worth noting that the Council has similar concerns around the paths proposed from Wembley which also make use of the Great Western Main Line. This concern is not alleviated by the fact that GB Railfreight have existing trains using these routes which are anticipated to be unnecessary by the time the OxSRFI is operational as there is no certainty that these paths will definitely be allocated to freight traffic to the OxSRFI.
- 8.2.105 This raises doubt as to the viability of the OxSRFI as it will not be able to receive freight from the closest deep sea port. It also means that the scheme is not likely to result in a significant reduction of HGV traffic along the A34 which means that the County would not directly benefit from the intermodal benefits that could result from an SRFI.
- 8.2.106 The Council has previously indicated to the applicant that a viable route that would allow regular freight traffic to access OxSRFI could be established by an investment in a run around to the north of Banbury connecting the Cherwell Valley Line to the Chiltern Main Line. This would allow northbound trains on the Cherwell Valley Line to access the Chiltern Main Line without needing to use the Great Western Main Line. Without this investment in additional rail infrastructure the Council does not believe there would be a viable path that would allow the OxSRFI to access the freight market coming out of Southampton.
- 8.2.107 Given the importance of access to deep sea ports outlined within the NNNPS as well as the applicants own consultation materials, the Council at this stage are concerned that the OxSRFI would not be an attractive option for freight customers and as such may not result in the modal shift expected to be resultant from a SRFI.
- 8.2.108 In order to alleviate these concerns the Council would expect the applicant to demonstrate with a degree of certainty that a significant number of the 4 trains expected to use the site could arrive from, and depart to, one of the major deep sea ports in a frequent and viable manner.

8.2.109 Given the Council's concerns around the capacity of the Great Western Main Line between Reading and West Ealing, the Council also request that the applicant demonstrate that the SRFI is still able to accommodate 4 trains per day without making use of paths which utilise this route. For example, we would want to see evidence that freight trains could safely and effectively operate along the Cherwell Valley Line and turn around in the Banbury area without impacting on existing services, including understanding any required further rail infrastructure needed to facilitate this, as well as recognising the gauging points noted below.

Gauging

8.2.110 Another issue which may affect the viability of the proposed SRFI is the lack of sufficient gauge clearance.

8.2.111 The National Policy Statement for National Networks at paragraph 4.82 outlines that as a minimum SRFI should be located on a route with a gauge clearance of W8. It is acknowledged that the Agreed Position Statement with Network Rail confirms that gauge clearance of W8 is possible on the Chiltern Main Line following works to the Ardley Tunnel. The Council have no reason to disagree with Network Rail on this issue and are not contesting that the proposed development would not comply with paragraph 4.82 of the NNNPS as far as that paragraph relates to the requirement to achieve W8 clearance.

8.2.112 However, the Council is concerned that if the SRFI is only capable of being served by trains with a W8 gauge clearance this will impact the attractiveness of this facility to potential customers.

8.2.113 The applicant's Rail Report at paragraph 6.3.2 outlines the difficulty of accommodating modern deep sea shipping containers on much of the rail network. These intermodal deep sea containers require a gauge clearance of W10/12 if they are to be transported on a conventional truck.

8.2.114 The Council notes that all of the SRFI approved by the SoS since the introduction of the NSIP regime have been on sections of line served by a minimum gauge of W10. This means that intermodal containers have been able to reach these facilities on conventional trucks. It also means that the adequacy of W8 gauge for a modern SRFI has not been subject to the scrutiny of an Examining Authority or the Secretary of State.

8.2.115 It is also noted that Radlett (Park Side) SRFI, which was submitted under the TCPA prior to the adoption of the Planning ACT 2008, was conditioned via a Grampian to ensure that the whole site could not be occupied until works were completed to ensure that the Midlands Main Line was served by W10 gauge clearance.

8.2.116 It is clear then that W10 gauge clearance has been the industry standard for SRFI since at least 2008 to allow them to make the most of intermodal connections.

8.2.117 .

8.2.118 In their Rail Report the applicant outlines that there are solutions to this issue which either involve investment in rail infrastructure to secure the appropriate gauge or investment in specialist trucks with a dropped bed to allow intermodal containers to achieve the appropriate clearance. They then list examples of where SRFI such as DRIFT have used such specialist equipment to allow connections to places such as Cardiff which are served by W8 gauge lines.

8.2.119 However, it should be noted that these journeys are the exception, and DRIFT is capable of (and frequently does) receive W10/12 gauge intermodal trains. As such the business model for DRIFT does not rely on W8 gauge trains, it has simply been able to add W8 gauge services on top of its other services.

8.2.120 In comparison, the OxSRFI will be reliant from the off on investment in specialist and costly trucks and wagons to allow intermodal containers to access the site. Not only this but dropped bed trucks capable of allowing intermodal containers to make use of W8 gauge can only carry half as many containers per truck as a conventional flat bed truck at W10/12 gauge. The combination of these factors reduces the attractiveness of the OxSRFI to customers due to the increased cost associated with overcoming this issue.

8.2.121 If the freight terminal is not attractive to customers and therefore not used, a situation could arise whereby the full warehousing space is occupied but without the benefit of the modal shift provided by the terminal. Without this the need established in the National Policy Statement will not be addressed and any positive weight given to the development could not be used to weigh against harm identified elsewhere within this response.

8.2.122 Given this the Council would suggest an amendment to Requirement 5 of the Draft DCO. The Council would suggest that as well as the requirement to provide the appropriate rail infrastructure and connection to the main line prior to the occupation of more than 232,258 square metres of warehouse (see Section 6 of this response for the Council's comments on the current drafting of this condition), an additional commitment is added to the Grampian that the additional warehousing could not be occupied until evidence has been presented to the LPA that contracts have been agreed which would result in at least 2 trains per day making use of the terminal.

Modal Shift

8.2.123 The need established by the National Policy Statement for Rail Freight Interchanges is due to a need to allow modal shift from road to rail. This is an aspiration shared by OCC.

8.2.124 However, due to the combination of concerns outlined above relating to pathing and gauge the Council has concerns that the proposed OxSRFI will not be able to achieve the modal shift required to address the need for SRFI outlined within the National Policy Statement. The Council has suggested how the applicant could overcome this concern above and urges the applicant to make the changes and provide the supporting evidence outlined above.

Ardley Station and capacity on the Chiltern Main Line

8.2.125 In August to September 2025 OCC consulted on a new daughter document to the Local Transport and Connectivity Plan. This document, OxRail: 2040, outlines the Council's ambitions for rail over the next 15 years including investment in existing facilities, supporting electrification of the rail network within Oxfordshire, and investing in new railway stations to create an 'Oxfordshire Metro'. OxRail: 2040 is expected to be adopted by OCC in November 2025.

8.2.126 One of these railway stations is proposed for Ardley. A previous railway station served Ardley until the 1960s and the location of this station was to the south of Ardley on the northern side of the Chiltern Main Line directly opposite the site of the proposed SRFI.

8.2.127 In October 2025 the Government's New Town Task Force published its recommendations for locations for 12 new towns in England. The report recommended the site of the former airbase at Heyford Park for one of the new towns and outlined that the site had potential for around 13,000 homes. In addition to this there is an application currently being determined by Cherwell District Council for c.9,500 homes on the same site.

8.2.128 In order to address the predicted increase in housing in this area as well as to serve the existing local communities, the Council is seeking to promote a railway station near Ardley.

8.2.129 In both the applicant's Rail Report (section 6.8) and the Agreed Position Statement with Network Rail (paragraph 6) the applicant has indicated that the proposed SRFI would not hinder the delivery of a station at the site of the former Ardley Station and in fact would potentially aid in its delivery due to rail infrastructure being installed as part of the applicant's work. Whilst this is appreciated the Council has not yet undertaken work to assess the viability of the former Ardley Station site for a modern railway station. It is possible that a different location will be required for the station and the proposed SRFI reduces the land available for this station.

8.2.130 The Council will undertake work to assess potential locations for the Station as soon as it is able. If this work is completed in advance of the applicant submitting their proposal to the Planning Inspectorate, then OCC would seek a dialogue with the applicant to ascertain the potential impact their scheme would have on delivering a new station at Ardley.

8.2.131 Another concern in relation to not only Ardley Station, but also the ability to operate existing and increase passenger services more generally on the Chiltern Main Line, is capacity. Increasing freight services on the Chiltern Main Line would result in reduced capacity for passenger services. OCC's Freight and Logistics Strategy at page 22 outlines that 'Whilst our priority is to support the mode shift of freight to rail, it is important that this does not affect our passenger rail network.' OCC therefore requires robust evidence from the applicant that the provision of 4 return freight paths per day along the Chiltern Main Line will not adversely impact the capacity on the Chiltern Main Line to the point where additional passenger services are not possible.

8.3 Air Quality and Odour

Summary

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Mitigation/Improvements

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NPS	NNNPS
CDC	Policy ESD10 (Protection and Enhancement of Biodiversity and the Natural Environment), Policy BSC8 (Securing Health and Wellbeing), Air Quality Action Plan 2024
OCC	

Policy Detail

- 8.3.1 Paragraph 4.71 of the NPS outlines that National Network NSIPs have the potential to impact human health including through impacts to air quality.
- 8.3.2 Paragraph 5.7 outlines that the operational and construction impacts of National Network NSIPs can result in a worsening of local air quality.
- 8.3.3 Paragraph 5.10 outlines that the impacts on air quality can extend well beyond an individual scheme.
- 8.3.4 Paragraph 5.12 places a duty on applicants to assess the significance of impacts to air quality whilst paragraph 5.13 lists what this assessment should describe, including:
- existing air quality emissions and concentrations
 - forecasts of emissions and concentrations at the time of opening, assuming that the scheme is not built (the future baseline) and taking account of the impact of the scheme

- any significant air quality effects, their mitigation and any residual effects, distinguishing between the construction and operation stages and taking account of the impact of any road traffic generated by the project
 - the predicted emissions, concentration change and absolute concentrations of the proposed project after mitigation methods have been applied
 - any potential impacts on nearby designated habitats from air pollutants
 - the proximity and nature of nearby receptors which could be impacted, including those more sensitive to poor air quality
- 8.3.5 Paragraph 5.17 states mitigation measures may affect the project design, layout, construction, operation and/or may consist of measures to improve air quality beyond the immediate locality of the scheme. Measures could include, but are not limited to, changes to the route or design of the new scheme, changes to the proximity of vehicles to local receptors in the existing route, physical means including barriers to better disperse emissions, and/or speed control.
- 8.3.6 Paragraph 5.18 goes on to say that where a project is located within, or in close proximity to, an Air Quality Management Area or Clean Air Zone, applicants should engage with the relevant local authority to ensure the project is compatible with the Local Air Quality Action Plan
- 8.3.7 Paragraphs 5.19 and 5.20 outline that applicants should take all reasonable mitigation action with regards to relevant statutory air quality limits and that applicants should take all reasonable steps to reduce emissions of PM_{2.5} and its precursor pollutants in the construction and operational stage of the development by following available Defra guidance.
- 8.3.8 Paragraph 5.25 states that the Secretary of State should give air quality considerations substantial weight where, after taking into account mitigation, a project would lead to a significant air quality impact in relation to meeting environmental assessment requirements; or where they lead to a deterioration in air quality in a zone/agglomeration.
- 8.3.9 Cherwell Local Plan Policy BSC7 states that planning decisions can have an effect on air quality which can impact health and well-being. In addition to this, Policy ESD10 requires that air quality assessments will be requirement for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution.

8.3.10 As per the statutory requirements of Cherwell District Council under the Local Air Quality Management Framework, CDC produced an Air Quality Action Plan in 2024, which acknowledges that air pollution is associated with several adverse health impacts. CDC is committed to reducing the exposure of people within Cherwell to poor air quality, in order to improve health. The AQAP outlines a series of actions that Council will take in order to achieve this, including policy guidance and development control, promoting low emission transport, promoting travel alternatives to private vehicle use, transport planning and infrastructure and public information.

Commentary

8.3.11

8.4 Noise and Vibration

Summary

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Mitigation/Improvements

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NPS	NNNPS
CDC	Policy BSC8 (Securing Health and Well-being)
OCC	

Policy Detail

8.4.1 Paragraph 5.227 of the NPS states that excessive noise can have wide-ranging impacts on the quality of human life and health (such as annoyance or sleep disturbance), use and enjoyment of areas of value (such as quiet places) and areas with high landscape quality.

8.4.2 Paragraph 5.229 lists factors that will determine the likely noise impact which include:

- construction noise and the inherent operational noise from the proposed development and its characteristics
- the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces)
- the proximity of the proposed development to quiet places and other areas that are particularly valued for their tranquillity, acoustic environment or landscape quality such as National Parks, the Broads, National Landscapes or World Heritage Sites

- the proximity of the proposed development to designated sites where noise may have an adverse impact on the special features of interest, protected species or other wildlife

8.4.3 Cherwell Local Plan Policy BSC 8 notes that planning decisions can have an effect on noise to sensitive receptors, which can impact health and well-being for local communities. Guidance from CDC also states that any industrial or commercial development must not cause an increase in background noise levels at the nearest noise sensitive property, or at the boundary of the property.

Commentary

8.4.4

8.5 Ecology and Arboriculture

Summary

- There are existing ecological designations within and the adjacent to the site which could potentially be affected by proposals. The most significant of the ecological designations is the Ardley Cutting and Ardley Trackways Site of Special Scientific Interest Site of Special Scientific Interest.
- Paragraph 5.61 of the NPS states that a development consent order should not normally be granted where it is likely to have an adverse effect on a Site of Special Scientific Interest except where it can be demonstrated that the benefits of the development clearly outweigh the harm.
- The construction of the rail cuttings and sidings connecting to the Chiltern Main Railway line and the bridge to take the Ardley bypass over the railway line will result in some localised habitat losses from within the boundary of the Ardley Cutting and Quarry SSSI. These works will require the removal of around 1.25 HA of SSSI habitat which equates to around 3.1% of the total designation.
- The Ecology Chapter (Chapter 6) of the draft Environmental Statement states there is potential temporary disturbance of an additional 7.39 HA of SSSI habitat which has been included within the red line. Further impacts are expected to arise through the loss of habitat connectivity between the SSSI habitats and adjacent habitats. These impacts are expected to be in the vicinity of the Ardley Bypass Bridge.
- The applicants ES states that green infrastructure totalling 6.4 HA of calcareous grassland will be planted in close proximity to the SSSI. There are concerns that this level of mitigation does not sufficiently overcome the level of harm caused to the SSSI
- At this stage, insufficient Ecological surveys have been undertaken to determine the level of impact on protected species within the application site. The results of these surveys will need to be shared with CDC and OCC in order to determine compliance against the NPS.

- Draft Control Documents such as Habitat Management and Monitoring Plans and the Construction and Environmental Management Plan have not yet been provided. Draft versions of these documents should be shared with the Councils before they are submitted to PINS.

Mitigation/Improvements

- Robust justification is needed to clarify that the harm to the SSSI is outweighed by the benefits of the scheme.
- Further clarification should be provided as to how the mitigation hierarchy has been followed and applied.
- Details demonstrating consideration of opportunities to enhance connectivity between woodlands to increase resilience should be provided
- It should be ensured that all ecological survey results are complete and in date in line with best practice guidelines and licencing requirements. This includes surveys for bat, reptiles, great crested newts, badgers, otters, voles, dormouse, aquatic flora and fauna.
- Clarification is requested on the details and impacts of translocating basil thyme and meadow clart plants currently within the Road Verge Nature Reserves.
- The applicant should address the outstanding issues raised by Natural England in their letter relating to Great Crested Newts.
- The habitat condition criteria should be included in a revised BNG report.

NPS	NNNPS
CDC	CLP ESD10: Protection and Enhancement of Biodiversity and the Natural Environment. CLP ESD 13: Local landscape Protection and Enhancement.
OCC	Tree Policy for Oxfordshire: Policy 11 Policy 14 Policy 16

Policy Detail

- 8.5.1 Paragraph 5.43 of the National Policy Statement recognises the need to protect and enhance biodiversity and geological conservation interests. Paragraph 5.46 goes on to state that the applicant should consider how the potential direct and indirect impacts on ecosystems including the impacts on habitats and protected species. Paragraph 5.47 requires the applicant to show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation.
- 8.5.2 The NPS set out a number of mitigation measures for biodiversity and arboriculture. Paragraph 5.48 requires the applicant to demonstrate that developments are designed to avoid the risk of harm, for example by minimising the footprint of the development and or retaining the sites important habitat features. Paragraph 5.49 states that if avoidance or reduction of harm is not possible, applicants should include appropriate mitigation measures, in line with the mitigation hierarchy, as an integral part of the proposed development, including identifying where and how these will be secured in the long term.
- 8.5.3 Paragraph 5.61 of the National Policy Statement states that where a proposed development on land within or outside a Site of Special Scientific Interest is likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments), development consent should not normally be granted. An exception should only be made where the benefits of the development proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. The Secretary of State should ensure that the applicant's proposals to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest, are acceptable.
- 8.5.4 Policy ESD 10 of the Cherwell Local Plan seeks to protect and enhance biodiversity and the natural environment through application of the following principles:
- In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources
 - The protection of trees will be encouraged, with an aim to increase the number of trees in the District
 - If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted

- Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated
 - Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
 - Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
 - Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity
 - Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value
- 8.5.5 Policy ESD13 of the Cherwell Local Plan states that opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.
- 8.5.6 The Cherwell Local Plan Proposals map shows the application site to include land within the Ardley Cutting and Quarry Site of Special Scientific Interest (SSSI) which is identified as being of National Level Importance. The Ardley Trackways SSSI is partially within the application site on its south-eastern boundary. The entire application site is within the SSSI Impact Risk Zones.
- 8.5.7 The Upper Heyford Airfield Local Wildlife Site lies adjacent to western site boundary. The Ardley Fields Quarry Local Wildlife Site is located within the northern section of Ardley Trackways SSSI and comprises a restored quarry containing geological features of national importance.
- 8.5.8 Ardley Fields Ponds West Local Wildlife Site and Ardley Fields Pond East are located to the east of the application site on the opposite side of the B430

8.5.9 Stoke Wood Local Wildlife which comprises woodland including elements of Ancient Woodland is located to the north-east of the application site.

8.5.10 Trow Pool Local Wildlife Site is located approximately 900m east of the application site.

8.5.11 There are two areas of Priority Habitat – Deciduous Woodland within the application site.

Commentary

8.5.12 There is clear reference in the NPS (para 5.48) to the need to minimising the footprint of the development in order to avoid direct or indirect harm or disturbance. Whilst the NPS provides a minimum limit on the number of trains the development is capable of serving along with their length, it does not set a minimum limit on the amount of warehouse floorspace that is required to be provided. There is lack of justification for the scale of the proposals warehousing development and how this scale can be justified against the impact on biodiversity.

8.5.13 Paragraph 6.5.12 of the Draft Environmental Statement Ecology and Arboriculture Chapter refers to the loss of around 1.24 HA of the SSSI Habitat and the potential disturbance of an additional 7.39 HA.

8.5.14 Paragraph 6.5.20 of the same report refers to the loss of around 30% of the Ardley Road Verge Nature Reserve District Wildlife Site.

8.5.15 The arboricultural impact assessment (Appendix 6.8) refers (paragraph 9.2) to the removal of much of the internal tree cover. Paragraph 9.1 refers there to being a total of 266 individual trees, 139 tree groups, 80 hedges and 5 woodlands within the site boundary. It is however not clear how many of these trees would be required to be removed in order to facilitate the proposals.

8.5.16 In considering hedgerow loss, the proposal is expected to result in the loss of approximately 11.38 km of hedgerow including sections of three of the important hedgerows occurring within the application site totalling 320m in length. It is acknowledged that this is proposed to be off-set through the planting of 13.5km of new species rich hedgerow.

8.5.17 Further justification is required as to why the above impacts cannot be reduced through a smaller scale proposal.

Adequacy of the draft ES and proposed mitigation

8.5.18 Further detail should be provided by the applicant to explain and justify how the mitigation hierarchy has been applied to selecting the proposed application site including evidence that other sites have been explored and the reason they have been discounted.

- 8.5.19 Further clarification should be provided on how the mitigation hierarchy has been applied to each of the ecological receptors identified at the application site level. For example, further detail should be provided to explain how impacts to Ardley Cutting and Quarry SSSI have been avoided/minimised, mitigated for and what compensation will be provided specifically to offset these impacts. The extent of the Ardley Cutting and Quarry SSSI needs to be quantified. A standalone mitigation strategy with plans demonstrating the quantity and quality of habitat to be created and enhanced to mitigate impacts would allow the acceptability of the mitigation/compensation to be assessed. The applicant may wish to explore appropriate management across the wider SSSI as compensation. Other key receptors where this is applicable include other designated sites with proposed impacts, ecologically important hedgerows as well as protected and notable species.
- 8.5.20 There is no direct loss of Ancient woodland or ancient and veteran trees within the proposals however an assessment of indirect impacts from loss of surrounding habitats and fragmentation of hedgerows and tree belts should be provided. There is proposed to be impacts on 96 trees, 53 groups of trees, 50 hedgerow and 3 woodlands – many of which are mature and connect other areas of tree cover. Woodland planting adjacent to ancient woodland is proposed to only reach ‘poor’ condition and it should be explained why a higher condition could not be achieved. Details demonstrating consideration of opportunities to enhance connectivity between woodlands to increase resilience should be provided.
- 8.5.21 It should be ensured that all ecological survey results are complete and in date in line with best practice guidelines and licencing requirements. This includes reptiles, great crested newts and bats where the adequacy of the proposed mitigation cannot yet be determined due to incomplete survey results. Where deviation from best practice guidelines have been undertaken, further explanation and justification should be provided. For example, further detail to explain why reptile surveys have not been undertaken in July and August.
- 8.5.22 Survey areas should be provided for all species including badgers, otters and water voles.
- 8.5.23 It is understood further surveys for dormouse were discounted predominantly due to the absence of hazel across the application site. This justification is considered insufficient and further reasoning should be provided in line with best practice guidelines. Alternatively, dormouse surveys should be undertaken.
- 8.5.24 A number of watercourses are proposed to be impacted. It is requested that these watercourses are subject to an assessment for aquatic fauna and flora such as fish and invertebrates to help understand the impacts of the development on watercourses and inform further management and mitigation requirements.

- 8.5.25 It is noted that the application site falls within the impact risk zones of multiple SSSIs, however the impact pathways between the application and these sites are not fully identified and addressed for all sites. This information should therefore be added.
- 8.5.26 While it is appreciated and welcomed that Conservation Target Areas have been considered throughout the assessment undertaken, regard should be had to Oxfordshire's Local Nature Recovery Strategy which is due to be published on 12th November 2025.
- 8.5.27 Confirmation should be provided to determine whether impacts to basil thyme will be anticipated and if so a translocation plan should be provided as has been included for meadow clary.
- 8.5.28 Confirmation is requested on the number of meadow clary plants to be translocated in relation to the number of meadow clary plants present within the Road Verge Nature Reserve (RVNR). This is to ensure a viable population of meadow clary is maintained within the RVNR. This could include additional compensation such as management of the RVNR site. It should also be noted that this RVNR site is not a District Wildlife Site.
- 8.5.29 Section 6.35 of the submitted Ecological Appraisal provides a 'worst case scenario' for hedgerow loss and concludes that the hedgerow compensatory planting will 'add greater value than that is to be lost'. Clarification should be provided on the actual hedgerows proposed to be removed and what value is referred to here.
- 8.5.30 A full lighting scheme demonstrating how increases in light spill across the whole site will be avoided with specific reference to mitigation for nocturnal species should be provided. The specifications of the unlit hop overs for bats and other nocturnal species should be provided.
- 8.5.31 Section 6.112 of submitted Ecological Appraisal identifies a check for otters and water voles within 8m of construction activities. Further explanation should be provided to justify this reduced survey distance in line with best practice guidelines. Alternatively the distance should be updated in line with best practice guidelines and consideration of potential ecological receptors such as otter natal holts.
- 8.5.32 The applicant should include a discussion around the consideration of the use of otter ledges when installing the proposed bridge structures.
- 8.5.33 Confirmation should be provided which waterbodies were surveyed for great crested newts in 2025.
- 8.5.34 It is noted that great crested newt metapopulations 3 and 4 overlap. Further detail is therefore requested to outline how these metapopulations were defined.
- 8.5.35 Justification should be provided to explain the proposed fencing locations and duration for great crested newts.

- 8.5.36 Section 6.23 of the submitted report for great crested newts includes reference to culvert installation. However, the locations of the proposed culverts is not provided within this report and is therefore requested.
- 8.5.37 It is noted that a letter from Natural England has been included on pages 19 to 22 of the submitted report for great crested newts. However, not all points raised within this letter have been addressed in the submitted report. These points should therefore be addressed in a revised report.
- 8.5.38 The applicant should include clarification and confirmation that offsite mitigation has been explored in the vicinity of metapopulation 3 with regards to the anticipated reduction in connectivity of suitable terrestrial habitat for great crested newts in this area in order to mitigate and compensate for these impacts.
- 8.5.39 Justification for the survey area undertaken for assessing trees with suitability for roosting bats should be provided. This should consider indirect impacts of the proposals offsite and the presence of bat species such as barbastelle which are especially sensitive to lighting impacts.
- 8.5.40 Clarification should be provided to identify specifically which flight lines are considered important for foraging and commuting bats with impact pathways to the proposals and how they will be specifically addressed through mitigation and compensation measures if avoidance is not considered feasible.
- 8.5.41 Surveys have been carried out for breeding and wintering birds and species assemblages of County level importance with multiple Priority and notable species have been shown to be using the site. Farmland bird species will experience significant habitat loss and fragmentation, and this includes high numbers of skylark (peak count 198) and yellow hammer in summer and Golden plover and corn bunting in winter. The current mitigation proposed – grassland open space around the main site and a field with cover crop with five skylark plots is considered insufficient to mitigate the identified level of impact. Provision of a standalone farmland bird mitigation scheme would allow appropriate assessment of the scale of mitigation required.
- 8.5.42 A standalone mitigation strategy for butterflies and invertebrates should be committed to both within and outside the SSSI, with ongoing monitoring and management adjustments as required.
- 8.5.43 Further detail should be provided regarding the methodology used to determine the abundance of plant species when undertaking botanical surveys.
- 8.5.44 An updated BNG assessment should be provided that considers the final detailed post development design.
- 8.5.45 A biodiversity net gain (BNG) metric spreadsheet is required to be submitted in order to enable a full assessment of the BNG proposals.

- 8.5.46 A revised BNG report should identify which post development interventions are considered mitigation and compensation regarding impacts to designated sites and protected species. These interventions may contribute only partly to the overall BNG of the site in line with BNG best practice guidelines.
- 8.5.47 Further justification should be included for the assumption that only habitats in poor ecological condition can be achieved on highways.
- 8.5.48 The habitat condition criteria of the proposed post development habitats should be included in an updated BNG report to help inform the feasibility of the proposed habitat types and their ecological condition.
- 8.5.49 Draft Habitat Management and Monitoring Plans should be provided to demonstrate the achievability of the proposed post development habitats.
- 8.5.50 Increased specificity is requested regarding what habitat interventions are planned and where within the scheme. For example, section 5.7 of the submitted BNG report only identifies 'several areas' of poor condition 'grassland' to moderate condition. This statement does not identify the type of grassland nor its location within the site.
- 8.5.51 It is noted that a Construction and Environmental Management Plan has been identified as appropriate mitigation for a number of ecological receptors. This should therefore be secured.

Conclusion on Ecology and Arboriculture

- 8.5.52 There is a clear need to provide clarification on how the mitigation hierarchy has been applied both during site selection and at the site level with regards to the ecological receptors identified with impact pathways to the proposed development. Further detail is required regarding the habitat, protected and notable species surveys undertaken which are currently considered incomplete in line with best practice guidelines and in the absence of further justification and/or survey results. A number of bespoke mitigation strategies have been requested and further details regarding the currently proposed mitigation strategies including the proposed biodiversity net gain plan

8.6 Landscape and Visual Impact

Summary

- There are concerns around the assessment methodology within the LVIA and the fact that no significant impact has been identified. There are also concerns around the adequacy of the mitigation put forward as part of the proposals.
- Further justification is required on the scale of the warehousing forming part the proposals in the context of the landscape harm caused and how the mitigation hierarchy has been applied.

Mitigation/Improvements

- The applicant should address the 26 issues with the draft LVIA identified by LUC below.

- The applicant should revisit their mitigation strategy based on a revised LVIA which has taken into consideration the 26 points below. The applicant should demonstrate how they have applied the mitigation hierarchy.

NPS	NNNPS
CDC	ESD13. Local Landscape Protection and Enhancement.
OCC	

Policy Detail

- 8.6.1 Paragraph 5.161 of the NPS requires the applicant to carry out a landscape and visual impact assessment in accordance with the third edition Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.
- 8.6.2 Paragraph 5.164 states that the project should be designed, and the scale minimised, to avoid or where unavoidable, mitigate the visual and landscape effects, during construction and operation, so far as possible while maintaining the operational requirements of the scheme. Paragraph 1.164 makes clear that in exceptional circumstances a reduction in operational requirements might be warranted.
- 8.6.3 Paragraph 15.165 states that projects need to be designed carefully, taking account of the potential impact on the landscape.
- 8.6.4 Paragraph 5.166 states adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design and topographical interventions for example creation of bunds or lowering of ground levels.
- 8.6.5 Paragraph 5.169 covers decision making. It states that the project needs to have regard to the siting, orientation, height operational and other relevant constraints. The aim should be to avoid or minimise harm to the landscape, where adverse impacts are unavoidable providing reasonable mitigation and deliver landscape enhancement measures where possible and appropriate.
- 8.6.6 Locally designated landscapes are covered in paragraph 5.175. It states that where a local development plan in England has policies based on landscape character assessment and has identified landscapes of local value they should be given particular consideration. The NPS makes clear that such areas should not be used in and of themselves as reasons to refuse consent as this may unduly restrict the development.

8.6.7 Policy ESD13 states that opportunities will be sought to secure the enhancement of the character and appearance of the landscape through restoration, management or enhancement of existing landscapes, features or habitats and where appropriate create new ones.

8.6.8 Policy ESD13 goes onto state that proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and
- Topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquillity

Commentary

8.6.9 The application site is not within a designated National Landscape nor is it within a locally designated landscape based on the adopted local plan. If allow the development would result in visual intrusion into the open countryside and be inconsistent with the existing rural local character. Policy ESD13 of the Cherwell Local Plan is not therefore accorded with.

8.6.10 Based on the advice of LUC, who have been appointed by Cherwell District Council in order to review the draft LVIA, it is not considered that the planting and landscaping proposed is sufficient in order to mitigate the visual and landscape effects of the development during construction and operation.

8.6.11 Insufficient information has been provided to justify the scale of the warehousing proposed. Paragraph 5.154 of the NPS is not therefore accorded with, as it clearly makes reference to the need for the project to be designed, and the scale minimised to avoid or where unavoidable, mitigate the visual and landscape effects during construction and operation.

8.6.12 Reference is made in paragraph 3.28 of the supporting planning statement to substantial earthworks being undertaken on the site resulting in some areas of the site being significantly lower than existing ground levels.

8.6.13 LUC have been asked to advise on whether the relevant parts of the NPS on landscape have been considered and accorded with. A summary of the relevant paragraphs is contained below along with LUC's response

NPS Paragraph	Policy summary	Notes on compliance
Paragraph 5.161.	Requirement for the applicant to carry out a LVIA in accordance with GLVIA as	The LVIA is based on the principles set out within GLVIA3, Some changes

	published by the landscape institute.	and clarifications have been requested including those relating to the method, and details of the method. Responses are required to the clarifications before it can be confirmed whether paragraph 5.161 is accorded with.
5.164	The project should be designed, and the scale minimised, to avoid or where unavoidable, mitigate the visual and landscape effects, during construction and operation, so far as possible while maintaining the operational requirements of the scheme. Paragraph 5.164 makes clear that in exceptional circumstances a reduction in operational requirements might be warranted.	LUC consider the proposed development has been designed to mitigate landscape and visual effects. LUC acknowledge that for a development of this scale and type some significant residual landscape and visual effects are to be expected. This is contrary to the conclusions of the LVIA. LUC consider that further landscaping and planting should be explored before it can be

		confirmed whether the landscape mitigation proposed is acceptable.
5.165	Requirement for projects to have been designed carefully, taking account of the potential impact on the landscape.	LUC consider that Potential impact on the landscape has influenced the design, therefore this has been complied with.
5.166	Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design and topographical interventions for example the creation of bunds or lowering of ground levels.	This type of mitigation has been included within the proposals. The draft Design Approach Document sets out the design evolution including the incorporation of landscape mitigation with bunding and planting around the perimeter of the main site.
5.169	States that the project needs to have regard to the siting, orientation, height operational and other relevant constraints. The	Suggested changes and clarifications are contained in the LUC recommendation s further details on which are contained below.

	aim should be to avoid or minimise harm to the landscape, where adverse impacts are unavoidable providing reasonable mitigation and deliver landscape enhancement measures where possible and appropriate.	These need to be included within the proposals before it can be confirmed whether the proposed mitigation is sufficient.
5.175	Where a local development plan in England has policies based on landscape character assessment, and has identified landscapes of local value they should be given particular consideration. The NPS makes clear that such areas should not be used in and of themselves as reasons to refuse consent as this may unduly restrict the development.	The site is not within an adopted or draft Local Landscape Designation. Paragraph 5.175 is therefore accorded with.

Adequacy of the draft ES and proposed mitigation

8.6.14 LUC has been appointed on behalf of the Councils in order to review the draft LVIA which forms Chapter 7 of the Environmental Statement.

8.6.15 LUC have advised that the scale of the proposed development would be likely to have an adverse effect on key characteristics and valued quantities of the landscape. This includes the gently undulating/rolling landform, openness and long view across fields, strong rural qualities and the historic character associated with Middleton Park.

8.6.16 LUC acknowledge that there are some existing intrusive elements in the surrounding area. The size and scale of the development, particularly the 25m high warehousing and ancillary buildings means it would be far more prominent from many views than the existing elements.

8.6.17 LUC has set out 26 recommendations for the LVIA to provide further information and clarifications further details of which are contained below. In order for the LVIA to be considered adequate, each of the below should be considered when finalising the LVIA:

- 1) Provide development zone heights quoted in metres above ground level on a plan. Also provide maximum container stack heights.
- 2) Include reference within the LVIA to the Scoping Opinion including how the assessment and proposed development design has responded to the opinion.
- 3) Include reference to consultation that has taken place, and how this has influenced the assessment and proposed development design.
- 4) The LVIA should judge whether Moderate effects are 'significant' on a case by case basis and not assume they will all be 'not significant'
- 5) A study area should be provided and justified.
- 6) Both bare ground and DSM ZTVs should be included, overlaid with the proposed representative viewpoint locations (because a DSM provides a 'best case' situation that assumes no visibility through trees that would occur in winter)
- 7) In the list of receptors "Other more distant and generally elevated receptor locations" should be specified.
- 8) Narrative should be provided to justify/explain the ratings for susceptibility, value and overall sensitivity for each identified landscape and visual receptors
- 9) Provide an assessment for landscape features of the Application Site (including landform; woodland and trees; hedgerows; and ponds and water features) as requested within the Scoping Report.
- 10) The applicant should provide a ZTV to the Local Planning Authorities to ascertain the likely level of visibility of the proposed development from the following receptors. Viewpoints should be selected accordingly to represent the receptors and the receptors should also be assessed in terms of the visual change they will experience:
 - Users of PRow that pass through the Application Site (ON/109/28/10 and ON/109/30/10 and the proposed diversion/ realignment along Estate Roads within the main site.

- Residents and users of the PRoW on the north-western edge of Bicester
 - Users of PRoW to the north-east of the Application Site in the vicinity of Stoke Wood and Stoke Little Wood
- 11) Further detail should be provided on each of the individual receptors presented in Appendix 7.3 rather than combining them based on location
 - 12) Clarify when agreement on viewpoints was reached agreed with Cherwell District Council and Oxfordshire County Council and whether this was based on the proposed development as presented on the current parameters plan and a ZTV
 - 13) Narrative should be provided to justify/explain the ratings for magnitude of change and overall level of effect for each identified landscape and visual receptor - and relate ratings (magnitude of change and overall level of effect) in Chapter 7 to the ratings presented in Appendices 7.2 and 7.3. This applies to both construction and operational phases
 - 14) For the majority of the identified landscape and visual receptors the magnitude of change and overall level of effect as assessed reduces from that reported for the construction phase. We would question this, particularly when duration is considered as a factor/moderator for magnitude of change. This should be reviewed and any judgements thoroughly justified.
 - 15) All judgements should be reassessed/ reviewed in the context of the comments and requests for further information raised as part of this review – the current draft finding that there are no ‘significant’ residual effects reported for any of the landscape or visual receptors does not seem right for a development of this type and scale. The assessment should also pick up on the realignment of the network of PRoW within the Application Site to a corridor along the proposed Estate Road and assessment of the change in experience for users
 - 16) The applicant should review the list of cumulative developments until a ‘cut-off’ date for assessment (up until which planning status of developments might change, to be agreed with the Local Planning Authority). The assessment should distinguish between the different planning status of developments i.e. distinguishing those developments with planning permission but not built from those that are planning applications awaiting planning permission. Any developments that are likely to be determined before this development should be included in the assessment
 - 17) A detailed cumulative assessment should be provided for each relevant landscape and visual receptor. Cumulative schemes should be shown on the LVIA figures (including visualisations) to help in visualising the cumulative effects
 - 18) Confirm the methodology used for the night-time assessment

- 19) Provide a night-time assessment for landscape and visual receptors (during construction and operation) in line with the Scoping Opinion. This should include sensitivity, magnitude and overall effect for all receptors in Appendices 7.2 and 7.3 (and significance) with reference to quantitative data provided by a lighting engineer's lighting impact assessment.
- 20) Provide night-time baseline photographs and visualisations to help inform the night-time assessment. Baseline night-time photos should be provided to communicate the existing lighting levels (this could be part of the lighting assessment or LVIA). Night time photomontages should be provided if there will be significant effects arising from lighting.
- 21) Provide further details on justification/clarification on planting growth rates assumed at Year15 and confirm the size and nature of the planting at construction.
- 22) Some of the photomontages (e.g. viewpoint 20 and 22) show the proposed buildings as wirelines rather than the block models. The final photomontages should be presented in a consistent way.
- 23) Review the baseline photography that was captured during different times during 2020 and 2022 to see if it is still up to date - if the situation has changed photos may need to be retaken and Figures 7.100 and 7.11 updated for the final LVIA.
- 24) The proposals should refer to:
 - Measures set out in the Cherwell Green and Blue Infrastructure Strategy (May 2022) - range of interventions and opportunities for GI provision within the Mid-Cherwell Focus Area which could contribute towards enhancement and mitigation opportunities;
 - The Cherwell Green Gaps Study (September 2024), in particular guidance for preservation and enhancement of settlement gap between Heyford Park and Ardley and Fewcott and between Heyford Park and Middleton Stoney
- 25) LUC advise that the proposals should plan for:
 - Larger areas of woodland planting along the eastern boundary of the Application Site – A minimum of 35m width of locally appropriate (and climate resilient) woodland screen planting should be provided along the development edges.
 - Wider corridors for the realigned PRow to improve experience;
 - Softening of bunds through landform modelling to appear as 'natural' as possible, and tree species and planting ages selected to ensure they can establish, especially those on bunds

8.6.18 The Council's request that the points raised above on the content and methodology of the LVIA are addressed by the applicant prior to submission, in consultation with both councils.

8.6.19 The Councils also require the applicant to revisit their proposed landscape mitigation be revisited once the issues with the LVIA are resolved. If the impact on the landscape has not been adequately assessed then it cannot be demonstrated that the proposed mitigation would be sufficient to offset any harm.

8.6.20 As part of this revision the Councils request the applicant provide robust justification for the scale of their proposed warehousing being as, if the mitigation hierarchy is applied correctly, altering the scale of the warehousing and their layout should first be considered to mitigate landscape harm before mitigation features like bunds and planting are considered.

Conclusion on Landscape and Visual Impacts

8.6.21 The Councils expect the applicant to address the issues raised by LUC above with regard to the draft LVIA.

8.6.22 The Councils also expect the applicant to revisit their mitigation strategy in light of the revisions to the LVIA suggested above. The applicant should demonstrate how they have applied the mitigation hierarchy.

8.7 Lighting

Summary

-

Mitigation/Improvements

-
-

NPS	
CDC	
OCC	

8.7.1

8.7.2

8.8 Water Environment (including flood risk and drainage)

Summary

- The scope of the LLFA's comments is limited to surface water drainage and surface water flood risk

- Hydraulic modelling reports have been provided for the fluvial flood risk. Initial review suggests that the development and access routes will be in areas at low risk of flooding.
- Surface water drainage information is very limited and only the principle of the design can be assessed, and only at a high level

Mitigation/Improvements

- Further detail is required on the surface water drainage design. The applicant should consult with the LLFA and District Drainage officer on SuDS design once this work has been undertaken

NPS	NNNPS
CDC	N/A
OCC	N/A

Policy Detail

- 8.8.1 Paragraph 5.135 of the NPS states that: Surface water flood issues need to be understood and then account of these issues can be taken, for example, flow routes should be clearly identified and managed.
- 8.8.2 Paragraph 5.136 states proposals should prioritise the use of Sustainable Drainage Systems unless there is clear evidence that this would be inappropriate. A drainage strategy should also be produced and submitted as part of the Flood Risk Assessment. Paragraph 5.137 goes on to define what the NPS considers to be Sustainable Drainage Systems.
- 8.8.3 Paragraph 5.139 states site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.
- 8.8.4 Paragraph 5.140 states that the surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project unless specific off-site arrangements are made and result in the same net effect.
- 8.8.5 Finally, paragraph 5.142 states if there are no viable Sustainable Drainage Systems options available, it may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.

Commentary

- 8.8.6 The LLFA is normally responsible for commenting on surface water drainage and surface water flood risk. Surface water flood risk modelling may require further review by external consultants.
- 8.8.7 The EA is normally responsible for commenting on main rivers, including environmental permits, fluvial modelling, flood zones etc.
- 8.8.8 The district council is normally responsible for commenting on ordinary watercourse alterations, land drainage consents etc.
- 8.8.9 Flood Risk Assessment (BWB, 2025) – LLFA summary:
- 8.8.10 The surface water flood risk is generally limited to areas adjacent to watercourses, and low spots in the topography. The areas adjacent to watercourses appear to flood due to restrictive structures downstream, such as siphons and culverts.
- 8.8.11 A modelling report has been provided for the fluvial flood risk not covered by flood zones.
- 8.8.12 Development of the area will introduce impermeable surfaces that will increase the surface water flood risk if not mitigated by an appropriate drainage system.
- 8.8.13 Ground investigations encountered groundwater between 1.3 and 2.0 metres below ground level, confined between more cohesive strata.
- 8.8.14 Ground levels may be profiled to manage surface water runoff away from the developed areas and towards the nearest drainage feature.
- 8.8.15 Raised development plateaus and finished floor levels should also provide mitigation against groundwater flood risk.
- 8.8.16 Discharge rates and attenuation volumes have been calculated for each plot (1 in 100 year storm event plus 40% climate change allowance).
- 8.8.17 Proposed SuDS include attenuation basins, swales and filter drains.
- 8.8.18 Flood exceedance flow routes have been considered but not demonstrated.
- 8.8.19 An outline drainage layout plan has been provided, annotated with the area of each catchment, greenfield runoff rate for that area (Q_{bar}), and required attenuation volume for that area.
- 8.8.20 The discharge locations for all catchments are local watercourses.

Adequacy of the draft ES and proposed mitigation

- 8.8.21 The surface water drainage proposals require more detail to understand the impact on the water environment. The use of SuDS, a discharge rate restricted to Q_{bar} and attenuation storage for the 1 in 100-year storm event plus climate change, provide an indicator that the impact will be mitigated with respect to runoff quantity. Not all information has been included to verify this, e.g. hydraulic calculations

8.8.22 Further information on groundwater levels and infiltration viability from the Phase 2 report under 'Chapter 11: Ground Conditions' has not been referred to.

8.8.23 Further information is required to demonstrate:

- National and local standards and guidance for SuDS and surface water drainage have been met.
- The viability of infiltration to ground (even if partial), and water re-use,
- The use of source control SuDS,
- The sufficiency of the proposed SuDS for pollution mitigation relative to the hazard posed by the development,
- Consideration of management and maintenance of the SuDS,
- Consideration of amenity and biodiversity when designing SuDS

Conclusion on Water Environment

8.8.24 The LLFA may need to resource external consultancy to review the flood risk modelling reports.

8.8.25 The surface water drainage details are not sufficient and further information is required. A more developed drainage strategy should be provided, with a written report detailing justifications for design choices made, and all supporting evidence.

8.8.26 The impact of not considering the above may increase flood risk and the water quality of receiving watercourses. Further detail on the surface water drainage design is expected. This information should be shared with the LLFA and District drainage engineer in advance of submission of the Application to PINS.

8.9 Cultural Heritage and Archaeology

Summary

- The proposal site lies in an area of relatively high archaeological interest and potential, and as such, the applicant engaged with the Oxfordshire County Archaeological Service (OCAS) at a relatively early stage in the development of the proposals for the scheme.
- The applicant has undertaken geophysical surveys of the site and trial trenching in line with an approved WSI which outlined that there was a high potential for Prehistoric, Roman, Saxon and post-Medieval activities.
- The development proposals preclude preservation in situ however OCAS are satisfied that the loss of the remains can be mitigated through full excavation and recording

- The application site is adjacent to the RAF Upper Heyford Conservation Area. There is also the Grade II Listed Threshing Barn at Ashgrove Farm within the application redline plan. The existing farm buildings at Ashgrove Farm are proposed to be retained and re-used through a change of use to form an estate management, training and communal facilities centre for the site.
- Both of these are heritage assets. Based on the comments received from the Cherwell District Council Conservation Officer, the proposals are expected to result in less than substantial harm to the heritage assets
- **Mitigation/Improvements**
- The proposals will result in extensive below ground impacts, and these will remove archaeological features identified on the site. We have agreed that the nature of the remains does not warrant preservation in-situ, and that their loss can be mitigated through full archaeological excavation
- A proposed Archaeological Mitigation Strategy has been included within the consultation material. OCAS has outlined some improvements required to this strategy. The strategy will require the written approval of a WSI before it is submitted to the Planning Inspectorate.
- Requirement 14 (1)(c) in Schedule 2 of the dDCO does not include provision for publication of the results of the archaeological mitigation

NPS	NNNPS
CDC	ESD15 The Character of the Built and Historic Environment C18 Development proposals affecting a listed building C28 Layout, design and external appearance of new development
OCC	N/A

Policy Detail

- 8.9.1 Paragraph 5.206 of the NPS defines a 'heritage asset' and 'significance' in relation to heritage assets. It outlines that significance is derived from the physical form of the asset but also its setting.
- 8.9.2 Paragraph 5.207 outlines that certain assets have a level of significance which justifies official designation. These assets include Scheduled Monuments, Conservation Areas and Listed Buildings.

- 8.9.3 Paragraph 5.208 of the NPS states that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments, should be considered subject to the policies for designated heritage assets. The absence of designation for such heritage assets does not indicate lower significance. Whilst paragraph 5.209 outlines that the SoS should also consider the impacts on other non-designated heritage assets.
- 8.9.4 Paragraph 5.10 outlines that applicants must undertake an assessment of any significant heritage impact and should describe its significance (including contributions from its setting) Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation.
- 8.9.5 Paragraph 5.212, in line with the NPPF, states that a documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.
- 8.9.6 Paragraph 5.214 states that the Secretary of State may add requirements to the Development Consent Order to ensure that this is undertaken in a timely manner in accordance with a written scheme of investigation that meets the requirements of this section, and has been agreed in writing with the relevant Local Authority, Historic England or Marine Management Organisation.
- 8.9.7 In making their decision paragraph 5.217 outlines that the SoS should take into account the nature of the significance of a heritage asset and the value that it holds for future generations. This understanding should be used to minimise and avoid conflict between the assets conservation and any aspect of the proposal.
- 8.9.8 Paragraph 5.218 states that the Secretary of State should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities – including their economic vitality. The Secretary of State should also take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).
- 8.9.9 Paragraph 5.219 outlines that great weight should be given to the conservation of heritage assets and that the greater the significance of the asset the greater the weight. Substantial harm to or loss of Grade II Listed Building should be exceptional whilst substantial harm to or loss of a Grade II* or Grade I Listed Building, or a Schedule monument should be wholly exceptional.

8.9.10 Policy ESD15

8.9.11 Policy C18

8.9.12 Policy C28

Commentary

Archaeology

- 8.9.13 The proposal site lies in an area of relatively high archaeological interest and potential, and as such, the applicant engaged with the Oxfordshire County Archaeological Service at a relatively early stage in the development of the proposals for the scheme. Through discussion with OCAS, a number of investigations have been undertaken to inform this application, with the approved reports submitted in support of the Archaeological Desk Based Assessment (Appendix 10.1) which informs the Cultural Heritage and Archaeology chapter of the Environmental Statement (Chapter 10)
- 8.9.14 An analysis of remote sensing data and aerial photographs (Appendix 10.5), geophysical survey (Appendix 10.2) and trenched evaluation (Appendix 10.3) have been undertaken, to approved Written Schemes of Investigations, and the results of these support the submitted Desk-Based Assessment (Appendix 10.1).
- 8.9.15 Within the site, a range of archaeological features have been identified via the investigations carried out to by the applicant. The geophysical survey (Appendix 10.2) recorded several areas of late Prehistoric – Romano British settlement activity, which took the form of enclosures, trackways and pits. Notably, banjo enclosures were recorded within the development site.
- 8.9.16 Following the results of the geophysical survey, a trenched evaluation was undertaken to further investigate the anomalies from the survey. The trenches recorded Iron Age banjo enclosures, rectangular enclosures, a ring enclosure, pits and gullies. Roman remains from the trenches included a complex of enclosures and trackways, structural remains and further enclosures. Two undated cremation burials were recorded. A single possible Saxon Sunken-Feature Building was also recorded.
- 8.9.17 Prior to these investigations, four banjo enclosures were known from within the DCO site, recorded from cropmarks.
- 8.9.18 Within the proposal site, archaeological investigations have found a high potential for Prehistoric, Roman, Saxon and post-Medieval activities. The presence of Iron Age banjo enclosures is particularly notable within the site. Roman period is represented by settlement and agricultural remains, and during the evaluation a single Saxon sunken-featured building was recorded. Post-Medieval.

- 8.9.19 The likely Iron Age tribal boundary of Aves Ditch forms the western boundary of the proposal site. It is possible that this boundary was maintained into the early Medieval period.
- 8.9.20 Roman pottery sherds had been previously recovered from the site, as well as Roman cremations, which were recovered during the installation of a watermain on the southeast boundary of the site.
- 8.9.21 The trial trenching confirmed that a number of the enclosures recorded in the geophysical survey were in use from the Iron Age into the Roman period.
- 8.9.22 A single Saxon feature was recorded in the evaluation trenching, a likely sunken featured building.
- 8.9.23 Within the wider landscape surrounding the DCO site, a number of large archaeological investigations have been undertaken. These have recorded further banjo enclosures, Iron Age – Romano British settlement, stone Roman agricultural buildings and scattered funerary remains. At Dewars Farm to the south east of the proposal site, a significant Anglo Saxon cemetery was recorded, with two rare bed burials, and further SFBs.
- 8.9.24 These features have been investigated via evaluation and will require further mitigation prior to any development on the site.
- 8.9.25 The development proposals will not offer opportunities for the majority of archaeological remains identified in the evaluation trenching to be preserved in-situ, however, we are satisfied that the loss of the remains can be mitigated through full excavation and recording (Appendix 10.8).

Built Heritage

- 8.9.26 The Cherwell District Council Conservation Officer has provided comments on the proposals and advised that the significance of the heritage assets lies in the fabric and character of the 18th century barn and the buildings that contribute to its setting. The landscape surrounding RAF Upper Heyford is also of significance as it contributes to the character and setting of the conservation area. The airfield due to its very nature is set in a flat open landscape with clear views out from the runway.

8.9.27 The conservation officer has advised that in general there are no objections to the redevelopment of the farm buildings including the restoration and re-purposing of the barn. The proposed approach to the works to the barn are considered acceptable in principle and the retention of the significant buildings and structures associated with it is welcomed. The proposed materials for the works to the barn are considered largely appropriate however careful consideration and further detail would be needed as part of any Listed Building Consent. Similarly, the works to the associated buildings are considered acceptable in principle. The retention of Ashgrove Cottages (previously to be demolished) is welcomed and supported, these are considered to be non-designated heritage assets and therefore care should be taken to ensure any works or alterations do not detract from or harm their character or significance. The proposed changes to the landscaping around the farm buildings is considered to potentially improve their setting. The farmhouse, farm buildings and cottages should be included in the heritage assessment for the site.

8.9.28 In advising on the impact of the proposals on the RAF Upper Heyford Conservation Area. The Conservation Officer has advised that development will be visible from within the conservation area and specifically in significant views out from the runway. Previous discussions with Historic England have highlighted this potential harm and, the proposals have been amended to reduce and mitigate the impacts. The current proposals are considered to be the result of these discussions and therefore we are content if no objections are raised by Historic England.

Adequacy of the draft ES and proposed mitigation

Archaeology

8.9.29 The applicant has submitted a Cultural Heritage and Archaeology chapter within the Environmental Statement. The chapter assesses the likely impacts of the proposal on below ground archaeological remains, and is informed by a number of investigations. Prior to the preparation of the chapter, an aerial photograph survey, geophysical survey and trenched evaluation were conducted to approved Written Schemes of Investigation and the evaluation was monitored on site by Oxfordshire County Archaeological Services. We feel that the ES adequately assesses the archaeological potential of the site

8.9.30 A proposed Archaeological Mitigation Strategy has been submitted with the Environmental Statement (Appendix 10.8). This document has not been approved by OCAS prior to the Stage 2 Consultation, however, it does address the majority of our concerns highlighted in previous versions of the Strategy. Information regarding the public outreach proposed needs to be detailed within the WSI, and the plan shown in Figure 13 should show the locations of the proposed trench within the wider scheme. These issues will need to be addressed before the mitigation scheme is acceptable. Once the WSI has been accepted, we caveat the archaeological mitigation is acceptable based on current development plans, though if these change, then the WSI will have to be reviewed.

8.9.31 This WSI will need to be agreed with OCAS in advance of the submission of the application to the Planning Inspectorate.

8.9.32 Requirement 14 (1)(c) in Schedule 2 of the dDCO does not include provision for publication of the results of the archaeological mitigation and should be amended to ensure this is secured.

Conclusion on Cultural Heritage and Archaeology

Archaeology

8.9.33 The applicant has examined the archaeological potential of the site to adequately inform the DCO. The documents submitted show that the site has a relatively high archaeological potential, with remains recorded from the late prehistoric, Roman, Saxon and post-Medieval periods. The DCO has been informed by an aerial photographic survey, a geophysical survey and a trench evaluation. Oxfordshire County Archaeology Service has been involved in advising on the investigations which have been undertaken to produce the ES. Based on the results presented within the ES chapter, the archaeological remains recorded on the site will have to be subject to a full archaeological investigation prior to any development on the site, as outlined in the submitted mitigation strategy.

Built Heritage

8.9.34 The Conservation Officer concluded their comments by stating they consider the development would result in harm at the lower end of less than substantial harm. The Conservation Officer recognised public benefits do arise from the proposals in the form of the restoration of the Listed Building and associated farm complex.

8.10 Ground Conditions

Summary

- The proposed development may sterilise 27 million tons (or more) of safeguarded minerals resources in the form of crushed rock. This is the equivalent to 27 years worth of supply for Oxfordshire.

- The applicant has not demonstrated conformity with NNNPS, the NPPF or Policy M8 of the Oxfordshire Minerals and Wastes Local Plan.
- The applicant has made assumptions to calculate the amount of minerals that would be sterilised as a result of the proposed development. OCC does not see sufficient evidence for these assumptions

Mitigation/Improvements

- Further information on assumptions made in the Mineral Resource Assessment is required for consideration by the Minerals Planning Authority.
- More information is required on the material resources, and their sources, required by the development for them to be properly assessed in the Environmental Assessment.
- More information is required on the use of the Strategic Rail Freight Interchange for aggregate freight.

NPS	NNNPS
CDC	N/A
OCC	Policy M8: Safeguarding Mineral Resources

Policy Detail

- 8.10.1 Paragraph 5.191 of NNNPS states that applicants should safeguard any mineral resources on the proposed site as far as possible. Taking into account the policies of the Minerals Planning Authority, applicants should consider whether prior extraction of the minerals would be appropriate.
- 8.10.2 Para 5.196 of NNNPS states that where a proposed development has an impact on a Mineral Safeguarding Area, the Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.
- 8.10.3 Para 222 of the NPPF states that “it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.
- 8.10.4 Policy M8 of the Oxfordshire Minerals and Wastes Local Plan (2017) states that mineral resources in the Mineral Safeguarding Areas shown on the Policies Map are safeguarded for possible future use. Development that would prevent or otherwise hinder the possible future working of the mineral will not be permitted unless it can be shown that:
- The site has been allocated for development in an adopted local plan or neighbourhood plan; or

- The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or
- The mineral will be extracted prior to the development taking place

8.10.5 The policy continues to say that mineral Consultation Areas, based on the Mineral Safeguarding Areas, are shown on the Policies Map. Within these areas the District Councils will consult the County Council on planning applications for non-mineral development.

Commentary

8.10.6 The site lies within a Mineral Safeguarding Area (MSA) for Crushed Rock as identified and safeguarded within the Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (2017) under Policy M8. The purpose of MSA's is to protect mineral resources from sterilisation by non-mineral development, in accordance with the NPPF.

Conformity with Policy M8

8.10.7 As outlined above policy M8 of the Minerals and Waste Local Plan clearly states development should not be permitted on Minerals Safeguarded areas unless they meet one of three criteria: They are allocated, prior extraction is proposed or the need outweighs the economic benefit of extraction.

8.10.8 Allocation: The site has not been allocated for development in an adopted local plan or neighbourhood plan

8.10.9 Prior Extraction: The consultation documents do not propose that the mineral is intended to be extracted prior to the development taking place.

8.10.10 Need for Development outweighs the economic and sustainability considerations relating to the resource: As the site is neither allocated nor proposed to be worked prior to development, Policy M8 requires the submission to demonstrate that the need for the development clearly outweighs the economic and sustainability value of the safeguarded mineral resource.

8.10.11 While the consultation documents, particularly the Mineral Resource Assessment within the Environmental Statement, includes some information on development need, and estimations of mineral resources within the site, at this stage, we do not consider the assessments, analysis and conclusions within the Mineral Resource Assessment to accurately reflect the potential impact on Oxfordshire's mineral resources. Neither does it currently demonstrate that the development need outweighs the value of the safeguarded resource.

Quality of Minerals Resource Within the Site

- 8.10.12 Chapter 6 Ground Condition of the Environmental Statement confirms that most of the site is underlain by White Limestone formation, with limited superficial deposits and isolated pockets of Forest Marble Formation (limestone) and Rutland Formation (mudstone).
- 8.10.13 The Minerals Resource Assessment includes information confirming that the mineral resources within the site boundary are considered economically viable in accordance with BGS criteria for workable deposits, as set out below:
- The deposit should average more than 2m in thickness;
 - The ratio of overburden to mineral should not exceed 1:1;
 - The proportion of fines should not exceed 15 – 25% silt or 10 - 15% clay; and
 - The deposit should lie within 5 – 10m of the surface
- 8.10.14 7.9.13 It also includes a number of mineral resource data sets at Appendix 2:
- Dynamic Sample logs – BGL of 0.71- 3.03m before refusal due to limestone.
 - 8 Rotary Core logs – BGL of 10m, over half have limestone occurring beyond 6m depth
 - Trial Pit logs – BGL 1.6-2.4m
- 8.10.15 The Mineral Resource Assessment states that limestone is generally located 1m below the surface, with an average depth of 6m across the site. While the 1m depth is supported by the dataset, it is unclear how the 6m average has been derived, as the data indicates a range of depths between 5m and 10m. We request further clarification from the applicant on this point.
- 8.10.16 Based on these given assumptions, the Mineral Resource Assessment estimates that the development would sterilise approximately 27.6 million tonnes of crushed rock, assuming 50% of the deposit is workable. However, no justification is provided as to why only 50% of the deposit has been assumed to be workable. If 75% were workable, the site could yield around 41.4 million tonnes; at 100%, up to 55 million tonnes.
- 8.10.17 Even at the 50% assumption, the site contains significant reserves that could meet Oxfordshire's crushed rock requirements for at least 27 years, well beyond the current plan period to 2031.

- 8.10.18 In light of this information we strongly disagree with the assessment of impact of the loss of this mineral resource as set out in Table 11.4 Summary of Likely Effects in Chapter 11 as minor, and the level of Effect as Minor Adverse. This is a large resource and so should reflect the criteria as set out in Table 11.2 – Sensitivity of Geological Receptors, and be classified as High Sensitivity. Nor do we agree with the Table 11.3 - Effect of the Magnitude Criteria, that only operational resources would be considered major. This site is on a Mineral Safeguarded Area as set out in the Oxfordshire Minerals and Waste Local Plan and the loss of an assumed 27 million tonnes, should be classed as Major.
- 8.10.19 We therefore seek clarification on how both the depth and workability figures have been calculated. Once this information is provided, we will be able to fully assess the Mineral Resource Assessment and its impact on minerals within Oxfordshire. The Authority would also like additional time to explore undertaking their own Mineral Resource Assessment of this area in light of the scale of mineral sterilisation.

Minerals Demand

- 8.10.20 As Minerals Planning Authority, we wish to highlight that the Mineral Resource Assessment and supporting documents contain several inaccurate and misleading statements regarding the need and demand for crushed rock in Oxfordshire, which must be addressed prior to submission.

Adequacy of the draft ES and proposed mitigation

- 8.10.21 OCC strongly disagree that the impact of the loss of this mineral resource as set out in Table 11.4 of Chapter 11 is Minor and the level of Effect is Minor Adverse.
- 8.10.22 This is a large resource, which we consider to be of nationally significant scale, so under Table 11.2 Sensitivity should be High Sensitivity.
- 8.10.23 Nor do we agree with the Table 11.3 Effect of the Magnitude Criteria, that only operational resources should be considered major. This site is on a Mineral Safeguarding Area as set out in the Oxfordshire Minerals and Waste Local Plan, in accordance with the NPPF, and the loss of an assumed 27 million tonnes, should be classed as Major.
- 8.10.24 Ahead of Submission these tables should be amended to accurately reflect the impact and magnitude on mineral resources.
- 8.10.25 Section 3.5 describes crushed rock as “abundant” in Oxfordshire. This is a misleading term for describing mineral resources. Mineral resources are finite, non-renewable, and can only be worked where they naturally occur. Oxfordshire’s crushed rock deposits are locally and regionally significant due to the limited geological availability across the wider South East. The NPPF requires Minerals Planning Authorities to safeguard such resources.

- 8.10.26 In addition, Section 13.4.9 of Chapter 13 states that Oxfordshire has a large existing supply of minerals. Our landbank for Crushed rock is significantly below the 10 years required by the NPPF, clearly demonstrating that Oxfordshire does not have a large supply of existing permitted aggregate.
- 8.10.27 Section 4.3 references the 2014 Local Aggregate Assessment (LAA), which indicated no additional requirement for crushed rock at that time. However, more recent annual Local Aggregate Assessments have consistently identified a clear and growing need for additional crushed rock reserves to support development, which cannot be met by existing permitted sites, contrary to the statement in Section 6.2.
- 8.10.28 In addition, Policy M2 of the Oxfordshire Minerals and Waste Local Plan permits additional aggregate mineral working, under Policy M5, to maintain landbanks of reserves with planning permission to be maintained, for crushed rock is this a period of at least 10 years in accordance with the annual requirement rates.
- 8.10.29 The following evidence also contradicts the assessment and conclusion of the Mineral Resource Assessment:
- The NPPF requires a minimum landbank of at least 10 years for crushed rock. Oxfordshire's latest LAA (2023) shows a landbank of just 4.9 years—well below the national requirement.
 - Oxfordshire County Council is committed to enabling the provision of 0.964 million tonnes of crushed rock annually to support planned growth.
 - The Government's growth agenda will require substantial mineral resources, including crushed rock.
 - In 2023, crushed rock sales in England totalled 78.5 million tonnes, indicating that this site could make a meaningful contribution to national supply.
- 8.10.30 As Minerals Planning Authority, we therefore strongly disagree with the conclusions in Section 5.6 and 6.8 of the Mineral Resource Assessment and 11.4.62 of Chapter 11 Ground Conditions, that it is considered unlikely that there will be economic demand for the mineral if extracted for sale within the lifetime of the current plan or in the next decade or more. The site, based on the figures provided, could yield approximately 27.6 million tonnes of primary aggregate, which as mentioned above could meet Oxfordshire's crushed rock requirements for the next 27 years, well beyond the current plan period (to 2031).

Conformity with Policy M8 of the Oxfordshire Minerals and Wastes Local Plan

- 8.10.31 In light of the evidence provided at this time, in particularly the Mineral Resource Assessment, at this stage the consultation documents do not demonstrate how the need for the development outweighs the economic and sustainability considerations relating to the mineral resource.

- 8.10.32 Therefore, we require additional information to be able to fully assess the mineral resources and assess whether it is contrary to Policy M8 of the Oxfordshire Minerals and Waste Local Plan.

Conformity with the NPPF

- 8.10.33 Furthermore, the NPPF (para. 223c) requires mineral safeguarding to ensure resources are protected for potential future use, even where there is no presumption that they will be worked. This site could not only meet demand today, but demand for future generations. Sterilising such a substantial mineral resource would conflict with the NPPF.

Conformity with NNNPS

- 8.10.34 No mitigation measures to safeguard the mineral resources have been put forward therefore the proposal is currently considered contrary to Paragraph 5.916 of the NNNPS.

Chapter 13 Resource Requirements

- 8.10.35 Chapter 13 of the Environmental Statement explores materials required for the development of the proposal and their impact.
- 8.10.36 Minimal information has been provided on the construction materials required for this development within the consultation materials. While it is acknowledged that aggregates will be needed, the consultation materials lacks detail on the types, quantities, timescales, and sources of material. Table 13.12 lists several Oxfordshire mineral sites as potential sources, but these may close or cease extraction during the construction period.
- 8.10.37 To be able to fully assess the environmental impacts of this site, the mineral requirements should be provided ahead of submission.
- 8.10.38 In addition to enable the Minerals Planning Authority to plan for a steady and adequate supply, as required by the NPPF, further detail is needed on the specific aggregate requirements and sourcing strategy.
- 8.10.39 Paragraph 13.5.27 concludes that the effect of construction materials is “Not Significant” and this is also reiterated at 11.7.15 of Chapter 11. However, this conclusion is not supported by sufficient evidence. For example, if crushed rock is required, Oxfordshire’s current landbank is only 4.9 years—well below the NPPF’s 10-year requirement. Sharp sand and gravel reserves were also nearing the 7-year NPPF threshold at the end of 2023. This site could need significant external minerals to construct.

- 8.10.40 Without clear information on material demand and availability, it cannot be concluded that the impact is “Not Significant.” Furthermore, paragraph 13.5.26 does not demonstrate that substantial quantities of quarried material are available to support this development.

Aggregate Depot

- 8.10.41 Clarity is sought ahead of the submission if it is intended for the SRFI to also be utilised as an aggregate depot. The Rail Report at 6.2.6 does mention that with regard to rail services, the range which use (or could use) SRFI has expanded in recent years and now includes: bulk materials in containers (e.g. recyclates) and open box wagons (e.g. aggregates), however there is no further mention of aggregates within the Rail report.

Conclusion on Ground Conditions

- 8.10.42 Further information on assumptions made in the Mineral Resource Assessment is required for consideration by the Minerals Planning Authority. More information is required on the material resources, and their sources, required by the development for them to be properly assessed in the Environmental Assessment. More information is required on the use of the Strategic Rail Freight Interchange for aggregate freight.
- 8.10.43 No mitigation for the sterilisation of the mineral has been provided.
- 8.10.44 The Assessment criteria for mineral resources should be amended to accurately reflect the sensitivity and magnitude of impact of this proposal on Mineral Safeguarded Resources ahead of submission.
- 8.10.45 Due to the significant minerals resources impacted by this proposal the Minerals Planning Authority may need to resource external consultancy to fully review the mineral resource implications and make a further response to the impact on Mineral Safeguarded Resources.
- 8.10.46 At this time the proposal potentially sterilises at least 27 million tonnes of crushed rock, which is a significant amount, especially when Oxfordshire’s Crushed rock landbank is below the required 10 years and Central Government is promoting a growth agenda.
- 8.10.47 No information has been provided on the quantities of material needed to deliver this project, and this could have significant environmental impacts and should be considered and included before submission.

8.11 Socio-Economic Impacts

Summary

- Provision of walking and cycling connections are welcomed.

Mitigation/Improvements

- The applicant needs to review the impact the proposed development would have on residential receptors at the proposed development at the adjacent Heyford Park.

NPS	NNNPS
CDC	Strategic Objective 1.
OCC	

Policy Detail

8.11.1 Paragraph 4.71 of the NPS outlines that SRFI have the potential to effect health due to traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluted water and pests.

8.11.2 Paragraph 4.72 states that where the proposed project has an effect on human beings, the applicant should assess these effects, identifying any potential adverse health impacts, and identify measures to avoid, mitigate or as a last resort compensate for adverse health impacts as appropriate. Enhancement opportunities should be identified by promoting local improvements for active travel and horse riders driven by the principles of good design to create safe and attractive routes to encourage health and wellbeing; this includes potential impacts on vulnerable groups within society, i.e. those groups within society which may be differentially impacted by a development compared to wider society as a whole

8.11.3 Paragraph 5.244 states that where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts. 5.245 goes on to say that this assessment should include all relevant socio-economic impacts.

8.11.4 Paragraph 5.246 requires applicants to describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.

8.11.5 At paragraph 5.247 the NPS specifically outlines that Strategic Rail Freight Interchange developments, applicants should outline the benefits to workforce conditions of the new development once it is operational. This should include improved facilities for drivers (including Heavy Goods Vehicles) such as parking, hygiene facilities and hospitality establishments.

8.11.6 Paragraphs 5.248 and 5.249 outline the requirements for mitigation and outline that the SoS should have regard to potential socio-economic impacts and consider any positive provisions that the applicant has made.

Commentary

8.11.7 The following comments relate to the human health and wellbeing aspects of the proposals, with a primary focus on the draft Health Impact Assessment (HIA) compiled by Ekosgen for Oxfordshire Railfreight Ltd.

8.11.8 It is understood that this development will include the provision of vehicular relief roads/bypasses as well as an active travel bridge to the north of the site. This will be a welcome addition to the development as a way to encourage active travel and connectivity.

8.11.9 It is supported that noise and air quality are scoped into the assessment as the proposals will involve changes to operations in the local area, notably around the noise of operational works at the new rail freight interchange. While it is noted that this will be mitigated to the north-west of the rail terminal via noise barriers, the health assessment doesn't appear to explicitly refer to future residential units proposed in the Heyford Park wider site, some of which might be located on the boundary with the rail freight interchange. It will also be important to consider the height of noise barriers in relation to the height of future operations at the site, taking into account a worst case scenario assumption.

8.11.10 The rationale around the beneficial effects to physical activity is acknowledged. Due to local issues with physical inactivity and low rates of active travel to places of work, it will be essential that the proposed foot and cycleways provide safe and direct connections from the rail freight interchange and surrounding settlements, such as Heyford Park and Bicester.

8.11.11 The potential employment opportunities offered by the development will be positive for the local and district-level population. To ensure that new jobs are created as sustainably and attractively as possible, the applicant will need to consider opportunities to access the site through walking and cycling, such as the provision of shower, locker and changing facilities, secure and covered cycle storage, and onsite green spaces which cater to staff during breaks (benches, use of green infrastructure etc).

Adequacy of the draft ES and proposed mitigation

8.11.12 As outlined above the applicant needs to ensure that the impact from noise and air quality have been considered in relation to proposed residential units at Heyford Park following the submission of an application for up to 9500 dwellings at on the site (LPA Ref; 25/02190/Hybrid) and following the recent report of the New Town's Commission shortlisting the site as one of 12 new towns within the Country. This report proposed up to 13500 homes at Upper Heyford and the impact of the proposed SRFI on residential receptors on this site need to be considered.

Conclusions on Socio-Economic Impacts

8.11.13 The Council welcomes the provisions with the proposed development for walking and cycling connections to the site. The applicant should ensure use of these routes are incentivised.

8.11.14 The applicant needs to further consider the impacts of the scheme on residential receptors at the proposed new town at Heyford Park adjacent to the site.

8.12 Waste

Summary

- The proposed development would result in the permanent loss of a safeguarded waste facility at Ashgrove Farm
- The proposed development may risk prejudicing Oxfordshire's commitment to waste self-sufficiency per W1 of OCC's M&W LP

Mitigation/Improvements

- No mitigation has been provided for the proposal to remove Ashgrove Farm, a safeguarded waste facility
- A Wastes Need Assessment must be undertaken by the applicant to understand the impact of the loss of Ashgrove Farm as well as the extraction of waste from Ardley and wastes arising from Construction.
- Further detail is needed on the management of waste arising from the scheme
- Further information is required on the impact on Ardley Landfill.

NPS	NNNPS
NPPW	Section 5, paragraph 7
CDC	N/A
OCC	W11 Safeguarding Waste Management sites W1: Oxfordshire waste to be managed (net self-sufficiency)

- 8.12.1 Paragraph 5.71 of the NPS states that the applicant should demonstrate that they will adhere to the waste hierarchy, preventing and reducing waste produced in the first place and maximising preparation for reuse and recycling for waste that cannot be prevented. Where possible, applicants are encouraged to use existing materials first, then low carbon materials, sustainable sources, and local suppliers. Consideration should be given to circular economy principles wherever practicable, for example by using longer lasting materials efficiently, optimising the use of secondary materials and how the development will be maintained and decommissioned. Applicants should consider and take into account emerging government policy, including Maximising Resources, Minimising Waste, constituting the new Waste Prevention Programme for England and Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, which provides practical guidance on how to improve appropriate soil reuse on construction sites and reducing the volume that is sent to landfill.
- 8.12.2 Paragraphs 5.72 and 7.73 require a circular approach to waste management and outline that sustainable waste management is implemented through the waste hierarchy.
- 8.12.3 Paragraph 5.75 outlines that Infrastructure projects should employ Modern Methods of construction such as sustainable timber and low carbon concrete where possible.
- 8.12.4 Paragraph 5.76 outlines that the SoS needs to consider the effectiveness of the process proposed by the applicant to manage waste through construction and operation.
- 8.12.5 Finally, paragraph 5.78 states that where possible, projects should include the reuse of materials and use of sustainable materials and recycled materials.
- 8.12.6 The National Planning Policy for Waste sets out the role of planning for waste, which includes providing a framework in which communities and businesses take more responsibility for their own waste, including enabling waste requiring disposal or mixed waste destined for recovery to be managed in line with the proximity principle. It also requires that, in preparing waste local plans, waste planning authorities should identify quantities of waste requiring different types of management in their area over the plan period.
- 8.12.7 Section 5, paragraph 7 of the NPPW, states that local authorities should ensure that the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities.

8.12.8 Policy W11 of the Minerals and Waste Local Plan safeguards waste management sites within the County. The Policy sets out that development which will directly or indirectly prevent or prejudice the use of safeguarded waste management sites will not be permitted unless the site is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan, or equivalent waste management capacity can be appropriately and sustainably provided elsewhere; or it can be demonstrated that the site is no longer required for waste management.

8.12.9 Policy W1 of the Minerals and Waste Local Plan sets out that provision will be made for waste management capacity that allows Oxfordshire to be net self-sufficient in the management of its principal waste streams.

Commentary

8.12.10 This site proposes the removal of Ashgrove Farm, a waste management facility that manages up to 35,000 tonnes of waste per year. The Ashgrove Farm site is listed within Appendix 2 of the Oxfordshire Minerals and Waste Local Plan and in the Authority's Annual Monitoring Reports. Therefore, it is a safeguarded site under Policy W11 of the Oxfordshire Minerals and Waste Local Plan

8.12.11 The proposal for the Strategic Rail Freight Interchange is not within an adopted Local Plan or Neighbourhood Plan

8.12.12 The consultation documents do not propose to deliver equivalent waste management capacity elsewhere

8.12.13 The consultation documents have not demonstrated that Ashgrove Farm is no longer required.

8.12.14 A detailed waste needs assessment has not been provided as part of the consultation, and this is required to be able to fully assess the impact of the loss of this site. It is critical that this is undertaken before Submission, so that the full implications of this development can be considered prior to submission.

8.12.15 Without this assessment, and ahead of any full needs assessment, we have reviewed the last published Authority Monitoring Report (AMR) for 2020 (published 2023). It demonstrated that permitted Composting/Biological Treatment capacity within Oxfordshire was 239,000 tonnes, with 188,177 tonnes of composting/food waste treatment being managed.

8.12.16 In addition, the Composting/Biological Treatment sites that are listed in the Authority Monitoring Report indicate that a number of sites listed are temporary and their permission has expired since 2020, or is due to in the future, removing Composting/ Biological treatment capacity within Oxfordshire.

- 8.12.17 At Section 13.4.25 the consultation document states that the Waste Data Interrogator provides details of waste capacity. This is incorrect, the Waste Data Interrogator provides details of waste movements received or removed from sites, not capacity.
- 8.12.18 Without the detailed figures and method of calculation provided to reach the figures in 13.4.25, it is assumed that the figures included are the average waste received into Oxfordshire Sites between 2019 -2023, and the Waste Data Interrogator has indicated that Oxfordshire's composting and food waste treatment facilities are potentially receiving around 226,298tpa.
- 8.12.19 With a capacity of 239,000 taken from the AMR, which could be less due to the closure of temporary sites, waste received at these sites is potentially reaching capacity, therefore the loss of Ashgrove farm could significantly impact Oxfordshire's Waste Management Capacity.
- 8.12.20 However, to fully assess and understand the full implications of the impact of the potential loss of this site a full Waste Needs Assessment will need to be prepared. As this has not been provided by the applicant, Oxfordshire County Council will need to undertake this.
- 8.12.21 At this stage it has not been proven that the site is no longer required for waste management, nor is the development within a Local Plan or Neighbourhood Plan, nor is it proposed to be provided elsewhere. Therefore, until a full waste needs assessment is undertaken, this proposal is contrary to Policy W11 of the Oxfordshire Minerals and Waste Local Plan
- 8.12.22 Oxfordshire (Policy W1) and the South East Authorities, have a commitment to be net self-sufficient at managing in the management of their principle waste streams. This is in accordance with the NPPW. We would therefore not wish to see Oxfordshire's waste management capacity reduced so that Oxfordshire has a reliance on Buckinghamshire, Milton Keynes or West Northamptonshire.
- 8.12.23 In addition, no assessment of Buckinghamshire's, Milton Keynes or West Northamptonshire's waste needs has been provided to demonstrate that they can manage the additional 35,000tonnes annually if Ashgrove Farm were to be lost
- 8.12.24 It is not considered that the Environmental Statement (ES) and supporting documents provide sufficient detail on the impact of the proposed development on Ardley Landfill, particularly regarding the north-eastern edge of the site, which extends into the landfill area. There is a lack of clarity on the following points:
- The anticipated quantity of waste to be removed from the restored landfill, including the existing cap,
 - The material needed for the recapping,

- Any alternatives considered for the management of the waste removed from the cells, if the EA do not permit the placement of the waste on the wider site

8.12.25 This information is essential for a full assessment of the proposal and should be provided before any decision is made

8.12.26 We are pleased to see the consultation documents provide the estimated waste arisings from construction of the proposal and support the commitment that the development would match or exceed the targets within Policy W2 for both the construction and operation phases of the development. We also support the preparation of a Construction Management Plan and Site Waste Management Plan to be submitted. We would expect to be consulted on this ahead of submission.

8.12.27 However, in light of this commitment we would have expected a greater level of detail regarding the specific types of waste anticipated, the projected quantities for recycling, and the potential impacts on Oxfordshire's waste management facilities beyond landfill alone. Whilst we recognise that IEMA guidelines require developments to consider impacts on landfill capacity, due to the scale and nature of this development, we would expect that the impact on other waste management capacity should be considered.

8.12.28 Especially as Oxfordshire has set a target for no more than 5% of construction, demolition, and excavation (CD&E) waste to be sent to landfill by 2030. This means that 95% of waste generated from this development will need to be managed through alternative treatment and recycling routes. It is therefore essential to understand how the CD&E arisings from this site will affect the capacity and operation of Oxfordshire's other waste management facilities, not just landfill.

8.12.29 Without the detailed information on potential waste arisings and management routes, we are unable to agree with the assertion in paragraph 13.4.18 that the sensitivity of waste transfer and treatment sites to construction and demolition from the development waste is low, nor with the conclusion in Table 13.23 that the preliminary assessment of construction impacts is slight.

8.12.30 This proposal has significant potential to impact existing local recycling and recovery capacity and therefore this should be considered and assessed.

8.12.31 We request that the applicant provides further clarity on these points to ensure the impacts of the development can be fully considered and the proposal aligns with Oxfordshire's waste management targets.

Adequacy of the draft ES and proposed mitigation

- 8.12.32 The planning permission for the Biffa Green Power IVC Facility at Ashgrove Farm is permanent, not temporary, and thus forms part of Oxfordshire's permitted permanent waste management capacity. The assumptions within the consultation documents that it is a temporary facility should be removed and corrected within the Environmental Statement (13.4.19).
- 8.12.33 Paragraph 13.4.22 is incorrect and should be addressed prior to submission. Ashgrove Farm is listed within Appendix 2 of the Oxfordshire Minerals and Waste Local Plan, and it is also listed within the Authority Monitoring Reports. It is a safeguarded site and Policy W11 applies.
- 8.12.34 The impact of the loss of this site has not been accurately considered in terms of loss of waste management capacity in Oxfordshire.
- 8.12.35 No mitigation has been provided for the proposed removal of Ashgrove Farm.
- 8.12.36 Without detail of construction and operation waste arisings and management routes and the impact of these on existing waste management facilities within Oxfordshire (other than landfill), it is not appropriate to assess the magnitude and significance of these proposals at this time. This will need to be assessed prior to submission.
- 8.12.37 The ES does not provide a Waste Needs Assessment which is required to fully understand and undertake an assessment of the impact of the removal of Ashgrove Farm, the extraction of waste at Ardley, and the waste arisings from the development during construction and operation.

Conclusions on Waste

- 8.12.38 The waste management facility at Ashgrove Farm is safeguarded by Policy W11 of the Oxfordshire Minerals and Waste Local Plan.
- 8.12.39 The proposal to remove Ashgrove Farm is contrary to Policy W11 of the Oxfordshire Minerals and Waste Local Plan, as the site is safeguarded. The SRFI has not been allocated, provision of equivalent capacity has not been provided, nor has evidence been submitted that it is no longer required.
- 8.12.40 The consultation documents or Environmental Statement do not provide a detailed Waste Needs Assessment which is required to fully understand and undertake assessment of the impact of the removal of Ashgrove Farm, the extraction of waste at Ardley, and the waste arisings from the development during construction and operation.
- 8.12.41 The application lacks sufficient detail on the management of construction, demolition, and excavation waste, and does not adequately address the potential impacts on existing waste management facilities beyond landfill.

8.12.42 The Environmental Statement does not provide adequate information regarding the impact on Ardley Landfill, including quantities of potential waste removal, recapping requirements, and alternative management options, which are essential for a full assessment.

8.12.43 Until a comprehensive Waste Needs Assessment and further technical details on waste arisings and management routes for the development are provided, the proposal cannot be considered compliant with national policy, the NPPW, or the Oxfordshire Minerals and Waste Local Plan.

8.13 Agricultural Land

Summary

- Agricultural Land Classification Maps show the site as majority Class 3 (the maps do not distinguish between 3a and 3b), with a smaller portion being Class 2. The land surveys carried out by the applicant do not show any Class 2 Agricultural Land, with just 3a and 3b. The applicant should explain this discrepancy.
- The proposal would result in the loss of 38.2ha of BMV Agricultural Land (Subgrade 3a), representing 9% of the total development area. The proposal would have a major magnitude loss as it would exceed 20ha of BMV land

Mitigation/Improvements

- No mitigation is proposed for the loss of Class 3A BMV Agricultural Land
- Embedded mitigation is proposed through a Soil Management Plan, to ensure effective management, protection and reuse of topsoils. Implementation of this plan would ensure that there would be negligible residual effects on soil resources

NPS	NNNPS
CDC	ESD10 (Protection and Enhancement of Biodiversity and the Natural Environment)
OCC	N/A

Policy Detail

8.13.1 NPS National Networks Sections 5.189-5.190 states that the Agricultural Land Classification is the only approved system for grading agricultural land in England and Wales and that the economic and other benefits of BMV Agricultural Land should be taken into consideration. Where significant development of agricultural land is demonstrated to be necessary, area of poorer quality land shall be used in preference to that of higher quality.

8.13.2 Cherwell Local Plan section C.5 reinforces the importance of agriculture to the district's local economy by stating that "farming remains of vital importance to Cherwell's rural identity and to local food production". Best and Most Versatile Agricultural Land is universally recognised as those falling within Grade 1, 2 and 3a. Policy ESD10 of the CLP2015 states that "protection and enhancement of the natural environment will be achieved by...the reuse of soils.

Commentary

8.13.3 It is noted that the Agricultural Land Classification Maps show the majority of the site as being within Grade 3 agricultural land, with a smaller portion being within Grade 2 (around Camp Road). It is also acknowledged that these maps do not distinguish between Subgrade 3a (Good Quality Agricultural Land) and Subgrade 3b (Moderate Quality Agricultural Land).

8.13.4 The submitted Map 2B (part of Appendix 6.14A) shows the distribution across the site of Grade 3 Agricultural Land, with no Grade 2 Agricultural Land identified. This is contrary to the ALQ Mapping from Natural England, which is stated to have been used as part of the desk study within Section 14.2 of Chapter 14 of the Draft Environmental Statement.

8.13.5 The Draft Environmental Statement concludes that the proposal would result in the loss of 38.2ha of BMV Agricultural Land (Subgrade 3a), representing 9% of the total development area. Land falling within Subgrade 3b would constitute 282.4ha or 63% of the development area. The remaining area would constitute BNG land where soils would be retained or non-agricultural land.

8.13.6 Given the loss of 38.2ha of Subgrade 3a agricultural land, the proposal would have a major magnitude loss as it would exceed 20ha of BMV land.

Adequacy of the draft ES and proposed mitigation

8.13.7 There is no mitigation for the major magnitude loss of Subgrade 3a Agricultural Land. Given the context of the proposed development, and the fact that the proposal would result in the loss of BMV Agricultural Land constituting 9% of the total development site, the scope of the assessments carried out is generally accepted. Cherwell would appreciate commentary on the discrepancy between the ALC Mapping, which shows the presence of Grade 2 Agricultural Land and the lack of any Grade 2 Agricultural Land identified within the applicant's own Agricultural Land Quality Survey.

8.13.8 Embedded mitigation is proposed through a Soil Management Plan, to ensure effective management, protection and reuse of topsoils. Implementation of this plan would ensure that there would be negligible residual effects on soil resources.

Conclusions on Agricultural Land

8.13.9 The proposal would result in the loss of BMV Agricultural Land totalling 38.2ha, equating to 9% of the development site. As it would exceed 20ha in area, the proposal would constitute a major adverse effect. The management, protection and re-use of top-soils would ensure that soil resources of the site would be effectively managed and is considered to be an adequate mitigation measure.

8.13.10 Given the negative impacts of the proposal on BMV Agricultural Land, this will need to be balanced against other negative impacts, as well as public benefits of the proposed development.

8.14 Climate Change

Summary

- In the absence of any further mitigation, the proposed development in the construction phase is expected to have a moderate adverse/significant impact and the operational phase of the development would be in line with national decarbonisation targets in a 'do minimum' scenario. With the implementation of further mitigation through a Carbon Management Plan, including 'green leases' the proposal is expected to have a negligible impact on climate change in EIA terms

Mitigation/Improvements

- OCC will need to review a draft Carbon Management Plan in advance of submission to the Planning Inspectorate. We would expect this plan to include provision of Green Leases, encouraging public transport as well as walking and cycling, applying BREEAM Excellent status, and a plan for mitigating the impact of unregulated energy use.
- OCC also expects the applicant to Update to GHG emissions calculations including refrigerant gases and embodied carbon of solar PV and BESS
- The number of EV parking spaces should be increased to 25% to match OCC's standard. A commitment should be provided that the remaining car parking spaces will be fitted with passive EV charging infrastructure
- Finally OCC require the applicant to model a GHG emissions scenario in which the intermodal rail terminal is not operational.

NPS	NNNPS
CDC	ESD1 (Mitigating and Adapting to Climate Change), ESD2 (Energy Hierarchy and Allowable Solutions), ESD3 (Sustainable Construction), ESD4 (Decentralised Energy Systems), ESD5 (Renewable Energy), ESD6 (Sustainable Flood Risk Management), ESD7 (Sustainable Drainage Systems), ESD8 (Water Resources)

OCC	2020 Climate Action Framework 2021 Pathways to a Zero Carbon Oxfordshire 2021 Oxfordshire Net Zero Route Map and Action Plan 2022 Oxfordshire Local Transport and Connectivity Plan 2022 Oxfordshire Climate and Natural Environment Policy Statement 2025 OxRAIL 2040: Plan for Rail
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- 8.14.1 NPS National Networks Section 2.31 states that climate change is essential in minimising the most dangerous impacts of climate change, however the severity of these risks is projected to increase, putting additional stresses on transport infrastructure. In addition to this, Section 4.27 states that the design of developments should mitigate carbon emissions and adapt to climate change, including decarbonisation, flexibility and resilience.
- 8.14.2 Oxfordshire has ambitious net zero targets which will be driven by a combination of factors including renewable energy generation within the county, and a reduction in transport demand. Transport is Oxfordshire's greatest source of emissions and is among the most challenging to decarbonise – freight has the highest emission per vehicle mile of any journey. The Local Transport and Connectivity Plan outlines Oxfordshire's targets for transport in the county – to deliver a net zero transport network by 2040, and a transport network that delivers a climate positive future by 2050. These targets include freight vehicles and rail. The forthcoming OxRAIL 2040: Plan for Rail also outlines the role of the railway in delivering climate action and reducing transport emissions in Oxfordshire, which is relevant to this application.
- 8.14.3 Oxfordshire County Council's Climate Action Framework sets out the council's approach to tackling the climate emergency. One of the key outcomes of the framework was enabling a zero carbon Oxfordshire by 2050. This has been brought forward to 'as early as possible in the 2040s' through the Climate and Natural Environment Policy Statement.
- 8.14.4 The Pathways to a Zero Carbon Oxfordshire Report addresses the need and opportunity for Oxfordshire to maintain momentum to achieve net zero emissions. It examines a series of scenarios that could lead to the delivery of net zero emissions within the county and the implications of these scenarios on different sectors.

- 8.14.5 In all of the net zero scenarios, close to 100% of fossil-fuel powered vehicles need to be phased out, and some reduction in travel demand is required. Shifting freight from road to rail, particularly with the electrification of the railway, is one way to achieve this demand reduction. Consolidation of freight is essential to reducing emissions from deadhead journeys. The Oxfordshire Net Zero Route Map and Action Plan, which underpins the delivery of climate action in Oxfordshire, models the changes required in freight trips to reach net zero under the 'Oxfordshire Leading the Way' scenario; trip efficiency is required to increase by 10% by 2050, with 100% of HGV and LGV trips completed by vehicles that have zero emissions at the tailpipe.
- 8.14.6 Cherwell Local Plan has a suite of policies that seek to encourage sustainable development and respond to the climate emergency, relating to increasing temperatures and changes in rainfall patterns. In 2019, Cherwell District Council declared a climate emergency and recognised its role in supporting the district to become carbon net zero.
- 8.14.7 Policy ESD1 of the CLP2015 requires that development be located within sustainable locations, is delivered to ensure that there is a reduction in the need to travel, reduces carbon emissions and promotes the use of decentralised and renewable or low carbon energy.
- 8.14.8 Policy ESD2 of the CLP2015 states that in order to achieve carbon emission reductions, an energy hierarchy should be followed which, in order, should be reducing energy use, supplying energy efficiently, making use of renewable energy and making use of allowable solutions.
- 8.14.9 Policy ESD3 of the CLP2015 states that all non-residential development should meet the BREEAM 'Very Good' standard and how this will be achieved should be set out in an energy statement. All development proposals should be encouraged to reflect high quality design and environmental standards and demonstrate sustainable construction measures.
- 8.14.10 Policy ESD4 of the CLP2015 states that for all applications for non-domestic developments exceeding 1000sqm of floorspace, the use of decentralised energy systems will be encouraged.
- 8.14.11 Policy ESD5 of the CLP2015 states that all applications for non-domestic development exceeding 1000sqm of floorspace, the potential for significant on-site renewable energy provision (above any requirements to meet national building standards) should be investigated, and if deemed feasible, will be required.
- 8.14.12 Policy ESD6 of the CLP2015 requires that in relation to flood risk management, the sequential test will be required to reduce flood risk, where there are not any existing exemptions outlined within the NPPF and NPPG. Development shall only be permitted in areas of flood risk where there are no reasonably available sites in areas of lower flood risk.

- 8.14.13 Policy ESD7 of the CLP2015 requires that all development to use sustainable urban drainage systems (SuDS) for the management of surface water runoff.
- 8.14.14 Policy ESD8 of the CLP2015 states that Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use.
- 8.14.15 Policy ESD7 of the CLP2015 requires that all development to use sustainable urban drainage systems (SuDS) for the management of surface water runoff.
- 8.14.16 Policy ESD8 of the CLP2015 states that Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use.

Commentary

- 8.14.17 The development is noted to result in both indirect and direct greenhouse gas (GHG) emissions at three stages being construction, operation and decommissioning. It is noted that the Draft ES identifies that GHG emissions relate primarily to their global impact rather than any specific local receptor. In the contextualisation of the proposed development a number of factors have been considered, including the magnitude of the gross and net GHG emissions, expressed as a percentage of national and local carbon budgets, the increase or decrease in GHG emissions compared to the baseline scenarios and whether the development is in line with or contributes to the UK's policy for GHG emissions reductions.
- 8.14.18 In determining the current baseline conditions of the site, it has been taken into consideration that the main use of the site is currently predominantly agricultural, with a number of ancillary buildings as well as 'In Vessel Composting' facility. Given the predominantly agricultural uses of the site, emissions associated with the current baseline use have been considered to be negligible. The IVC facility will cease its use in 2030, with the current operator vacating the site and therefore this does not form part of the current baseline calculation (however it should be noted that the Councils contest this position above).
- 8.14.19 In determining the future baseline conditions of the site, the Draft ES notes that in line with national decarbonisation policy goals, that the carbon intensity factors of electricity, heating fuel, transport fuel and the embodied carbon in construction materials are likely to reduce. The future baseline also takes into consideration the 'do minimum' baseline and the road based long distant freight that would be replaced by rail based freight transport, which is noted to be the overarching objective of the SRFI. The conclusion reached is that the future GHG emissions for the existing land use without the proposed development are expected to be similar.

- 8.14.20 A Construction Environmental Management Plan (CEMP) will be produced to set out the best working practices during construction and the Draft ES outlines a number of ways in which these best practice measures will be implemented to ensure that GHG emissions arising from construction activities will be minimised.
- 8.14.21 For the operational phase of the development, an Energy Strategy has been produced which is stated to be centred on reducing the inherent energy demands of the proposed development. It is acknowledged by the Draft ES that the proposal would be “future proofed to focus on net zero ready operations on-site” but also states that it will “where possible out-perform the requirements of the latest Building Regulations”.
- 8.14.22 A number of design measures are proposed that adhere to the energy hierarchy principles, being ‘be lean, be clean, be green’. A number of measures are proposed, but notably include the installation of localised ASHPs, energy efficient lighting, the use of 100% of usable roofspace for PVs, a target EPC of A+ and building fabric and glazing specifications beyond Building Regulation requirements.
- 8.14.23 In terms of GHG emissions from road users, the target of 20% of parking spaces for EV charging has been set. The Draft ES acknowledges that the take up of EV vehicles cannot be predicted in absolute terms and the quantification of emissions based on operational traffic has assumed the use of EVs in line with current ownership patterns.
- 8.14.24 The GHG emissions arising from the construction phase of the development have been calculated to be 544,128 tonnes and in taking into consideration the UK carbon budget, this creates a contribution toward this budget of 0.018% between 2028-2032 and 0.024% between 2033-2037.
- 8.14.25 The majority of the carbon emissions associated with the construction phase are primarily from ‘main site’ works over ‘highway works’. In comparing the construction phase emissions for the ‘main site’ against the Net Zero Carbon Building Standard (NZCBS), it has been concluded that the emissions relating to warehousing and rail terminal buildings would not align with the UK’s net zero carbon trajectory. Conversely, in benchmarking the highway works against other highway work projects, the proposal would be lower than the other schemes selected.
- 8.14.26 As such, the Draft ES states the emissions for the construction phase of the main site are not in line with UK’s net zero trajectory and the significance of this effect would be moderate adverse/significant, prior to the consideration of additional mitigation measures.
- 8.14.27 For the operational phase of the development for buildings, emissions have been informed by the draft Energy Strategy, which includes solar PV provision and no fossil fuel heating. Rail movement operational emissions have been predicted based on the number of intermodal trains per day, containers transported and average payload.

- 8.14.28 The Draft ES notes the overall objective of the proposed development is to facilitate a modal shift for freight from road to rail transport and the operational carbon savings from this have formed part of the calculation. It was concluded that 53,225,172 HGV movements would be saved per annum. Relevant scaling of HGV movements has been undertaken to take account of average commuting distance, haulage distance and the fact that all new road traffic would not be new.
- 8.14.29 The estimated GHG emissions from the operational phase of the development equate to 100,836 tonnes annually and 6,050,167 tonnes over the lifetime of the development. In a similar approach to the construction phase, this has been calculated in the context of the UK's carbon budgets, which equates to 0.031% in the years 2033-2037. This does not factor in the future decarbonisation of the grid (as is stated as a UK government objective) as well as the decarbonisation of maintenance and repair activities. In taking into consideration the avoided emissions, which formed part of the overall calculation, particularly those from a transition to rail freight transport, it has been concluded that this would be in line with national decarbonisation targets.
- 8.14.30 The Draft ES concludes that the design of buildings has reduced operational emissions as far as practicable within the influence of the developer. In taking into consideration the emissions reductions, magnitude of emissions within national carbon budgets, embedded mitigation measures and alignment with national policy, the impact of the main site and highways works would be minor adverse/not significant.
- 8.14.31 Additional mitigation is proposed in the form of a Carbon Management Plan in the construction phase including setting a target emissions intensity for all buildings, reduction in material consumption, consumption of low carbon and recycled materials, use of renewable energy and the appointment of a Principal Contractor that would pursue carbon reduction activities where possible. Reductions available to highways works will be limited by National Highways requirements in road design.
- 8.14.32 For the operational stage of the development, the Carbon Management Plan would seek to secure green leases with tenants which will place certain responsibilities and requirements on future tenants to commit to energy consumption reduction. A Framework Travel Plan along with a Public Transport Strategy will be prepared to examine accessibility to the site by public transport, cycling and walking. The additional measures outlined above would result in some additional carbon reductions beyond those stated above.

- 8.14.33 The Draft Carbon Management Plan as an additional mitigation measure is said to reduce the impacts of construction from moderate adverse/significant to minor adverse/not significant. For the operational phase the impacts have been determined to remain at minor adverse/not significant. With additional measures to reduce the risk of overheating and extreme weather, all effects were determined by the Draft ES to be negligible/not significant in EIA terms with respect to climate change.

Adequacy of the draft ES and proposed mitigation

- 8.14.34 The statement and appendices provided are well-considered and the conclusions reached are generally accepted. The Framework Travel plan should give consideration to providing adequate provision for bicycle parking, as well as end-of-trip facilities that are available to each respective tenant and their employees. End of trip facilities should include showers, changing rooms, lockers and bathrooms to increase the attractiveness of more sustainable forms of transportation.
- 8.14.35 The Footway/Cycleway/Rights of Way Strategies for Phases 1 and 2 should be updated to ensure that the 'New/Upgraded Highway Works provided by OxSRFI' routes incorporate footpaths and cycle infrastructure to ensure that safe commuting by sustainable forms of transportation is encouraged, particularly those commuting from Heyford Park and Ardley.
- 8.14.36 The Draft ES notes that 20% of car parking will have EV chargers and it is assumed that these would be 'active' EV spaces. A commitment should be provided that the remaining 80% of car parking spaces will be fitted with passive EV charging infrastructure, to ensure that these can be easily connected as demand for electric vehicles increases in the future. It should also be noted that OCC requirements for active charging spaces is 25%. The Carbon Management Plan could also include the commitment that any fleet and delivery vehicles that prospective tenants may employ within their respective businesses will be electric vehicles. This could be included in the green leases that are proposed as part of the Carbon Management Plan. Provision should also be made within the proposed development for hydrogen vehicle infrastructure
- 8.14.37 The Draft ES includes the assumption that the development is focussed around the transition from road freight to rail freight transport and the principle of this is accepted. The calculations provided within the assessment include significant saving in emissions that are a result of 'avoided emissions'. However, modelling should also be carried out in the instance that the rail freight transport arrangements for the site including the rail terminal building as well as the connection to the Chiltern Line are not complete and operational by the time that warehouse buildings may be complete and occupied. This would lead to the development operating more as a logistics park rather than an SRFI and more heavily reliant on road transport/HGV movements than the modelling contained within the Energy Strategy anticipates.

- 8.14.38 Appendix 15.2 of the Draft ES states that it is not yet known whether warehouses will be predominantly refrigerated or unrefrigerated. While this is to be expected at this stage, the Global Warming Potential (GWP) of many refrigerant gases is significant. A contingency should be included within the GHG calculations to account for a scenario where a significant amount of refrigeration is required, or at the least mitigations for refrigerant gas leakage and consideration of refrigerant gases with the lowest GWP should be included within the climate change assessment.
- 8.14.39 Overall, Appendix 15.4 of the Draft ES (Energy Strategy) is a good document, and comprehensive, however there are a few issues to highlight. The Energy Strategy notes that 100% of available roof area will be made available to be filled with solar PV (pending further information on the capacity of the DNO for export back to the grid). The OHA is very supportive of such measures, but an analysis of the embodied carbon of the proposed PV infrastructure should be included within the GHG assessment given the potential significance of the installation. Similarly, the Energy Strategy states the need for a Battery Energy Storage System (BESS) on site – both BESS and solar PV have potentially high levels of embodied carbon which should be explored within the GHG assessment.
- 8.14.40 Also in the Energy Strategy, while the building fabric does and, in some cases, exceed 2021 Part L requirements, and BREEAM very good status has been mentioned in the statement, not all u-values meet BREEAM proposals, and the development has not committed to achieve BREEAM excellent status, which developments in the county should be striving for. Air permeability is the only area that the Strategy is meeting and exceeding excellent, and therefore opportunities for improving fabric measures should be explored.
- 8.14.41 Finally on the Energy Strategy, unregulated energy is mentioned but not addressed, which leaves a performance gap. We expect to see a plan, or at the very least some suggestions on how this would be mitigated.
- 8.14.42 Offsets are discussed in Appendix 15.5 of the Draft ES (Carbon Management Plan). While it is accepted that offsetting may be necessary after all other on-site options have been explored, the preference would be for any additional offsetting requirements to be fulfilled using schemes within Oxfordshire, funding projects around the county rather than looking to accredited national schemes. A discussion with the host authority should be arranged when necessary to explore the options within Oxfordshire.

Conclusion on Climate Change

- 8.14.43 The Draft ES notes that with further mitigation proposed, including a Carbon Management Plan, that the proposed development would be negligible/not significant. Council considers that there are further measures that could be implemented that could further reduce carbon emissions, as outlined above.

- 8.14.44 Modelling should be undertaken in case of the event that the rail infrastructure and terminal building are not complete or operational prior to the occupation of the warehouse units.

8.15 Cumulative Effects

Summary

- The applicant should expand the scope of the cumulative assessment wider to large-scale development along the A40 that does not fall within the administrative boundaries of Cherwell District Council
- The cumulative assessment should include the Puy Du Fou theme park proposal (Cherwell ref: 25/02232/OUT) that is currently under consultation. Regard should also be given to the proposals of the New Towns Taskforce, which proposes the potential for 13,000 homes at Heyford Park

Mitigation/Improvements

- No specific mitigation measures are proposed at this stage. Mitigation measures will more specifically be addressed within the Transport and Highways impacts topics of the EIA.

NPS	NNNPS
CDC	N/A
OCC	N/A

Policy Detail

- 8.15.1 NPS National Networks Section 4.12 states that a key part of environmental assessment is the consideration of cumulative effects. This means that the applicant should consider the impact of other committed and existing developments within an appropriate geographical area and assess the additional impact of their own development.

Commentary

- 8.15.2 The Draft ES outlines that there is no single, agreed industry-standard method for calculating which topics are relevant to a cumulative impacts assessment, but the assessment will follow the guidance provided by 'PINS Advice Note Seventeen' which is establishing the long list, establishing the short list, information gathering and finally, assessment (Stages 1-4). The intention of this section of the ES will be to identify significant effects on the environment, resulting in the cumulation of effects with other existing and/or approved projects.

- 8.15.3 The approach that will be taken within the ES in terms of cumulative impacts is that these will be included within other topics as part of their technical assessments. The example given is the Transport Assessment will be informed by transport and highways cumulative impacts, which will also give regard to matters relating to air quality and noise.
- 8.15.4 A number of projects were provided as part of the 2021 ES Scoping Opinion and included the HS2 rail project, East-West Rail, the Great Wolf Development at Chesterton, Heyford Park, the M40/J10 junction Baynards Green Distribution Centre and the Ardley Landfill Energy Recovery Centre.
- 8.15.5 Since the ES Scoping Opinion was issued a number of other developments have been added for the purposes of the cumulative assessment. This is included within Matrix 1 of Chapter 16. The projects outlined are said to be those falling within a Zone of Influence of 2km from the application site, or those which make assessment relevant. The Draft Table outlined within Matrix 2 will be progressed with those that have been considered by the applicant to progress to Stages 3 and 4 to include an assessment of potential cumulative effects with the NSIP, proposed mitigation applicable to the NSIP and the residual cumulative effects.
- 8.15.6 The projects that the applicant considers to be relevant for Stage 3 and 4 assessment are Heyford Park, Bicester Expansion/Eco Town, Great Wolf Leisure Resort, David Wilson Homes Residential Site, Albion Land and Tritax Site, M40/J9 Tritax Development and Richborough Estates. HS2, East West Rail and the Adley Landfill Energy Recovery Centre have been discounted from further assessment due to either their distance from the proposed development or the fact that it is existing development.

Adequacy of the draft ES and proposed mitigation

- 8.15.7 No specific mitigation measures are proposed in this Chapter of the Draft ES, however it is noted that the cumulative assessment will be carried out within the technical assessments within other chapters of the ES. It is also noted that Matrix 2 within Chapter 16 will be finalised at a later date.
- 8.15.8 In terms of the specific developments that have been selected, these appear to be solely within the Cherwell district boundaries. Given the proximity of the site to the M40, transport and highways cumulative impacts are likely to be experienced beyond Cherwell's administrative boundaries and consideration should be given to projects in adjoining authorities.
- 8.15.9 The applicant should give regard to other large-scale developments within the district, such as the Puy du Fou theme park and hotel proposal that has been submitted to Cherwell District Council for outline planning permission under planning 25/02232/OUT. The current status of this application is 'Under Consultation' and public announcements by the developer of this project suggest that the scheduled opening of the park will occur in phases from 2029, should it be granted planning permission.

- 8.15.10 An announcement from the UK Government on 28 September 2025 indicated that the New Towns Taskforce had recommended the Redevelopment of the Former Airbase at Heyford Park as part of a plan to deliver 1.5 million homes across the country. The New Towns Report identifies the potential for the delivery of 13,000 homes as part of this new town. This should be factored into the cumulative impacts assessment of the EIA. The Draft EIA currently only envisages the delivery of 2,300 homes within this site, but does note a recent planning application for 9,000 dwellings within the status of the application in Matrix 1.

Conclusions on Cumulative Effects

- 8.15.11 In assessing the cumulative impacts of the proposed development, the assessment should be taken of large-scale projects outside of the Cherwell District administrative boundaries, particularly those that will rely heavily on the M40. Within Cherwell, consideration should be given to the Puy Du Fou theme park proposal and the Heyford Park proposal for 13,000 homes at Heyford Park as part of the New Towns Taskforce

9 Comments on Draft DCO

The Applicant has shared a copy of dDCO and the Council's external solicitors (Sharpe Pritchard LLP) have flagged up certain points for further discussion. In brief, these include (but are not limited to) the following:

- 9.1.1 Article 2 (interpretation) – the definition of “commence” includes wide-reaching carve-outs and, in the first instance, further detail about certain of these is required.
- 9.1.2 Article 2 (interpretation) – the definition of “undertaker” comprises two limbs (a) and (b), the latter of which applies to the main site only. It is not clear why that limb applies to the main site only.
- 9.1.3 Article 3(1) (development consent granted by the Order) – the Applicant states in the Explanatory Memorandum (“EM”) which accompanies the dDCO that it may be necessary for the Applicant to use powers outside the Order limits. More information on this is needed.
- 9.1.4 Article 9(1)(e) (street works) – this provision allows the applicant to construct bridges and tunnels on any of the 19 streets specified in Schedule 3. No justification is provided in the EM and justification of such a wide-ranging power is essential.
- 9.1.5 Article 9(1) (street works) – other powers within this article require discussion with OCC. For instance, particular concern is raised in respect of the ability to reduce the width of the carriageway, something which could interfere with the safety of the road.
- 9.1.6 Article 47(1) (felling or lopping of trees and removal of hedgerows) – this provision allows the undertaker to fell or lop any tree hedgerow or shrub within 15 metres of any part of the authorised development or cut back its roots. It would be helpful to know why 15 metres has been chosen and where the effects have been assessed.
- 9.1.7 Articles 48 (trees subject to tree preservation orders) and 49 (trees in conservation areas) – the trees which are proposed to be lopped etc. and which benefit from TPOs or which are located in conservation areas, should be identified in a schedule to the dDCO or consent to their lopping etc. should be obtained from then local planning authority.

- 9.1.8 The dDCO includes several deeming provisions i.e. if a determination is not made with a certain period, is deemed granted. While deeming provisions are well preceded in development consent orders, several are worthy of further investigation as to whether they should be included in the dDCO. For example, by article 10(1)(a) and 10(2) (power to alter layout, etc., of streets) an application to increase or reduce the width of the carriageway is subject to a deeming provision. Since the highway authority must ensure proper consideration is given so that it does not affect the safety of the carriageway, it is questionable whether deemed consent is appropriate in these circumstances. In addition, the 42-day deeming period is too short. 56 days is more usual in recently made Order.
- 9.1.9 Schedule 2 (requirements) – the Requirements cross-refer to several control documents. It is essential the control documents are drafted appropriately and these will be subject to scrutiny by OCC's subject experts as the application progresses.
- 9.1.10 Schedule 2 (requirements) – Part 2, paragraph 1 provides 42 days for the discharge of requirements. This is too short and should be extended to 56 days.
- 9.1.11 Schedule 2 (requirements) – Part 2, paragraph 2 permits the discharging body 10 days to request further information from the undertaker when discharging a requirement. This time period is too short and should be at least 21-days.
- 9.1.12 Schedule 2 (requirements) – Part 2, paragraph 3 provides an unsatisfactory regime for the payment of fees to the discharging body for discharging requirements. Rather than the regime proposed in the dDCO, the Applicant and authorities should enter into a planning performance agreement ("PPA") for the full recovery of the costs in discharging any application under the Order.
- 9.1.13 Schedule 15 (miscellaneous controls) – paragraph 5 (Environment Act 1995) – provides that no order, notice or regulation under the 1995 Act, in relation to the preservation of hedgerows, has effect in relation to the authorised development. The relevant provision(s) of the 1995 should be set out.
- 9.1.14 Schedule 15 (miscellaneous controls) – paragraph 7(a) (Land Drainage Act 1991) – this provision seeks to disapply section 23 (prohibition of obstructions, etc. in watercourses) of the Land Drainage Act 1991 in relation to watercourses for which OCC is the drainage board concerned. OCC's consent is required for this disapplication and OCC would do not consent to it
- 9.1.15 Oxfordshire County Council will provide separate comments on the proposed Protective Provisions for the Highways Authority as an appendix to this response.

10 Summary and Conclusions

Summary and conclusion will be provided with the written updates

Agenda Item 12

This report is Public	
Appeals Progress Report	
Committee	Planning Committee
Date of Committee	6 November 2025
Portfolio Holder	Portfolio Holder for Planning and Development, Councillor Jean Conway
Date Portfolio Holder agreed report	20 October 2025
Report of	Assistant Director Planning, David Peckford

Purpose of report

To keep Members informed about planning appeal progress including decisions received and the scheduling of public inquiries and hearings for new and current appeals.

1. Recommendations

The Planning Committee resolves:

- 1.1 To note the position on planning appeals as set out in the report.

2. Executive Summary

- 2.1 This report provides a monthly update regarding planning appeals, including new appeals, status reports on those in progress, and determined appeals.
- 2.2 The report sets out the main issues of the appeal and, where determined, the decision is summarised.

Implications & Impact Assessments

Implications	Commentary
Finance	The current cost of appeals has exceeded core budget as at the end of July. Therefore, a request for use of reserves will be necessary. This position will be closely monitored throughout the year, but further reserve requests may be necessary. Kelly Wheeler, Finance Business Partner, 20 October 2025
Legal	As this report is purely for information there are no legal implications arising. Denzil Turbervill Law & Governance, 22 October 2025
Risk Management	This is an information report where no recommended action is proposed. However, appeals performance is being monitored and

	the risk related to the allowed appeals is being monitored and managed through the Leadership Risk Register. Celia Prado-Teeling, Performance Team Leader, 22 October 2025			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		Not applicable. This is an information report where no recommended action is proposed. As such there are no equality implications arising from accepting the recommendation. Celia Prado-Teeling, Performance Team Leader.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		Not applicable
Climate & Environmental Impact				Not applicable
ICT & Digital Impact				Not applicable
Data Impact				Not applicable
Procurement & subsidy				Not applicable
Council Priorities	Not applicable			
Human Resources	Not applicable			
Property	Not applicable			
Consultation & Engagement	Not applicable in respect of this report			

Supporting Information

3. Background

- 3.1. When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder

applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.

- 3.2. Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition, then they could have appealed against the condition at the time it was originally imposed.
- 3.3. Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.
- 3.4. Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended, and that appropriate and defensible decisions are being made under delegated powers and by Planning Committee.

4. Details

Written Representations

4.1. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/03218/F	Church View, Manor Road, Great Bourton, OX17 1QP	Change of Use of The Bell Inn Public House (Sui Generis Use) to use as a dwellinghouse (Class C3 Use) and associated minor external alterations to the building and works	Refusal (Against Officers Recommendation)	10.09.2025
25/00762/F	113 Danesmoor Banbury OX16 1QE	RETROSPECTIVE - raising of front garden to level off	Refusal Delegated	22.09.2025
25/01773/F	2 Somerville Drive Bicester OX26 4TU	RETROSPECTIVE - Erection of 0.83m close board fencing, on top of existing original front garden 1m brick wall and installation of 2m wooden gates/posts.	Refusal Delegated	24.09.2025
25/016931/F	Fir Cottage, Fir Lane, Steeple	Demolition of existing single-storey extensions and part	Refusal Delegated	07.10.2025

	Aston, OX25 4SF	demolition of an existing first-floor extension. Erection of a part single-storey/part two-storey rear extension and associated internal alterations.		
25/01694/LB	Fir Cottage, Fir Lane, Steeple Aston, OX25 4SF	Demolition of existing single-storey extensions and part demolition of an existing first-floor extension. Erection of a part single-storey/part two-storey rear extension and associated internal alterations	Refusal Delegated	07.10.2025
25/00752/F	2 Church View, Banbury, OX16 9ND	Conversion of existing dwelling to form two dwellings.	Planning Permission Allowed. Appeal against Conditions.	15.10.2025
25/01615/PIP	Land East of OS Parcel 3386, Adj to Burycroft Road, Hook Norton	Permission in Principle for a residential development of 3-5 dwellings.	Refused Delegated	15.10.2025

4.2. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
23/03078/CLUP	Manor Cottage, Middleton Park, Middleton Stoney	Certificate of Lawfulness of Proposed Development: Repositioning of existing "tarmac" driveway with a gravel driveway.	Refused Delegated	23.04.2024.
24/00379/TPO	Rectory Farm, Mill Lane, Upper Heyford	T1 Walnut - overall crown reduction of approximately 1m back from branch tips. Lateral branch spread beyond boundary and into Glebe	Refused Delegated	06.07.2024.

		House curtilage shall not exceed 1.8m; T2 - Beech - overall crown reduction of approximately 1m back from branch tips Lateral branch spread beyond boundary and into Glebe House curtilage shall not exceed 1m. - subject to TPO 13/2019.		
24/00658/CLUE	Log Cabin, Bainton Woodyard, Bainton, Bicester, Oxon, OX27 8RL.	Certificate of Lawfulness of Existing Development for a building used as a dwellinghouse.	Refused Delegated	10.12.2024.
23/03366/OUT	Land Opposite Hanwell Fields Recreation Adj To Dukes Meadow Drive Banbury	Outline planning application for up to 114 dwellings and associated open space with all matters reserved other than access	Refused Committee	20.03.2025
24/01646/CLUP	Greenhill Leisure Park Greenhill Farm Station Road Bletchingdon Kidlington OX5 3BQ	Certificate of Lawfulness of Proposed Use for Use of static caravans for permanent residential occupation	Refused Delegated	27.03.2025
24/02692/F	63 Sandford Green Banbury OX16 0SB	Part single/double storey rear extension and first floor side extensions to facilitate additional 1 studio flat and reduction of 2 existing 2 bed flats to 1 bed flats	Refused Delegated	09.07.2025

22/03163/F	Cropredy Lawn, Cropredy Lawn Road	RETROSPECTIVE: - siting of 4 glamping pods	Refusal Delegated	25.07.2025.
25/00007/LB	Little Brook, The Colony, 7 Colony Road, Sibford Gower, OX15 5RY.	RETROSPECTIVE - Revision of roof slope from consented drawings application 21/00438/LB	Refused Delegated	18.08.2025.
24/03296/F	Little Brook, The Colony, 7 Colony Road, Sibford Gower, OX15 5RY.	RETROSPECTIVE - Revision of roof slope from consented drawings application 21/00438/LB	Refused Delegated	18.08.2025.
25/01186/F	Garage At 2 The Limes Oxford Road Banbury OX16 9AN	Demolition of existing garage and erection of a flat-roofed two-storey dwelling	Delegated Refused	19.08.2025.
25/01052/F	37 Fernhill Road, Begbrook, Kidlington, OXON, OX5 1RR	Proposed first floor extension to existing dwelling and cladding of existing external walls with render	Refused Delegated	05.09.2025
25/00449/REM	Reynards Lodge North Lane Weston On The Green Bicester OX25 3RG	Reserved Matters application to 24/00804/OUT - Access (with Construction Traffic Management Plan), Layout (with part drainage), Scale, Appearance, Landscaping and Biodiversity (with Construction Environment Management Plan)	Refused Delegated	05.09.2025

Informal Hearings

4.3. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date
None				

4.4. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/02463/F	Newlands Shutford Road Epwell OX15 6ER	Agricultural workers dwelling	Refused Delegated	22.08.2025 1 Day Hearing 13.11.2025

Public Inquiries

4.5. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date
None				

4.6. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
24/00245/OUT	South Lodge, Land West of Fringford Road, Caversfield, OX27 8TJ.	Outline application for demolition of existing structures and erection of up to 99 dwellings, access, open space and associated works with all matters reserved except for access.	Refused Committee	28.11.2024.
24/03162/CLUE	Barn At Point To Point Farm Mollington Banbury OX17 1QE	Certificate of Lawfulness of Existing Use to regularise the existing use of a dwelling house	Appeal Against Non-Determination	24.06.2025

Enforcement Appeals

4.7. New Appeals

Application Number	Location	Description (summary)	LPA Decision:	Start Date
None				

4.8. In Progress/Awaiting Decision

Application Number	Location	Description (summary)	LPA Decision:	Start Date
21/00333/ENF	Fairway Cottage, Main Road, Swalcliffe	Without planning permission, the construction of a timber outbuilding and associated engineering operations, including the raising of land levels and the construction of a retaining wall, as shown edged in blue on the attached plan titled 'Location Plan'.	Enforcement Notice	10.11.2023 Written Reps
23/00001/ENF	Ashberry Cottage, Duns Tew, Bicester	Without the benefit of planning permission, the unauthorised erection of a single-storey porch, finished with timber cladding, to the principal elevation of a mid-terrace dwelling attached to a curtilage listed grade II building Owl Barn (Historic England reference 1046304)	Enforcement Notice	28.11.2023 Written Reps
20/00295/ENF	16 Almond Avenue, Kidlington	Garage/Garden building converted to residential premises	Enforcement Notice	13.03.2024 Written Reps
25-10-ENF (25/00012/ENF)	Point to Point Farm, Street from Claydon to Southam Road, Mollington Banbury,	Erection of barn and use as an indoor riding arena, pilates studio and chiropractors and associated hard standing.	Enforcement Notice	08.09.2025
25-11-ENF 22/00527/ENF)	Point to Point Farm, Street from Claydon to Southam Road, Mollington Banbury,	Without the benefit of planning permission, the erection of a building outlined in green on the attached plan titled 'Location Plan' including the erection of a dwelling house wholly inside that building in the area outlined in blue on the attached plan titled 'Location Plan'.	Enforcement Notice	08.09.2025

		Without the benefit of planning permission, the material change of use of land on which the building outlined in green has been is erected to a mixed use comprising use as a dwellinghouse (which, inside the building is taking place in the area identified in blue on the attached plan titled 'Location Plan') and agriculture and domestic storage use (which, inside the building, is taking place in the area identified in yellow on the attached plan titled 'Location Plan') associated with the both unauthorised dwelling and the adjacent farm dwelling.		
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Forthcoming Public Inquiries and Hearings between October, and November 2025.

4.9

24/02463/F	Newlands Shutford Road Epwell OX15 6ER	Agricultural Workers Dwelling	Refusal Delegated	13.11.2025 1 Day Hearing
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4.10 **Award of costs**

None

4.11 **Appeals Results**

23/01265/OUT & 24/01908/OUT OS Parcel 0069 West Of Quarry Close Quarry Close, Bloxham, Oxon.

Outline planning application for the erection of up to 60 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access

point. All Matters Reserved except for means of access - re-submission of 23/01265/OUT

Appeals Allowed

APP/C3105/W/25/3363572 and APP/C3105/W/23/3329533:

The Inspector **allowed** both appeals for the development of up to 55 dwellings on land off Tadmarton Road, Bloxham, concluding that the proposals would not result in significant harm to the character and appearance of the area, nor would they lead to unacceptable living conditions in terms of noise, odour, or flood risk. While there were some policy conflicts, particularly regarding landscape and visual impact, these were considered to be of limited weight given the overall design, mitigation measures, and the substantial benefits of the scheme—including affordable housing and contributions to local infrastructure. The Inspector also noted the Council's housing land supply shortfall and found the site to be sustainably located with good access to services. Planning permission was granted subject to conditions and Section 106 agreements, with specific stipulations excluding the need to cover a nearby slurry pit and removing the requirement for a public art contribution.

22/01682/F - Land North of Manor Farm, Noke.

Development of a ground mounted solar farm incorporating the installation of solar PV panels, associated infrastructure and access, as well as landscape planting and designated ecological enhancement areas.

Appeals Allowed

The Inspector concluded that while the proposed solar farm at Manor Farm, Noke would cause moderate harm to the character and appearance of the surrounding landscape and result in less than substantial harm to nearby heritage assets, these impacts were outweighed by the significant environmental, social, and economic benefits of the scheme—including renewable energy generation, biodiversity enhancement, and support for climate goals. The appeal was therefore allowed, with planning permission granted subject to conditions ensuring mitigation and long-term management.

24/03076/F & 24/03077/ADV - Phone Kiosk to The Front Of No 30 Bridge Street,

Installation of 1no. BT Street Hub unit

Appeal Allowed

The Inspector concluded that the installation of a BT Street Hub and its associated digital advertisements on the pavement outside 29–31 High Street, Banbury would not harm the character or appearance of the Banbury Conservation Area or nearby listed buildings, nor would it obstruct pedestrian movement or compromise highway safety. The proposed structure, replacing an existing telephone kiosk, was considered appropriate in scale and design for the busy commercial streetscape, and the digital screens—subject to conditions controlling brightness and display—would not detract from visual amenity or public safety. Both appeals were therefore allowed.

24/03431/F – Land Adjacent 53 and 54 Hambleside, Bicester, OX26 2GB.

Construction of self-build two storey, two-bedroom, three-person house

Appeal Dismissed

The Inspector concluded that the proposed development of a two-storey dwelling on land adjacent to 53 and 54 Hambleside, Bicester, would cause significant harm to the character and appearance of the area by eroding a key green space, negatively impact the living conditions of neighbouring residents through overbearing proximity, and pose risks to highway safety due to inadequate parking arrangements. Despite the Council's housing land supply shortfall, the Inspector found that the adverse impacts of the proposal significantly and demonstrably outweighed its limited benefits, leading to the dismissal of the appeal.

22/03802/OUT – Part Of OS Parcel 8752 East Of Combe Cottage And South Of St Johns Way, Hampton Road.

Outline planning application for the erection of up to 9 dwellings and creation of associated vehicular and pedestrian access onto Hempton Road, highway improvements, parking, landscaping, drainage features, open space, and associated infrastructure, with all matters to be reserved except new vehicular access into the site from Hempton Road - all matters reserved except for access.

Appeal Dismissed

The appeal decision (APP/C3105/W/23/3324704) by Inspector Chris Preston, dated 15 October 2025, concerns Rainier Developments Limited's proposal for up to nine self-build dwellings on land off Hempton Road, Deddington, Oxfordshire. The appeal was dismissed due to significant conflict with the development plan, particularly regarding the site's unsustainable location, lack of services, and poor accessibility, which would lead to heavy reliance on private cars. The Inspector found the proposal would cause moderate harm to the character of the area, make inefficient use of land, and result in the loss of best and most versatile agricultural land. While the scheme offered benefits such as contributing to housing supply and meeting self-build demand, these were outweighed by the adverse impacts. Additional proposed benefits—including affordable housing, biodiversity net gain, and community contributions—were deemed not necessary to make the development acceptable in planning terms and thus carried limited or no weight. Ultimately, the Inspector concluded that the harms significantly and demonstrably outweighed the benefits, even when considering the housing shortfall and the provisions of the National Planning Policy Framework.

25/00427/PIP – Land Rear of Bridge House and 1 and 2 The Villas, Wendlebury, Oxon, OX25 2PW.

Permission in principle - proposed residential development of 2-3 dwellings

Appeal Dismissed

In the appeal decision dated 17 October 2025, Inspector Janine Laver dismissed the proposal for permission in principle for 2–3 dwellings on land to the rear of

Bridge House and 1 and 2 The Villas, Wendlebury. While the residential use and scale were deemed acceptable, the site was found unsuitable due to its location outside the built-up limits of the village, conflicting with local planning policies (Cherwell Local Plan Policies Villages 1 and H18). Additionally, the access lies within Flood Zones 2 and 3, and no sequential test was provided to demonstrate that lower-risk sites were unavailable, contrary to Policy ESD6 and national flood risk guidance. These issues, combined with limited sustainable transport options and modest housing benefits, led to the conclusion that the development would not be sustainable.

5. Alternative Options and Reasons for Rejection

5.1 None. This report is submitted for information.

6 Conclusion and Reasons for Recommendations

6.1 The report provides the current position on planning appeals for information for Members.

Decision Information

Key Decision	Not applicable
Subject to Call in	Not applicable
If not, why not subject to call in	Not applicable
Ward(s) Affected.	Appeal dependent

Document Information

Appendices	
Appendix 1	None
Background Papers	None
Reference Papers	All documents in respect of the planning appeal
Report Author	Sarah Gevaux, Appeals Administrator Paul Seckington, Head of Development Management
Report Author contact details	Sarah.gevaux@cherwell-dc.gov.uk Paul.seckington@cherwell-dc.gov.uk
Executive Director sign off	Executive Director Place & Regeneration, Ian Boll 29 October 2025