

Land To The East Of Stratfield Brake And West Of Oxford Parkway Railway Station Oxford Road Kidlington 24/00539/F

Case Officer: Laura Bell

Applicant: Oxford United Football Club Limited

Proposal: Erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures

Ward: Kidlington East and Kidlington West

Councillors: Councillors Mawson, Middleton and Ward for Kidlington East
Councillors Conway, McLean and Walker for Kidlington West

Reason for Referral: Major development/Significant departure from adopted development plan or other CDC approved policies

Expiry Date: 15 August 2025

Committee Date: 14 August 2025

This application was subject to a Committee Members Site Visit, which took place on Tuesday 1 July 2025.

Acronyms are used throughout this report. Please refer to Appendix 4 to find the glossary.

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO REFERRAL TO THE SECRETARY OF STATE, CONDITIONS, AND A S106 LEGAL AGREEMENT

Executive Summary

Oxford United Football Club (OUFC) has submitted a full planning application for the development of a new 16,000-seat stadium and associated facilities on a 7.17-hectare site known as “The Triangle,” located between Stratfield Brake and Oxford Parkway Railway Station, Kidlington. The proposal includes commercial, community, and hospitality uses, extensive landscaping, and transport infrastructure.

The site lies within the Oxford Green Belt and is not allocated for development in the adopted or emerging Local Plans. The proposal constitutes inappropriate development in the Green Belt and must demonstrate Very Special Circumstances (VSC) to be approved.

The site contributes strongly to Green Belt purposes, particularly preventing urban sprawl and the merging of Oxford and Kidlington. The development would significantly weaken the Kidlington Gap, undermining the openness and strategic function of the Green Belt.

The December 2024 revision of the National Planning Policy Framework (NPPF) introduced the concept of Grey Belt land. Paragraph 155 of the NPPF outlines that development in the Green Belt may not be considered inappropriate if it meets specific criteria, including being located on Grey Belt land.

The application site was assessed against the Grey Belt definition using the updated Planning Practice Guidance (PPG) and Cherwell's Green Belt evidence base and is not considered to comprise Grey Belt land.

As the site is not Grey Belt, the proposal must be treated as inappropriate development in the Green Belt. In accordance with NPPF paragraph 153, such development should only be approved if Very Special Circumstances (VSC) are demonstrated that clearly outweigh the harm to the Green Belt and any other harm.

The applicant presents a multi-faceted VSC case, which Officers consider is comprehensive and compelling, addressing the urgent need for relocation, lack of alternatives, and wide-ranging public benefits.

In terms of "other harm", as per paragraph 153 of the NPPF, the development would clearly impact openness given the scale of the development in a part of the green belt which is fragile and where development would significantly weaken the distinction between Kidlington and Oxford. The land makes a significant contribution to the Green Belt and its purposes in this location. The development would cause significant landscape and visual harm at a localised level and there would be some impacts to ecology which would need to be carefully mitigated for.

To avoid and minimise additional harm beyond the 'by definition' harm of allowing inappropriate development in the Green Belt (which attracts substantial weight), mitigation has been secured to achieve a neutral impact on a number of factors. This includes: improvements to the surrounding transport network and the inclusion of measures to encourage the use of public transport and active modes of travel; measures to reduce and enhance ecological impact, notably through a requirement to achieve biodiversity net gain; inclusion of a package of works and planning obligations to reinforce supporting infrastructure capacity; and discipline specific measures to protect residential amenity, notably in relation to noise, air quality and lighting.

Account has been taken of the impacts of the development, including the landscape and visual impacts, change to the existing setting of nearby receptors and the impact to the openness of and the direct loss of Green Belt land, which has been considered and weighed in the planning balance.

After very careful consideration, Officers have concluded that very special circumstances to justify this proposed development have been demonstrated, on the basis that the harm to the Green Belt by reason of inappropriateness, and the other harm from the proposal, is clearly outweighed by the other considerations set out in the report below.

It is therefore recommended that Members resolve to grant planning permission, subject to the conditions set out at the end of this report (and any amendments to those conditions as deemed necessary) and completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, to secure the mitigation outlined in Appendix 2.

The application is a departure from the Development Plan and will be referred to the Secretary of State, if resolved to approve.

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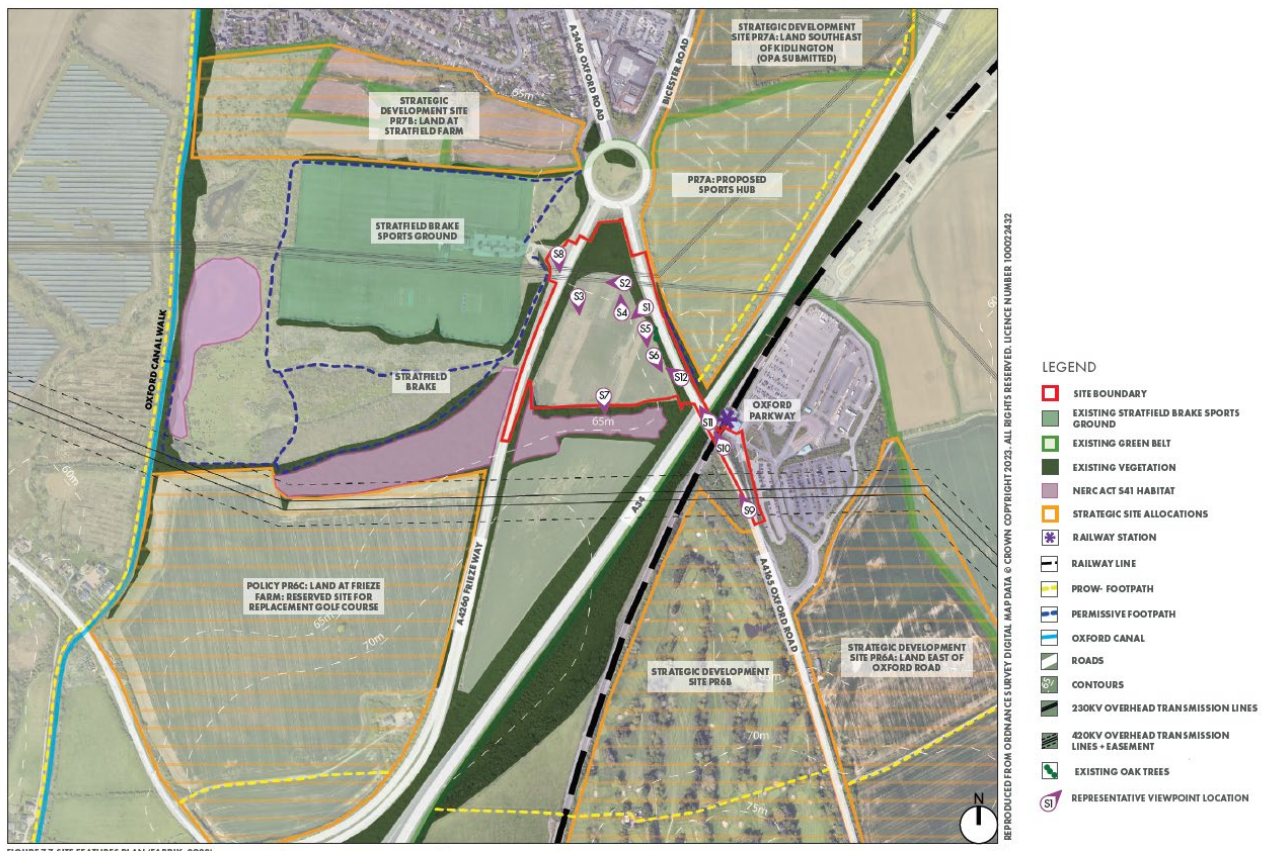
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1 Main Report

APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises approximately 7.17ha of primarily inaccessible scrub and commercial willow plantation situated 6 km to the north of Oxford and at the gateway of Kidlington. The site is known locally as 'The Triangle'.
- 1.2. The Site is bound by Kidlington Roundabout to the north, Oxford Road to the north-east, Frieze Way A4260 to the west and a block of woodland to the south, with further agricultural land beyond. To the south east of the Site is the A34 and then Oxford Parkway Railway Station and the Park and Ride, and to the west of the Site is Stratfield Brake Sports Ground. The Site is also bound by a number of site allocations within the adopted Local Plan, namely Allocated Site PR6b (residential development of ~670 dwellings) to the south-east, Allocated Site PR6c (for the potential construction of a golf course should this be required as a result of site PR6b) to the south-west, and Site Allocation PR7a (for ~430 dwellings, an extension to Kidlington Cemetery and 11 hectares of land to provide formal sports/green infrastructure for the development and for the wider community) to the north-east. Allocated site PR6a (allocated for ~690 dwellings) lies to the south east of the Site. Allocated site PR7b lies to the northwest of the site, north of Stratfield Brake and this is an allocation for ~120 homes.
- 1.3. The extract below from the applicant's Landscape and Visual Impact Assessment (L VIA) shows the application site outlined in red and its relationship with the surrounding land.

Figure 1: Application site in context



CONSTRAINTS

- 2.1. The Site comprises greenfield land with vegetated boundaries and a strip of woodland along the Site's southern boundary. The Site exhibits a varied topography, with a relatively flat gentle gradient of 1:150 –1:200 falling east to west. The Site is located in Flood Zone 1. The north of the Site presents some risk of surface water flooding due to its topography. There are field ditches found on the western boundary and to the northern edge of the woodland. The north of the Site contains a Gas Main and Overhead Power Cable. Stratfield Brake District Wildlife Site (site code 41V21) lies within the southern portion of the Site, and to the west of Frieze Way. An area of land adjacent to the red line boundary (now not within it), in the southern portion of the triangle, comprises Lowland Mixed Deciduous Woodland, which is defined as a habitat of principal importance for the conservation of biodiversity in England under section 41 of the NERC (Natural Environment and Rural Communities) Act
- 2.2. The Site is not in or adjacent to an environmentally sensitive area, as defined by Regulation 2(1) of the EIA Regulations (i.e. sites designated as Sites of Special Scientific Interest (SSSI), National Parks, World Heritage Sites, Scheduled Ancient Monuments, National Landscapes (formally called Areas of Outstanding Natural Beauty) and sites covered by international conservation designations). However, the Site is located within 2km of the following SSSI sites: Hook Meadow and The Trap Grounds, Pixey and Yarnton Meads, Port Meadow with Wolvercote Common and Green and Wolvercote Meadows. The site is also within 1km of the Meadows West of Oxford Canal Local Wildlife site and ~1.9km north of the Oxford Meadows Special Area of Conservation (SAC). The Lower Cherwell Valley Conservation Target Area ('CTA') also lies in close proximity to the Site. The site is therefore within proximity to sites of ecological importance. The Site lies within the Oxford Green Belt. No Scheduled Monuments, Registered Parks and Gardens or Registered Battlefields are present within or in the vicinity of the Site. Whilst there are no Listed Buildings within the Site, there are a number of Listed Buildings within its proximity (this is detailed within the heritage section of the appraisal).

DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The description of development is for:

Erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures

- 3.2. The proposed development seeks consent for the following uses below:

Use	Use Class	Quantum
Stadium, to include conferencing and events space for ~1000 guests	F2	16,000 seat capacity
Club shop and ticket office	E	264sqm
Sports bar	Sui Generis	178sqm

Restaurant	E	320sqm
Gym	E	677sqm
Health and wellbeing/ clinic facility	E	813sqm
Hotel	C1	180 bedrooms
Parking	Ancillary	161 car parking spaces, 2 coach bays, motorcycle spaces and 446 cycle spaces
Green infrastructure/landscaped areas	Ancillary	The Plaza and Gardens - 7,581sqm The Southern Plaza – 1,160 sqm The Approach – 1,918 sqm Other areas of landscaping and SUDS drainage – 2,297 sqm

- 3.3. The stadium is situated in the southern part of the site on a north-west/south-east axis. A pedestrian concourse is proposed around the perimeter of the stadium, as well as a community plaza and fan zone to the north of the Stadium, with an area of enhanced green infrastructure in the northern corner of the site. Car parking is situated to the south-west of the stadium, which includes an area which would be used as an outdoor broadcasting compound on matchdays. To the south of the site are SuDs drainage ponds as well as another area of public realm to the south-east.
- 3.4. The proposed maximum height of the stadium is 24.6 metres. The roof is proposed to be angled, with the highest point facing towards Kidlington/Frieze Way and the shorter side towards the Oxford Road.
- 3.5. The extract below (not to scale) is from the Design and Access statement, showing the proposed site plan, location of stadium, parking, drainage, landscape and access and the relationship to the wider area.



Figure 2: Proposed site plan

RELEVANT PLANNING HISTORY

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

Reference number	Description	Date and outcome
97/01897/F	Change of use from agricultural to motorcycle track	Permitted January 1998 (1 year temporary consent)
00/01527/OCC	Construction of a park and ride car park including 800 car parking spaces, staff office, toilets, bus shelter, information point, cycle shelter, cameras, landscaping and balancing pond.	Permitted, 30 January 2001

23/02276/SCOP	Scoping Opinion – new stadium development	Scoping Opinion Issued, 29 September 2023
23/02335/PREAPP	Pre-application request - new stadium development	Response Sent 28 February 2024
24/03029/PREAPP	The potential erection of a pedestrian bridge crossing Oxford Road (3 options presented), to accompany proposals for new stadium development for Oxford United Football Club.	Response sent 30 January 2025

PRE-APPLICATION DISCUSSIONS

- 5.1. The applicants sought formal pre-application advice in August 2023, in relation to the erection of a new football stadium, with ancillary uses, on the proposed site. A formal written response was provided on 11 October 2023. The response set out high level, principal policy issues and identified topic areas that ought to be covered and addressed as part of a formal planning application.
- 5.2. A further pre-application submission was received in November 2024 with regard to the potential erection of a pedestrian bridge crossing Oxford Road, to accompany the current proposals for new stadium development for Oxford United Football Club. A formal written response was provided on 30 January 2025, providing high level comments on the options presented.

RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of site notices displayed near the site and by advertisement in the local newspaper. The final date for comments was **26th July 2025**.
- 6.2. There have been several rounds of consultation as follows:
 - Initial consultation on receipt of application in February 2024
 - First re-consultation in September 2024 relating to the North Oxford VISSIM Model Scoping Report 2024. The Council's consultant reviews of LVIA, RIA and sustainability information was also available at this time and prompted the second Regulation 25 letter requesting more information on those matters and the ASA.
 - Second re-consultation in December 2024 relating to the ES Addendum, amended plans and application documents.
 - Third re-consultation in March 2025 relating to the updated Alternative Site Assessment (ASA) and Landscape and Visual Impact Alternative Site Assessment (LVASA).

- Fourth re-consultation in April 2025 relating to a Planning Statement Addendum, Ecology Response, Security Questions response and Transport Addendum.
- Fifth re-consultation in early June 2025 concerning further information received in relation to the environmental statement, comprising an updated biodiversity metric and ecology response. Additional information was also received relating to LVIA clarifications, community benefits and an updated Planning Statement.
- Sixth re-consultation in late June 2025 upon further information received in relation to the environmental statement comprising an updated lighting assessment and ecology statement. Additional information was also received in relation to financial sustainability.

6.3. At the time of publishing this report, the Council has received a total of 3947 representations, comprising 2812 of support (71%) and 998 representations of objection (25%) and 137 comments (4%). All responses are summarised in Appendix 1 and have been taken into account fully and carefully in assessing the proposal.

6.4. The tables below summarises the geographical origins of the representations received. OX2 postcodes are addresses from Kidlington and the surrounding area and OX5 are addresses from North Oxford and surrounding area.

6.5. The table below shows a breakdown of where the 3947 representations originate from

OX2 Postcodes	8%
OX5 Postcodes	24%
Wider Oxfordshire postcodes	31%
Other UK postcodes	36%
Overseas	1%

6.6. The table below shows a breakdown of where the 2812 letters of support originate from

OX2 Postcodes	4%
OX5 Postcodes	10%
Wider Oxfordshire postcodes	40%
Other UK postcodes	45%
Overseas	1%

6.7. The table below shows a breakdown of where the 998 letters of objection originate from:

OX2 Postcodes	21%
OX5 Postcodes	63%
Wider Oxfordshire postcodes	8%
Other UK postcodes	8%
Overseas	0%

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

RESPONSE TO CONSULTATION

- 7.1. The application has been advertised as a departure from the adopted Development Plan and in accordance with the requirements of EIA submissions. There have been several rounds of consultation, as set out in paragraph 6.2 above.
- 7.2. 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.

Consultee	Date of response	Comments made
Kidlington Parish Council (KPC)	03/04/24, 25/04/24, 06/11/24, 15/04/25 and 30/05/25	OBJECTION in relation to: • Bus access up the Oxford Road - There is a clear risk that the police will just close the road completely, disrupting the service buses which are very regular from Bicester, Banbury, Woodstock and Kidlington all going into Oxford or the hospitals. KPC cannot understand without more detail how this is safely possible. It would appear that buses will only be allowed along the current bus lane with marshalling. How will service buses be able to travel in both directions? Has the modelling allowed for the safe passage of the large number of bus routes using the Oxford Road to link Oxford with the North? • Parking Control – more information is required. • Crowd Management – more detail is required. We have no confidence that the crowd and traffic control measures that will be required for the stadium to operate will be sustainable. • Public Transport • Transport Modelling – doubts in relation to Park and Ride capacity, the length of the required road closure, the use of sustainable transport by supporters, the feasibility of providing the required additional public transport, and the calculations about traffic flow at affected road junctions. • Green Belt loss leading to coalescence of settlements • Site search and no justification for leaving the Kassam • Adverse ecological impact - ecological assessment / BNG calculation and stadium planting plan to be revised and to include the additional impact of the proposed Frieze Way path. • Adverse woodland impact

		• Loss of biodiversity • Unsustainable – energy, embodied carbon/waste and materials. The cost of disposing of the existing stadium should be included in the energy, carbon and waste account of the new stadium • Adverse landscape impact • Adverse visual impact - KPC would like to see more measures to mitigate the adverse visual impact of the proposed stadium in this Green Belt location. • Adverse construction impact – the CEMP needs to demonstrate a clear commitment to best practice procedures • Lack of community benefits. KPC asks CDC to secure assurances that OUFC will support maintenance and improve facilities at Stratfield Brake as condition of approval. KPC appreciate the support for apprenticeships and work experience for young people in the area, but are seeking an increased commitment to the number of apprenticeship roles after the construction phase. • Water and flooding - Until the offsite surface water system has been adequately investigated and the planning authority have evidence that the flow from the OUFC site can be accommodated downstream, the proposal should be refused. • Applicant not answered questions raised by the Parish Council. • No 'Very Special Circumstances' (VSC) for this development in the Green Belt • ASA not done appropriately and OUFC should remain at Grenoble Road. • Detrimental to the economy of the area. • Maintain highway objections and no convincing travel plan. OUFC must provide full travel plan prior to determination and local residents, businesses and stakeholders
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		should be consulted on effectiveness of Travel Plan at regular intervals • No crowd management plan - OUFC must provide a final / definitive emergency evacuation procedure and have this approved by Thames Valley Police and other responsible approval bodies before the application can be considered • Previous concerns over drainage, biodiversity landscape and visual impact remain. • Determining the planning application is premature as important matters not resolved • KPC intends to make S106 request (if approved) to secure community benefits and mitigate local pressures as result of application • Site is not grey belt • KPC maintains objection for reasons previously rehearsed. • KPC have provided a draft heads of terms for a S106 agreement, seeking contributions via the District Council to cover the following items: Maintenance and Development of Stratfield Brake Sports Ground, Biodiversity and Green Infrastructure, Community Mitigation measures, Community employment initiatives, Health and Wellbeing Provision, Sustainable Transport and Green Strategy and monitoring & implementation.
Kidlington Parish Council	21/07/2025	On 21/07/2025, Kidlington Parish Council submitted three documents – a response covering the key objections with the scheme, a supplementary response on traffic management and a transport technical note prepared by Mayer Brown. Each document is summarised as follows: <u>KPC Response</u> • KPC considers that it is inappropriate to decide the application while several key material planning matters remain unresolved. OUFC should develop the overarching operational strategies and make them available to

		stakeholders for agreement before the application is decided. • The consultation period closes after the publication of the report. • Welcome the response that the land is a very highly performing part of the Green Belt and that development of the site would have a considerable adverse impact on the most fragile part of the Kidlington Gap. • Still consider VSC has not yet been proven. • If the application is approved then various matters should be resolved before development commences including: ○ Need for an independent audit to demonstrate current and future financial stability ○ Reliable 3rd party evidence proving the club cannot stay at the Kassam. ○ An independent audit of the ecological and BNG work ○ Amendment to protect the ancient woodland ○ A detailed operational plan for handling security/ evacuation and crowd segregation ○ Completion of OCC's formal highways consultation and sign off ○ Resolution of issues raised by Thames Water re. foul and fresh water supply ○ Detail on the location, costs and management of the Controlled Parking Zone ○ Further traffic and pedestrian modelling to clarify the severity of the traffic congestion impact resulting from the proposed road closures.
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		• KPC appreciate the importance the club holds for its supporters but equal weight should be given to the strength of local opposition. • If approved, then KPC intends to make a S106 request to secure community benefits and to mitigate the additional local pressures that will arise as a result of the application. Supplementary response on traffic management and Mayer Brown report: • KPC have serious concerns regarding the impact of the stadium and strong reservations regarding the OCC Highway's response. OCC have been too ready to accept best case scenarios and in some areas have ignored the advice of their external transport consultant Pell Frischmann. • KPC commissioned Mayer Brown (a Transport Consultancy) to provide an assessment of OCC's response to the planning application. Key points from this are: ○ Impacts of road closures are consistently understated, including that impacts could occur with greater frequency than anticipated, concern over road closures. ○ KPC consider the impacts would be severe and that the OCC response is over-optimistic. ○ Pell Frishmann recommendations have not been followed. The potential cumulative impact of these concerns should not be overlooked. ○ Reliance on the use of Peartree and Oxford Parkway Park & Rides (P&R) is not a sustainable transport option because they are being used as car parks, not as sustainable travel options. There is likely to be insufficient parking for matchdays and would impact the primary function of the P&R facilities. Encouraging the use of these
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		P&Rs will increase car use by encouraging fans to drive to the area. ○ No evidence that the toucan crossing adjacent to Loop Farm Roundabout has been modelled. <i>Officer comment: OCC Transport were asked to review the submitted evidence from Mayer Brown on behalf of Kidlington Parish Council. OCC Highways stated on 5 August 2025: "Oxfordshire County Council are confident that the Transport Assessment is robust and that the points raised by KPC/Mayer Brown have been adequately assessed throughout the planning application process. However, we are currently in the process of writing a formal response to the points raised which we will submit next week (w/c 11/08/25)"</i>
Begbroke Parish Council	N/A	No response received.
Yarnton Parish Council	25/04/24, 24/10/24 and 17/02/25	OBJECTION Inadequate water supply, if permission is granted then a 'Grampian' condition ought to be imposed. Flooding issues still have not been addressed. Sewage capacity at Cassington is substandard. The development will cause significant traffic delays in the area. Insufficient information and detail regarding traffic management and road closure operations. The travel plan needs to be finalised and the travel plan group ought to include Yarnton and Begbroke as they are in the CPZ zone. P&R facilities will be negatively impacted. The proposed footway cycleway on the north side of Frieze Way includes no details of dimensions of pavements, the need for a verge or barriers between the carriageway and the cycleway - more clarity needed. CDC must prioritise cycling and walking in line with their resolution to reduce the impact of climate change. Significant detrimental impact on green space, hedgerows, trees and biodiversity. Adverse impact on residents on a Saturday. Lack of detail on the proposed CPZ's. Toucan crossings will slow traffic and cause tailbacks. Questionable economic viability of the proposals.

Gosford and Water Eaton Parish Council	18/06/24, 25/10/24, 24/02/25, 08/04/25, 18/06/25 and 5/8/25	OBJECTION The ASAA fails to justify very special circumstances (for development in the Green Belt). As a general point, Oxford United's claims are that it can't stay at the Kassam Stadium. These claims then gradually morph into claims that Oxford United can't afford to stay at the Kassam Stadium, or to buy it. Oxford United's financial circumstances are not a relevant consideration and must therefore be disregarded. This is relevant to: i. Oxford United's reasons for not having contacted Oxford City Council to discuss the possibility of a Compulsory Purchase Order. Investigating a CPO would seem to us to be essential before Very Special Circumstances can be claimed, and ii. Oxford United's limited use rights. Purchase of the Kassam Stadium would solve this issue, as could a re-negotiation. No evidence has been provided to show that market value has been offered for site 30 (Land near to Pear Tree Park and Ride). The traffic modelling proposal seems to be based on the use of data from 2018. There has been substantial development in the area since 2018, and it would be preferable if more recent data were used to ensure the output from the modelling is reliable. The scoping report does not state the planned diversion routes. For completeness these should be included. The modelling is based on 30-minute road closures which must surely be a 'best case' scenario and in our view is wholly unworkable. We see it as inevitable that road closures will last for significantly longer. The modelling must incorporate varying and longer closure periods in order to reflect the reality of moving up to 16,000 people, arriving via different means (road, train, coach, bus etc), into an area with restricted space. OUFC will be seeking to improve its income by selling food and beverages before and after games. This will lead to fans arriving and leaving over a more protracted period of time thus making the 30-minute road closures entirely impractical. OUFC originally proposed road closures of up to one hour before matches and up to two hours after
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		matches. What has changed to make 30-minute closures a realistic proposal? Kick off time for Saturday can vary from 3pm but this does not appear to be considered in the scoping report. Saturday 12.30 kick offs are less common, but they do exist and there is nothing to guarantee that more matches won't move to this time in future. Different kick off times should be incorporated into the modelling as, without this, it is useless in practice. Saturday mornings in an around our parish and Kidlington are busy periods. We question why the traffic modelling scoping report is only based around the men's games when the reality is that there will undoubtedly be other large events requiring road closures. The conference modelling is being based on the existing model without 'revalidation.' We disagree with this approach because: the conference facilities will cater for up to 1,000 people; will happen with increasing regularity; and will have a significant impact on local traffic. They should therefore be modelled as accurately as possible, and this will require revalidation of the model. Two large Park & Ride sites are located close by at Oxford Parkway and Peartree and they will inevitably attract large numbers of fans arriving by car. It is unclear to what extent fans will be permitted to park in the Park & Rides, or even if it will be possible for their use to be managed/controlled. However, on the assumption that they will be used, a large number of fans leaving these sites within a narrow window, can be expected to have a significant impact on the local road network, including the diversion route. We are unclear if, or how, this has been taken into account in the scoping report but feel that it should be. The sites in Norfolk that have been selected from the TRICS database for use in the modelling are a questionable choice because they have little in common with this area. It would be more appropriate to select areas which are more densely populated and have higher levels of car use. VSC case not made by OUFC. Road closures will limit accessibility. As local residents who experience local traffic on a regular basis we
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		believe Ridge's conclusion that road closures will not have a severe impact is not credible and we are deeply sceptical of the rationale behind it. Put simply we have no faith in this conclusion. No economic benefits from the proposals. Frieze Way path unacceptable and concerns about impact of this path which would impact on the Section 41 Natural Environment and Rural Communities (NERC) Act 2006 protected Priority Habitat (possibly ancient) woodland. Impact on highways unacceptable Ecology implications remain unacceptable – impact too great. No clear evacuation procedure in emergencies Pedestrian modelling has been updated but raises more questions than it answers. At no time has a clear road closure plan been communicated in the planning documents. Such a plan should be a requirement, now and not once the stadium is operational. How can a pedestrian model be run unless there is a detailed road closure plan? There are inaccuracies in the LVIA that the applicants have failed to address, e.g. impact on the proposal on PR6b. The removal of TPO'd trees should be reconsidered. Cherwell specifically requested a buffer to the woodland at an early stage in this planning application, but the applicant chose not to plan for this. This parish council also asked for the stadium design to be amended to protect the woodland with a buffer. A buffer should be incorporated. Fabrik's proposals for the management of the woodland appear superficial and much more thought is required for the management of this priority habitat. We are aware of the current situation where Natural England has withdrawn its support for Ancient Woodland based on it not being shown as present on two maps dated 1823 and 1831. However, we understand that the council and Natural England have
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		now been provided with an 1833 map which shows woodland at Stratfield Brake. Clearly this matter is of great significance to the planning decision which is due to be taken soon. We therefore ask the council to take the new evidence into consideration and to make every effort to resolve this matter with Natural England as soon as possible, and certainly before the planning decision.
Bicester Town Council	25/06/25	NO OBJECTION This club represents Oxfordshire at the highest of levels and it would be placed in jeopardy should this application not be approved. We urge you to allow football to succeed and ask that the District Council support the sport of football.
Councillor Linda Ward Ward Cllr for Kidlington East	10/10/24	COMMENT Road closures will be required and as such stadium should not go ahead. VISSIM scoping report is not robust. Independent consultants should critically review the model scope. A better approach would be to extend the model and revalidate it to allow for large scale events that occur frequently. Better comparator sites should be used. The ideal solution is one where routine road closures are NOT required yet it seems this is impossible to achieve at this location. Modelling based on ticket sales would better predict the impact of different levels of attendance on the need for traffic management.
Ward Cllrs – Kidlington West Councillors Jean Conway, Lesley McLean and Dorothy Walker		No comments received
Councillor Ian Middleton as CDC Member for Kidlington East, Leader of the Green and Independent	04/03/24, 22/04/24, 17/02/25 and 19/05/25	OBJECTION No VSC demonstrated. Overdevelopment. Limited economic benefits to locality. Lack of detail on crowd management. Over dominating impact on the character and landscape of the area and would impact important sight lines into heritage sites. Many

Alliance, Executive Member for Neighbourhood Services		residents are reluctant to comment due to fear of reprisal. No scope for further expansion. Site is land locked by two major roads which restricts access to railway station and park and ride. The application fails to include a pedestrian bridge and this aspect ought to be considered as part of overall project and this application ought to be deferred until a bridge submission is included/or 'Grampian' condition imposed. Concerns about traffic and transport flows and detrimental impact on local road network operation and anti- social parking. Lack of detail regarding continued safe and effective operation of railway station and park and ride facilities. Concerns re: safe access to/from the site for pedestrians. Road closures will exacerbate already congested network, particularly at peak times. HGV's from Heidelberg site will be adversely affected which will impact safety. Removal of bus lane on Oxford Road unacceptable. Ecological impacts underplayed and survey work inaccurate. Adverse impact on local business, due to frontage blocking and competition. Proposals to support local sports facilities should be enshrined in planning conditions. Site is prone to flooding. The footbridge is integral but not mentioned. Local residents ought to decide this application. Unsuitable location, there are other more preferable sites. Road closures are inappropriate and will cause demonstrable harm to the local area. The current transport model is flawed. There are credible local concerns regarding parking; there is insufficient capacity to deal with influx. How will CPZ's be controlled and managed. P&R facilities will be adversely impacted. Serious concerns regarding crowd modelling and public safety. Absence of VSC to demonstrate Green Belt location. Adverse visual impact and overdevelopment of the site. Insufficient water and foul water capacity. Concerns regarding Ecology report conclusions and methodology used. Vague and questionable community benefits. No overriding public need, this is a commercial venture by a private club. The claimed community benefits—such as training facilities or transport hubs—are speculative, lack enforceable commitments, and do not outweigh the permanent harm to the green belt. Would undermine existing Green Belt planning policies and Cherwell Local Plan. The stadium would
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		contribute to the creeping urbanisation of land between Oxford and Kidlington, reducing the strategic gap and threatening the distinct identity of both settlements. Claims about sustainability and reduced car usage are unsubstantiated. Not only would the operation of this site impact on new residents in terms of transport, noise and light pollution and crowd management, the development itself will put additional strain on local resources and infrastructure which could delay the completion of these important sites. In short, the planning committee should not be swayed by claims that a refusal of the current application would be the death knell for the club. As with the previous claims that 2026 would be the end of the road for the club, it's clear that the road can be extended when required. Commercial development should not be allowed on green belt land and to allow it in this case would undermine the council's existing local plan. No compelling evidence has been provided to demonstrate that the benefits of the proposed stadium would clearly outweigh the substantial and irreversible harm to the green belt. The proposal fails to meet the exceptional criteria required under national planning policy and represents an unjustifiable breach of long-standing protections designed to safeguard our local environment and community character.
Councillor Ian Middleton (via OCC Single Response – Local Member views)	08/04/24	OBJECTION Triangle was purchased by OCC in 1937 with intention of maintaining green buffer between Kidlington and Oxford city and without local support, it should not be permitted. Site remains Green Belt and development is contrary to Local Plan revisions in 2020. Site is extremely compact and landlocked with no direct access to railway station. No details provided regarding shuttle buses from park and ride facilities. Road closures run contrary to negotiations with OCC cabinet. Stated S106 commitments from PR sites re: transport infrastructure are not yet secured and cannot be relied on. Detrimental impact on Frieze Way in terms of congestion on network. PR site allocations need factoring into traffic modelling work. Toucan crossings on Oxford Road will have potentially serious

		implications. Lack of pedestrian accessibility for elderly and disabled into station from Oxford Road. The inclusion of road closures in the application seems to preclude development due to landowner requirements. Road closures are not acceptable due to detrimental traffic and transport implications. A pedestrian bridge access ought to form part of the planning application/'Grampian' condition, connecting the site directly to the train station. The removal of the Oxford Road bus lane is not acceptable. Car parking and fans travelling to the site by private vehicle is a serious concern for local residents - it will lead to added stress on the road network and problems with antisocial parking. The traffic modelling submitted is in doubt, due to absence of VISSIM modelling and bridge. DRP recognised the site constraints. Potential issues with Emergency Planning given constrained site. Applicant's ecology work is questionable and Members ought to view alternative survey work submitted by third party qualified ecologists. Unsatisfactory assessment of broad leaved woodland to the south of the application site and impact of proposal upon it. Questionable air quality impact assessment. The site is prone to flooding and the development will exacerbate carriageway inundation. The club ought to look elsewhere for a suitable site.
Councillor Ian Middleton (as County Council Member for Kidlington South)	11/10/24	OBJECTION The general thrust of the argument around road closures from OUFC has been that OCC requested them for reasons of road safety. This is not the case. Road closures were not mentioned before approval for lease negotiations were given by the OCC cabinet in September 2023. The references to 'traffic management' also include the provision of up to 2 additional Toucan crossings on the Oxford Road. These crossings operate in such a way that if pedestrians are still on the crossing the lights will remain at red. It's easy to see that in such a scenario, large numbers of fans crossing by means of these facilities will in effect close the road for long periods by default. Better comparator sites should be used. When introduced, the traffic filters will push significant amounts of additional traffic onto the ring road, including The A40 and A34 and mean that space in the surrounding park and ride sites will be even more vital. The applicant should at least justify why they haven't

		considered the earlier kick offs. Why are some of the Partial Review [Local Plan] sites not included in the modelling, which account for over 2100 homes. Promoters for PR6a and PR6b sites have raised concerns about residential access during peak times and on match days. It seems that when there are projects that provide advantages to the proposals in the report they are included as a given. Yet housing and employment numbers which are essentially locked into the local plan can be just as easily disregarded for the sake of expediency. Agree with Aspect conclusions and consider more work needed on ASA. Concerns about impact of proposals on Kidlington Village Centre.
Councillor Ian Middleton (via OCC Single Response – Local Member views)	30/05/25	COMMENTS • Insufficient evidence of site availability • Inconsistent and flawed ASA • Lack of justification for Green Belt development • Inadequate Transport Assessment and Addendum • BNG assessment is flawed • The site is not grey belt • Stadium security and evacuation strategies are lacking important detail. This must be addressed prior to any planning decision being made • The woodland to the south appears to be ancient woodland and ought to be protected • Unsubstantiated community benefits • Adverse impact on air quality
Councillor Ian Middleton (in his capacity as District and County Councillor)	01/08/2025	OBJECTION Concerns raised regarding the reliability of transport assessment and recommendations from Oxfordshire County Council Transport Development Management Team (TDM). The concerns raised are: • OCC TDM have an unwillingness to look critically at planning applications and to provide LPAs with a coherent assessment of

		transport impacts. This undermines the ability to demand better of developers. • Concerned that the experience of local residents and local intelligence is not taken into account. • Further critical analysis of the response from OCC highways should be made. • The response sticks rigidly to desktop models that rely on the right information being input and the correct parameters defined. • OCC's own external consultants made the point that assumptions are being relied up of best case scenarios and highly optimistic postulations about traffic reduction measures to mitigate road closures that don't stand up to scrutiny. • Concerns about the response have been underlined by the review undertaken by Kidlington Parish Council's consultants Mayer Brown. • No changes were made as a result of Cllr Middleton's submissions on the traffic modelling exercise which indicated clear discrepancies. • The transport response is light touch and has compared other stadia to the situation in Kidlington which are not comparable (and incorrect assertions are made). • No consideration by OCC Highways to potential issues in the area surround the proposed stadium site which will soon be dealing with thousands of new residents. The reduction in amenity as a result of road closures and access to public transport on match days is essentially dismissed as a minor consideration. • Many other criticisms of the OCC Highways response have not been taken account of (including that from the OCC Cabinet Member for Transport).
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		• There is an undermining of important aspects of OCC's transport strategy such as the purpose of the park and rides • Deferral of important safety and transport issues to a safety advisory group • This is a missed opportunity to get this right before permission is considered. This weakens and undermines local accountability and democratic safeguards • The closure of the major Oxford Road and the potential compromise of Frieze Way could cause a tailback of over a km is not considered to be significant. • The response of no objection gives less latitude for the LPA to refuse the application on transport grounds and expectations that conditions will be met is speculative. • Surely a better response would have been to object subject to the council being satisfied that there are enforceable undertakings to mitigate these issues. • There is a lack of sufficient junction modelling with regard to the Loop Farm roundabout and the proposal for an additional toucan crossing on the A44. • Pedestrians could be left in a potentially unsafe situation. • Chiltern rail have advised that the Parkway station will be a no go area for anyone other than football fans on match days and that the car park and the park and ride will be subsumed by fans. • Chiltern's assessment is that only 25% of fans will arrive by train in contrast to claims that the proximity of the station is the main advantage to the location. • Vague proposals about a CPZ with little or no clarity about who will operate or pay for this. Residents will be forced to pay to park outside their own homes.
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		The apparent abandonment of any attempts to provide an engineered solution to access to the site such as a bridge as has been promised for over 2 years. The proposal will involve a planned element of transport disruption as part of its operational profile and this should attract scepticism and concern. There should be an urgent, independent external audit of OCC Transport and their most recent responses to planning applications and the response to this application has been called to be revised or withdrawn. Should this not occur, CDC should view the OCC response with a high degree of scepticism and bear in mind that OCC is a statutory consultee. The Committee can take an alternative view if it is confident it has grounds to do so.
County Councillor Gant as Divisional Councillor for Wolvercote and Cutteslowe	09/04/24 and 30/05/2025	OBJECTION Road closure unacceptable and clearly 'severe' as per para. 116 of the NPPF - removing this amenity not acceptable to local residents. Diversion routes being offered are residential in character and this will result in an unacceptable increase in traffic congestion and pollution for the residents of these roads. Provision for active travel is minimal on these roads. Road closure will impact Sainsburys. Park and Rides will be adversely affected, as will many other nearby facilities. Police should have the power to close the road as they see fit, rather than a 'blanket' agreement to close the road whenever the club see necessary. Parking zones, coach parking etc need to be agreed and secured as part of application, not reserved for agreement at later date. Closing the road would push unacceptable amounts of traffic onto residential roads and local roundabouts, with unacceptable impacts on safety and amenity. It would significantly undermine the operation of the Park and Ride and Parkway facilities. Please reject this application.
County Councillor Levy as Divisional	15/04/24	OBJECTION Travel arrangements on match days present a problem. Extra traffic will cause significant congestion on local and national highways. Use of Parkway will

Councillor for Eynsham		be adversely affected on match days. Rat running through Cassington and local villages will exacerbate issues with speeding and congestion.
Oxford City Council Councillor Steve Goddard as Ward Councillor for Wolvercote	16/05/25	OBJECTION Potential for car parks in Cutteslowe park to be used by supporters on match days. Existing CPZs in the area cover different time periods for each road, but none cover match day evening times – CPZ's would have to be extended but this will be inconvenient to local residents. How will CPZs be enforced? Road closures are completely unrealistic and will lead to long traffic delays.
County Councillor Tom Greenaway as Divisional Councillor for Abingdon East	19/06/25	Supportive of a need for the new stadium to be built to secure a long term home for Oxford United. As part of any development, large investment needs to be brought forward to upgrade the local transport network for visitors and the nearby community. Expanding walking, cycling, public transport and road networks will be absolutely key to making this project safe and efficient for those travelling to and from events.
Rt Hon Calum Miller MP	30/05/25	COMMENT Support the club's goal to find an alternative stadium and expect the planning process to require the club to demonstrate benefits to the local community and how they will be delivered. However, there is local concern about the environmental impact of the proposal on the site, traffic and transport implications and safety and evacuation procedures.
Rt Hon Layla Moran MP	22/04/24	COMMENT In general, welcome the planning application, but encourage Planning Committee to consider resident's concerns regarding road closures, absence of a footbridge, club commitment to ensuring less than 10% of fans arriving by car, capacity at P&R sites around Oxford. Still appears to be a lot of work to be done on traffic and transport issues. Many residents are concerned about parking on local roads and would like plans to deal with this to cover a wide enough area and be robust. Appears to be insufficient cycle parking provision and this needs to be addressed.

OCC Highway Authority)	(as 09/04/24, 16/10/24, 30/05/25, 11/06/25 and 25/06/25	NO OBJECTION, subject to conditions and S106/S278 agreements. The application site is in a highly sustainable location in highway and connectivity terms, as discussed throughout the report, and in transport terms meets all the criteria to be considered acceptable. The benefits of the site include: • Availability of public transport services, both in terms of bus and rail, with further services coming forward over the next few years. • Proximity to multiple Park and Rides which can intercept fans travelling by car to the site. • High quality active travel infrastructure coming forward which would make walking and cycling to site easy and attractive. • A highway network which has good access to the Strategic Road Network and multiple routes to the site. • Adjacent to large residential developments which may mean a higher number of fans living within walking and cycling distance. In terms of impacts, whilst the temporary closure of Oxford Road is beneficial for pedestrians it does impact the highway network which is demonstrated by the micro-simulation modelling. Whilst the modelling does show delays, it also shows that these delays do not last for a significant amount of time are largely outside of peak times and on average only take place 28 times per year (total split between Saturday's and weekday evenings). This corresponds with the impact of the existing stadium which despite having a smaller capacity, due to the sustainability of the proposed site and the measures to be implemented to prevent car use, generates a higher number of trips than predicted at the proposed stadium. The impact will be further reduced by the mitigation requested, such as the Cowley Branch Line and proposed A44 mobility hub which will further reduce vehicular trips on the highway network. The impact demonstrated is considered acceptable in highway terms, as is the impact on Oxford Parkway which is minimal. The club has a clear vision-led
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		approach to the transport strategy which the Local Highway Authority supports. This promotes active and sustainable transport modes and in partnership with local stakeholders prioritises the safety of fans. The sustainable location, combined with the proposed transport strategy for the site is in line with national and local transport policy. This offers fans and Oxfordshire residents the opportunity to travel sustainably to a site situated in an area of growth with an already high-quality integrated transport network which will only improve in the future.
OCC (as Lead Local Flood Authority)	09/04/24, 07/03/25, 30/05/25, 11/06/25 and 25/06/25	NO OBJECTION, subject to conditions. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing: Reference: • Oxford United Stadium Development Flood Risk Assessment and Drainage Strategy • OUFC New Stadium Development: Environmental Statement Volume 1 (February 2024) In our previous responses we requested planning conditions requiring the approval of a drainage strategy and detailed drainage design prior to the commencement of development. The comments in the responses from Cherwell District Council's drainage officer dated 19/03/24 and Thames Water dated 12/03/2025 must be taken into consideration when applying to discharge these conditions.
OCC Archaeology	07/03/2024, 23/12/2024, 18/03/2025, 30/05/25, 11/06/25 and 25/06/25	NO OBJECTION, subject to conditions - the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition.
National Highways	19/08/2024, 17/09/2024, 09/12/2024, 17/01/2025, 07/03/2025, 15/5/25 and 25/06/25	NO OBJECTION, subject to conditions. <i>Traffic Impacts</i> - Our review of the models and supporting modelling materials resulted in the following conclusions: Although forecast queuing on the A34 off-slips never extends back onto the A34 mainline sections with the models as set-up, we are concerned that the proposed development, with other development in the vicinity, could adversely impact the SRN by blocking the local highway network and negatively undermining the existing off-slip flushing

		facilities at Peartree Roundabout. A signalling strategy at Peartree Roundabout and on the A40 and A44 more broadly – more particularly, at Wolvercote Roundabout – should therefore be implemented which allows Peartree Roundabout to flush in its totality. Our concerns mainly relate to regular weekday operations, and more particularly large conferencing events, not stadium fixtures or events which will be managed by an Event Management Plan. Existing signal control (MOVA and UTC takeover at both Wolvercote and Peartree Roundabouts) has the potential for the above to be addressed. If required, we will engage with OCC to ensure suitable agreements are secured. Stadium events have the potential to generate significant pedestrian flows over the A34 southbound off-slip (walking between Peartree Park and Ride and the stadium and vice versa). We would be concerned if pedestrian flows over the A34 southbound off-slip generate queues that extend back onto the A34 mainline. Event-related marshalling and live signal control using the same existing signal control mentioned immediately above (i.e. MOVA and UTC takeover at both Wolvercote and Peartree Roundabouts) will allow our concerns to be addressed, ensuring A34 southbound off-slip green times that prevent queuing back on to the A34 mainline. <i>Water Eaton Bridge</i> - We are also concerned about the potential impact to the Strategic Road Network (SRN) of proposed works on and close to the Water Eaton Bridge (the red line coincides with the northwestern bridge abutment edge and both the eastern and western edges of Water Eaton Bridge as it crosses the A34). Apart from works safety concerns during the construction of the proposed works, particularly those on Water Eaton Bridge as it crosses the A34, landscape proposals located immediately north of the northwestern abutment are also of interest to us. Designs and construction plans for all works affecting Water Eaton Bridge, including the landscaping proposals located immediately north of the northwestern abutment, will have to be submitted to and agreed with us prior to us being able to confirm deliverability. Conditions to include: Framework Event Management Plan, Construction Environment Management Plan, Drainage,
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		Landscaping and Boundary Treatments, A34 Water Eaton Bridge details.
Natural England	18/03/2024, 26/09/2024, 24/06/25, 06/07/25, 16/07/2025 and 24/07/2025	Natural England raised NO OBJECTION in their responses of the 18/03/2024 and 26/09/2024; "Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A". On the 24/06/2025, Natural England commented that advice provided in their previous response dated 18 March 2025, which they attached, applies equally to the amendment they were commenting upon then; "the proposed amendments to the original application are unlikely to have significantly different impacts on designated sites than the original proposal. At the time, Natural England advised that any amendments to the Ancient Woodland Inventory in relation to Stratfield Brake were ongoing. Natural England are responsible for maintaining the ancient woodland inventory (AWI), but clarified that it does not provide bespoke detailed planning advice about avoiding impacts to, or regarding the management of, ancient woodland, unless they form part of a SSSI. Natural England advised it is the role of the local planning authority as the decision maker on planning applications to take account of all environmental and other impacts and opportunities and to make a decision on the proposed development. Where an area of woodland has the potential/is likely to qualify for ancient woodland classification, decisions should be made in line with paragraph 193 (c) of the NPPF. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending the amended consultation, the changes proposed should be assessed to determine whether they would materially affect any of the advice previously offered. If they are unlikely to, there is no need to re-consult

		On the 6 July 2025, Natural England advised that there had been sufficient evidence submitted to support the inclusion of Stratfield Brake woodland as ancient woodland. This was based on historic mapping evidence, ecological (incorporating archaeological evidence) and arboricultural reports. Natural England committed to reviewing any substantially different evidence. On 16 July 2025, Natural England submitted a response of No objection based on their view that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. The response referred to their decision to include Stratfield Brake on the ancient woodland inventory and that the proposals as presented had the potential to adversely affect the woodland. Natural England advised that any impacts on ancient woodland and ancient and veteran trees should be considered in line with paragraph 193 of the NPPF. Following Natural England's response of 6 July 2025 the applicant submitted additional evidence to Natural England regarding the status of the woodland. This was copied to the LPA, but not formally submitted as application document. On 24th July 2025, Natural England advised as follows: <i>"On the 14th of July 2025 Natural England (NE) was asked to consider new evidence concerning the classification of Stratfield Brake as ancient woodland. NE responded with a commitment to prioritise the review of any evidence which was substantially different from evidence previously submitted. On the 18th of July 2025 NE received documentary evidence which differs substantially from the evidence previously considered and has now reviewed this evidence in line with its commitment.</i> The result of this review is that <i>Natural England is withdrawing its support for Stratfield Brake as ancient woodland.</i> <i>This decision is based on:</i> • <i>Site not present on 1823 Map of the County of Oxford by A. Bryant</i> • <i>Site not present on 1831 Map of the County of Oxford by C and J Greenwood</i>
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		<i>This decision follows Natural England's published methodology for identifying ancient woodland (Sansum 2018). The methodology underscores the importance of the cartographic record in identifying ancient woodland, whilst also considering the provenance, purpose and limitations of individual maps in recording woodland. In this case both maps listed above would be expected to show Stratfield Brake were it present at the time of the survey. The lack of wooded symbology at Stratfield Brake on these maps is evidence of an alternative land-use since 1600. It should be noted that both maps feature a neighbouring woodland of similar size, Water Eaton Coppice.</i> <i>Several other maps were also considered where Stratfield Brake was not recorded as woodland. These include the 1766-1767 Jefferys County Map, the 1804 Ot Moor Map and the 1818 Enclosure Map for the Parish of Kidlington. Whilst the recording of all contemporary woodland on these maps may not have been fully realised, it is notable that Stratfield Brake is not recorded on any of these maps.</i> <i>In conclusion, the available evidence demonstrates that Stratfield Brake has not been continuously wooded since 1600 and therefore does not meet the definition of ancient woodland."</i>
Historic England	12/03/24, 18/09/24, 17/03/25, 9/06/25 and 26/06/25	NO OBJECTION We suggest that you seek the views of your specialist conservation and archaeological advisers.
Environment Agency	11/06/24, 14/01/2025, 28/02/25, 18/03/2025, 23/06/25	NO OBJECTION Original holding objection removed – now no objections subject to conditions. Condition – Drainage scheme. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. This will include confirmation from the sewerage undertaker that the receiving Sewage Treatment Works has the capacity to accept flows from this development. The scheme shall be implemented as approved. Reason: The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.

		Without this condition, the impact could cause deterioration of a quality element to a lower status class and/or prevent the recovery of Thames (Evenlode to Thame) and/or Northfield Brook water body.
Sport England	11/06/2024, 07/01/2025, 6/6/25	NO OBJECTION Sport England raises no objections for this application, as it is considered to meet our Objective 1
Network Rail	10/03/2024, 11/09/2024, 20/05/25, 10/06/25 and 11/07/2025	NO OBJECTION, subject to the condition that any Travel Plan for the Stadium actively promotes the use of Sandy Lane bridge by cyclists and pedestrians, rather than the Yarnton level crossing. Latest response: • Network Rail supports the work that Chiltern Railways have done with Oxford United and their request for Section 106 funding to make improvements to Oxford Parkway Station in order to manage the impact of the stadium development. • Network Rail as the owner of the land would be a co-signatory to the S106 agreement to ensure it is future proofed as the railway transitions to UK public ownership. • Network Rail and Chiltern will need to work with Oxford United to deliver the enhancements according to existing railway standards and permissions. Further work will be done to ascertain exact costs and scope of these interventions once the scheme progresses to a detailed design stage. • Network Rail made comments on the need for long term strategic planning including how events would be planned and how those would interact with existing service patterns, there would need to be alignment with East West Rail (EWR), there should be no prohibition of achieving electrification or any other work required for the delivery of EWR or other planned decarbonisation programmes. • Network Rail also commented that they will need to review whether there is adequate platform lengths and widths, footbridge width,

		ticket barriers etc which are sufficient for the increase in patronage and potential mass arrival of visitors without causing congestion and an unsafe situation, what impacts there may be to the fire strategy, that the proposed steps can be delivered depending upon land ownership, that the proposal should be reviewed in line with Network Rail's Shared Value Policy. • Network Rail is in discussion with Chiltern Railways to provide a single rail industry view on enhancements at Oxford Parkway to accommodate the expected uplift in passenger usage. Further details will be provided in due course.
East West Rail	22/4/24, 19/12/24	NO OBJECTION, subject to an informative: "Land within the application site is proposed for the construction and operation of the East West Railway, a nationally significant infrastructure project. The Council strongly advises the Applicant to liaise closely with EWR Co over the timing and detailed implementation of the application proposals and the EWR project, to seek to agree a detailed approach that avoids or reduces conflicts between the two development proposals, and that seeks to mitigate any impacts arising"
Chiltern Railways	15/04/2024, 07/02/2025 and 22/05/25	NO OBJECTION, subject to S106 contributions to be agreed. Whilst Chiltern Railways continue to support the overall Stadium development, Chiltern needs to ensure that up to 4000 fans can safely use rail services before and after fixtures. Urge Planning Committee and OUFC to make the necessary Section 106 funding available to ensure Oxford Parkway is fit for purpose, including new access gates and ticket readers, a dedicated toilet block, customer waiting shelters, improved wayfinding and the creation of a match day operations hub. Remain in open discussion with the Department for Transport about bringing additional carriages into Chiltern. We expect a final decision on this additional capacity after the June 2025 Spending Review process has been completed. Oppose the proposals to prevent OUFC fans using Oxford Parkway for match day

		parking, as this will help to cover the fixed costs of operating match day services and station operations for the fixture. Should fans not be allowed to park at Oxford Parkway we would need to review whether it is commercially viable to operate rail services on match days, given the high fixed costs of operating and managing additional rail services. Need to ensure that our business-as-usual customers can retain access to Oxford Parkway before, during and after fixtures, noting we have already agreed to prevent egress for up to 45 minutes after games to prioritise bus flows. Whilst the announcement regarding funding for additional rolling stock has not been received at the time of writing this report, Officers have liaised with Chiltern Railways who have provided the following wording: Chiltern Railways are expected to imminently confirm new and additional trains which would replace their oldest (47-year-old) carriages. The plan which is awaiting final approval from the Department for Transport would provide up to 20% additional capacity across the Chiltern network, including providing additional trains for special events such as future Oxford United fixtures. Prior to the stadium opening services on the first section of East West Rail will also commence between Oxford and Milton Keynes. Whilst these trains are only 2 car units, this will also provide some additional capacity between Oxford – Oxford Parkway – Milton Keynes which will be of particular benefit to away fans accessing the Stadium from the West Coast Main Line. Subject to final approvals from the Department for Transport and the delivery of the relevant S.106 improvements at Oxford Parkway, Chiltern Railways will be in a position to provide adequate rail capacity to the new stadium. We do however note that a continuous assessment of rail capacity on this corridor will need to take place in partnership with Chiltern Railways, East West Rail Company and the Department for Transport due to additional proposed leisure developments such as the Puy du Fou and Universal theme parks. <i>Officer comment: Chiltern Railways have confirmed that funding has been secured for 13 newer, modern trains for their intercity route between London and the West Midlands. They state that whilst these trains will</i>
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		<i>not serve Oxford Parkway, they will free up existing trains (Class 165 and Class 168) so that they can run longer and more services from December 2026. This means that they do now have additional capacity secured to support future Oxford United football fixtures as per the original planning response.</i> <i>Officers expect a formal response from Chiltern Railways to be provided ahead of Planning Committee.</i>
Secretary of State for Transport	N/A	No response received.
National Planning Casework Unit	N/A	No response received.
CDC Arboriculture	26/04/24 and 21/05/25	COMMENT The updated AIA needs review as some trees appear to be missing. Removal of TPO's acknowledged and accepted. Woodland to the south is not designated as Ancient Woodland and current proposal is acceptable in that regard. If consent granted, must be subject to pre-commencement arboricultural method statement. <i>A response via an updated AIA was received in June 2025, no further comments have been made to this document.</i>
CDC Ecologist	28/5/2024, 25/07/2025 and 06/08/2025	May 2024 (Preliminary Response) Objection, raised concerns over: • Incomplete bird and invertebrate surveys • Botanical discrepancies • Bat habitat fragmentation • BNG metric issues and unrealistic habitat condition targets July 2025 (Full Response) Maintained objection due to: • Net biodiversity loss

		• Impacts to protected species (notably Barbastelle bats) • Insufficient buffer to woodland • Lighting and public access concerns Recommended mitigation via: • Legal agreement for Woodland Management Plan • Pre-commencement conditions (BNG plan, lighting strategy, CEMP, LEMP) • Commitment to 20% BNG, including off-site compensation August 2025 Response (Final Addendum Response) Objection Withdrawn: • The ecologist removes their objection following the applicant's commitment to a Woodland Management Plan for the adjacent District Wildlife Site/Priority Habitat. • The plan is to be developed ensuring long-term conservation and mitigation of indirect impacts. • Confirmed that lighting mitigation measures outlined in the ES Chapter 8 and June 2025 Technical Note will be adhered to • A detailed lighting strategy must be conditioned, aligning with: • ILP & Bat Conservation Trust Guidance Note 08/23 • Differentiation between match days, non-match days, and seasonal variations • Avoidance or justification of light spill into retained/created vegetation • These matters to be secured via conditions/secured through Legal Agreement
CDC Public Art	15/05/25	NO OBJECTION Public Art Response - This is a major commercial development that will sit in a key focal area by the Kidlington Roundabout, also known locally as 'Rosie's Roundabout' since the addition of the Elephant Sculpture referencing the historic zoo from the 1930s. A Public Art contribution is recommended;

		proportionate to the cultural significance of the development which can help integrate it into the evolving sense of place in the area. The sum of the contribution is calculated either as a percentage of the overall cost of the development of between .5% and 1% or based on the gross internal floor space at a rate of £10 per square metre. This method of calculation would add together the squared metre values of each of the 4 floors and multiply by £10 with an additional 12% for maintenance and management costs. 1st floor 4670 2nd floor 2754 3rd floor 3388 4th floor 1840 giving a total of 12,652 x £10 = £126,520.00 + 5% management costs £6326 + 7% maintenance costs £8856.40 for a total of £141,702.00. The recommendation is for public art features both internally on each floor and also on the exterior grounds, particularly near the pedestrian access points around the stadium. Exterior artworks will ideally link to the established public art sculpture of Rosie and Friends and reference more local history.
CDC Licencing	28/02/2024, 17/12/1024, 16/04/2025, 5/06/25 and 24/06/25	NO OBJECTION
CDC Environmental Protection	18/03/2024, 11/9/24, 07/01/2025, 12/3/25	NO OBJECTION subject to conditions. CEMP required pre-com. Agree with ES Noise chapter methodology and conclusions, subject to conditions. Agree with land contamination study and agree with conclusions & condition recommended. Air Quality - agree with contents and findings, mitigation to be included in CEMP. No comment on odour. Light - hours of operation need to reflect CDC recommendations & operational phases, lighting details needs to be agreed by condition.
CDC Building Control	14/4/24 and 31/10/24	NO OBJECTION Building Regulation approval needed.

CDC Drainage	Land	19/03/2024, 30/12/2024, 12/3/25, 21/04/2025, 7/6/25 and 24/06/25	NO OBJECTION. It is agreed that the site is not at material risk of flooding from any source. The surface water drainage strategy is set out in section 8 of the revised Flood Risk Assessment. The applicant's methodology for assessing the maximum allowable discharge from the site as 11.97 l/s is accepted. The preferred (and natural) surface water drainage route is through the 750mm diameter culvert which passes under Frieze Way which is understood to be the responsibility and in the ownership of Oxfordshire County Council as Highway Authority. It is currently almost wholly silted up and unable to pass any flows. The applicant has offered to enter into an agreement with the owner to maintain it twice yearly. In my view there is no practical alternative to this solution. To be able to do this the applicant will also need a second agreement with the owner of the downstream land, believed to be the Woodland Trust, to access the culvert and remove the silt that has accumulated and will accumulate within the culvert. Furthermore, I have previously advised that the downstream ditch system must also be cleared and the soft material which has accumulated within it must be removed to a point where its hard bed is at least 450mm below the invert of the culvert. This is to allow the culvert to discharge freely. The agreement with the Woodland Trust must also cover this. The recently submitted Ecology Report is focused solely on the development site itself. There may be unavoidable ecological implications within the Woodland Trust land to the west of the site through which the surface water drainage from the development site will pass. Improvements to the watercourse within the Woodland Trust land will be needed for the effective drainage of the development site.
CDC Design	Urban	22/8/24,15/5/25, 11/6/25	NO OBJECTION Overall, the design proposals are broadly supported subject to the following points: • Review pedestrian permeability and movement along the Oxford Road frontage and southern frontage to avoid pinch points and stepped access where possible.

		• Review the design appearance of the hotel element to add interest and reflect wider context. • Develop a lighting strategy as an integral element to the design. • Provide further details of long-term and short-term cycle parking provision. • Consider enhancements to the park and ride facility as an important gateway to the stadium. Develop a wayfinding strategy including appropriate signage to adjacent facilities. No further comments to Environmental Statement (ES) addendum.
CDC Recreation and Leisure	4/4/24 and 21/07/205	NO OBJECTION Would welcome further details as to proposed Stratfield Brake enhancements. Oxford United in the Community (OUitC) should support the enhancement of local facilities to ensure local community has opportunity to participate in football. The application identifies a contribution towards the maintenance of Stratfield Brake pitches for 5 years. Please could you confirm the amount of contribution towards maintenance costs and whether this is an annual amount with indexation applied or a 'defined one off payment'. The planning application states this contribution towards maintenance will protect clubs which are under threat of being closed due to lack of funding into Stratfield Brake, it will free up vital funds for Kidlington Parish Council (KPC) who currently manage the site. At present Cherwell District Council manage the site which is not due to be transferred to KPC until April 2026. CDC are not aware of any clubs under threat of being closed due to lack of funding and would like to understand the source and rationale of this statement. It is important that any contribution towards Stratfield Brake addresses the sustainability of the site long term and not just provide a short-term solution. The application mentions maintaining Stratfield Brake will help increase sports participation and improve their offering - please provide further details if this is beyond a maintenance sum for the sports pitches. Are Oxford United in the Community

		programmes looking to be delivered from the stadium, or are they seeking to deliver the programmes from other facilities within Kidlington or surrounding area? Please provide further details.
CDC Retail Impact Consultant (Nexus)	11/9/24 and 03/04/25	NO OBJECTION. On balance the bar, restaurant and gymnasium facilities proposed at the stadium redevelopment site are unlikely to result in any significant adverse impacts which would otherwise dictate that planning permission should be refused. Club shop would sell a range of items linked to OUFC and would therefore have unique appeal – this should be controlled by planning condition.
CDC Sustainability Consultant (Bioregional)	11/9/24 and 08/05/25	COMMENT The design team's response primarily addresses areas we initially categorised as red or orange (therefore deemed outside of policy compliance). A green designation indicates that the category meets the minimum requirements for policy compliance.
CDC Landscape Consultant (Aspect)	11/09/2024 and March 2025 and July 2025	COMMENT The Landscape and Visual Impact Assessment (LVIA) is considered to be compliant with the published guidance and technical notes but there are a number of identified weaknesses that should be addressed in a revised document. The following should be considered as part of a revised LVIA: • Revised methodology to include magnitude thresholds and address issues in relation to certain terminology and Table A1.10 Magnitude Matrix. • A standalone landscape opportunities and constraints plan to underpin and support the design approach, along with reference to and examples of the design evolution. • Further exploration of the landscape sensitivity of the Site itself with reference to CDC's published evidence base – Cherwell Landscape Sensitivity Study (TEP; 2022). • ZTV Plan and/or plan demonstrating the visual envelope of the Site and the likely visual extent of the proposals.

		• Full winter photography which accords with published guidance in respect to the quality of the images and presentation. • Exploration of further mitigation measures; and • Provision of a more detailed assessment of the cumulative effects in line with GLVIA3, including a plan showing those cumulative sites relevant to the proposals in landscape terms. A separate piece of work should be considered to accompany the planning application, if this has not already been prepared, in respect of the Green Belt components of spatial and visual openness, its purposes and how these would be affected by the Proposed Development. In relation to the ASA, Aspect have commented: • The findings within the updated LVASA and LVASA addendum are now clearer as a result of a more robust methodology and the separation of green belt matters from landscape and visual considerations. The findings of these reports are well reasoned and justified. • Of the alternative sites assessed, and excluding the existing Kassam Stadium site (site 27), site 30 appears to be the most preferable in landscape and visual terms given that it appears generally well contained both physically and visually. This site has also been released from the Green Belt. Arguably a stadium development on this site would have the least impact in landscape and visual terms, noting that such development of this size and scale on any greenfield land would likely result in some lasting significant landscape and visual effects on the site in question and its localised setting. • The application site (northern extents of site 4) appears to be the next preferable option in landscape and visual terms behind site 30 when considering the evidence presented. Aspect's scope does not consider other relevant factors beyond Green Belt, landscape or visual matters that may be relevant to the
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		site selection process and have to be considered as part of the broader planning led process. • The delivery of the stadium development on the remaining sites concluded as having the potential to accommodate such development as per the Stage 2 assessments, including the Application Site, would likely result in some harm to the Green Belt as acknowledged within the LVASA and LVASA addendum. • The LVASA and LVASA addendum reports are well rounded and provide an adequate evidence base from which to justify the application site as a preferable site for the proposed stadium development in landscape and visual terms. Comments on the Updated ES LVIA: • The submitted ES LVIA Chapter is considered to be based on a comprehensive and appropriate scope that identifies and assesses the relevant key landscape receptors/ features and visual receptors within the localised and wider landscape context. • The findings suggest that there would initially be significant adverse landscape effects on the surrounding landscape in perceptual and aesthetic terms and on the surrounding townscape elements, as well as on the character area in which the site lies at County and District level. Lasting significant effects are considered to be limited to cultural/ social as well as perceptual and aesthetic aspects of the site as well as on the overall character of the site including its nighttime character. • In terms of likely significant visual effects, the ES LVIA identifies such effects on residents of the properties along Hazel Crescent/ South Avenue at the construction stage only, as well as on road users along Oxford Road and Frieze Way in the immediate setting of the site at the construction phase and operational phase Year 1. Lasting significant effects are predicted on users of PROW 229/4/30 to the
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		east and users of several of the permissive routes within Stratfield Brake to the west. • Regarding cumulative effects with the identified cumulative sites, it is considered within the ES LVIA that there would likely be some localised cumulative significant adverse effects arising from the proposed development, in combination with these sites including harm to the overall character area. Regarding cumulative visual effects, the ES LVIA suggests there may be significant visual effects on road users along Oxford Road and Frieze Way and Bicester Road given the increased amount of built form and associated with several committed development sites and the site itself. Significant cumulative effects are also anticipated on users of Stratfield Brake to the West. • There would be a degree of localised harm in the landscape and visual terms as a result of the proposals. This would likely be the case for any such proposal of this magnitude on greenfield land. Effects would likely be limited to the localised setting and would reduce with distance from the site albeit noting that given the height of the proposals, the stadium would remain visible in certain views from the wider setting for example from public footpaths in the open countryside to the east. • Concerns remain over the proximity of the proposals to the woodland priority habitat by the southern site boundary and Stratfield Brake to the West. Development on this parcel of land would give rise to harm on the green belt designation. That said, it is noted that the area is set to undergo significant change given the surrounding allocations and committed sites and that the proposals could potentially form a landmark to the emerging sports and recreation character of the area on what is considered to be a somewhat isolated parcel of land in the context of the surrounding countryside owing to the local road network. • Aspect broadly agrees with the findings of the LVIA and considers the proposed development could be accommodated on the
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		site, providing that the ongoing concerns in relation to the design are addressed at the detailed design stage.
CDC Planning Policy	19/06/25	The proposal does not comprise grey belt land and constitutes inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt. The site falls within the most fragile part of the Kidlington Gap. Development of the proposed site would weaken the Kidlington Gap as a whole and significantly weaken the distinction between Kidlington and Oxford, merging two large built-up areas into one. Development would be contrary to Local Plan Policy ESD 14 'Green Belt' and result in a significant change that fundamentally undermines the role of the Green Belt in the plan area. A case for 'very special circumstances' will need to demonstrate whether the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.
CDC Conservation Officer	13/5/25	NO OBJECTION. A large development of this kind will undoubtedly have a visual impact within the landscape and there will inevitably be wider landscape implications in views both close to the site and from the wider countryside. This does not however necessarily equate to heritage harm or more specifically mean there is harm to the significance of the heritage assets as a result of development within their setting.
CDC Property and Assets Manager	N/A	No response received.
Oxford City Council	16/06/2025 and 17/06/2025	There are no negotiations with the LPA regarding redeveloping the land that the Kassam Stadium currently occupies. It is an allocated housing site in the current plan and will be in the forthcoming plan and is deliverable in the event the policy conditions are met, but no discussion has taken place beyond that. Oxford City Council has no intention to use its CPO powers to acquire the Kassam Stadium.

South Central Ambulance Service (SCAS)	19/05/25	No direct response received. However, a response from the SCAS Chief Executive (David Eltringham) dated 19 May 2025 received via a third party, which in summary states: <i>The new stadium proposals have been discussed at the SAG [safety advisory group] and we were reassured that plans would meet the requirements of the Green Guide for stadiums and give no concerns in terms of emergency care access. As a result, we do not believe there is a need for us to submit a specific response to the planning application.</i> <i>...we are commissioned by OUFC to provide cover at the stadium and we attend with a tactical commander and paramedic during matches. We are confident therefore that there would be no care gap in the event of a major incident. As with all stadiums, we have an active stadium plan which covers access, care gap risks and major incident scenarios. These plans are updated annually before the start of each season, and would be updated for a new stadium.</i>
Health and Safety Executive	12/09/2024, 19/12/2024, 15/03/2025 and 26/06/25	NO OBJECTION - development does not fall under the remit of their planning gateway
Oxfordshire Fire Service	22/4/24 and 05/02/25	COMMENT Plans currently show limited provisions for fire service vehicle access around the stadium. Consideration should be in place for ensuring suitable access to dry risers, turning facilities and water provisions are in line with B5 guidance in Approved Document (B) of the Building Regulations. Where multiple emergency vehicles are in attendance, this may compromise the ability to manoeuvre around the site and therefore should be factored into designs. Consideration should be undertaken for providing an automatic water suppression system to the building. It is taken that these works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of the Building Regulations 2010. The Fire Service further commented that a full review of the fire strategy would be undertaken at the building control consultation stage between themselves and

		the building control body. The last sentence as set out above is relevant.
Thames Valley Police	1/05/24, 15/04/25, 19/05/25 and 30/06/25	NO OBJECTION, subject to conditions to include: Prior to commencement, details of counter terrorism measures which have been approved by Register of Security Engineers and Specialists (RSES), prior to first use demonstrating Secured by Design accreditation and Secured Environments accreditation, use restriction to Class F2, prior to commencement a full emergency/exceptional evacuation strategy to be submitted and approved in consultation with TVP, prior to occupation approval of an external fan segregation strategy, prior to first use approval of a CCTV strategy, prior to commencement approval of a detailed external lighting strategy that promotes a secure environment and does not cause a nuisance to local residents, and a restriction on the use of the public toilets only on match days and between 0700 and 1800 on non match days. The additional ecological information submitted has been reviewed. Previous comments dated 16th May stand. My only point of concern would be lighting of the stairs leading to Manor Arch/Oxford Road, which will be a primary pedestrian route to/from the site. It is understood that on match days the lighting "design target will be 20 lux average and 10 lux min which will be achievable without compromising bat corridor". There is no objection subject to a suitably worded condition to secure this commitment.
Stagecoach Group PLC	N/A	No response received.
Oxford Bus Company	05/06/25	SUPPORT We trust that the foregoing assists in creating the confidence that the ambitious sustainable access strategy for the site is deliverable, especially on match days. We have also shown that the site has non-replicable and quite extraordinary characteristics with respect to public transport access, which support the highest possible use by sustainable modes for all the wider educational, commercial and community activities proposed by the development, and also vital to the future of the Football Club.

		We are naturally committed to working closely and constructively with the applicant and its client team, the Planning Authority and the wider statutory consultees to refine the proposals further where necessary as the application progresses to determination.
Nature Space	22/04/24	COMMENT Further information in the form of eDNA surveys on P2, P3 and P4 to rule out a potential impact on great crested newts. This is in line with Natural England's Standing Advice. If it is determined from these surveys that the likelihood of great crested newts is very low then precautionary working in the form of a Reasonable Avoidance Measures method statement may be acceptable. This should, however, be submitted and approved by the LPA prior to determination. Alternatively, the applicant can enquire to use the Council's District Licence Scheme to mitigate for any potential impacts on great crested newts. A full upfront assessment of cost can be obtained prior to entry into the scheme. More information can be found at https://naturespaceuk.com
Oxford Aviation Services Ltd (Oxford Airport)	10/10/24	NO OBJECTION with informatives. Lighting pattern - require developer to provide assessment to demonstrate that the scheme will not cause hazards to aviation. Need info re: construction cranes, if to be used. If solar panels to be fitted, a glint and glare assessment must be conducted.
Thames Water	06/06/2024, 30/12/2024, 12/03/2025 and 21/07/2025	NO OBJECTION subject to conditions. A development and infrastructure phasing plan to be agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. No development shall be occupied until confirmation has been provided that either:- all foul water network upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure

			phasing plan are agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. No development shall be occupied until confirmation has been provided that either: - all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.
Berks, Bucks and Oxfordshire Wildlife Trust (BBOWT)	18/4/24, 03/07/25	29/1/25, 7/5/25,	NO OBJECTION in principle, but concerns regarding impact on wildlife, which are essentially the same as those for 23/02276/SCOP (an earlier scoping opinion for the Environmental Impact Assessment). Though since the scoping opinion included the woodland to the south, whereas the application has now put that outside of the red line boundary, then the references in the scoping opinion response to the lowland mixed deciduous woodland being on-site are no longer relevant, although there is still concern regarding indirect impact. Remain concerned about loss of green corridor and undervalue of the existing willow habitat. Concerned there is not enough room on site

		to achieve on site gain. Biodiversity Net Gain (BNG) scoring requires further justification and explanation. We have reviewed the relevant ecology documents that have been produced for the latest set of information in May and June 2025. With respect to the “<i>Ecology Response to the Lighting Technical Note – June 2025</i>” whilst we welcome the further information supplied it does not alleviate the concerns set out previously in the Lighting section of our responses. With respect to the revised BNG metric it has not addressed the concerns we raised in our responses with respect to the BNG metric. We have reviewed the additional information and note that whilst the respondent seeks to rebut or reply to some of the comments made they do not, with respect to any of the issues that we raised, make any material changes to the actual proposals, and therefore the issues we raised remain and we stand by our previous response in full.
Woodland Trust	19/04/24, 15/05/25 and 24/07/2025	OBJECTION. Raised concerns around drainage of Stratfield Brake and how this will be dealt with – ask that on site attenuation be of a scale and capacity sufficient to protect Stratfield Brake from additional run-off and that this is secured by planning condition, indiscriminate parking on match days – would like an event day car parking attendant on Stratfield Brake site, litter, impact on Stratfield Brake – measures required to be out in place to pick litter around the stadium and trees surrounding the site – ask that a canopy cover target be set for the scheme as a whole, planting is secured by planning condition, important trees are retained by condition and a minimum 15m buffer and suitable management plan to the woodland to the south of the site, complete an Ancient Tree Inventory (ATI), lighting be directed away from hedgerows and woodlands. We have asked Natural England to review the evidence and consider whether any of the woodland on site should be considered for designation as Ancient Woodland. Ancient Woodland is an irreplaceable habitat and qualifies for protection from development, under section 193c) of the NPPF, other than in exceptional circumstances, limited to nationally significant infrastructure proposals. A football stadium would not qualify for such an exception.

		We also ask the Council to engage Natural England on this matter and to take a precautionary approach so that no planning decision has been made until Natural England has provided a judgement. If Natural England does consider the woodland to be ancient then the Trust would ask that appropriate buffers are applied and maintained between any area of development and the adjacent woodland. On the 24/07/2025, the Woodland Trust advised that it maintained an objection on the basis of impacts to their Stratfield Brake site and additionally in respect of the deterioration of ancient woodland. It noted that Stratfield Brake was not previously designated as ancient woodland but (at the time it responded) acknowledged that Natural England had recently confirmed its 'ancient' status and would be adding it to the Ancient Woodland Inventory. The Trust set out the impacts it was concerned about with respect to the impact on the woodland, specifically from increased human activity and traffic emissions, pollution, hydrological impacts, encroachment onto root systems and rooting environment, reduction of semi-natural habitat near to the woodland, the potential for boundary issues associated with the long-term retention of trees on the woodland edge and lack of mitigation measures. Its advice was that steps should be taken to address the development in the context of the ancient woodland designation. Comments were made in respect of the applicant's technical note – confirming that Natural England is the only body that has the appropriate standing to pass judgement on whether a site should be considered ancient or not and advice is provided on mitigation measures: “...as the government's relevant authority on such matters, Natural England is the only body that has appropriate standing to pass judgement on whether a site should be considered ancient woodland or not.... Neither the Council nor the applicant has the authority to pass judgement on what is or isn't ancient woodland. The holders of the Ancient Woodland Inventory and government agency responsible for determining whether a woodland is ancient is Natural England. As such, planning decisions must be made in the context of their judgement that the woodland is ancient and that it therefore requires protection in line with government policy and guidance”.
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		It also advised, "If the Council intends to continue in the planning process further without engaging Natural England on the applicant's comments, then Stratfield Brake should be afforded protection as ancient woodland under both local and national planning policies".
CPRE Oxford	22/04/2024, 07/02/2025,17/04/2025 and 30/05/25	OBJECTION in relation to loss of Green Belt and Very Special Circumstances (VSC) having SC not been addressed, impact on ecology, traffic and other sites being available. Comments from 7th Feb – Transport Implications of the proposals not fully considered. Mayer Brown commissioned to review the Transport Assessments – report attached to response. Waste water not appropriately considered. Comments 17th April 2025 • No evidence that the club have attempted to buy the stadium. The importance of the Green Belt around North Oxford has not been appropriately considered. Comments 30th May 2025 • Inadequate security and emergency evacuation principles • Site is not Grey Belt • No VSC demonstrated • Road closure times unrealistic, TAA is flawed • Unacceptable impact on Ecology and woodland • LVIA is flawed
Ramblers Association	N/A	No response received.
British Horse Society	N/A	No response received.
Southern Gas Network	N/A	No response received.

National Grid	N/A	No response received.
Open Spaces Society	N/A	No response received.

- 7.3 Committee Members will be updated on any further representations or consultations received between the publication of this report and the committee meeting through the written updates. An oral update will be provided to the committee if required.

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 Council also adopted a Partial Review of the Local Plan in September 2020 to make Cherwell's provision for Oxford's Unmet Housing Need.. 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 2015)

Policy PSD1: Presumption in Favour of Sustainable Development
Policy SLE1: Employment Development
Policy SLE2: Securing Dynamic Town Centres
Policy SLE3: Supporting Tourism Growth
Policy SLE4: Improved Transport and Connections
Policy BSC1: District Wide Housing Distribution
Policy BSC2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
Policy BSC7: Meeting Education Needs
Policy BSC8: Securing Health and Well-Being
Policy BSC9: Public Services and Utilities
Policy BSC10: Open Space, Outdoor Sport and Recreation Provision
Policy BSC11: Local Standards of Provision - Outdoor Recreation
Policy BSC12: Indoor Sport, Recreation and Community Facilities
Policy ESD1: Mitigating and Adapting to Climate Change
Policy ESD2: Energy Hierarchy and Allowable Solutions
Policy ESD3: Sustainable Construction
Policy ESD4: Decentralised Energy Systems
Policy ESD5: Renewable Energy
Policy ESD6: Sustainable Flood Risk Management
Policy ESD7: Sustainable Drainage Systems (SuDS)
Policy ESD8: Water Resources
Policy ESD9: Protection of the Oxford Meadows SAC
Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
Policy ESD11: Conservation Target Areas
Policy ESD12: Cotswolds Area of Outstanding Natural Beauty (AONB)
Policy ESD13: Local Landscape Protection and Enhancement
Policy ESD14: Oxford Green Belt

Policy ESD15: The Character of the Built and Historic Environment
Policy ESD16: The Oxford Canal
Policy ESD17: Green Infrastructure
Policy Kidlington1: Accommodating High Value Employment Needs
Policy Kidlington2: Strengthening Kidlington Village Centre
Policy INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

Policy GB2 – Outdoor Recreation in the Green Belt
Policy TR1 - Transportation funding
Policy TR7 - Development attracting traffic on minor roads
Policy TR8 - Commercial facilities for the motorist
Policy TR10 - Heavy Goods vehicles
Policy TR11 - Oxford Canal
Policy TR22 - Reservation of land for road schemes in the countryside
Policy T5 - Proposals for new hotels, motels, guesthouses and restaurants in the countryside
Policy C5 - Protection of ecological value and rural character of specified features of value in the District
Policy C8 – Sporadic Development in the open countryside
Policy C15 – Prevention of coalescence of settlements
Policy C28 – Layout, design and external appearance of new development
Policy C30 – Design control
Policy C32 – Provision of facilities for disabled people
Policy C33 – Protection of important gaps of undeveloped land
Policy ENV1 – Development likely to cause detrimental levels of pollution

CHERWELL LOCAL PLAN 2011 - 2031 (PART1) PARTIAL REVIEW - OXFORD'S UNMET HOUSING NEED

PR1: Achieving Sustainable Development for Oxford's Needs
PR3: The Oxford Green Belt
PR4a: Sustainable Transport
PR4b: Kidlington Centre
PR5: Green Infrastructure
PR11: Infrastructure Delivery
Policy PR12b – Sites Not Allocated in the Partial Review
Policy PR13 - Monitoring and Securing Delivery

The Partial Review of the Local Plan allocates land for a number of strategic development sites (the 'Partial Review sites') in the vicinity of the proposed site. A total of 4,400 homes are planned for but the final, completed number of homes could be higher or lower than this figure

On 19 December 2024, the Reg 19 Proposed Submission of the Cherwell Local Plan Review 2042 was published for consultation. The consultation ended on the 25 February 2025. The Plan was approved for submission to the Secretary of State for Housing, Communities and Local Government for independent examination by Council on 21 July 2025. Cherwell District Council submitted its Cherwell Local Plan Review 2042 to the Secretary of State for Independent Examination on 31 July 2025.

Paragraph 49 of the NPPF (2024) 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 the 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 the weight that may 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).

The weight afforded to different policies is always a matter for the decision maker, and in the case of the emerging Cherwell Local Plan Review 2042, this weight should be determined in line with NPPF para 49, as set out above. Policies will generally gain weight as they progress through the process of consultation and examination, particularly where they do not attract objections.

Given the relatively early stage of preparation of the Cherwell Local Plan Review, it is considered that only limited weight may be given to the policies therein. The relevant policies of the Development Plan are set out below:

Emerging Cherwell Local Plan Review 2042 (CLP 2042)

CP1: Mitigating and Adapting to Climate Change
CP2: Zero or Low Carbon Energy sources
CP3: The Energy Hierarchy and Efficiency
CP4: Achieving Net Zero Carbon
CP5: Carbon Offsetting
CP6: Renewable Energy
CP7: Sustainable Flood Risk
CP8: Sustainable Drainage Systems (suDs)
CP9: Water Resources
CP10: Protection of the Oxford Meadows SAC
CP11: Protection and Enhancement of Biodiversity
CP12: Biodiversity Net Gain
CP13: Conservation Target Areas
CP14: Natural Capital and Ecosystem Services
CP15: Green and Blue Infrastructure
CP16: Air Quality
CP17: Pollution and Noise
CP18: Light Pollution
CP19: Soils, Contaminated Land and Stability
CP21: Sustainable Transport and Connectivity Improvements
CP22: Assessing Transport Impact/ Decide and Provide
CP25: Meeting Business and Employment Needs
CP27: New Employment Development on Unallocated Sites
CP29: Community Employment Plans
CP32: Town Centre Hierarchy and retail
CP43: Protection and Enhancement of the Landscape
CP44: The Oxford Green Belt
CP45: Settlement Gaps
CP46: Achieving Well Designed Places
CP47: Active Travel – Walking and Cycling
CP48: Public Rights of Way
CP50: Creating Healthy Communities
CP51: Providing Supporting Infrastructure and Services
CP55: Open Space, Sport and recreation
CP57-59: Historic Environment and Archaeology
CP60: The Oxford Canal
CP76: Kidlington Area Strategy
CP79: Safeguarding of Land for Strategic Transport Schemes in the Kidlington Area
CP80: Kidlington Green and Blue Infrastructure
CP81: Kidlington Areas of Change
CP87: Delivery and Contingency
DP1: Waste Collection and Recycling

Other Material Planning Considerations

Environmental Impact Assessment (EIA) Regulations 2017 (as amended)
National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
The Planning (Listed Buildings and Conservation Areas) Act 1990
National Model Design Guide
Cycle Infrastructure Design (LTN 1/20)
Fields in Trust - Guidance for Outdoor Sport and Play
EU Habitats Directive
Natural Environment and Rural Communities Act 2006
Conservation of Habitats and Species Regulations 2017
Circular 06/2005 (Biodiversity and Geological Conservation)
Human Rights Act 1998 ("HRA")
Equalities Act 2010 ("EA")

Supplementary Planning Documents

Developer Contributions SPD (Feb 2018) Cherwell Design Guide (2018)

APPRAISAL

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

- Principle of development and impact on the Green Belt
- Heritage
- Trees and Ecology
- Landscape and visual impact
- Design
- Retail impact
- Residential amenity
- Transport and Highway safety
- Noise, Air Quality and Ground Conditions
- Lighting
- Flooding and Drainage
- Sustainability
- Environmental Statement
- Planning Obligations

Principle of Development and Impact on the Green Belt

Policy Context

- 9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.3. The Adopted Cherwell Local Plan 2011-2031 (Part 1) (CLP 2015), its Partial Review and the saved policies of the Cherwell Local Plan 1996 contain strategic planning policies for development and the use of land. They form part of the statutory Development Plan for Cherwell to which regard must be given in the determination of planning applications. The application site is located wholly within the Oxford Green Belt. It is not allocated in the 1996, 2015 or 2020 Local Plans for development and constitutes a Departure from the Development Plan.

- 9.4. Saved Policy C8 of the Cherwell Local Plan 1996 (CLP 1996) concerns sporadic development in the open countryside, seeking to resist new development proposals beyond the built-up limits of settlements, including in areas in the vicinity of motorway or major road developments, in order to maintain the countryside's attractive, open, rural character.
- 9.5. Saved Policy C15 of the CLP 1996 states that the Council will prevent the coalescence of settlements by resisting development in areas of open land, which are important in distinguishing them. The supporting text notes that each town or village has its own separate identity, and it is important that development on areas of open land between them is restricted to prevent their coalescence.
- 9.6. Policy PSD 1 of the CLP 2015 sets out the plan's presumption in favour of sustainable development, stating that when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. The remainder of the policy reiterates the NPPF's presumption in favour of sustainable development (paragraph 11c-d).
- 9.7. Paragraph 11 of the NPPF highlights how to apply the presumption in favour of sustainable development; for decision taking, the presumption in favour of sustainable development means c) approving development proposals that accord with an up to date development plan without delay or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 9.8. Paragraph 39 relates to decision making and states that LPAs should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.
- 9.9. Section 13 (paragraphs 142 to 156) of the NPPF sets out the national Green Belt policy. The NPPF (2024) post-dates the 2015 Cherwell Local Plan and so the NPPF provides the up-to- date reference point for Green Belt Policy.
- 9.10. In assessing the current proposal several paragraphs of the NPPF are of relevance. Paragraph 142 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

9.11. The aim and function of the Green Belt is to prevent urban sprawl by keeping land open. An essential characteristic of Green Belt is its 'openness'. Paragraph 143 sets out the purposes of the Green Belt:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

9.12. Paragraph 151 states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

9.13. Policy ESD14 of the CLP 2015 largely echoes the NPPF requirements and states that the Green Belt will be maintained in order to:

- a) Preserve the special character and landscape setting of Oxford;
- b) Check the growth of Oxford and prevent ribbon development and urban sprawl;
- c) Prevent the coalescence of settlements;
- d) Assist in safeguarding the countryside from encroachment;
- e) Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.14. Policy COM 12 of the emerging Cherwell Local Plan Review 2042 states that the Oxford Green Belt boundaries within Cherwell District will be maintained in order to:

- i. Preserve the special character and landscape setting of Oxford;
- ii. Check the growth of Oxford and prevent ribbon development and urban sprawl;
- iii. Prevent the coalescence of settlements;
- iv. Assist in safeguarding the countryside from encroachment, and
- v. Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Development proposals within the Green Belt will be assessed in accordance with current Government policy and other relevant Development Plan policies.

9.15. Limited weight is to be attributed to this policy, given the stage of preparation of the emerging Local Plan Review, accepting that the policy aligns with the NPPF to a significant degree and is a similar approach to the current Local Plan Policy ESD14.

9.16. Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.17. Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, or outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

- 9.18. Revisions to the NPPF were issued in December 2024 which introduced a new concept of Grey Belt land, which aims to identify and use specific areas within the Green Belt that are suitable for development, while ensuring the broader aims of Green Belt protection are not compromised.
- 9.19. Paragraph 155 of the NPPF states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and
 - d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 [of the Framework].
- 9.20. In relation to criterion (a), consideration must be given as to whether the application site can be properly categorised as Grey Belt land. Grey Belt land is defined as "previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143" of the NPPF (see 9.11 above).
- 9.21. The NPPF defines previously developed land as:
- Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended in to the landscape.*
- 9.22. It is not considered that any part of the site constitutes previously developed land. The site has been in agricultural use since at least 1999.
- 9.23. Even though it is not previously developed land, the application site will fall within the definition of Grey Belt land if it does not ‘strongly contribute’ to any of the purposes in paragraph 143 (a), (b) or (d) of the NPPF, as set out above.
- 9.24. The Government has provided guidance on assessing the purposes of the Green Belt in the form of an updated Green Belt section within the Planning Practice Guidance (PPG). This sets out guidance on what may be considered a ‘strong’ contribution’, versus a ‘moderate’ or ‘weak’ contribution to each of the above purposes. These are discussed in the assessment section below.
- 9.25. As set out in para 9.19 above, the site must also, as per the requirements of NPPF, para 155 (a), ‘not fundamentally undermine the purposes (taken together) of the

remaining Green Belt across the area of the plan'. Those purposes are all of the five Green Belt purposes in NPPF paragraph 143 set out above.

9.26. On reaching a conclusion on the above, an assessment must then also be made against the further relevant requirements of paragraph 155 which are:

- b) There is a demonstrable unmet need for the type of development proposed and;
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework.

9.27. NPPF paragraph 155d is not relevant, as it concerns the Golden Rules which only apply to the provision of housing.

9.28. The assessment of the application site against these requirements is discussed in the assessment section below.

9.29. If the application site cannot meet the criteria in paragraph 155 and is considered inappropriate, then the usual Green Belt restraint applies i.e. that development should only be approved if "very special circumstances" (VSC) exist, as set out in paragraph 153 of the NPPF.

9.30. The VSC case presented by the applicants is discussed and assessed in the relevant section below.

Assessment

9.31. In accordance with Paragraph 155 a) above, the first stage of assessment must be whether the site constitutes Grey Belt, as defined in Annex 2 of the NPPF as:

Grey belt: *For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development*

9.32. As part of this assessment, there are two elements to consider:

1. Does the site 'strongly contribute' to any of purposes a), b), or d) in paragraph 143.
2. Does the site fall within an NPPF footnote 7 asset or area, where the NPPF policies would provide a strong reason for refusing or restricting development.

9.33. In respect of the first test, the PPG provides guidance for making judgements as to whether land is Grey Belt. These are summarised below:

Purpose A – to check the unrestricted sprawl of large built-up areas

Green Belt land contributing **strongly** to Purpose A is likely to:

- be free of existing development;
- lack physical features in reasonable proximity that could restrict and contain development;
- be adjacent or near to a large built-up area; and

- if developed, result in an incongruous pattern of development (such as an extended 'finger' of development into the Green Belt).

Green Belt land contributing **moderately** to Purpose A is likely to be adjacent or near to a large built-up area, and include one or more features that weaken contribution, such as (but not limited to):

- having physical feature(s) in reasonable proximity that could restrict and contain development; and/or
- be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development;
- contain existing development;
- being subject to other urbanising influences.

Green Belt land contributing **weakly** to Purpose A is likely to be:

- not adjacent to or near to a large built-up area;
- adjacent to or near to a large built-up area, but containing or being largely enclosed by significant existing development.

Purpose B – to prevent neighbouring towns merging into one another

Green Belt land contributing **strongly** to Purpose B is likely to:

- be free of existing development;
- form a substantial part of a gap between towns; and
- if developed, would likely result in the loss of visual separation of towns.

Green Belt land contributing **moderately** to Purpose B is likely to be located in a gap between towns, and include one or more features that weaken contribution, such as (but not limited to):

- forming a small part of a gap between towns; or
- if developed, would not result in the loss of visual separation between towns, for example due to the close proximity of structures, natural landscape elements or topography that preserve visual separation.

Green Belt land contributing **weakly** to Purpose B is likely to:

- not form part of a gap between towns; or,
- form only a very small part of a gap between towns, without making a contribution to visual separation.

Purpose D – to preserve the setting and special character of historic towns

Green Belt land contributing **strongly** to Purpose D is likely to:

- be free of existing development;

- form part of the setting of a historic town; and
- make a considerable contribution to the special character of a historic town, for example, as a result of being within, adjacent to, or of significant visual importance to the historic aspects of a town.

Green Belt land contributing **moderately** to Purpose D is likely to form part of the setting and/or contribute to the special character of a historic town, and include one or more features that weaken their contribution to this purpose, such as (but not limited to):

- being separated to some extent from historic aspects of the town by existing development or topography;
- containing existing development; or
- not having an important visual, physical, or experiential relationship to historic aspects of a town.

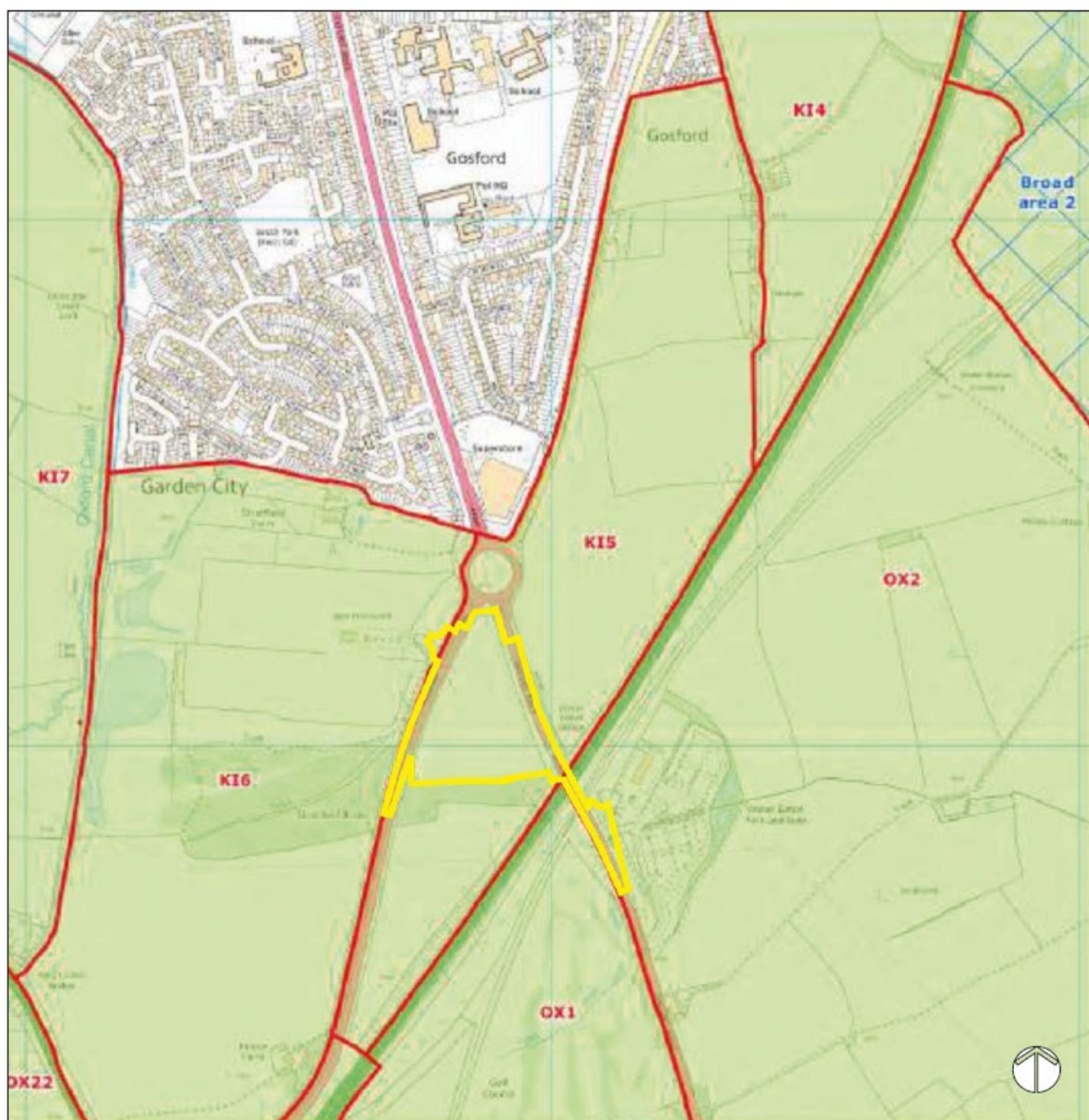
Green Belt land contributing **weakly** to Purpose D is likely to not form part of the setting of a historic town, with no visual, physical, or experiential connection to the historic aspects of a town.

9.34. A number of Green Belt evidence studies have been prepared to support plan making in Cherwell since 2015 (Cherwell Local Plans Evidence Base):

- 2015 Oxfordshire Green Belt study
- 2017 Cherwell Green Belt Study and Addendum
- 2023 Cherwell Green Belt Study additional site assessments

9.35. The application site (outlined in yellow in the extract below) is assessed in the 2015 Green Belt Study within parcel KI5.

Figure 3: Extract from Planning Statement Addendum



9.36. The 2015 study concludes that the site performance is 'High' against Green Belt purpose b (preventing neighbouring towns merging into one another), 'Medium' against purpose c (safeguarding countryside from encroachment) and 'Low' against purpose d (preserving the setting and special character of historic towns).

9.37. In view of the applicant's Planning Statement Addendum (April 2025) and revised position on 'Grey Belt', the Planning Policy Team commissioned Land Use Consultants (LUC) to review the applicant's Addendum and provide an assessment of the application site and the Kidlington Gap within the context of the December 2024 NPPF and 2025 PPG.

9.38. An up –to-date assessment has therefore been made against the contribution of the application site against the above-mentioned Green Belt purposes. Taking each purpose in turn:

Purpose A: to check the unrestricted sprawl of large built-up areas

9.39. PPG identifies Purpose A as being relevant to locations "adjacent or near" to a large built-up area. The application site abuts Oxford's settlement edge, a large built-up area, immediately to the south and therefore Green Belt Purpose A applies.

- 9.40. Oxford's northern boundary, formed by the A34 with existing development immediately to the south at Oxford Parkway and allocated site PR6b Land West of the Oxford Road, provides a strong restriction and containment to urban sprawl. The development proposal would be incongruous with the current urban form of Oxford. The fact that the site has strong boundary separation from Oxford heightens rather than diminishes the extent to which development would constitute unrestricted sprawl.
- 9.41. Kidlington Roundabout marks the edge of Kidlington. Development of the site (south of the roundabout) would be incongruous in relation to the urban form of Kidlington. Regardless of whether Kidlington is a 'large built-up area', development of the site would strengthen the extent to which Kidlington is perceived as being linked to Oxford and would make the latter urban sprawl associated with the former. This is considered a bigger impact than the loss of openness on just the application itself.
- 9.42. The gap between Oxford and Kidlington in this area is fragile but, there is still an open space gap, with visual separation, in an area that has strong boundary separation from Oxford. The proposed development would significantly weaken perceived openness in the weakest part of the settlement gap.
- 9.43. The PPG requires consideration of proximity to a large built-up area, whether the site is free from development, whether there are features that could restrict and contain development and whether development would result in an incongruous pattern of development.
- 9.44. The site is free from development. The strongest boundary feature – the A34 in combination with the railway – is the current Oxford boundary which would be breached by this development. Regardless of the strength of the site's boundaries there would be a loss of openness that would negate almost all sense of separation between Oxford and Kidlington in this location, and the relationship between these settlements (whether or not the latter is termed a 'town') is pertinent to perception of urban sprawl.
- 9.45. The PPG states that 'villages should not be considered large built up areas'. It is the applicant's contention that Kidlington should not therefore be considered a 'large built up area' in the context of Green Belt purpose A.
- 9.46. The applicants state that Kidlington is referenced as a village throughout the Cherwell Local Plan 2011 and similarly referenced in the Reg 19 Plan as a 'Local Service Centre', defined as "large villages with, or are planned to have, a level of services and facilities, and local employment opportunities to provide the next best opportunities for sustainable development outside the Main Towns." The "Main Towns" are identified as Bicester and Banbury.
- 9.47. It is Officers' view that Kidlington is a large built up area. Although referred to as a village in the past and emerging local plans, the Local Plan and recent Settlement Hierarchy Topic Paper make it clear that Kidlington has a status very different to other villages in the District, hence its classification as a local service centre. In terms of population, Kidlington is listed in the ONS 2021 census of having 14,640, which is well above the lower limit of 7,500 defined in the House of Commons Library's research briefing 'City and Town Classification of Constituencies and Local Authorities' (21 June 2018).
- 9.48. An appeal decision¹ from January 2024 found that a large village with a population of circa 10,000 was a large built-up area. The appeal site lay entirely within the green belt and extended to approximately 11.5ha on the edge of a settlement with a

¹ Appeal Ref: APP/N1920/W/23/3320599 - Land south of Shenley Road, Radlett, Hertfordshire

population of approximately 10,060 people. For the purposes of paragraph 143 of the NPPF, the appellant argued that the proposal did not involve the unrestricted sprawl of a large built-up area. However, the inspector held that in the context of other settlements within the borough, the large village did comprise a large built-up area and the development would involve sprawl, noting that the essential aim of green belt policy was to keep land open in spatial and visual terms.

- 9.49. In terms of preserving a gap between two settlements, the inspector observed that this would be reduced from 1.7kms to 1.4kms and in his opinion this was sufficient to be material. It was important, he opined, to spatially preserve open land between such settlements if the policy was to continue to be an effective planning tool in a green belt. In addition, it would fail to protect the countryside from encroachment and these harms added to the spatial and visual impacts of development.
- 9.50. Kidlington has extensive amenities commensurate with a town (including an airport) and consists of built-up, urban development over an area much larger than a typical village.
- 9.51. Kidlington is therefore considered to be a town for the purposes of Grey Belt assessment.
- 9.52. However, as noted above, regardless of whether Kidlington is a large built-up area, the site abuts the inset settlement edge of Oxford, a large built-up area, immediately to the south.
- 9.53. The extent to which it would remove the remaining gap between Oxford and Kidlington means that, regardless of whether the latter is defined as a 'large built up area', it would strengthen the extent to which Kidlington is perceived as being linked to Oxford and in that respect, would be significant sprawl.
- 9.54. For the reasons set out above, it is considered that the application site contributes strongly in respect of Purpose A.

Purpose B - to prevent neighbouring towns from merging

- 9.55. As explained above, Kidlington should be considered a town in the context of assessing the function of land in containing the spread of urban development. In addition to Kidlington's size, its proximity to Oxford and the demand for housing and employment land associated with this give it a 'pulling power' that is more readily associated with large urban areas than with villages. The fundamental aim of Green Belts is to prevent urban sprawl and the merging of Kidlington with Oxford would represent a very significant increase in the size of a single urban area.
- 9.56. The site is located at the narrowest part of the Kidlington Gap. The road links reduce the perceived gap size, but the strength of separating boundary features helps to preserve perceived separation. To the west, and to the east of the Water Eaton station and park and ride, the perception of a gap is stronger but its severing through development of this site would in turn increase urbanising influence on that adjacent open land.
- 9.57. The PPG requires consideration as to whether the site is free of existing development, whether it forms a substantial part of a gap between towns and whether, if developed, it would likely result in the loss of visual separation between towns. On all three counts the answer would be yes and the contribution to Purpose B is considered 'strong'.

Purpose C - to assist in safeguarding the countryside from encroachment

- 9.58. The PPG provides no guidance on Purpose C but the key factors on whether the site constitutes part of the countryside are considered to be whether there is urbanising development within it, whether it is subject to urbanising influence from outside of the site and whether its development would increase urbanising influence on adjacent open land.
- 9.59. The site is subject to little influence from urban areas. Roads (and associated lighting and signage) are not solely urban features. Proximity to road, whilst it may affect landscape character, does not mean that the site is strongly influenced by the urban areas of Oxford or Kidlington. Containing roads may limit the impact of development on adjacent countryside - although the truncating of the gap would increase containment of open land to the north-east.
- 9.60. The site is in the countryside and is undeveloped. With regard to influences from outside of the site, the extent of urbanising influence rather than landscape character (which is a separate non-Green Belt matter) is the key consideration, and the site's relationship with development in Oxford or in Kidlington is very limited. Given the height of the proposed stadium there would also be some urbanising impact on open land beyond the site boundaries. Contribution to Purpose C is considered strong.

Purpose D - to preserve the setting and special character of historic towns

- 9.61. The site could be considered to play a limited role in that it is rural land forming part of Oxford's setting, as experienced on a main approach route, but it is acknowledged that contribution to Purpose D would not be significant.
- 9.62. In summary, the site falls within the most fragile part of the Kidlington Gap and development of the proposed site would weaken the Kidlington Gap as a whole and significantly weaken the distinction between Kidlington and Oxford, merging two large built-up areas into one.
- 9.63. The site is therefore not considered to comprise Grey Belt land because the above up to date assessment, along with Green Belt evidence which has been subject to Examination, demonstrates that the site contributes 'strongly' to Green Belt Purpose A (to check the unrestricted sprawl of large built-up areas) and Purpose B (to prevent neighbouring towns merging into one another). It is noted that there is also a strong contribution to Purpose C (to assist in safeguarding the countryside from encroachment), although this is not relevant to the definition of Grey Belt (as set out in the NPPF Glossary).
- 9.64. In respect of the second test in the NPPF Glossary definition of Grey Belt (concerning footnote 7), Grey belt excludes land where the application of the policies relating to the areas or assets in NPPF footnote 7 (other than Green Belt) 'would provide a strong reason for refusing or restricting development'. Footnote 7 designations are:
- Habitats sites (and those sites listed in paragraph 194 of the NPPF) and/or designated as Sites of Special Scientific Interest; ..., Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.
- 9.65. The site is not within, nor is it considered to adversely affect, any of the above designations.
- 9.66. As to the further parts of NPPF paragraph 155, taking each of these in turn;

(a) Would the development fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan?

9.67. The extent of the Green Belt in the vicinity of the application site is as shown in the figure below. Site allocations in the adopted Local Plan Partial Review 2020 'Oxford's Unmet Need' are overlaid for context. Land within those allocations which are required to remain undeveloped remain in the Green Belt as shown in the figure below.

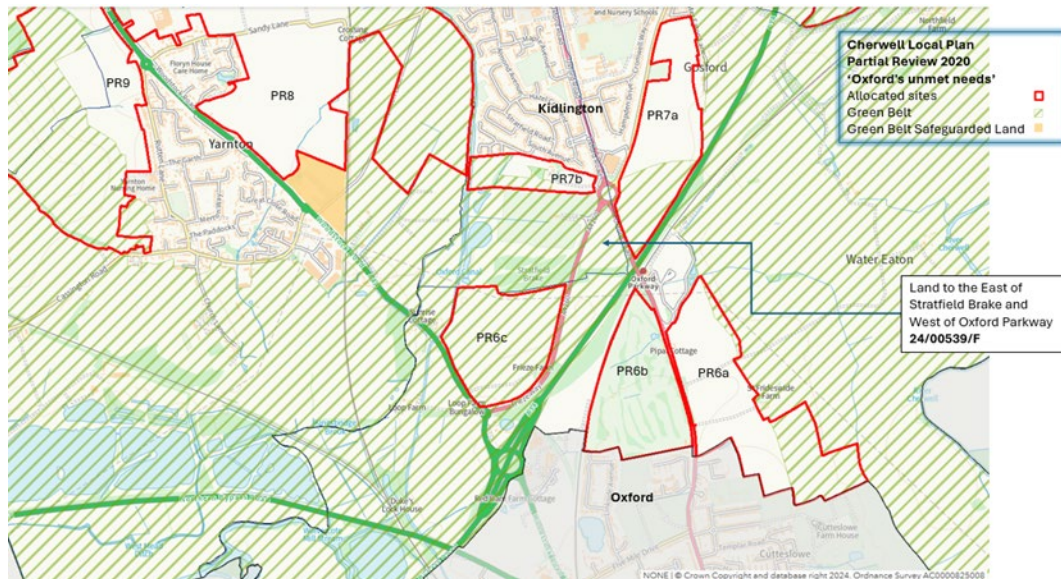


Figure 4: Location of application site in context of Green Belt and Partial Review site allocations

- 9.68. The application site is undeveloped land located in the narrowest part of the Kidlington Gap. It comprises the only Green Belt parcel left west of the Oxford Road between Kidlington and the allocated north Oxford site PR6b. Immediately to the east of the site (east of the Oxford Road), the Kidlington Gap amounts to one single parcel between Kidlington's built-up area and allocated North Oxford site PR6b and the Oxford Parkway. At its narrowest, the gap is approximately 528 metres wide.
- 9.69. For the reasons set out above, the site strongly contributes to Green Belt Purposes A, B and C.
- 9.70. Development of the application site would effectively merge Kidlington and the North Oxford site PR6b.
- 9.71. Any further loss of separation between Oxford and Kidlington will increase the extent to which they in effect form one sprawling urban area. The level of harm caused by the proposed development against Purpose A is therefore considerable.
- 9.72. The proposed development would significantly weaken visual separation in this key gap location. Level of harm against Purpose B is considerable.
- 9.73. The site is in the countryside and is undeveloped. The site's relationship with development in Oxford or in Kidlington is very limited. Given the height of the proposed stadium there would also be an urbanising impact on open land beyond the site's boundaries. Level of harm against Purpose C is considerable.
- 9.74. The development would significantly weaken the distinction between Kidlington and Oxford. It would be development at the fragile core of the remaining gap, and it would

merge two large built-up areas into one, such that there would be only a narrow strip of Green Belt left to contain Kidlington to the north. These are the only two urban areas contained by the Green Belt in Cherwell. The result would be a significant change, diminishing the strength of the gap, and fundamentally undermining the purposes (taken together) of the remaining Green Belt across the area of the Local Plan.

(b) Is there a demonstrable unmet need for the type of development proposed?

- 9.75. Whilst there is guidance given for assessing the need for housing development, there is no specified measure for demonstrating unmet need for non-residential developments. In the 'Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation' which explained the proposed changes to the NPPF, it is noted that 'the evidence for need of commercial or other development may differ depending on the development being proposed, so we are not specifying a particular measure that must be used in assessments.'
- 9.76. At the present time, OUFC play at the Kassam Stadium. Evidence has been submitted to demonstrate that post 30 June 2026, OUFC will have no legal right to use or occupy the Kassam Stadium and post 14 October 2026 there will be no legal obligation for the main use of the land to be for football (by any club).
- 9.77. An Alternative Site Assessment (ASA) has been submitted that seeks to demonstrate that the application site is the only viable site for a replacement stadium. The conclusions of the ASA are largely accepted (see assessment of this below for further detail) and on that basis, it is considered that there is a demonstrable unmet need for the development proposed.

(c) Is the development in a sustainable location?

- 9.78. Criterion c) is that 'the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework'.
- 9.79. Paragraph 110 highlights that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes'.
- 9.80. Paragraph 115 states:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 9.81. As noted in the Local Highway Authority response, the applicants are adopting a vision-led approach to their transport strategy which is in line with the National

Planning Policy Framework (NPPF) and is supported by the LHA. This is in order to achieve the modal shift required. With the sustainable travel options available, as discussed in the Highways section below, the LHA believe this is achievable.

- 9.82. The LHA also consider that the site access, for vehicular and emergency access is acceptable. The LHA have requested conditions to require various Travel Plans (e.g. match day, non-match day and ancillary uses) , which will refine the key principles set out in the Transport Assessment, notably, crowd and traffic management planning, managing pedestrian and cycle access to the stadium from Peartree and Oxford Parkway and into the ground and controlling traffic on the roads around the stadium and at Oxford Parkway to ensure the safety of pedestrians is prioritised.
- 9.83. As such, it is considered that the site is located in a sustainable location and complies with the criteria set out in paragraphs 110 and 115 of the NPPF.

(d) If applicable, does the development meet the 'Golden Rules'?

- 9.84. The Golden Rules are not applicable in this case as the development is not housing development.

Conclusion

- 9.85. NPPF paragraph 155 does not apply to the development, because the development does not comprise Grey Belt land and the development would undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It constitutes inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt.
- 9.86. It is clear that the proposed stadium and associated development would result in the physical reduction of the gap between Kidlington and the urbanised area of north Oxford. The scale and mass of the proposed stadium is significant which would undoubtedly impact on the openness of the site both visually and spatially, especially given its public visibility. The size of the building is significant both in terms of its floor area, height and mass. The associated landscaping works such as the car park, Plaza and gardens would also impact on the openness of the current site, due to the creation of manmade features leading to a more engineered environment on land which is currently undeveloped. The openness experienced along Freize Way would be significantly reduced due to the scale of the proposed stadium.
- 9.87. The introduction of a significant building and its associated land uses are not consistent with maintaining the openness of the Green Belt. The development would conflict with the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. It is therefore concluded that the development is also harmful to Green Belt openness both visually and spatially.
- 9.88. The proposal does not meet any of the exemptions set out in paragraphs 154 and 155 of the NPPF or Policy ESD 14 of the CLP 2015. As such, the development is considered inappropriate development in the Green Belt. It therefore should not be approved except in very special circumstances.

Very Special Circumstances

- 9.89. Very special circumstances will not exist unless the potential to harm the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

9.90. The Planning Statement submitted with the proposal outlines a number of components to the applicant's very special circumstances case and these are set out below, and will be considered in turn:

- The need to relocate from the Kassam Stadium
- Financial sustainability of owning their (OUFC) own stadium
- Lack of alternative sites
- The importance of keeping OUFC in the local area
- Benefits for fans
- Benefits for women's football/the club
- Other community benefits including socio-economic benefits
- Sustainable design and operational benefits
- Sustainable transport benefits
- Biodiversity enhancement measures
- Access to the Green Belt
- Precedent appeal decisions

The need to relocate from the Kassam Stadium

9.91. OUFC has played football at The Kassam Stadium since 2001, following a move from The Manor Ground in Headington.

9.92. The Planning Statement addendum (May 2025) at para 3.18 states that:

"OUFC currently plays at the Kassam Stadium. However, there is no legal basis to use the Kassam Stadium after the recent short-term extension agreed with the Firoka Group that will enable the Club to remain at the Kassam Stadium for a maximum of two additional seasons. The existing license, which was due to expire in June 2026, will now run for at least one additional year, with an option to extend for a maximum of one more year thereafter conditional on planning for the Club's proposed new stadium being approved. Following this, no further extensions or new lease agreements will be possible. This is confirmed in a press release that is attached at Appendix 4. In short, this confirms that if planning permission for the new stadium is not forthcoming, OUFC will have no legal right to use the stadium beyond June 2028 at best. There will be no obligation for the main use of the land to be for football (by any club)."

9.93. Several representations have been made that dispute the alleged need to relocate from the Kassam Stadium, citing the applicant's either intentional or poor management decisions as the reason the club can no longer stay at the Kassam Stadium. Newspaper articles have also been presented which allege that the owner of the Kassam Stadium is open to Oxford United staying at their existing ground. Third parties consider that the applicant's own actions have led to a need to relocate and that this cannot therefore be used as very special circumstances to justify inappropriate development in the Green Belt.

- 9.94. Officers challenged the statements made in the original Planning Statement and sought further justification and evidence to address the claims made by third party representations.
- 9.95. The addendum material provided in March 2025 provides more detail in respect of the negotiations between OUFC and Mr Kassam. It confirms that OUFC under the ownership of different owners have had a number of disputes with the Stadium Company regarding the original licence including arbitration in relation to service charges and more recently Covid-19 as a force majeure event. The Stadium Company has also imposed restrictions on OUFC's operations, for example restricting access on matchdays, not providing services, disagreements over agreements relating to sponsorship deals and imposing charges. Previous attempts to develop a fourth stand at the Stadium and offers by former owners to purchase the Kassam Stadium, including above value offers, were rejected by the Stadium Company.
- 9.96. The agent has advised that the Stadium Company has made it clear both to OUFC and via a recent public statement that their long-term plans are to re-develop the stadium and wider stadium site. All previous negotiations by the club to lease the stadium for the long term or purchase the stadium have failed.
- 9.97. The Adopted Oxford Local Plan 2036 includes a policy (SP14) that the football stadium should remain "unless it has been replaced elsewhere or in the proximity of Oxford". Oxford City Council have confirmed that their intention is for this policy to also be in their forthcoming Local Plan. However, Officers have also been advised that the City Council has no intention to use its CPO powers to acquire the Kassam Stadium.
- 9.98. The submitted planning statement and addendum material states that the reality is that after June 2028, OUFC will have no legal right to use or occupy the Kassam Stadium, there is no right of renewal in the licence, and there is no statutory security of tenure. The assertions in respect of the security of tenure have been scrutinised by the Council's Legal Property team and the information provided has been confirmed as agreed.
- 9.99. Officers acknowledge the arguments put forward by OUFC in respect of the lease/licence arrangements and the inability to remain at the Kassam Stadium in the long term. This is compounded by the significant capital expenditure that would be required to keep the existing stadium useable (if permitted by the landowner) combined with the clear prospect of the development of the Kassam Stadium site.
- 9.100. However, these factors must be weighed against the very clear harm to the openness and detrimental visual impacts associated with a very significant structure and associated land uses, within the Oxford Green Belt.

Financial sustainability of owning their (OUFC) own stadium

- 9.101. The Planning Statement and addendum material outlines that there will be benefits to the club associated with the financial sustainability of owning their own stadium. It is argued that a new site that is on a long lease to OUFC, that they are in control of, gives them a secure future in a number of ways. Firstly, the club are currently limited by the number of games that they can play at the Kassam Stadium, and moving to a new stadium will mean that the women's team can play at the same ground as the men's team which the club can generate revenue from. The club would also benefit from the revenue of additional events and would also be able to improve their revenue margins and save costs.

9.102. It is also argued that the proposals would drive important new revenue streams for the club, by including uses that are fundamental to the non-matchday business plan to drive the required commercial revenues needed to fund the scheme, such as the conferencing facility, hotel and commercial units.

9.103. The club has undertaken financial forecasting with its accounting advisors and they contend that projected revenue streams are sufficient to ensure the financing costs of the stadium can be managed appropriately by the club, which is backed by the club's shareholders. At Officers' request, further financial information has been provided as part of the material submitted in late June 2025. The information includes reference to the accounts of the club which demonstrate a loss of £6,180,529 for the 2023 financial year, £4,126,628 for the 2022 financial year and £3,738,341 for the 2021 financial year. It is the club's contention that having the vast majority or overall control of a stadium and the ability to generate revenues is the only way the club can achieve long term financial sustainability.

9.104. Officers have been provided with a confidential summary of the business case and feasibility study which shows that in a normal, non-volatile year in the Championship, the club is expected to generate an operational profit. This suggests sustainable financial performance. However, Officers have not had sight of any detailed accounts or business plans to show the substance behind these assumptions and therefore it is considered that this aspect of the VSC is given little weight.

Lack of alternative sites

9.105. An alternative site assessment (ASA) has been undertaken, to ascertain if there are any other sites available that could accommodate the club. The search area was defined by criteria set out by the English Football League (EFL) for relocating clubs, as OUFC are required to obtain approval from the EFL for any relocation.

9.106. The Planning Statement at para 9.52 states that the EFL have confirmed that the main aspects to consider in the relocation are:

- The relationship between the locality with which by its name or otherwise the Club is traditionally associated and that in which such Club proposes to establish its ground (EFL Regulation 13.6.2); and
- If any proposed location would adversely affect such Club's Officials, players, supporters, shareholders, sponsors and others having an interest in its activities (EFL Regulation 13.6.3).

9.107. The Planning Statement at paras 9.53 and 9.54 states that:

The EFL have confirmed that if the Club proposed a site that was not within or within close proximity to the City of Oxford, they would unlikely give consent for the move. This would result in a position where the Club would have to be renamed, removed from the league and would have to start again at the bottom of the football pyramid. This would not be a viable option for the Club

Under the current regulations, the furthest a club has been provided consent by the EFL to relocate its stadium was in the case of Bolton. The proposed new stadium was approximately 7 miles from the old ground site and 5 to 6 miles from the city centre of Bolton. Whilst the suitability of site from the EFL perspective is more to do with the relationship and links to Oxford, a search radius of 7 miles from Oxford City Centre was deemed appropriate in the context of the above as the starting point for the search.

9.108. The ASA has been undertaken in accordance with a list of criteria that were obtained from the Brighton and Hove Albion appeal decision, in which a Planning Inquiry took place solely on the approach to assessing alternative sites. These criteria are:

1. Is the site acquisition a realistic proposition?
2. Is the site large enough for the stadium and required parking/circulation?
3. Can a stadium be built without incurring unaffordable development costs?
4. Any overriding site specific planning issues?
5. Is the site accessible by sustainable modes of transport?
6. Can a stadium be built without any unacceptable environmental or visual impact?

9.109. Officers consider that in the absence of any specific planning policy or guidance in relation to the assessment of alternative sites, this framework offers a logical and robust set of parameters to establish whether there are any practical, realistic and feasible alternatives to the current proposed application site.

9.110. The methodology of the ASA was as follows:

- 7 mile radius from Oxford City
- Minimum of 3.8 hectares (minimum size required in order to construct a UEFA Category 4 Stadium, which includes the stadium itself and other essential requirements including external concourse, outside broadcast area and access and parking requirements)
- Highly accessible and 2km maximum distance from a major sustainable transport node
- Landowner willingness to dispose of the land

9.111. The ASA was conducted in a phased manner as follows:

- Stage 1 - Initial Savills Assessment – this assessment provided an initial review of sites within the area of search defined by the EFL Requirements. This assessed a total of 64 sites (42 non-allocated and 22 allocated sites) and considered the site area, landowner intention, accessibility, viability and any key constraints. Where sites were considered to be worthy of further investigation, this was identified.
- An initial planning appraisal was then undertaken for all 64 sites, which reviewed the planning policy context and planning history of each site.
- Stage 2 - Where specific constraints were identified, further assessment work was undertaken for the 42 non-allocated sites by specialist consultants in respect of these issues, namely landscape and visual impact, heritage impact and flood risk. The 22 allocated sites did not form part of the Stage 2 assessment, on the basis that they are allocated for alternative purposes, in order to meet an identified need.
- Stage 3 - Finally, the assessment work was pulled together with a conclusion made for the 42 sites, in respect of the six questions identified above. An

overall conclusion as to the suitability and availability of each site was also made which also includes a comparison to the application site.

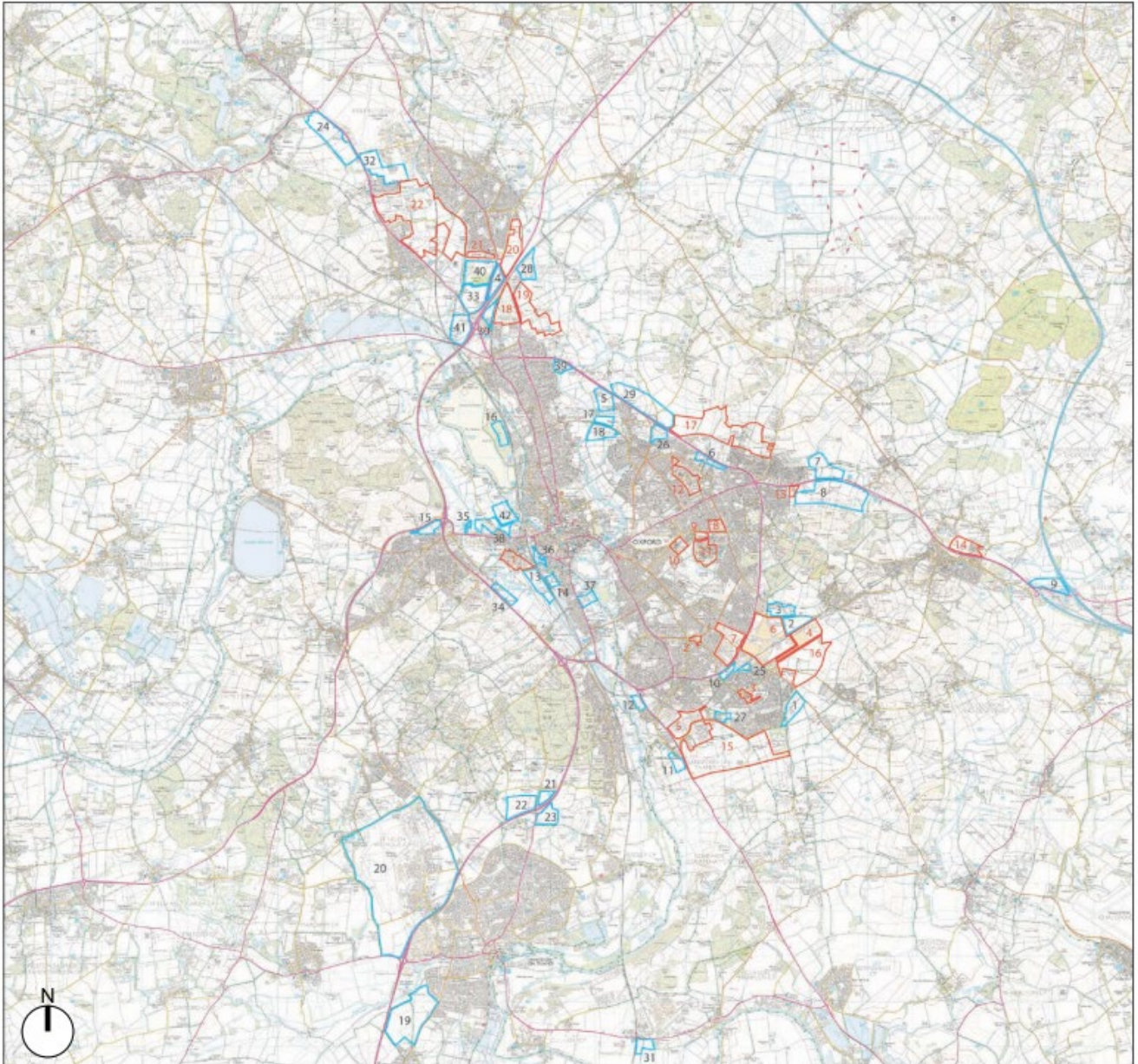


Figure 5: Study area plan and sites considered by Savills and Ridge (Fabrik 2023)

9.112. The application site lies within the northern extent of assessment parcel 4 in the ASA. The Stage 1 ASA conclusion for this parcel is as follows:

The site is located within the Oxford Green Belt to the north of the City and forms part of the Green Belt separating Oxford and Kidlington. It is the least strongly performing parcel relevant to this LVASA as identified by the Oxford GBS (2015). Although subsequent housing allocations within GB parcel K15 and the immediate surroundings have added pressure to the role of the Green Belt between Oxford and Kidlington, the woodland within the site is designated under the NERC Act S41 as Priority Habitat alongside the woodland within Stratfield Brake to the west of Frieze

Way. Stratfield Brake playing fields provide a recreational; aspect to the landscape. The site is not within a landscape character area identified as high value. The site is visually well enclosed and is not currently publicly accessible. It makes a contribution to the openness of the Green Belt in combination with the surrounding landscape.

9.113. The Stage 2 ASA concludes that:

“Siting the proposed development within either Site 4 or Site 28 is considered by this LVASA Stage 2 assessment to potentially be at odds with the purposes of the Green Belt between Oxford and Kidlington. Despite the Cherwell District Green Belt Study considering sites for residential development, the identified development scenarios are still considered to be relevant to the potential stadium development. The issues relevant to the Green Belt are considered to arise from a loss of openness due to the massing and scale of a stadium proposal for Sites 4 and 28. Additionally for Site 4, there would be a reduced sense of openness between Oxford and Kidlington and a potential impact on the Priority Habitat woodland within the Site. Stratfield Brake Sports Ground to the west of the Site and the emerging proposals for sports pitches to the east of the Site within the residential allocation are creating an emerging sport and recreation character to the local landscape. Site 4 is considered to present a key opportunity for the stadium development to further enhance this character and become a focal point of a new north Oxford sports hub.”

9.114. In respect of Site 4, the Stage 3 assessment concludes that *“Whilst the site is within the Green Belt, and Very Special Circumstances would need to be demonstrated, this is the only real planning constraint. The site is within walking distance (2km) of a major sustainable transport mode and is available for development. Further assessment undertaken in relation to landscape has highlighted that there is potential for development in the northern parcel (the Triangle). The southern parcel is unsuitable from a landscape perspective”*.

9.115. In respect of comments specifically on the ASA, Officers requested further information in letters dated 11th September 2024 and 11th November 2024. This includes comments made by Aspect on behalf of the Council specifically in respect of the Landscape and Visual Alternative Sites Assessment and Addendum (Appendix 5 and 6 of the Main ASA) and additional comments made by other stakeholders and the public in respect of these matters.

9.116. As part of the request for further information in September 2024, five sites (sites 2, 3, 8, 12 and 32) were required to be re-reviewed and full justification provided as to why there were not considered suitable alternative locations.

9.117. Taking each site in turn;

- Site 2 (Oxford City Sports Park) – The site is owned by Oxford City and is currently in active use by the applicants as a training facility. Oxford United is responsible for the operation of the Sports Park and has rights as a tenant only for the remainder of the agreements until 2043. It is understood that the agreements do not allow nor permit the site to be used for the development of a professional sports stadium.
- Site 3 (Land to the north of Horspath Road) – This is not available for development, as confirmed by a letter from the current user (Oxford Harlequins RFC) and a number of other sports clubs, which would all need to be relocated.
- Site 8 (Land south of Thornhill Park and Ride) – The site is currently being promoted by Prologis for alternative uses and is therefore not available.

- Site 12 (Land to the east of Heyford Hill Lane) – The site is currently being promoted for residential development and is therefore unavailable.
- Site 32 (Land at Oxford Airport) – The site is within close proximity of a safeguarded aerodrome – the height of the development would preclude development on this site, as confirmed by Oxford Airport.

9.118. Further information as to the availability of some sites was also requested (sites 27 – Kassam Stadium, 28 – land north of Oxford Parkway, 29 – land near to Marston and 30 – land near to Pear Tree Park and Ride).

- Site 27 (Kassam Stadium) – the availability of the Kassam Stadium is detailed in the ‘Need to relocate from the Kassam Stadium’ section above. In essence, post 30 June 2026, OUFC will have no legal right to use or occupy the Kassam Stadium and post 14 October 2026 there will be no obligation for the main use of the land to be for football (by any club). Whilst it is currently available, it does not provide the necessary security of tenure required by EFL (as detailed in the ‘EFL Requirements’ section below).
- Site 28 (Land north of Oxford Parkway) - The site contains land which is safeguarded for East West Rail, as identified by Safeguarding Direction for East West Rail issued by the Secretary of State. The design proposals for Oxford Parkway Station (Appendix 7 of ASA Addendum) being consulted on extend considerably into Site 28, limiting the land available for development. The land is within the Green Belt. An approach to acquire the land has been refused by the landowners.
- Site 29 (Land near to Marston) - The planning application P22/S4618/O identifies the eastern area of Site 29 for ‘A40 improvements to facilitate access’ and a ‘landscaped gateway’. This end of the Bayswater Brook development is proposed for significant open space/a linear park and the development of a stadium will not fit with this ambition. The site is also partially covered by Flood Zone, would have significant landscape and visual effects and lies within the Green Belt.
- Site 30 (Land near to Pear Tree Park and Ride) – The landowner has confirmed that the site is being promoted for alternative uses and is therefore not available. Further evidence was provided by the landowner (Merton College) in a letter dated 19 December 2024 stating “I can confirm that the College are currently promoting the site primarily for a mixed-use scheme and it is envisaged that it would be partly commercial life sciences and partly residential use. As such a football stadium development would not fit within our strategy”.

9.119. The applicant’s Landscape Consultants (Fabrik) also provided a Landscape and Visual Alternative Site Assessment (LVASA), which considered the Green Belt, landscape and visual matters in relation to eleven additional sites (2, 3, 5, 9, 10, 11, 21, 22, 23, 29 and 32).

9.120. The ASA and LVASA addendum provided by the applicants in March 2025 sought to address the comments made by Aspect (Landscape Consultants on behalf of the Cherwell District Council) and the transparency of the aforementioned site’s availability. An updated conclusion in respect of all sites assessed was provided and reviewed by Aspect.

9.121. In relation to the ASA March 2025 Addendum, the stage 3 conclusion in relation to site 4 remains as follows:

Whilst the site is within the Green Belt, and Very Special Circumstances would need to be demonstrated, this is the only real planning constraint. The site is within walking distance (2km) of a major sustainable transport mode and is available for development. Further assessment undertaken in relation to landscape has highlighted that there is potential for development in the northern parcel (the Triangle). The southern parcel is unsuitable from a landscape perspective.

- 9.122. The Council's consultants (Aspect) have reviewed the updated ASA and consider that the conclusions provided within the staged assessments are well reasoned in relation to landscape and visual matters.
- 9.123. Aspect considers that the existing Kassam stadium site (Site 27) is preferable in landscape and visual terms given there is a precedent for such development on the site. However, if this site is excluded, based upon the need for a new location for OUFC, of the alternative sites, Site 30 (land near to Pear Tree Park and Ride) appears to be the most preferable in landscape and visual terms given that it appears generally well contained both physically and visually. This site has also been released from the Green Belt. Arguably, a stadium development on this site would have the least impact in landscape and visual terms, noting that such development of this size and scale would likely result in some lasting significant landscape and visual effects on any greenfield parcel of land and its localised setting. The remaining sites considered likely to have the potential to accommodate the development as per the Stage 2 assessment, including the application site (Site 4), would likely result in some harm to the Green Belt as stated within the LVASA and LVASA Addendum. It is considered that Site 4 would likely be the next preferred option behind Site 30 when considering the evidence presented.
- 9.124. Several representations have questioned the site search area, in that the initial search area (~6.07ha) conducted by Savills in 2022 is at odds with the site area subsequently used (3.8ha). Concern has been expressed that this may have excluded many other potentially suitable sites, on the basis they were deemed to fall below the 6.07ha requirement, which then fell to 3.8ha in the 2023 ASA.
- 9.125. The site area is explained within the November 2023 Savills report (Appendix 1 of the ASA), which confirms that the initial site search exercise was based on a brief from OUFC which was broadly based on the Club's existing facilities at Kassam Stadium, and an aspiration for the new Stadium to be located in an accessible location. Additional advice was later sought from the Club's design team and in order to ensure a more robust assessment, the site selection criteria were expanded. Savills initial site search exercise was amended to reflect the expansion of the site selection criteria.
- 9.126. In any case, the initial 2022 report undertaken by Savills included a number of sites which fell below the 15 acre (6.07ha) threshold identified, for example Sandy Lane Sports Ground (5.49ha), Land to the east of Heyford Hill Lane (5.46ha), Grandpoint Recreational Outdoor Basketball Court (4.84ha), Seacourt Park and Ride (2.72ha), and Greyhound Stadium (3.48 ha). As such, smaller sites have not been excluded from the assessment. The 2022 assessment prepared by Savills concluded that the aforementioned sites were too small in line with the criteria at the time. However, in the 2023 submitted report, those above 3.8ha were no longer identified as too small by Savills, and therefore more sites were identified as suitable by Savills. Either way, all of the sites formed part of the wider assessment undertaken in Stages 1, 2 and 3 of the ASA. In essence, it broadened the assessment and therefore robustness of the ASA.

Conclusion in respect of ASA

- 9.127. The applicant has carried out an extensive site search across the surrounding area to identify whether sequentially preferable sites were available, in accordance with a logical and robust set of parameters. This process examined and evaluated 42 sites against a range of relevant criteria and the application site (site 4) was identified as the most suitable. The ASA effectively demonstrates that there are no suitable sites available that could deliver the applicant's requirements.
- 9.128. Where the staged assessment identifies that 'landowner intentions are unknown', this has not been the single overriding factor to rule out the site.
- 9.129. Officers have taken a proportionate approach to the assessment of the ASA, requiring further justification to be provided on sites where it was considered they could represent a realistic alternative (i.e. there were no other overriding planning constraints to prevent development such as flood zone 3, significant impact to heritage assets or land availability etc).
- 9.130. In landscape and visual terms, it is considered that the application site would likely be the next preferred option behind Site 30 when considering the evidence presented.
- 9.131. Officers are therefore satisfied that the ASA demonstrates that there are no other feasible, practical and realistic alternatives to accommodate a proposed stadium development within the area of search identified through discussions with the EFL. This aspect of the VSC should therefore be given substantial weight.

The importance of keeping OUFC in the local area

- 9.132. The applicant's Planning Statement at para 9.62 asserts that there are substantial social and community benefits associated with retaining OUFC Through the Club's charity (OUitC), the Club runs various programmes focused on participation, health and wellbeing, social inclusion, education and employability . It goes on at para 9.68 to state that the 'proposed development will enable the continuing expansion of the community programme at 'their own home' but significantly, losing the Club would result in this stopping'.
- 9.133. The 2022-24 EFL national report 'Measuring the Impact of EFL Clubs in the Community' measured the scale of EFL Clubs' investments and activities in communities across England and Wales and the social value of impacts Clubs are delivering for individuals, communities and broader society. It shows that if EFL Clubs did not exist, the impact on communities across England and Wales would be profound.
- 9.134. The report outlines that economically, millions of pounds of expenditure and tens of thousands of jobs would disappear from communities often already struggling, while essential services and support would be removed from the more than one million people who engage with EFL services directly.
- 9.135. The report concludes by stating, "Overall, the scale, significance and importance of EFL in communities across the country is vast. In 2023/24, EFL Clubs delivered unprecedented economic impacts for their communities while simultaneously generating more revenue and resources for community investments, delivering more community support, engaging more participants, delivering more positive impacts and creating more social value. This underlines the vital importance of the multiple roles Clubs play in their communities and their collective desire and ability to provide support wherever it is needed.
- 9.136. It is considered that this is an important component of the VSC argument, and that there are social and community benefits associated with retaining the club in

Oxfordshire. Retaining the club in the local area and in the absence of alternative, achievable sites, will arguably secure the sense of identity for the community, alongside the economic benefits that align with this. It is considered that this aspect of the VSC be given substantial weight.

Benefits for fans

9.137. At para 9.73, the Planning Statement outlines the inclusive design features of the proposed stadium, including a sensory room, multi-faith spaces, wheelchair stands and changing rooms designed to meet the standards required for women's and youth games. The improvements to accessibility and inclusivity for fans are a positive aspect of the VSC and should be given limited weight.

Benefits for women's football/the club

9.138. The Club are currently limited by the number of games they can play at the Kassam Stadium, so moving to a new stadium means the women's team can play at the same ground as the men's team. The women's league and cup fixtures are also to be played in the proposed stadium.

9.139. Whilst it is acknowledged that these benefits could be achieved at a new ground elsewhere in Oxfordshire, the demonstrable lack of alternative sites shows that they can only reasonably be achieved by the proposed development.

9.140. This aspect of the proposal aligns with Government in its independent report into the future of women's football called 'Raising the Bar - Reframing the Opportunity in Women's Football' to play more women's matches in main stadia to grow attendance and exposure. It also aligns with para 98 of the NPPF, which provides: 'to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments'. It is considered that this aspect of the VSC should be given moderate weight.

Other community benefits including socio-economic benefits

9.141. The Planning Statement lists the community benefits at para 9.82 as follows:

- Boosts to local businesses from an increase in visitors to shops, bars and cafes.
- New jobs at the stadium which are not limited to match days but year-round at the hotel and other uses, supporting local resident employment and training opportunities.
- Year-round access to the stadium's inclusive community facilities which can be used by local sports groups and the wider community including a health and wellbeing centre and a gym and fitness centre, restaurant, and flexible community meeting spaces for work, education and leisure.
- Improving safe cycling and walking by improving connectivity for existing residents between Kidlington and the stadium and surrounding developments. The proposed development will lead to an increase in accessible open space and public realm in the local area and aims to connect the stadium with the wider countryside, woodlands, canal walks and nearby towns. As well as more

bus services serving Kidlington and the stadium plus improved pedestrian access to Oxford Parkway station.

9.142. In addition, the Economic Benefits statement that accompanied the planning application summarises the economic benefits as follows:

Construction Impacts

- £113 million investment in construction
- 420 direct construction jobs supported on and off-site (210 per annum)
- £17.8 million GVA impact
- Provision of apprenticeships as well as local recruitment and employment support

Operational and Fiscal Impacts

- 320 direct full time equivalent jobs supported and retained (of which 285 are net jobs)
- 160 indirect and induced full time equivalent jobs supported and retained
- £28.7m gross value added per annum direct and indirect impact (including retained)
- £5.8 million per annum off site football supporter spending
- 95 full time equivalent jobs supported by off-site football supporter spending
- £280k per annum in business rates revenue
- And section 106 contributions (to be agreed)

9.143. The report also details how OUFC will work in partnership with local organisations to deliver:

- Local resident employment and training opportunities
- Local business supply chain opportunities
- Improvements to local community sports facilities
- Prioritising accessibility and active travel options
- Improvements in local well-being through Oxford United in the Community (OUitC)

9.144. The Planning Statement at para 2.13 explains that OUitC is an independent charity delivering various OUFC community programmes. The charity's most recent accounts (2021) show a turnover of over £340,000, which funds its seven staff, plus fifteen part-time coaches, enabling work based at the Club's training ground and at partner sites across Oxfordshire. OUitC engages with over 10,000 people per year on non-matchdays, with over 3,000 participating directly in its programmes.

9.145. OUitC's new strategy "Oxfordshire – A Community United" includes a goal to be operationally present in ten towns across Oxfordshire as well as Oxford. Work is ongoing to identify a further six town spokes, which will include Kidlington.

9.146. The Economic Benefits Statement also sets out the Applicant's commitments in relation to improvements to local community sports facilities. The report sets out that OUFC under the 'Oxford United Community Pledge' will:

- Provide community facilities within the stadium that will include flexible community spaces. These could be used, for example, for arts, drama, adult education, work and meetings. Community facilities could be made available for use by local residents on a preferential basis.
- Improve and maintain the sports playing pitches at Stratfield Brake at our cost (thereby freeing up parish funds for other purposes). The Stratfield Brake site, near Kidlington, is home to a number of community sports teams including Kidlington Cricket Club, the Gosford All Blacks rugby team and youth football sides.
- Make the stadium and community facilities accessible to a wide range of groups. The stadium will be the home of the OUFC women's team. The community finals will also be held at the stadium.
- Ensure that the Training Ground will remain at Horspath Road. Many of OUFCs community programmes will continue to be run from there, especially those for east Oxford.
- Further develop OUFCs partnerships with other key organisations within the village. This will help to develop plans and help source potential funding for a pitch and sports facilities strategy for future generations.

9.147. In respect of the second bullet point above, Officers do not consider that the payment of contribution to maintain Stratfield Brake is compliant with regulation 122 of the Community Infrastructure Regulations 2010. It is at the applicant's discretion if they wish to give a contribution to the Parish Council, however, this is not something the LPA can request as a CIL compliant contribution. For this reason, it is not a matter which can be given any weight in the planning balance and members should not have regard to it in their decision.

9.148. The applicants have provided a further supplementary statement (May 2025) outlining more specific commitments to the local community. These include:

- Stadium and pitch to host Oxfordshire FA annual county finals day (*no use will be possible during the season to protect the playing surface*)
- 150 hours per annum of free of rental charge use of the Sensory Room for schools, registered charities and community groups (subject to advance booking)
- 150 hours per annum of free of rental charge use of Executive Box for schools, registered charities and community groups
- Discounted use of conference & events spaces for schools, registered charities and community groups

- Oxford United and Oxford United in the Community will host/deliver quarterly community events (examples include mental health and wellbeing sessions, CV writing classes, nutrition workshops, fitness classes, etc.)
- Media gantry, media suite and media theatre have been designed to allow for delivery of education and training classes (discussions to take place with Oxford Brookes University)

9.149. The supplementary statement concludes by stating without a new stadium, it is likely OUFC will cease to exist and consequently, OUitC would lose their status with the EFL and Premier League and no longer have access to funding to deliver programmes across Oxfordshire.

9.150. The applicants have agreed to enshrine the principles of these community uses in a S106 legal agreement, which would provide measures to enforce the various commitments by OUFC.

9.151. In light of the above, the community and socio-economic benefits should be given substantial weight in the VSC case presented.

Sustainable design and operational benefits

9.152. The proposed development aims to achieve at least BREEAM 'very good', which includes measures such as solar PV panels, air source heat pumps and zero plastic with minimal waste and packaging.

9.153. Whilst Bioregional have not commented on the applicant's response to their most recent formal comments, it is considered that these aspects of sustainable design are positive aspects of the scheme which carry moderate weight given the contribution the measures proposed would make to national/ local climate objectives and achieving policy compliance.

Sustainable transport benefits

9.154. The Club has an aim that 90% of fans will travel to the Stadium by sustainable modes of travel. The Transport Strategy submitted with the application is discussed in the Transport and Highways section of the report below.

9.155. The encouragement for modal shift away from private car use is a positive aspect of the proposal, but this will need to be demonstrated through travel plan monitoring and management once operational. However, the evidence presented demonstrates a likely reduction in car use, with contributions towards improved public transport infrastructure, support for low carbon transport through the provision of cycle parking and EV charging points. These gains carry moderate to substantial weight in the overall VSC balance.

Biodiversity enhancement measures

9.156. The proposal seeks to achieve a minimum of 20% Biodiversity Net Gain, exceeding the statutory minimum and creating high value habitats secured through a 30 year management plan, which ordinarily would attract significant weight in the planning balance. However, the proposal would result in a net loss on the site itself, which (slightly undermines the benefit of exceeding the minimum 10% threshold. Nevertheless, the delivery of 20% BNG exceeds national and local policy and carries moderate weight in the VSC planning. The level of 20% would be secured via the required s106 for the site.

Access to the Green Belt

- 9.157. The Planning Statement at para 9.98 states that the siting of the stadium in the south of the site combined with the proposed blue and green infrastructure provides opportunities to improve public access to the Green Belt. It goes on to state that the proposed connections across Frieze Way and Oxford Road generates a stronger connection to the wider countryside either side of the development, linking existing and committed residential development, including community sports provision as part of the PR sites.
- 9.158. Whilst these aspects will secure and improve access to land within the Green Belt and wider areas, it is not a requirement of this proposal insofar as it is not a development involving housing and therefore the Golden Rules under para 156 c) do not apply. This aspect carries limited weight in the overall VSC balance.

Precedent appeal decisions

- 9.159. The Planning statement cites three appeal decisions that demonstrate the approach taken by the Secretary of State and Planning Inspectorate in relation to some other clubs' proposals for new stadia.
- 9.160. The first is Newcastle Falcons², where planning permission was granted by the then Secretary of State for Transport for a new sports stadium and rugby academy in the Green Belt for Newcastle Falcons Rugby Club and Northumbria University.
- 9.161. The Planning Inspector identified the key issues as being the impact of the proposal on the green belt, the amenity of nearby residents and the capacity of the surrounding road network. It was concluded that this was the only site available, a fact that was critically important in the context of the very special circumstances issue. There was a strong need case for the proposal, both from the viewpoint of the partners in the scheme and the economic and sporting health of the region. The inspector concluded that there were strong countervailing planning benefits which comprehensively outweighed any harm that had been identified, and the Secretary of State concurred.
- 9.162. The key difference between this proposal and the Newcastle site was that a key component of the proposal concerned the reconfiguration and expansion of existing open playing fields and as such, much of the application site would retain an open, recreational character. The new development was largely confined to an area covered by an existing stadium, so some 89% of the site remained open pitches and club grounds. Furthermore, intervisibility between the development and nearby settlement was not possible due to dense woodland surrounding it.
- 9.163. The second case is that of Brighton and Hove Albion Football Club³. The very significant difference between this case and the current proposal is that the site was not within the Green Belt, albeit that it provided a useful set of criteria for assessment of alternative sites.
- 9.164. The third case cited is that of Southend United⁴, where the then Secretary of State was minded to grant planning permission for a replacement football club for Southend United together with a wide range of other facilities after concluding that the new stadium was of high quality and the retail development was necessary to enable the development to proceed. The proposal involved a 22,000 seater football stadium

² Appeal Reference: GONE/P/M4510/220/01/2 (March 2002)

³ APP/QI445N/02/1097287, APP/PI425/V/02/1099113, APP/QI445/V/03/1124634 and APP/PI425/V/03/1124635 (July 2007)

⁴ D1590/V/07/1201353 and B1550/V/07/12301356 (June 2008)

including a 114 bedroom hotel, conference floorspace, bars and food and drink facilities together with 16,400m² of retail floorspace, a health club and 67 flats.

9.165. A key difference between this and the current proposal is that only a very small proportion of the site lay within the Green Belt (some 12%) and following the changes made by the Local Plan at the time, it was not intended that this piece of land should remain as Green Belt being designated as a 'Priority Urban Area' (PUA). The principle of development on this piece of land was therefore materially different, as the Borough Council had accepted that the principle of development on this land, by virtue of its allocation as a PUA, could be acceptable.

9.166. The analysis above indicates the importance of assessing each case on its particular merits. There is clearly an important balancing exercise which applies entirely on a project specific basis.

English Football League (EFL) Requirements

9.167. The EFL have provided clarification in relation to their Regulations and the requirement for football clubs to have minimum security of tenure.

9.168. In its recently published EFL Regulations for 2025/26, Regulation 13.8 requires that from the commencement of the 2025/26 season, Clubs are required to demonstrate security of tenure for at least 10 years, from the start of each football season. Where any Club allows a lease to expire without having been renewed or replaced then the EFL may propose a resolution to expel the Club from membership of the League.

9.169. It goes on to state that the EFL have the power to disapply the application of the above new Regulation if it can be demonstrated that:

- a) A Club has plans to relocate to another ground;
- b) The other ground meets with the approval of the League; and
- c) The Club can demonstrate that it will relocate to the new ground prior to the expiry of the contracted period of occupation at its current ground.

9.170. The agent has confirmed that the landowners of the proposed site (Oxfordshire County Council) have offered a 250 year lease (subject to planning permission). The lease option provides for full and adequate operation of the stadium. The club will be in full control of the operation of the stadium without the financial restrictions that they currently experience.

9.171. This factor, combined with the imminent change to the EFL's Regulations, adds significant weight to the argument for relocation, particularly in light of the inability to negotiate a lease extension at the Kassam Stadium for the required 10 years.

Conclusion

9.172. Whether very special circumstances exist to justify this inappropriate development in the Green Belt are considered at the end of the report when all the key issues have been assessed and determined and it has been identified whether there is any other harm, as a result of the proposed development.

Heritage

Legislative and policy context

- 9.173. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 9.174. Section 66 of the same Act states that: in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Therefore significant weight must be given to these matters in the assessment of this planning application.
- 9.175. Conservation Areas and Listed Buildings are designated heritage assets, and paragraph 212 of the NPPF states that: when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Policy ESD15 of the CLP 2015 echoes this policy.
- 9.176. The Planning Practice Guidance (PPG) provides further advice and expands on the guidance and policy outlined in the NPPF. The value of heritage assets and its importance in decision taking is explored in Paragraph 009 of the PPG which states that heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and value of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.

Assessment

- 9.177. There are no designated heritage assets within the application site. There is a Grade II listed farmhouse (Stratfield Farmhouse) located ~300m to the north west of the site, Grade II listed Frieze Farm, located ~500m to the south west of the site and the Oxford Canal Conservation Area which follows the canal and is located ~600m to the west of the site.
- 9.178. The Grade II* listed St Friedeswides Farmhouse is located ~950m south east of the site, which is associated with a Grade II listed wall ~10m to its northeast.
- 9.179. The Grade II Listed Oxford Canal Kidlington Green Lock is located ~850m north-west of the site.
- 9.180. The Archaeological Desk Based Assessment (ADBA) identifies that there is the potential for archaeological features located within the site to be disturbed or removed during construction groundworks, which are potential non-designated heritage assets. These comprise: ridge and furrow earthworks, historic landscape character and potential buried archaeological remains.
- 9.181. Ridge and furrow earthworks occur in the southern part of the site. They comprise a heritage asset of Low value. The Historic Landscape Character of the site is defined as 'reorganised enclosure'. The historic landscape type occurs widely across the local area, and accounts for over 25% of Oxfordshire as a county.
- 9.182. There is the potential for currently unrecorded archaeological remains to occur within the site. Specifically, there is the potential for prehistoric and Romano-British remains to occur, similar to those recorded elsewhere within the Study Area (as set out in the ADBA).

- 9.183. The closest heritage asset to the site is Stratfield Farmhouse (Grade II). This building is located on the southern edge of Kidlington and the existing notable road network separates it from the application site. Furthermore, Stratfield Farm sits within an existing allocated site for housing development. Once implemented, the built form would surround the Listed Building changing its immediate setting and reducing the open nature of the space between Stratfield Farm and the proposed stadium site. As a result of this situation, it is ultimately considered that the stadium development will have little or no effect on how Stratfield farmhouse is experienced in its setting. This has been taken into consideration when assessing the potential impact on Stratfield Farmhouse.
- 9.184. Overall it is considered that although the proposal will result in a notable change to the wider landscape it will not result in further harm to the significance of Stratfield Farmhouse or alter how it is appreciated. The other heritage assets identified within the vicinity are two Listed Buildings, Frieze Farm (Grade II) and St Frideswides Farm (Grade II*) and the Oxford Canal Conservation Area. These heritage assets are all also located some distance from the site and have varying forms of existing or allocated development between them and the proposed development resulting in no harm to significance.
- 9.185. The County Archaeologist has noted that the submitted ADBA concludes that if further Mesolithic remains are recorded on the site they could be of regional significance. If granted permission, the development of a stadium is likely to have extensive impacts on any surviving below ground remains which are designated heritage assets. Whilst this would be a harmful impact, a staged programme of archaeological investigation should be implemented to be sought via a planning condition and this would therefore result in less than substantial harm. For this reason the OCC Archaeologist raises no objections. The additional investigation would enable the investigation, recording, analysis and archiving of heritage assets before they are lost and to advance the understanding of the heritage assets in their wider context through publication and dissemination of the evidence. Nevertheless, the less than substantial harm identified needs to be weight against the public benefits of the proposal.

Conclusion

- 9.186. A large development of this kind will undoubtedly have a visual impact within the landscape and there will inevitably be wider landscape implications in views both close to the site and from the wider countryside. This does not however necessarily equate to heritage harm or more specifically mean there is harm to the significance of the heritage assets as a result of development within their setting. The suggested conditions would address and safeguard any potential below ground remains.
- 9.187. The NPPF requires (paragraph 215) that where a development proposal will lead to less than substantial harm to the significance of a heritage asset (in this case below ground archaeology), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This balance will be undertaken in the overall planning balance later in this report.

Trees and Ecology

Legislative context

- 9.188. The Conservation of Habitats and Species Regulations 2017 consolidate 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.

9.189. 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.

9.190. 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.

9.191. 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.
- 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.

9.192. 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, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

9.193. Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) established a legal requirement for Biodiversity Net Gain (BNG) in England, mandating that all new developments, except for a few exemptions, must deliver at least a 10% net gain in biodiversity. This requirement applies to all major planning applications received from 12 February 2024 and all small sites from 2 April 2024.

Policy Context

9.194. Paragraph 187 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

9.195. Paragraph 193 states that when determining planning applications, local planning authorities 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.

9.196. Paragraph 198 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.

9.197. Policy ESD9 is concerned with the protection of Oxford Meadows SAC and requires developers to demonstrate that:

- During construction of the development there will be no adverse effects on the water quality or quantity of any adjacent or nearby watercourse
- During operation of the development any run-off of water into adjacent or surrounding watercourses will meet Environmental Quality Standards (and where necessary oil interceptors, silt traps and Sustainable Drainage Systems will be included)
- New development will not significantly alter groundwater flows and that the hydrological regime of the Oxford Meadows SAC is maintained in terms of water quantity and quality
- Run-off rates of surface water from the development will be maintained at greenfield rates

9.198. 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. The protection of trees will be encouraged, with an aim to increase the number of trees in the District.

9.199. Policy ESD11 of the CLP 2015 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. Policy ESD13 relates to Local Landscape Protection and Enhancement and 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. Policy ESD17 relates to the maintenance and enhancement of the District's Green Infrastructure.

- 9.200. The emerging CLP 2042 contains policies of relevance to nature conservation. Policy CSD10 is concerned with the protection of Oxford Meadows SAC, whilst policy CSD11 aims to protect and enhance biodiversity. Policy CSD12 sets out the requirements for all new developments to achieve a minimum 10% biodiversity net gain. Policy CSD13 is concerned with achieving the aims of the Conservation Target Areas whilst Policy CSD14 is concerned with protecting areas with high value natural capital assets, and Policy CSD15 is concerned with the protection and enhancement of sites which form part of the green and blue infrastructure network.
- 9.201. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of the 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.
- 9.202. 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 Local Planning Authorities 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

- 9.203. There are no statutory designated sites of nature conservation value located within or immediately adjacent to the site. The closest statutory site is the Oxford Meadows SAC, which includes its constituent SSSIs Pixey and Yarnton Meads SSSI, Wolvercote Meadows SSSI and Port Meadow with Wolvercote Common & Green SSSI and is located approximately 1.9km southwest of the site at its closest point. The SAC and constituent SSSIs are well separated from the site by major and minor roads, a canal and large bodies of water, as well as open countryside.
- 9.204. The woodland located just off-site adjacent to the southern boundary, is listed on the MAGIC database as a Priority Deciduous Woodland which also forms part of the Stratfield Brake Cherwell District Wildlife Site (DWS). Whilst there have been suggestions through the application process that the woodland to the south is 'ancient', Natural England confirmed on 24 July 2025 that they had withdrawn their support for the woodland to be classified as ancient based on further evidence submitted, as set out and discussed further below. It is noted it does not form part of the Stratfield Brake Woodland Trust Reserve (which is also designated as part of the DWS) located to the west of the Site (it is isolated from the Reserve by the Frieze Way A4620 road). Stratfield Brake DWS is designated for its range of habitats including woodland, grassland, ponds and scrub. Subject to the implementation of safeguarding measures set out within the Environmental Assessment, such as the submission and approval of detailed lighting strategies, the production of a bespoke 'Orchid and Notable Plant Species Transplantation Strategy' and retained habitats to be fenced off and safeguarded from construction activities, it is not considered that any potential impacts would arise as a result of the proposed development that would adversely impact any European, statutory, or non-statutory designated sites.
- 9.205. With regard to water quality, the development will not have a direct or indirect impact on Oxford Meadows SAC and its constituent SSSIs or any other statutory or non-statutory designated sites of nature conservation interest. In relation to the impact of surface water run-off from the Site, the EIA assesses the impact of the proposed drainage strategy on receptors within a 1km radius and concludes that there will be no change to the greenfield runoff rates from the Site, there will be a Negligible significance of effect to the impact zone of the Pixey and Yarnton Meads SSSI, the

wildlife area adjacent to the Oxford Canal and Stratfield Brake woodland during the construction period.

- 9.206. In regard to pollution control on the Stratfield Brake DWS and the woodland to the south of the site (also part of the DWS), it is not considered that the development will have a direct or indirect impact (subject to mitigation) on this non-statutory site or any other non-statutory designated sites of nature conservation interest.
- 9.207. The development would not affect the integrity of the Oxford Meadows SAC either alone or in combination with other plans or projects and thus meets the test of the Habitats Regulations 2017 (as amended). Based on the mitigation measures proposed it is also considered that the proposals would not result in any other adverse effects on any other statutory or non-statutory site designated for its nature conservation interest.
- 9.208. There are no anticipated significant effects from air quality impacts, recreational impacts on any statutory or non-statutory designated sites arising from the development.
- 9.209. A suite of Protected Species surveys has been undertaken throughout the Site including badger, bats, breeding birds and reptiles. Further bird surveys were undertaken throughout the 23/24 winter season and during late summer 2024. Further survey work was undertaken in relation to Great Crested Newts and invertebrates. Further consideration for invertebrates was carried out in response to consultee concerns. Specifically, the results provided by an independent ecologist (a public representation received during the consultation process, not the Council's Ecologist) within their invertebrate survey report was further analysed utilising the Pantheon database which is a tool developed collaboratively by Natural England and the Centre for Ecology & Hydrology to serve as a robust platform for analysing invertebrate sample data.
- 9.210. Bat activity surveys were carried out by the applicant's ecologists across the development site and these were found to be sufficient by the Council's Ecologist. Trees on site that are proposed to be removed and trees within the southern woodland have been checked for roosting features and none have been identified. A diverse number of species of bats are using the site for foraging and commuting including rarer species, including at the woodland edge. Queries have been raised as to whether bat population sizes should have been assessed – the surveys undertaken conclude that there is a large assemblage of bats including rarer species and how these use the site. This element has been reflected in the assessment of the impacts upon bats. Assessments of foraging and flight routes around the site have been determined through activity surveys and the Council's Ecologist has not deemed it necessary to assess bat flight paths off site.
- 9.211. A botanical survey was undertaken by the applicants in July 2024. The survey was undertaken to address concerns regarding the importance of these habitats as there were differences between the assessment carried out by Ecology Solutions and by an independent ecologist, Dr Judith A Webb (a public representation received during the consultation process, not the Council's Ecologist). In order to update survey information and address concerns raised, further bat survey work was also carried out. Specifically, additional static monitoring surveys were conducted between August and October 2024 and a ground-level tree assessment (GLTA) was conducted on the trees observed to have roosting potential in July 2024.
- 9.212. As part of the updated Arboricultural Impact Assessment (AIA), a total of 101 individual trees, 11 groups, three hedgerows, one coppice group and one woodland were assessed within the survey schedule including 21 category 'A' trees and

woodland (High quality), 44 category 'B' trees and groups, (Moderate quality), 37 category 'C' trees and groups (Low quality) and 15 'U' category trees and groups in accordance with British Standards 5837 (2012) 'Trees in relation to design, demolition and construction'.

- 9.213. There are seven Tree Preservation Orders (TPOs) on the Site boundary (five Lombardy Poplar on the northern boundary and two English Oak on the eastern boundary). Part of the woodland immediately south of the Site is identified as a NERC Act S41 priority habitat and District Wildlife Site.
- 9.214. The proposal will result in the total loss of 8 trees, 5 groups, 2 hedgerows (outgrown) and the partial loss of 3 groups including the loss of x2 trees subject to a Tree Preservation Order. This includes 1 'A' category tree (high), 2 'B' category trees and 1 group (moderate), 2 C category trees, 7 groups and 2 hedgerows (low) and 3 'U' category trees.
- 9.215. In relation to the impact of the proposal on trees, the Council's Arboricultural Officer has stated that T85 and T86 are the Oak trees subject to a TPO. It is acknowledged that these trees demonstrate a degree of physiological decline, and as such, category B as awarded; the proposal to remove and replace these trees from an arboricultural perspective is therefore acceptable. T87 (English Oak) is category A, and whilst an unfortunate loss, it is acknowledged there is no means to retain this feature within the current sites proposed layout. The AIA report correctly highlights the potential for adverse impact to ill placed tree retention, making removal and replacement of these three features acceptable.
- 9.216. Provision is made within the proposed development for soft landscaping including direct replacement of the two trees subject to a Tree Preservation Order, approximately 158 new trees, approximately 2000m² of scrub planting and 350 linear metres of native hedges.
- 9.217. Retained trees located within the site and off-site can be adequately protected in accordance with BS 5837 (2012). Preliminary Tree Protection is provided within the Tree Removal & Arboricultural Impact Assessment Plan [TF1241-FAB-00-XX-DR-G-8301] at Appendix C of the updated AIA. This plan identifies precautionary areas and demonstrates that tree protection measures can be successfully implemented within the proposed development.

Protected Species

- 9.218. As detailed above, the application is supported by a detailed protected species survey which concluded that overall, the proposals will safeguard retained habitats of greater ecological value and protect species present within and adjacent to the Site during construction. Subject to conditions to require updated walkover surveys (and further surveys if deemed necessary) should there be a delay of more than two years from current surveys being undertaken, as well as a pre-commencement requirement for a construction environmental management plan for ecology, then it is concluded that the development could be undertaken without compromising protected species.
- 9.219. The impact of lighting and its impact upon protected species will be considered below.

Woodland to the south – Stratfield Brake

- 9.220. Consideration has been given to whether the woodland to the south of the application site is 'Ancient Woodland'. The definition of Ancient Woodland, taken from the NPPF is 'an area that has been wooded continuously since at least 1600AD. It

includes semi natural woodland and plantations on ancient woodland sites (PAWS)'. The Town and Country Planning (Consultation) (England) Direction 2024 also defines ancient woodland as '...an area in England which has been continuously wooded since at least the end of the year 1600 AD'. On the 6th July 2025, Natural England advised the LPA that based upon evidence presented to them and considering together the historic map (1887) and ecological/ arboricultural/ archaeological field evidence support that Stratfield Brake is ancient woodland. However, on the 24th July 2025, Natural England, in a reasoned decision, advised the LPA that as a result of further review, including mapping dated from 1823 and 1831, that Natural England withdrew their support for Stratfield Brake as ancient woodland because the available evidence demonstrates that Stratfield Brake has not been continuously wooded since 1600 and therefore does not meet the definition of ancient woodland.

- 9.221. The Woodland Trust's website advises that Ancient Woodland status should be based on an assessment of the available evidence. This includes checking the ancient woodland inventory, examining old maps, documentary evidence and remnant man-made features and assessing the species which occur on site. Indeed, the Woodland Trust response to this planning application states that 'Natural England is the only body that has appropriate standing to pass judgement should be considered ancient woodland or not'. Nevertheless, it is clear from the definition of what ancient woodland consists of, that consideration of historical mapping is a key part of the consideration of whether woodland is ancient.
- 9.222. Whilst further representations have been made to the LPA on this matter, officers consider that Natural England's conclusion in respect of Stratfield Brake is cogent, supported by the evidence, and not undermined by the further representations from others, and officers do not consider there is any basis to take a different view to that of Natural England in this case.
- 9.223. Nevertheless, the Council's Ecologist has identified potential for impacts upon the woodland to the south of the site which has been shown to be of relatively high ecological value including supporting bats (including the rarer Annex II species *Barbastelle*). Direct impacts to the woodland would be limited to the cutting back of trees and vegetation to avoid shading the Southern ditch. However indirect impacts would be likely and would cause some deterioration. This includes through increased levels of noise both during and after construction, car parking in close proximity, increased lighting levels, loss of adjacent foraging and dispersal habitats and semi natural buffer and potential for damage through public access.
- 9.224. The Council's Ecologist considers that an insufficient buffer has been allowed for to mitigate indirect impacts to the District Wildlife site/ Priority Habitat when the scale of the development and nature of the woodland is taken into account. It is recommended that should the application be approved, a funded woodland management plan for the off-site woodland, to ensure its long term condition is improved and indirect impacts minimised for the life time of the development, should be secured by legal obligation.
- 9.225. Natural England advice sets out that for ancient woodlands, the proposal should have a buffer of at least 15m from the boundary of the woodland to avoid root damage. The woodland in this case is not ancient but it is still relevant to consider if a sufficient buffer has been provided, noting the applicant's case that the woodland will remain untouched and will not be affected by the development, and whether the impacts can be mitigated.
- 9.226. In this case, whilst the stadium sits approximately 12m from the edge of the woodland at its closest point, development including car parking, drainage features and hard landscaping including walkways and stepped accesses would be located closer to the woodland. The landscape plans demonstrate a native hedge with

standard tree planting and eco tone edge planting, providing an almost continuous edge between the woodland and the built development on the site.

9.227. In the view of Officers, the risk in relation to potential for damage through public access would be limited given the proposed native hedge mix would create an effective natural barrier between the site and the woodland edge.

9.228. The impact of lighting on the woodland (and elsewhere related to ecology) is set out below but with respect to noise, during the construction period, controls would be in place through a construction environment management plan and a construction environment management plan for ecology. This would ensure best practice construction techniques to avoid impacts to ecology and upon the woodland, as far as possible. Operational noise has been assessed relating to road traffic noise, car park noise, matchday noise and mechanical plant associated with the stadium. Although not specifically assessed with regard to impacts on the woodland, the section of this report later deals with noise impacts and concludes that the proposals are not considered to cause materially detrimental levels of noise when each type of operational noise is assessed against the baseline, particularly noting that noise from use of the stadium would be occasional (noting the EIA has been based upon 43 football matches per annum at 16,000 capacity as well as other events such as conferences, corporate events etc). The noise mitigation proposals will also limit the impact upon the adjacent woodland.

9.229. The loss of vegetation adjacent to the woodland and the change to an urban habitat to facilitate the proposals is as a direct result of the proposed development. The impact of this loss from a biodiversity net gain perspective can be understood and this will need to be mitigated for in terms of the biodiversity improvements required to secure net gain. However, there may be indirect impacts on protected species by way of this loss of foraging habitat, therefore it is important to secure appropriate mitigation.

9.230. Officers accept that there are likely to be indirect impacts to the woodland to the south and that sufficient mitigation measures can be secured to limit such impacts. The Council's Ecologist has suggested that a Woodland Management Plan should be sought via a legal obligation and that this would overcome their concerns in this regard.

9.231. Some concern has been raised regarding impacts upon the hydrology of the woodland including that managed by the Woodland Trust, partly caused by clearance of the ditches/ blocked culvert and due to the surface water drainage from the development site will pass that route so that the site can be drained appropriately. The submitted information demonstrates that the hydrology of the woodland would remain unaffected. The Woodland Trust have raised some concern in this regard, commenting that on site attenuation be of a scale and capacity sufficient to protect Stratfield Brake from additional run-off and it is requested that this is secured by planning condition. A condition seeking full details of the surface water drainage scheme is recommended, albeit that it is accepted that the proposed drainage strategy submitted with the application concludes that there will be no change to greenfield run off rates from the site.

Lighting proposals from an ecological perspective

9.232. Lighting details have been provided and additional information has been received through the course of considering the application. The impact of the lighting scheme upon Barbastelle bats and their use of the woodland to the south has raised some concern with the Council's Ecologist as there would be loss of habitat by loss of foraging areas (i.e. the willow plantation, grassland and wet areas). The lighting

scheme however includes measures such as switching off lights at dusk and dawn and for bollards and backplates which it is considered will lead to 100% of the woodland edge being subject to less than 0.2 lux of artificial light.

9.233. The impact of lighting more broadly will require consideration as the other site boundaries would have a role in ensuring that nocturnal wildlife can move around and commute across the site. Whilst the most recent lighting technical note confirms this as being a final proposal, there do remain some questions – particularly in ensuring that the lighting levels proposed are required at all times (not just dusk and dawn) and given that the documentation states that the proposals are subject to final detailed lighting design. It is relevant to note that the lighting proposals from an ecology perspective need to be balanced against other roles that the lighting will play – particularly in respect of the safety and security considerations and highway safety. It is recommended that a planning condition be imposed to secure a final lighting scheme for the whole site. This will refer to the maximum lighting levels relating to the bat corridor but it will also secure details of the whole site to ensure that bat commuting corridors are respected and is required to ensure ecological mitigation and to ensure the creation of a safe environment for users of the development.

9.234. The proposals would involve some additional street lighting on Frieze Way in the area immediately adjacent to the access to the site and the proposed toucan crossing on Frieze Way. There is also a requirement for a new 3m off carriageway shared footway/ cycleway on Frieze Way required in order for fans to safely access the site from Peartree P&R.

Biodiversity Net Gain

9.235. The submitted metric demonstrates a net loss for biodiversity on site and there are queries in the metric regarding the baseline and post development habitat classifications which will need to be updated later via a metric required to discharge the statutory condition. The development is statutorily obligated to achieve a 10% net gain but in this case the proposal seeks to deliver a 20% net gain. The achievement of this higher standard is proposed as a combination of on-site habitat creation and the purchase of off-site credits to enhance biodiversity. This would be secured via a legal agreement and/or planning conditions accompanying any planning permission. The achievement of BNG will be. The provision of an updated Habitat Management and Monitoring Plan (HMMP) will be required and a monitoring fee for habitat reports to be submitted for a minimum of 30 years given the complexity of the habitats to be created.

9.236. It is noted that the proposals would result in the loss of a very high distinctiveness habitat and that the remainder of this habitat is to be increased in condition. This is a highly threatened, internationally scarce habitat and some concerns are raised regarding the feasibility of enhancing the value of the remaining habitat. This enhancement will need to be included within the final HMMP.

9.237. The impact upon off-site trees (for example if they would cause overshadowing of the ditch) will also need to be accounted for in determining the final BNG result (by being included within the metric). Any negative impact that can not be compensated for within the vicinity of the proposed development would necessitate the purchase of further off-site credits.

Conclusion

9.238. In order for the local planning authority to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where protected species are likely or found to be present at the site or

surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above (para. 9.191).

- 9.239. In respect of planning applications and the Council discharging its legal duties, case law has explained that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission. If it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 9.240. As detailed above, the application is supported by a detailed protected species survey which concluded that overall, the proposals will safeguard retained habitats of greater ecological value and protect species present within and adjacent to the Site during construction. Furthermore, the proposals will include mitigation measures to reduce impacts upon protected species and habitats of importance which will be secured via planning condition.
- 9.241. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions and legal agreement, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats and Species Regulations 2017, have been met and discharged.
- 9.242. In relation to BNG, a net loss is predicted on-site via the BNG metric now used. However, the applicant seeks to commit to the provision of 20% BNG which is above the statutorily required level, would meet policy compliance and is proposed to be secured via legal agreement and/or conditions. This is predominantly proposed to be delivered via off-site credits which reduces its benefit somewhat although securing a 20% gain even in those circumstances is appropriate.
- 9.243. Following mitigation and enhancement measures, overall impacts are considered to be positive and acceptable at the local level and will ensure no net loss in biodiversity terms. The proposals in the first instance avoid where possible, and thereafter mitigate for any biodiversity loss in line with paragraph 186 of the NPPF.

Landscape and visual impact

Policy context

- 9.244. Chapter 15 of the NPPF concerns conserving and enhancing the natural environment. Paragraph 187 sets out that planning decisions should contribute to and enhance the natural environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) 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; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs; e) preventing 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; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

9.245. Policy C8 of the CLP 1996 states that sporadic development in the open countryside including developments in the vicinity of motorway or major road junctions will generally be resisted. Policy C15 adds that the council will prevent the coalescence of settlements by resisting development in areas of open land, which are important in distinguishing them. Policy C33 concerns the protection of important gaps of undeveloped land, stating that the council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose-knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.

9.246. Policy ESD13 of the CLP 2015 requires landscape protection and enhancement opportunities to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through restoration, management and enhancement of existing landscapes, features or habitats or where appropriate the creation of new ones, including the planting of woodland, trees and hedgerows. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would cause 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.

9.247. Policy ESD 15 concerns the character of the built and historic environment, it sets out that, successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the district's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

9.248. Policy COM 10 of the CLP 2042 requires that development proposals preserve the character and appearance of the landscape through the restoration, management and enhancement of existing areas, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would: i. Cause an unacceptable visual intrusion into the open countryside; ii. Be inconsistent with local character; iii. Introduce disturbances to areas with a high level of tranquillity; iv. Cause coalescence between settlements; v. Harm the setting of natural, built and historic landmark features, or vi. Reduce the historic significance of the landscapes.

9.249. Policy COM 11 concerns proposed Cherwell Local Landscape Designations (LDD's). Development proposals within or affecting a designated local landscape will be assessed based on its specific landscape and visual impact on the valued characteristics of the designated landscape.

Assessment

9.250. As highlighted above saved Policies C15 and C33 from the Development Plan are material considerations, these policies despite their age are considered up to date as they are in general conformity with the National Planning Policy Framework. These policies are also relevant to the principles of good design and settlement characteristics that are highlighted in Policies ESD13 and ESD15 of the CLP 2015 and saved policy C28 of the CLP 1996.

9.251. The application is supported by an LVIA, which has been reviewed by the Council's consultants. The Council's consultants (Aspect) considered the first iteration of the LVIA to be compliant with the published guidance and technical notes but there were a number of identified weaknesses that were requested to be addressed in a revised document, as part of the Regulation 25 letter issued by the Council. These weaknesses mainly concerned the under and over reporting of the magnitude of change likely to be experienced by identified receptors. The applicants were asked to provide more justification as to how the assessor arrived at the stated effects.

9.252. Nevertheless, Aspect agrees with the majority of the effects on identified landscape and visual receptors.

9.253. In terms of the contextual landscape (perceptual and aesthetic), the LVIA addendum accepts that susceptibility to the proposed change is considered to be high due to the potential to alter the overall integrity of the receptor within the Site. It is noted that significant effects are anticipated on LCA F: Peartree Hill during the construction phase and Year 1, which relates to a wider area.

9.254. In terms of visual effects:

Residential receptors: As per the submitted methodology, it is considered that the visual value of residential receptors would be 'Medium' at most rather than 'High' as stated. The size/scale of change on several residential properties that face towards the Site, for example nos. 2a-8 South Avenue, would likely be 'Modest' while most views from residential properties along these roads would have no view of the stadium due to the orientation of these properties and would therefore remain unaffected. It is agreed, however, that even for the limited number of residential properties with direct views of the Site from the southern Kidlington development edge, effects would likely be non-significant at the post construction phase.

Transient from Transport corridors: It is considered that significant effects would continue at Year 1 on receptors along the A4165/A4260 Oxford Road given that the landscape proposals would not have matured. Regarding views from along the A4260 Frieze Way north and south of the Site, construction of the built form would likely be a prominent component of localised views and despite the low sensitivity of the receptor would likely lead to significant adverse visual effects during the construction phase and likely remain at Year 1, reducing to non-significant effects as the landscape proposals establish.

Transient from Public Rights of Way: It is considered that the stated effects on users of PRow Bridleways 229/5/40 and 229/9/10-30 to the east of the Site have been over-reported at the construction phase. Given the distance involved, the intervening vegetation structure and existing detracting visual built form components, effects would likely be Minor and therefore non-significant during all assessment stages.

Receptors using Visitor Attractions and Areas of Open Space – Stratfield Brake to the west: Aspect agree with likely significant adverse effects from certain locations within this recreational and wildlife area.

- 9.255. The LVIA Addendum sought to address some of the comments raised by Aspect as part of their initial review. Aspect reviewed the LVIA addendum and provided comments; some queries remain in relation to the baseline, contents and findings of the assessment, which weakens the assessment.
- 9.256. However, other aspects have now been addressed, including the provision of an opportunities and constraints plan, ZTV plan and additional Visually Verified Montages (VMMs). Nevertheless though, Aspect have provided a summary of their findings in respect of the landscape and visual appraisal which has helped to inform the Officer conclusion below.
- 9.257. A Landscape Character Assessment for Cherwell District was prepared by LUC in September 2024 this is part of the Evidence Base for the Council's Emerging Local Plan to 2042; this now represents the most up-to-date published landscape character assessment for the District and this has been assessed as part of the revised landscape impact assessment table.

Conclusion

- 9.258. The proposal would introduce an additional building of large scale and mass into the landscape between Oxford and Kidlington. The maximum height of the proposed stadium building is 24.6m above ground level. The height, scale and massing of the building results in some unavoidable visual impacts.
- 9.259. The Council's Landscape consultants have confirmed that the submitted LVIA is considered to be based on a comprehensive and appropriate scope that identifies and assesses the relevant key landscape receptors / features and visual receptors within the localised and wider landscape context.
- 9.260. The findings suggest that there would initially be significant adverse landscape effects on the surrounding landscape in perceptual and aesthetic terms and on the surrounding townscape elements, as well as on the character area in which the Site lies (LCA F: Peartree Hill; noting that an updated landscape character assessment has since been published which identifies the site in Character Area 3: Lower Cherwell Floodplain). It is also considered that features of the Site would likely undergo temporary significant effects, namely: geology and soils, landform and drainage and vegetation cover. Lasting significant effects are considered to be limited to cultural / social as well as perceptual and aesthetic aspects of the Site, as well as on the overall character of the Site, including its night-time character.
- 9.261. In terms of likely significant visual effects, the LVIA identifies such effects on residents of properties along Hazel Crescent / South Avenue at the construction stage only, as well as on road users along Oxford Road and Frieze Way in the immediate setting of the Site at the construction phase and operational phase Year 1. Lasting significant effects are predicted on users of PRoW 229/4/30 to the east and users of several of the permissive routes within Stratfield Brake to the west.
- 9.262. Regarding cumulative effects with the identified cumulative sites, it is considered within the LVIA that there would likely be some localised cumulative significant adverse effects arising from the proposed development in combination with these sites, including harm to the overall character area (LCA F: Peartree Hill) as well as to LCA D: Yarnton to the west. Regarding cumulative visual effects, the LVIA suggests there may be significant visual effects on road users along Oxford Road, Frieze Way and Bicester Road given the increased amount of built form associated with several committed development sites and the Site itself. Significant cumulative effects are also stated on users of Stratfield Brake to the west.

- 9.263. The Council's Landscape consultant broadly agrees with the findings of the submitted LVIA, albeit noting that stated temporary significant effects on several receptors i.e. the 'Perceptual and Aesthetic' element of the contextual landscape and 'Geology and Soils' on-site may actually result in permanent significant effects. It is agreed that there would be a degree of localised harm in landscape and visual terms as a result of the proposals. It is noted that this would be likely for any such proposals on greenfield land, especially given the size and scale of the proposals. Effects would likely be limited to the localised setting and would reduce with distance from the Site albeit noting that given the height of the proposals, the stadium would likely be visible in certain views from the wider setting for example from public footpaths in the open countryside to the east.
- 9.264. The Council's Landscape Consultant notes some concerns over the proximity of the proposals to the woodland priority habitat and that some harm to the Green Belt would arise. However the changing context in this area is acknowledged. Impacts upon the woodland and green belt and are assessed elsewhere in this report.
- 9.265. Overall, it is considered that the development would not contribute to enhancing the built environment but would result in a significant and adverse impact on the local and wider landscape beyond. The proposal therefore conflicts with Policies ESD13, ESD15 of the CLP 2015 and Government guidance in the NPPF. This weighs significantly against the development.

Design

Policy context

- 9.266. Paragraph 131 of the NPPF notes that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 9.267. Policy ESD15 of the CLP 2015 requires new development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. It goes on to state that all new development will be required to meet high design standards.

Assessment

- 9.268. The application is supported by a Design and Access statement, which explains the design process and evolution of the project. The proposals went through a Design Review Panel as part of the pre-application process.
- 9.269. One of the key design aspects of the project was to provide Oxford United with a 360 degree seating bowl, something they have been without since their move to the Kassam Stadium. The Design and Access statement notes that due to conditions in the land ownership, the scheme must be one singular building, consolidating the match day and non-match day accommodation into one. The hotel and other commercial components of the project are integrated in the north and northwest of the development. The larger mass of the structure faces Frieze Way, while the shorter corner of the building engages with Oxford Road, the primary pedestrian route to the site.
- 9.270. The most prominent aspect of the building on-site is at the northwest corner. This corner will serve as the public face of the complex for those traveling along Frieze Way.

9.271. The ground floor is made up predominantly of commercial space to the north, players' and officials' space to the west and concourses wrapping round almost 360 degrees. The first floor contains the conferencing facilities and match day hospitality areas. The second floor contains the hotel and the third floor contains lounges and boxes for match day hospitality. The fourth floor contains the remainder of the hotel rooms, the stadium control room as well as the TV studio and media gantry.

9.272. The roof contains separate elements, owing to its stepped nature. The roof structure contains a mixture of bio-diverse green roof, terrace, plant and solar PVs (circa 3000sqm).

9.273. The entire development is set on a precast buff stone, with glazed curtain walling to the north and west and solid precast panels to the south and east. Above the plinth, the façade is clad in a blue/grey metal composite panel. The fenestration is set in vertical slots. Where the facade is highest the development branded signage will be placed.



West Elevation

9.274. The north elevation contains the commercial elements of the proposal. The last third of the building sets back, exposing the metal stadium structure behind. Semi-translucent polycarbonate panels clad the rear of the stadium structure from plinth level to just short of the roof leaving a ventilation gap. This arrangement allows the roof to float above the body of the building.



North elevation

9.275. The east elevation comprises larger buff pre-cast panels, with the spectator ingress and exit gates in dark grey metal panelling. This elevation is dominated by the metal Y shaped frames and semi translucent panels. The eastern end of the four-storey hotel block is proposed to contain a green wall.



East elevation

9.276. The south elevation is again comprised of larger buff pre-cast panels, dominated by the metal Y shaped frames.



Context south elevation

9.277. Following the Council's Urban Design Officer comments, the elevations have been amended to break up the massing of the structure. Measures include introducing regular framing elements, which align to the building's structural grid, breaking up the facade every 7.4m and smaller metal fins, located at regular intervals, but with differing lengths, to introduce a more organic architectural aesthetic to the main facade.

9.278. The site landscape design was also amended to address comments provided in the Regulation 25 request and comments from the Council's Urban Design Officer. The changes include:

- Access and Vegetation Retention: The reduction of access and egress points along Frieze Way has allowed for the preservation of additional vegetation on the southern edge of the development.
- Expanded Cycle Parking: On-site cycle parking facilities have been significantly increased from 150 to 446 spaces, encouraging sustainable transport options.
- Additional Biodiversity Features: New green roofs and vertical meadow panels have been incorporated into the cycle hubs.
- Plaza Compartmentalisation: The Plaza design has been refined to better accommodate multiple uses, with designated seating areas and improved functionality. Rain gardens have been repositioned for optimised drainage and integration.
- Revised Willow Arches: The willow arches have been set back and incorporated more cohesively into the gardens, with clear construction details ensuring improved sightlines for visibility and safety.
- Parking surface Adjustments: Modifications to the parking areas include measures to soften their visual impact and improve ecological integration. A grasscrete no-dig construction zone has been introduced near the woodland edge, minimising tree root disruption while maintaining practical functionality.

Conclusion

9.279. The arrangement of land uses is logical and makes good use of the site. The 'garden' to the north would provide an attractive setting to the stadium and a marginal visual break from the wider built-up area of Kidlington. The plaza and tree lined pedestrian avenue would establish a visual and physical link with the open space and recreation facilities east of Oxford Road and west of Frieze Way. Pedestrian access and vehicular/ servicing access is legible and clearly defined to the east and west of the stadium. The eastern side of the proposed stadium addresses Oxford Road with

the majority of general admission turnstiles located along this frontage. This would provide direct access for those arriving on foot from the station or park and ride. To the west, access for limited car parking and servicing is from Frieze Way.

9.280. In summary the proposed layout and massing responds positively to the site and its existing and emerging context. The overall scale and massing would form a legible gateway to the adjacent north-south movement corridors. The structure and layout would establish a unifying focal point between the proposed and existing open space and recreation land uses to the east and west.

9.281. The proposal therefore complies with the design requirements of the NPPF and those set out in Policy ESD 15 of the CLP 2015.

Retail impact

Policy context

9.282. Chapter 7 of the NPPF sets out how planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

9.283. Key to consideration of this proposal, the NPPF includes a definition of 'main town centre uses' at Annex 2 which would include the hotel, retail and food and drink offers forming part of this application. Paragraphs 91-94 of the NPPF consider the sequential test for proposals which are located outside an existing centre, as well as the impact of proposals which are outside existing centres and not in accordance with an up-to-date development plan.

9.284. Policy SLE 2 ('Securing Dynamic Town Centres') seeks to enforce a 'town centres first' approach to the delivery of retail and other main town centre uses. It also introduces a local impact threshold requiring impact assessment over 2,000 sqm gross for sites in Banbury, 1,500 sqm gross in Bicester, and 350 sqm gross for sites elsewhere in the District.

9.285. It further explains that evidence in the Council's Retail Study will also be considered when determining applications if information is not provided by the applicant which is considered to supersede this evidence. The latest published Council Retail Study was produced by Nexus Planning and GCW in September 2021.

Assessment

9.286. The submitted Retail Impact Sequential Assessment (RISA) acknowledges the site's out-of-centre location, being more than 300m from the edge of Kidlington Village Centre. In line with local and national policy, the availability of sequentially preferable sites in, or on the edge of, all centres within a defined catchment area must therefore be considered.

9.287. The RISA explains at section 4.7 that 'demand analysis' has determined that an optimum stadium size of 16,000 capacity has been identified and that a business case and associated financial appraisal has determined the need to provide the following 'main town centre uses':

- 180 bed hotel; and
- 264 sqm club shop and ticket office
- 178 sqm sports bar

- 320 sqm restaurant
- 677 sqm gym
- 813 sqm health and wellbeing clinic

9.288. The applicants' case is a) that relevant case law supports the consideration of sites which are only capable of supporting the development as an aggregated whole (i.e. the stadium and the proposed main town centre uses, plus other associated development), and b) that there is a clear locationally specific need to locate the proposed development in close proximity to Oxford.

9.289. The Council's consultants (Nexus) have reviewed the applicant's retail impact assessment and have concluded that the applicant has correctly interpreted relevant case law in terms of disaggregation and has employed reasonable flexibility in terms of arriving at the search parameters for site size and area of search (in line with NPPF guidance).

9.290. In terms of the impact assessment, the total floorspace of main town centre uses exceeds the locally set threshold of 350 sqm (discussed above) and therefore the applicants have submitted a retail impact assessment.

9.291. The assessment notes that in order to retain economic viability, the retail and leisure floorspace will likely operate at their peak on stadium event days, primarily match days, where up to 16,000 spectators could be accommodated. There will also be year-round use of the conference space and it is anticipated that there will be 580 events per year. The site will be in use 24 hours a day, including the hotel, though the leisure and retail uses will likely operate between 0600 and 0000 hours.

9.292. Whilst the club shop would have a significant turnover (£1.45m, RISA 6.37), this is noted as having negligible impact due to its unique customer base and the Council's consultants are content with this assessment, subject to a suitably worded condition to secure this.

9.293. Similarly, the Council's consultants are on balance, content that the bar, restaurant and gym facilities proposed at the stadium redevelopment site are unlikely to result in any significant adverse impacts which would otherwise dictate that planning permission should be refused.

Conclusion

9.294. The proposals are therefore considered to meet the requirements of paragraph 94 of the NPPF as well as policy SLE 2 of the development plan.

Residential amenity

Policy context

9.295. Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, (amongst other considerations) preventing 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.

9.296. Policy ESD15 of the CLP 2015 seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development

proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and noise and disturbance.

9.297. Policy ENV 1 of the CLP 1996 states that the Council will seek to ensure that the amenities of the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution, including that caused by traffic generation.

Assessment

9.298. The nearest residential dwellings to the application site are those located in south Kidlington. Additional residential areas have been identified in north Summertown. Representative groups of receptors have been identified for assessment of noise and vibration and are described below and assessment locations are illustrated in Figure A.1, Appendix 11.1 of the submitted Noise and Vibration Assessment:

- Existing residential receptors located West of Oxford Road and on South Avenue (located approx. 265 m north of the Proposed Development);
- Existing Stratfield Farm House south west of South Avenue approx. 370 m north west of the Proposed Development; and
- Existing residential receptors located on Croxford Gardens (located approx. 510 m northwest of the Proposed Development).

9.299. Regard must also be had to the PR7a and PR7b sites, which secured a resolution to grant planning permission (5th October 2023 Planning Committee meeting) for 370 and 118 dwellings, respectively. Reserved matters permission for the 370 dwellings on the PR7a south site have also now been granted. The southern part of this site is proposed to be playing fields which would be on the eastern side of Oxford Road adjacent to the Site. The nearest residences within this development would be approx. 290 m northwest of the proposed site boundary and separated from it by Oxford Road. The nearest potentially affected residences on the proposed new development at Stratfield Farm, will be approximately 210 m north of the site boundary and separated by the A4260.

9.300. Concern has been raised through third party representations regarding the noise impact that may arise from the development, affecting nearby residents.

9.301. The application has been submitted with a noise and vibration assessment (NVA). The NVA assesses the potential impacts associated with the construction and operation of the Proposed Development.

9.302. For construction noise and vibration, a qualitative assessment has been undertaken which provides recommendations for minimising impacts at the closest noise sensitive receptors. It is determined that the overall impact is not significant during the construction or operational phases.

9.303. The NVA concludes the following:

- The potential noise effects of construction traffic are considered Negligible. Fixed plant associated with the Proposed Development will be designed such that no noise effects are experienced at the nearest existing or future noise sensitive receptors. Road traffic noise during operation has been assessed to have no significant effect at any noise sensitive receptors although noticeable noise level increases may occur on Banbury Road for an hour before and after

weekday matches. This will however be relatively infrequent being once every two weeks on average.

- A high-level assessment of the noise generated by patrons of the stadium has been conducted. The level of noise will be below the threshold of significant impact, and occasional, expected to occur once every two weeks on average, which has led to the conclusion that the impact would not be significant. The stadium PAVA system will be designed such that it has no noise effect at the nearest noise sensitive receptors.

9.304. The Council's Environmental Protection Officer has reviewed the submitted NVA assessment and agrees with the conclusions, stating that whilst noise may be heard from the stadium on occasion it will not be of a level, frequency or duration to cause a significant impact. He similarly agrees with the conclusions in respect of air quality and light, subject to a condition that the mitigation set out within these assessments are included in the Construction Environmental Management Plan (CEMP). As such, the proposed development would not impact the amenity of these nearby residential receptors.

9.305. Given the distances involved, it is not considered that the proposal would adversely affect residential amenity by way of loss of light, overshadowing or overdominance.

Conclusion

9.306. It is considered that the proposed development would not result in harm to the amenity and living standards of any nearby residential properties, in accordance with Policy ESD 15 of the CLP 2015 and Policy ENV1 of the CLP 1996.

Transport and Highway safety

Policy context

9.307. Policy SLE4 seeks to support proposals in the movement strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth. It identifies that new development in the district will be required to provide financial and/ or in-kind contributions to mitigate the transport impacts of the development. The Policy also identifies that new development should facilitate the use of sustainable modes of transport to make the fullest use of public transport, walking and cycling. The policy reflects the NPPF in that it advises that development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.

9.308. The NPPF also sets out at Paragraph 109 that transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities; b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places; c) understanding and addressing the potential impacts of development on transport networks; d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated; e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing and taking 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.

- 9.309. Paragraph 115 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that a) sustainable transport modes are prioritised taking account of the vision of the site, the type of development and its location b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 9.310. Paragraph 116 of the NPPF also stipulates that development should only be prevented or refused on highways grounds 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.
- 9.311. Paragraph 117 of the NPPF states that within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport; c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 9.312. Paragraph 118 states all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.

Assessment

Existing Highway conditions

- 9.313. The site is located in the triangle of land directly south of Kidlington Roundabout, between the A4165 Oxford Road and the A4260 Frieze Way, and the Oxford to Oxford Parkway railway. Oxford Road is a 30mph road which connects Kidlington to Oxford via Kidlington and Cutteslowe Roundabouts, it also connects to Oxford Parkway train station and park & ride.
- 9.314. Frieze Way is a national speed limit dual carriageway which connects Kidlington Roundabout to Loop Farm Roundabout, this then connects the Local Highway Network (LHN) to the A44 traveling north-west and Peartree and Wolvercote Roundabouts via the A44 south-east. Peartree Roundabout forms part of the Strategic Road Network (SRN) as it connects to the A34 which is maintained by National Highways (NH).
- 9.315. Wolvercote Roundabout connects to the A40 west towards Witney and Carterton. To the east it connects to the Cutteslowe Roundabout which takes you back to Oxford

Road to the north or carries on east to east Oxford and then further to Wheatley, High Wycombe and London. North-east of the Kidlington Roundabout is Bicester Road which again connects the site to the A34.

- 9.316. There are a number of strategic development sites which are coming forward in the area which will significantly increase housing numbers and employment areas and will deliver significant pieces of infrastructure to help mitigate the impact of their developments and improve active and public transport in the area. Although there are some smaller sites also coming forward, Oxford North and the Cherwell Local Plan Partial Review sites (PR6a, PR6b, PR7a, PR7b, PR8 & PR9) will be constructing over 5000 new dwellings along with significant employment areas.
- 9.317. The recent Kidlington Roundabout Improvement Scheme has improved provision for active travel considerably, by signalising the roundabout and installing parallel crossings on the Bicester Road, Frieze Way and Oxford Road arms. There are existing shared paths along either side of Oxford Road for the majority of the length of the corridor, however, these are not in line with LTN 1/20 standards and are in relatively poor condition. Along with the new parallel crossings at Kidlington Roundabout there is also a toucan crossing adjacent to the existing ramp down to Oxford Parkway.
- 9.318. The A44 Corridor Scheme has also improved active travel in the area by providing a new 4.5m shared path on the western side of the road along with additional crossings and public transport improvements. Similarly the Peartree Roundabout scheme and improvements brought forward by Oxford North (a development site within the City Council area) have improved the environment for active travel users and buses by creating bus lanes and shared paths between Peartree and Wolvercote Roundabout and creating/improving crossings in the area. Particularly relevant for this application are new toucan crossings on the A44 (east) and A34 (south) arms of Peartree Roundabout.
- 9.319. The existing active travel and public transport infrastructure through Kidlington is of relatively high quality with shared paths and southbound bus lanes for different parts of the corridor. The intention is to improve sustainable travel through Kidlington in the future with additional bus and cycle lanes, however, designs are at an early stage.
- 9.320. In addition to the above, the Partial Review (PR) sites and Oxford North are also required to deliver/contribute towards the following infrastructure which would benefit the stadium:
- New Cycle Superhighway between Kidlington and Cutteslowe Roundabouts (2.5m cycle lanes and 2m footways either side of Oxford Road)
 - New 2.5m cycle path through Cutteslowe Park connecting to the A40 overbridge.
 - Pedestrian/cycle improvements to Cutteslowe Roundabout.
 - New southbound bus lane on Bicester Road.
 - New 1000 space mobility hub (park & ride) on the A44.
 - Multiple new active travel crossings on Bicester Road and Oxford Road.
 - New footbridge across the canal and improvements to the canal towpath.

- New LTN 1/20 compliant bridge from PR6b (currently North Oxford Golf Club) to Peartree P&R (subject to planning permission for PR6b and Peartree).
- Exploring the possibility of a station at Begbroke Science Park
- New southbound bus lane on A44 from Langford Lane to Cassington Road roundabout (bus lane already in place from Cassington Rd to Loop Farm)
- New shared paths from Bladon Roundabout to tie in with A44 Corridor Scheme.

9.321. The above information not only describes the transport improvements coming forward within this part of the network but also demonstrates the change of character in the area, that is, becoming more urbanised in character around the periphery of the site, which will lead to driver behaviour change, slow vehicle speeds, encourage walking and cycling and make the highway network safer for all users.

Proposals

9.322. The proposed stadium will have a maximum capacity of 16,000 people. The Stadium is likely to hold 28 first team football matches per annum, including home league games, and pre-season and cup games.

9.323. In addition to this, Women's league and cup fixtures are proposed to be held at the Stadium of which it is anticipated that there will be 13 home league games and cup fixtures per annum. It is also projected that there will be 2 Stadium hire events per year, for sporting events such as junior international matches, community, or university sport events. Proposals also include flexible commercial and community facilities for conferences, exhibitions, education, and other events. This facility will have a maximum capacity of 1,000 people. Over the course of a year, it is anticipated that around 580 events will be hosted. These will be of differing scales, with the majority being smaller events with an average attendance of 10 or 30 people. The Stadium has capacity to host events for up to 1,000 attendees and initial projections anticipate that there will be approximately 85 events with an average of 150 people, and 68 large events with an average number of 700 people, including Christmas parties. The large events will be a mix of daytime events, multiple day events and evening events.

9.324. The other facilities that will support the stadium include a club shop, public restaurant, café/bar, health and wellbeing facility/clinic, gym, and a 180-bed hotel.

9.325. The Transport Strategy has been underpinned by a detailed understanding of the origins of the OUFC supporters, including travel surveys at Kassam Stadium carried out in 2022 and an assessment of the travel demands of the home supporters, away supporters, teams, staff, supporting operators and users of the associated facilities. The various stages of assessment and results are outlined in the Transport Assessment (TA) and subsequent Transport Assessment Addendums.

Public Transport

9.326. The proposed site is well served by public transport with 13 buses per hour in each direction (26 total) with additional buses in the peak hours which will serve the proposed ancillary uses. These services connect the site with the city centre, Banbury, Bicester and Witney along with Marston and Headington via the 700 service which is due to be upgraded as part of the 'Eastern Arc' route. This will also improve connections to Cowley and Littlemore which will better serve fans from those areas.

- 9.327. In addition to these services the club also run matchday services, which are listed in table 5.3.5 of the TA Addendum and cover areas such as Didcot, Abingdon, Thame, Wheatley, Bicester, Witney and Carterton. These services will be monitored and improved if required, for example, as the stadium is moving north and there are not as many public transport services from the south of the county it could be beneficial to run an additional service or shuttle from the south. However, the LHA agrees with the approach of monitoring and surveying how fans travel and then providing any additional service at that point. This will be monitored and communicated via the Match Day Steering Group and Match Day Travel Plan.
- 9.328. For fans that wish to drive to games (parking at park and ride sites), the proposed strategy is to provide shuttle buses from the park and rides. The club has confirmed that this includes Peartree and Thornhill as there was some uncertainty in the previous wording. This is in addition to shuttles from Eynsham, Redbridge and Seacourt. The same will apply for any future mobility hubs that come forward, such as those proposed on the A44 near the Oxford Airport and the A4074 near Grenoble Road.
- 9.329. The club has indicated the number of shuttles which would be running from each P&R and the LHA is initially content with this number, however, this would need to be monitored as mentioned above, and shuttles can be reassigned between games if required.
- 9.330. Oxfordshire County Council are currently drafting an ambitious rail strategy which includes enabling new services, increased capacity and improved frequency. There are currently 2 trains per hour that go through Oxford Parkway on the Oxford-Marylebone line (stopping at Bicester Village, Thame and High Wycombe). East West Rail (EWR) which is coming forward in 2033 and will connect Oxford Parkway with Bletchley, Milton Keynes, Bedford and Cambridge, will increase this number by at least an additional 2 trains per hour.
- 9.331. Furthermore, the County Council are working with Network Rail to bring the Cowley Branch Line back into operation as a passenger service by 2030. This will connect the site with Cowley and Littlemore and would offer fans from those areas along with the city centre an attractive option. As housing in east Oxford comes forward this adds greater importance for this route as it is known that a large number of fans live in these areas.
- 9.332. There are plans in the future to increase frequency of the Oxford/Marylebone service (which the Cowley Branch Line will form part of) to 3 trains per hour, as well as potentially running at least 1 of the EWR trains to Didcot which could greatly help fans from the south of the county travel to the stadium. Additionally, there is also the potential for the new Bristol-Oxford service stopping at Oxford and then traveling onto Parkway before turning around.
- 9.333. This would bring the total number of trains travelling to Parkway up to 6 per hour which would offer home and away fans frequent, fast and attractive travel options from a number of locations around within and outside the county. An important point which needs to be emphasised is the desire of football fans to use rail as their primary travel choice; the Campaign for Better Transport's Door to Turnstile report states that home fans are fairly evenly split between car and rail use, over half of away fans use train for at least some games and 36% of fans said they would like to use rail more. When considering that this takes into account all fans, including those of clubs where the stadium is not located close to a train station, it would suggest that train is likely to be a key mode of travel to the stadium for both home and away fans. The forecasted numbers in the planning submission are for 3,155 home and 749 away fans for an average Oxford United home fixture.

- 9.334. Discussions through the application process have involved Chiltern Railways and Network Rail in order to understand whether sufficient capacity is available on their infrastructure (including their rolling stock) as early indications were that currently there was insufficient capacity. Rail travel is a key part of the transport strategy of this scheme. Chiltern Railways have now confirmed that they have the additional capacity to support future Oxford United fixtures.
- 9.335. It is anticipated that Chiltern Rail and Network Rail will make s106 requests to improve Oxford Parkway for users. Those formal requests are awaited.
- 9.336. It should also be noted that PR8 (Begbroke Science Park) are currently exploring a new rail halt which would enable connections (via sustainable mode) to Parkway and then continue to Oxford City and the Cowley Branch Line. This again would be beneficial to the club and the County Council are supporting this by including it within the emerging rail strategy, however, this is still at an early stage, as is the proposed station at Grove which could help fans from south/west of the county travel to the stadium sustainably.
- 9.337. The LHA welcomes the proposal to include public transport tickets with season and match day tickets and would work with the club and public transport operators to help facilitate this. The County Council have recently introduced a multi-operator bus ticket covering most bus routes in Oxfordshire "MyBus Oxfordshire" - although this only covers bus, the arrangements behind it may be of use for the proposed season/match public transport tickets.
- 9.338. The LHA also welcome the proposal to include a public transport information system to inform supporters of travel news or delays – a condition is recommended to secure this.
- 9.339. New bus stops on Oxford Road are proposed for the use of the stadium and its ancillary uses. These are welcome and would need to be equipped with real time passenger information - a S106 contribution will be required for this. The cost of a real time information sign is £14,893 per stop, therefore a contribution of £14,893 x 2 = £29,786 (Baxter April 2025) is required.
- 9.340. The Applicants are adopting a vision-led approach to their transport strategy which is in line with the National Planning Policy Framework (NPPF) and is supported by the LHA. This is required in order to achieve the modal shift required but with the sustainable travel options available, as discussed previously, the LHA believe this is achievable.
- 9.341. The strategy sets out key principles which will determine how fans travel and help to promote the use of active and sustainable travel, this is in line with Decide & Provide principles. Whilst some details will need to be finalised at condition stage through the Match Day Travel Plan, these key principles are:
- Delivering and contributing towards active travel infrastructure to ensure walking and cycling is an attractive and primary option for fans.
 - Prioritising public transport infrastructure (delivering, contributing towards and ensuring good access) and working with public transport operators to ensure public transport is appealing for fans.
 - Providing a clear communication strategy, including VMS signs (conditioned) which directs vehicles away from the stadium and Oxford Parkway and to their closest P&R. Operating free shuttle services from these P&R's to the stadium to make it a faster and cheaper option.

- Crowd and traffic management planning, using trained marshals. Managing pedestrian and cycle access to the stadium from Peartree and Oxford Parkway and into the ground. Controlling traffic on the roads around the stadium and at Oxford Parkway to ensure the safety of fans is prioritised.
- Implementation of a diversion on Oxford Road (except for emergency vehicles and buses) and parking measures at Oxford Parkway to ensure the safety of pedestrians and cyclists is prioritised and buses can operate effectively without being held up in queues for private vehicles. This will be discussed further in the following section.
- Implementation of a Match Day Steering Group with all relevant local stakeholders to help feedback any issues or changes that need to be made week to week.

9.342. This approach is in line with national and local policy, including Local Transport and Connectivity Plan (LTCP) policies 1, 10, 15, 18, 31, 33 & 35. The applicant's strategy, combined with the sustainable transport options proposed, enables opportunity for a significant shift in the way fans travel to games. This approach is to encourage a reduction in vehicular trips on the network and help to meet the targets within the LTCP.

9.343. The strategy increases use significantly on the Park & Rides which is in line with Oxfordshire County Council policy. There is expected to be a 6% increase in the use of the P&R's once the traffic filters are implemented. The LHA have undertaken an exercise adding these numbers to the surveys undertaken by OUFC to understand if the P&R's have capacity.

9.344. The only Park & Ride that does not have sufficient capacity on a Saturday is Peartree, however, this calculation is based on no vehicles driving to Parkway and is only 34 spaces short. The LHA does not believe this is realistic even with the measures in place which will be discussed in the following section so capacity is not considered to be a material issue, particularly once the new P&R at Oxford Airport is operational (subject to planning permission), which would further free up capacity at Peartree and Parkway sites. All Park & Ride sites have considerable capacity on weekdays.

9.345. Throughout the application process there have been multiple representations on the capacity at the Park & Rides noting that spaces should be reserved for city centre use and Oxfordshire residents. However, there is no policy wording that states the P&R's are solely for city centre use and it is worth noting that the majority of fans attending an Oxford United match will be Oxfordshire residents. The P&R's are intended to reduce impact on the highway network and promote sustainable modes which is what would be achieved by implementing the clubs transport strategy. Therefore, the use of these sites is considered acceptable.

Oxford Road and Oxford Parkway

9.346. Pedestrian modelling has been undertaken, by the Applicant, for fans entering and exiting the stadium. Images of this modelling are shown in the TA and TA Addendums. This modelling indicates, particularly post-match, that the number of fans walking between the stadium and Oxford Parkway requires a large amount of carriageway space in addition to the footways. Thames Valley Police (TVP) are concerned with risk or conflict between vehicles and pedestrians and the risk of terrorist hostile vehicle attacks and have therefore stated that the road would need to be closed before and after matches, and Hostile Vehicle Mitigation (HVM) installed. This to ensure clear and safe movement of large volumes of fans.

- 9.347. The LHA have been working with TVP and OUFC, along with a number of other stakeholders (British Transport Police, Stagecoach, Oxford Bus Company, Chiltern Railways, Network Rail etc) throughout the consultation stage. Whilst understanding the need for the route diversion, the LHA have been concerned about the original proposal to close the road to all vehicles and have required buses to be allowed through the diversion. This is vital for the transport strategy of the stadium and to allow the public transport network, including the Park & Ride, to be reliable and to continue to operate through diversion periods.
- 9.348. The club has now found an acceptable (to OCC, TVP and public transport operators) method of accommodating buses during the diversion, which involves installing hostile vehicle mitigation (HVM) either side of the temporary closure (at Kidlington Roundabout and north of the Oxford Parkway junction) and this includes an 'airlock' system which allows buses to enter an area where their authorisation can be checked and they can be held before being guided through the road closure by trained motorcycle escorts in a shuttle running system (up to 3 at a time). Marshals would be stationed throughout the closure to ensure fans are aware of buses and cleared from the route to ensure the safety of all users. This was discussed at a workshop with the bus operators who confirmed they were happy with the approach and the impact on their services. A number of financial contributions have been requested which will improve public transport journey time on the network as a whole, which will also mitigate the impact on public transport journey times.
- 9.349. The club have updated the pedestrian modelling to include the bus access; this shows that a 35-minute diversion would be needed for a full stadium. The transport modelling includes a 45-minute diversion allowing for set up and some contingency, which is considered sufficient to test the impact on the network, which will be discussed in the following section.
- 9.350. Throughout the consultation stage, several questions have been raised around the method of the pedestrian modelling. LHA Officers have therefore sought advice from external third parties to ensure it is appropriate and sound. The Applicants have used VisWalk as the software and followed the Fruin method. The Head of Travel Demand Management for the Olympic Delivery Authority for London 2012 who also worked for Tottenham and Arsenal on their new stadiums has confirmed that this is the same methodology used for those and is therefore considered appropriate.
- 9.351. It is worth noting that a large number of stadiums around the country have road closures before and after matches of varying lengths and forms, often including suspension of parking bays or holding of vehicles to allow priority for pedestrians and public transport. For example, Tottenham have a 65,000-seat stadium which includes agreement by Transport for London (TfL) to close the A1010 High Road (along with some minor roads) for up to an hour after matches. The A1010 is an important transport corridor in north London which is heavily used by buses and most fans would need to use to access the tube stations and bus stops. Despite the size of the stadium and the agreement in place, on average the road closure is only needed for 30 minutes.
- 9.352. Although the LHA are satisfied in the use of the pedestrian modelling for assessing pedestrian flows before and after matches, it has not been demonstrated how pedestrians would exit the stadium during evacuation procedures. The applicant will require a certificate from the Safety Advisory Group (SAG) before they can bring the stadium into use, the SAG will need to see evacuation procedures along with all other safety protocols. The applicant has stated that this information is not currently available but that they are confident evacuation protocols are acceptable. As the SAG certificate is provided post-planning, leaving this to that stage is at the applicant's risk as without the certificate they will not be able to hold events. However, Oxfordshire

County Council and Thames Valley Police would like to see the details of this prior to commencement of development, which would be required by condition.

- 9.353. In terms of Oxford Parkway, it is important for the County Council's transport strategy that the site stays open as it is a key mobility hub with access for residents to both buses and trains. Oxford Road would be closed for a maximum of 35 minutes before and after matches, during which time residents and other users are able to access Oxford Parkway via the diversion route along Frieze Way, the A44 and A40. Before and after the diversion residents and users can access Parkway as usual.
- 9.354. The matter of fans potentially using Oxford Parkway as a car park for the proposed stadium has been considered. Measures are proposed to mitigate the opportunity for fans to use Parkway as a car park for the stadium (as they do at the current stadium). This is to support the transport strategies of both the club and the County Council, and to lessen the impact on the local highway network; certain measures would be implemented to discourage parking around match times as follows:
- 9.355. The club would include information on their website around how to get to the ground: Oxford Parkway would not be included in this or in the information sent when fans purchase tickets. The Variable Messaging System (VMS) signs on local and strategic highway networks would also be directing fans to their closest P&R's rather than Parkway. Additionally, for fans travelling from the north or west, once the temporary closure is in place fans would need to follow the diversion which would add time to their journey and pass other P&R's where they could get a free shuttle bus to the ground which would likely be an incentive with the other measures the County Council and Chiltern will be implementing.
- 9.356. It has been agreed in principle between the County Council's network management team that manage Oxford Parkway (P&R) and Chiltern Railways that parking charges would be increased on match days in the car parks run by both organisations. The price and the timing is still to be determined which would need to go through a separate process post-planning but would be likely to increase from 2-3 hours before kick-off.
- 9.357. This should help mitigate the impact of the stadium whilst also allowing residents to still access the P&R for other uses (bus and train journeys). The County Council have assessed the data using a permanent traffic count on the access road to Oxford Parkway and in 2023 67% of the total cars in for the day are already parked by 1pm (2 hours before 3pm kick-off). The percentage is lower for early kick offs but is still 33% by 10:30am (2 hours before 12:30 kick-off). For weekday evening games that percentage rises to 95% by 6pm.
- 9.358. Lastly, it has been agreed in principle that cars would be held in Parkway for 45 minutes after games (although this will be monitored and is subject to change). This not only discourages fans from driving and parking at Parkway but also creates a safer environment for fans and prioritises bus movements, such that they do not get held up in queues.
- 9.359. In terms of how that would impact other users, only 7% of vehicles using Parkway on Saturdays (based on 2023 data) exit between 14:30-15:30 (hour after early kick-off games finish). For standard 3pm kick offs the percentage rises to 13% during the hour after the full-time whistle (17:00-18:00). These figures suggest that the proposed measures would have minimal impact on other users. However, it is important that adequate signage is provided to ensure other users are aware of the measures and when matches are taking place. As such, Communication Strategy and Signage Strategy conditions have been included. With Peartree P&R and the proposed P&R on the A44 nearby it is important to note that users also have other options available.

- 9.360. Other measures proposed at Parkway include Chiltern Railways upgrading facilities at the station and reallocating parking bays on match days to ensure there is adequate space for queuing systems etc. Chiltern Railways have submitted their own response outlining these proposals, which the county council fully support. The club will be providing new steps down to the station from Oxford Road which is supported and will be included in the S278 agreement, however, land is required to be dedicated for this and as such Chiltern Railways will need to be party to any S106 agreement.
- 9.361. Approximately 150 spaces would be lost on the eastern side of Parkway which will become a new transport depot for Oxfordshire County Council's Supported Transport fleet. This has been included in the Applicant's assessment, along with the loss of up to 457 further spaces which the club has requested to reserve for match day officials etc (although the number of spaces is still to be agreed). There is sufficient capacity remaining for the existing users plus the expected increase in the future as a result of the Traffic Filters.

Traffic Generation

- 9.362. To understand the impact of the development on the Local Highway and Strategic Road Networks (SRN), the Applicants have used the North Oxford VISSIM Model on advice from the LHA. This model was produced by a consortium including all of the PR sites and was used to demonstrate their impact as part of their planning applications. The use of the model has been accepted at planning committee several times and been signed off previously by the Local Highway Authority and National Highways.
- 9.363. Whilst the club has been predominantly able to use the same base model for the ancillary uses, such as the conference centre, for weekdays, they have been required to develop evening and weekend scenarios to understand the impact of matches on the network.
- 9.364. Oxfordshire County Council has commissioned Pell Frischmann to assist in the development and assessment of the model as they were also used to audit the original model developed by the PR sites. Pell Frischmann were involved in meetings with the club and National Highways on the scope of the model, which is standard practice for any strategic site where a third-party auditor is being used; this allows any issues or changes required to be raised at the earliest opportunity. Pell Frischmann have also audited every stage of the modelling process and have provided reports to the County Council on the Local Model Validation Report (LMVR), base model, future year scenarios and further amendments. These reports are included in Appendix 3 of this report (Appendices A-C of the Local Highway Authority response).
- 9.365. Following each audit and report produced by Pell Frischmann, meetings have taken place between the club, Pell Frischmann and the County Council to address the comments and understand any changes that need to be made in order for the model to be approved as a tool to assess the impact on the highway network. There are some outstanding issues which have not been addressed which can be found on Page 15 of Appendix C, these will be addressed below.
- 9.366. The LHA is satisfied that the methodology used to assess the impact of the proposed development is appropriate to provide a reasonable prediction of the traffic impact of the development.
- 9.367. The LHA requested the following scenarios to be modelled:
- Weekday AM peak to understand impact of ancillary uses

- Weekday PM peak to understand impact before and after matches
- Saturday PM (to understand impact before and after standard 3pm matches)

9.368. As 12:30 kick-offs are now more common there was a discussion around whether or not this should also be a modelled scenario. However, having looked at the traffic data, although average flows are higher which would be expected, the increase is not significant enough to warrant an entire additional scenario. An example of the flow increase is the permanent traffic counter Oxfordshire County Council have on Oxford Road (00000174) adjacent to the proposed site. The County Council have assessed the data for 2022, 2023 & 2024, removing the months of June and July which are outside of the football season, in the half hour preceding matches (i.e. when the diversion would be in place) there is only a 0.7% increase in vehicle numbers at the earlier time.

9.369. It was therefore considered unnecessary to request this in addition to the scenarios mentioned above. However, this has been an issue which has been raised several times through the process by third parties and Councillors. Therefore, to help demonstrate that the impact on the network at the earlier time is not significantly higher, the LHA requested that the club undertake a sensitivity test using a factoring exercise based on the traffic data collected. This demonstrates that although there would be a slight increase in traffic and worsening of performance across the network (159.98 second delay for 11:30am-12:30pm compared to 145.61 second delay at 14:00pm-15:00pm) this is not considered significant or severe in highway terms.

9.370. The Applicants have used Decide and Provide (D&P) Scenario 3 to model their impact plus the additional scenario modelling trips to Parkway as requested. It is important to stress that although the County Council are content with this scenario, this is only acceptable on the basis of the required mitigation listed earlier in the document being provided. Only with this mitigation in place do the County Council feel that the vehicular trip rates would be lower enough to be in line with the mode split for Scenario 3.

9.371. The traffic modelling has assumed a 10-15% reduction in background traffic and this is considered acceptable on the basis of evidence from other sporting venues.

9.372. The LHA asked the Applicants to look into reductions in background traffic and the impact of VMS which would be implemented across the Local Highway Network and Strategic Road Network should permission be granted. The club provided some information in the original TA regarding impact of VMS signs and reduction in background traffic but to try and understand this in more detail the LHA have liaised with Officers within the County Council Highways department who have previously worked on other stadia and events.

9.373. Tottenham and Arsenal did not undertake traffic modelling for their stadiums as it was agreed that there would be a neutral effect on traffic and the highway network, although Tottenham did confirm that they have met their target of reducing car trips to the stadium from 60% in 2003 (old 36,000 capacity stadium) to 23% at the new 65,000 capacity stadium mainly due to traffic management and the communication strategy. However, London Olympics did put a lot of effort into reducing background traffic and developed a high-quality communication strategy to make residents and commuters aware of events so they could change their behaviour.

9.374. The Applicants have also provided traffic data for the A33 outside Reading Football Club's stadium (24,000 capacity). The traffic flows on weekend and weekday matches are very similar and in some cases are lower when matches are on. This indicates

that there is a significant reduction in background traffic caused by behavioural change to accommodate matches, assisted by the communication strategy in place.

9.375. The Applicants have provided further information on the impact of VMS in Section 3 of the TA Addendum (April 25). 3.4.2 states “The evidence provided above indicates that the level of diversion/reduction could be in the region of 30%, with the implementation of VMS assuming a number of variable message signs are installed, VMS information is corroborated by additional sources (for example advance messages on previous days, SAT-NAV and website/text alerts).”

9.376. Pell Frischmann have raised that the core scenario should have been with 0% reduction in background traffic, however, with the proposed mitigation and alternative routes available in addition to the findings presented in the TA Addendum and above, the LHA feel that the 10-15% reduction is robust. The LHA are therefore content with this approach.

9.377. Other outstanding points raised by Pell Frischmann (within page 15 of Appendix C of the Local Highway Authority response, appended to this report in Appendix 3) which need addressing are:

- Vehicles driving through the temporary closure past the cut-off time – this has been discussed with Pell Frischmann who have explained this is not a significant amount of vehicles which would not severely impact network and is likely to just be a quirk of the model.
- Pedestrian demand from crossings on Frieze Way and Oxford Road are low despite significant increase in pedestrians. Crossing cycle time operates at 120s which is top end of what might be expected – this has been discussed with the club and due to marshals being present to help crowd and traffic management on match days this is considered realistic. Outside of match days there will not be significant numbers of users so again this is acceptable. Oxford Road crossings can be amended and do not impact the model, Frieze Way crossing will only be used heavily for 30 minutes so unlikely to have severe impact on the network. It would have been useful to demonstrate the impact at a shorter cycle time as this would likely have an impact, however, it is not deemed fundamental to the operation of the highway network.
- Remaining points raised are reporting issues that although should have been amended do not impact operation of model.

9.378. In the ‘Without Parkway’ scenarios, the modelling results show a worse impact in the weekday evenings than the weekends which is to be expected when taking into account the traffic flows of the PM peak hours in the week compared to weekend flows. Overall the weekday evenings show a 116 second delay in the hour 19:00-20:00 across the modelled area compared to the reference case (without OUFC). The biggest impact is on Route 3 (A4144 Woodstock Road to A44 Woodstock Road) which shows a 389 second (42%) increase in journey time in the first hour (6pm-7pm) and an 889 second (128%) delay in the second hour (7pm to 8pm).

9.379. This route is approximately 9 kilometres long so at its worst time (19:00 or 20:00) the delay equates to a 98.7 second (1.6 minute) delay per kilometre. However, this is with only a 10% reduction in background traffic, if background traffic reduces further which is likely based on evidence, then this delay will also reduce.

9.380. On weekends the largest impact is on Route 5 (A34 Islip turn to Loop Farm Roundabout) which sees a 116 second (43%) increase in journey time in the first hour and a 643 second (241%) increased journey time in the second hour. Similarly to

above when split per kilometre (approximately 4.5km) this equates to a 143 second delay per kilometre. There are impacts on bus journey times in the weekday scenarios (weekends are negligible), particularly to the 2 and 2A which is a concern, however, this is mainly due to the shuttle working during the temporary closure. Bus operators were content with this at the workshops and therefore the delays are considered acceptable.

- 9.381. The additional modelling undertaken for the scenario including vehicles driving to Parkway again shows an impact on the highway network but with the worst hour being 20:00-21:00 in the weekday evenings, this is likely due to the model now including more vehicles travelling on Oxford Road which is affected by the diversion which creates a latent impact on the network, whilst this worsens the network in general the impact is at a time where less essential trips are occurring. This shows the delay is 154.47 seconds for all vehicles across the modelled network.
- 9.382. On a Saturday the worst delay across the network for all vehicles is 41.1 seconds between 12:30 and 13:30. Delays in the other modelled hours are not significant. Route 5 (A34 SB to A4260 Frieze Way) is particularly impacted between 12:30-13:30 where there is a 262% increase in journey time from the reference case. This again shows the need for the mitigation requested which would reduce vehicles from the network by helping to provide sustainable travel choices.
- 9.383. The weekday AM modelling for ancillary uses (primarily conference centre) does not show a significant impact on the network. National Highways have stated that their primary concern is the weekday impact, however, have confirmed that queuing does not extend onto the A34 off-slips and that MOVA and UTC takeover, which are already in place but not included in the model, will further help control build-up of traffic.
- 9.384. The proposed mobility hub (P&R) on the A44 will directly impact Route 3 and Route 5 by reducing the number of vehicles on those corridors which should reduce delays and the impact of the development. As such financial contributions have been requested.
- 9.385. The modelling generally shows bigger impacts in terms of journey time delays before matches due to the level of background traffic. The impact of matchday traffic after matches is significantly less with the network performing worse in the first hour and then dropping significantly in the second hour. This aligns with traffic data for Littlemore Roundabout, Heyford Hill Roundabout and on the Southern-By-Pass (which is discussed in more detail as part of the LHA consultation response, relating to match day traffic at the existing Kassam Stadium), which shows higher traffic flows before matches than after, although comparable to non-match days (on Saturdays) and shows that on Tuesdays there is a spike in traffic for the first 30 minutes after games before dropping back to base line levels.
- 9.386. The Applicants have noted in Paragraph 7.5.4 of the TA Addendum how further improvements could be made to the model, this includes adding MOVA to Peartree, Cutteslowe and Wolvercote Roundabouts which would improve the performance and better reflect existing operation of the junctions (MOVA is already in place which makes green time more efficient between arms). It should also be added that the requested financial contributions to the new mobility hub on the A44, Average Speed Cameras on the ring road, and contributions towards the Cowley Branch Line, amongst others, would help reduce background traffic whilst also further improving the sustainability of the area.
- 9.387. Overall, in the opinion of the Local Highway Authority, whilst there is a traffic impact from the development, it could not be considered severe in NPPF para. 116 terms; in part because it is largely outside of network peak hours when more essential trips are

taking place and the impact it does show, is for a relatively short period of time and only 28 times on average across a season. Therefore, Oxfordshire County Council do not object to the proposal on highway impact grounds.

Cycle Parking

- 9.388. 446 new cycle parking bays would be provided at the stadium which could be used by fans and users of the ancillary uses. An additional 75 spaces would also be provided at Oxford Parkway which could be used by fans on match days but would also benefit the station on non-match days. This is particularly important for when the new rail services are operational.
- 9.389. There are currently 150 cycle spaces at Parkway with utilisation being on average under 50%. This leaves at least 75 spaces available in addition to the new cycle parking provision mentioned above. This brings the total provision to 596 which is in line with Oxfordshire County Council standards.
- 9.390. Although the LHA would prefer all spaces to be provided at the stadium, there are benefits to providing some at Parkway and if cycling to the ground from the south it may be easier to walk from Parkway once the road is closed and there are higher numbers of pedestrians. Therefore, the LHA accepts the level of cycle provision proposed. A condition can be added to agree the details of the provision which will need to be covered, secure and accessible for all users and bikes.

Car Parking

- 9.391. 161 car parking bays are proposed at the stadium including 80 accessible bays (on match days, outside of match days there would be 10) and 41 EV bays. There would need to be passive EV provision for the remaining bays and this will be conditioned.
- 9.392. Fans will be advised there is no match day parking at the stadium or Oxford Parkway when purchasing tickets and through VMS signs and will be directed to their closest P&R's. On-site parking would be monitored through Automatic Number Plate Recognition (ANPR) cameras; the county council would need to see details of this and therefore have included a condition.
- 9.393. A match day Controlled Parking Zone (CPZ) will be required for a 2km (approximate) distance from the site, similar to the existing matchday CPZs around the current stadium which are managed effectively by the County Council. Contributions have been requested for the design, consultation and implementation of this along with costs towards additional enforcement. Residents within this zone would need to apply to the County Council for permits, although these are lower than standard residential permits (currently £20 annually in the existing matchday CPZs but subject to review). It is at the Applicant's discretion if they wish to pay for residents permits within this zone for a set time, however, this is not something the LPA can request as a CIL compliant contribution.
- 9.394. The Applicants are proposing to reserve up to 457 spaces at Oxford Parkway. Whilst this has been agreed in principle with the LHA, the number of spaces is still to be agreed, and it would need to go through a separate process post-planning similar to the temporary closure and other measures at Parkway. Any spaces reserved would be charged the higher matchday fee and are expected to be filled before the modelled period and diversion.

Site Access

9.395. Any access works or works to be carried out on the public highway would require a Section 278 Agreement and require technical approval. This is a separate process post-planning and would require additional road safety audits and further work alongside Oxfordshire County Council's Highway Agreements team. However, an engineer has assessed the proposed works and is satisfied they are feasible and can progress to detailed design. The following comments will need to be taken into account at detailed design stage:

- The paths along Frieze Way will need to tie-in with existing arrangements at Kidlington Roundabout.
- Need to carefully consider the interaction of cycle lanes at bus stops to avoid any potential conflict.
- The proposed crossings and the shared path on the western side of Frieze Way will require street lighting. This will need to be factored into the design.
- The speed limit on Frieze Way should be reduced to 40mph, this will require a variation of the Traffic Regulation Order which can be done before the S278 works are signed off. Although this process is separate to planning permission.
- The tight radius of the vehicles access from Frieze Way is beneficial to the slowing of vehicles entering the site. However, this does appear to be tight for larger vehicles, this may need to be varied at detailed design stage.
- The shared path along Frieze Way should have priority over any farm accesses, however, this can be discussed further at detailed design stage.
- Hostile Vehicle Mitigation needs to be considered carefully. This will need to be agreed between the LHA, the Applicants and Thames Valley Police prior to the Section 278 agreement being completed. Commuted sums will be applied to any apparatus on the highway that needs to be maintained by the County Council.

Travel Plans

9.396. Travel Plans will play an important part in ensuring the operation of the site is in line with the strategy as set out above. The travel plans for the individual elements will be conditioned and monitored as is standard practice. Oxfordshire County Council have seen sufficient detail of the match day operations to feel confident in the acceptability and deliverability of the Matchday Travel Plan and are content with this being progressed to condition stage.

9.397. The Applicant has submitted a framework travel plan with this application, and this plan is acceptable for this stage of the application, however it would need to be updated to a full travel plan prior to the first occupation of this site. This travel plan would need to provide baseline travel information, modal shift targets and a detailed action plan and budget for the delivery of these targets.

9.398. Each of the land uses over the threshold set out in the OCC guidance document would require a supplemental travel plan or travel plan statement, these plans should outline how they will contribute to achieving the overall targets in the framework travel plan. Conditions are recommended for each of the travel plans.

Conclusion

- 9.399. This section summarises and analyses the transport issues, predicted impacts and proposed mitigation related to the application. Reference should be made to the full Local Highway Authority response in Appendix 3, which contains more detailed technical information on all relevant aspects of transport and movement modelling.
- 9.400. This conclusion reflects detailed discussions between Officers, Thames Valley Police, Oxford Bus Company, Stagecoach, Chiltern Railways, Network Rail, British Transport Police and National Highways and careful consideration of the issues raised in representations received during the consultation process, as well as negotiations and discussions with the Applicant and its consultants in order to ensure that the travel predictions are robust and that the proposed transport mitigation measures will be fully effective in achieving the stated travel plan objectives, including acceptable transport outcomes.
- 9.401. Having carefully considered all transport aspects of the proposal; Officers consider that the proposed development is acceptable in highway terms.

Noise and Air Quality

Policy context

- 9.402. The NPPF, at paragraph 196, states that planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments. Paragraph 197 sets out that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 9.403. Paragraph 198 states that planning policies and 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: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.404. Paragraph 199 of the NPPF advises that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

9.405. Policy ENV1 of the CLP 1996 and Policy ESD10 of the CLP 2015 echoes these requirements.

Assessment

9.406. In relation to noise, a baseline noise survey was conducted between 30th September to 4th October 2023. Assessments to determine the potential impacts of noise and vibration associated with construction activities, construction traffic, road traffic noise during match days and match day noise on sensitive receptors have been undertaken; these are all considered to be negligible and therefore not significant.

9.407. Noise criteria has been set for fixed mechanical plant associated with the operation of the proposal, with the expectation that no significant noise effects will result from these sources, assuming these criteria are met through careful design and established mitigation measures, which would be secured by condition. An assessment of vehicle noise in car parks has also been conducted, with the impact of car park noise not considered to be significant.

9.408. An assessment of matchday noise, including the noise generated by patrons of the stadium and the public address system within the stadium, which is expected approximately twice monthly during the season, has been conducted. The assessment determines that this impact would be negligible and therefore not significant.

9.409. Concerns have been raised in relation to the potential for noise from other events, such as concerts. However, the Planning Statement submitted with the application specifies that the proposed use specifically excludes use of the stadium for concerts, which would also be controlled by conditions to restrict the use of the stadium.

9.410. The proposals are therefore not considered to cause materially detrimental levels of noise and are therefore in accordance with development plan policy.

9.411. In relation to air quality, the air quality assessment undertaken considers both construction and operational effects, identifying any necessary mitigation measures to reduce the effects from construction activities and identifying the worst case sensitive receptors, (i.e. those receptors likely to experience the largest changes or the highest emissions) from changes in traffic.

9.412. The qualitative assessment of construction dust effects undertaken for the proposal, using the most up to date dust guidance, found that there is likely to be a 'minor' risk of dust creating nuisance and/or loss of amenity and 'minor' risk of particulate matter (PM10) leading to adverse health effects (without mitigation). Despite the predicted 'minor' risk identified, appropriate mitigation specific to the proposal have been presented. Following the appropriate implementation of the mitigation measures, effects are predicted to be negligible and not significant.

9.413. The assessment also concludes that the proposal is not predicted to cause any exceedances of the annual mean NO₂, PM₁₀ and PM_{2.5} objectives at any of the modelled receptors during construction and operation. The assessment has also demonstrated that the short-term objectives for NO₂ and PM₁₀ are not expected to be exceeded at modelled receptors. The change in local air quality caused by the proposal is predicted to be of 'Negligible' significance.

9.414. Similarly, the assessment concludes that the change in nitrogen deposition with ammonia is less than 0.4 kg N/ha/yr at all ecological receptors during construction and all but two points during operation of the proposal. In accordance with DMRB LA 105, this change of greater than 0.4 kg N/ha/yr predicted at these two locations, has

been reviewed by the Competent expert for Biodiversity and it is concluded to be not significant.

9.415. In terms of inter-project effects (i.e. with other developments), no significant residual effects have been identified, meaning that as the assessment which was undertaken was inherently cumulative (because it included traffic flows associated with other committed developments) that no significant inter-project cumulative air quality effects have been identified.

9.416. The proposal is therefore not considered to conflict with any development plan policies relating to the control of air quality.

9.417. Based on the information provided, there are not anticipated to be impacts arising from land contamination, however a condition which sets out what to do should unexpected contamination be found, is considered to be suitable.

Conclusion

9.418. Taking account of the third party comments, no objections offered by consultees including the Environment Agency, Natural England and the Council's Environmental Protection Officer, the proposals are considered to be acceptable, subject to conditions and in accordance with Development Plan policy and national planning policy guidance.

Lighting

Policy context

9.419. The NPPF at paragraph 198 requires planning decisions to ensure that new development is appropriate for its location taking into account the likely effect including cumulative effects. It requires planning decisions to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

9.420. Policy ESD 15 requires the provision of appropriate lighting and minimisation of light pollution based on appropriate technical assessment.

Assessment

9.421. The application is accompanied by a lighting assessment (as set out in chapter 13 of the ES) which has been carried out to assess the potential effects that lighting from the Proposed Development is likely to have on the identified receptors within the surrounding area.

9.422. The assessment is based on the latest available design information, including the external lighting design and the design of the stadium field of play. Limits are set on the levels of obtrusive light that are acceptable for each identified receptor, with mitigation being embedded into the design to ensure these limits are maintained. The assessment finds that the residual effects of obtrusive light from the proposed development are minor adverse, and not significant.

9.423. The Council's Environmental Protection Officer (EPO) has reviewed the Lighting Assessment and agrees with the conclusions. The EPO is satisfied with the contents and findings of the report however, the final lighting design and light levels should be submitted to and approved by the LPA once they have been finalised and the mitigation laid out in this Lighting Assessment has been implemented in the design of the lighting.

9.424. Several third-party representations have raised concerns regarding the impact of the proposed lighting on bats and the woodland edge. The Lighting Assessment (and separately an ecology response to lighting) confirms that the strategy has utilised the ILP and Bat Conservation Trust Guidance Note 08/23 to inform the design process in respect to lighting impacts on bats. Specific measures have been implemented, as per recommended guidance, that will reduce effects including:

- Installation of back light shields / external light louvres or shields that reduce light spill onto boundary features and woodland buffer zone;
- Horizontal illuminance levels at the southern edge of the site to be less than 0.2 lux which is the recommended lux level acceptable for commuting and foraging bats and switching lights off at dusk and dawn
- External lighting for the stadium will be dimmed by $\leq 50\%$ after 23:00 and once spectators have vacated the Site during match days;
- Luminaires will have zero tilt and an Upward Light Ratio (ULR) of 0% which will avoid light being emitted directly into the sky;
- Correlated colour temperatures of $\leq 3000\text{k}$ will be utilised;
- Reduction of blue light spectrum
- Warmer white colour temperature lights which have lower attractiveness to some invertebrate species (resulting in greater number of insects in dark areas); and,
- Selection of warmer colour temperatures with peak wavelengths greater than 550 nanometres to avoid the component of light most disturbing to bats.

9.425. The Lighting Assessment explains that projects in the earlier stages of design often do not have fixed lighting designs for all elements of the proposal; this is the case with the Proposed Development, with no detail of locations, orientations, mounting angles, photometry etc. available for illuminated signage (including advertising), external building lighting (façade), field of play lighting, internal building lighting, projectors, car park lighting, road lighting, pedestrian walkway lighting, loading bay lighting, and wayfinding lighting.

9.426. Where a detailed lighting design is not available, a qualitative assessment of the likely effects has been provided based upon professional judgement and experience, along with a framework of limitations and mitigation measures to set the basis for all future lighting design for the Proposed Development which can be subject to planning conditions. It further explains that the qualitative assessment of lighting impacts assumes that the achieved levels of lighting for each lighting application would be slightly beyond the minimum required levels (i.e. a worst case scenario).

9.427. Third party representations have raised concerns about the lack of lighting assessment on the proposed Section 278 works to make changes to Frieze Way and Oxford Road to support the Proposed Development and the consequential impact this may have on ecology.

9.428. However, the lighting assessment assumes a worst case scenario for the extent of lighting proposed along Freize Way, to facilitate the S278 works. The lighting is based upon the Design Manual For Roads and bridges (DMRB) guidance documents CD 109:2020 and TD 501:2020. TD 501:2020 requires that, 'there shall not be an unlit gap less than four times the safe stopping distance between lit sections'. As the likely

extents of lighting between lit areas are less than this it is assumed that the lighting will extend to Loop Farm roundabout.

- 9.429. The field of play lighting will be mounted on the underside of the stadium roof with the mounting arrangement following the edges on both the east and west stands. This will allow the field of play lighting to be focused directly onto the pitch and will allow the stadium to act as a shield preventing the spread of light. Due to this mounting arrangement and the shielding effect of the stadium stands, there will not be increases in light intrusion compared to the non-match days

Conclusion

- 9.430. Detailed lighting design will follow the criteria set out in the Lighting Assessment in order to mitigate the proposed development. Through embedding all reasonable and practical mitigation into the lighting design which will be secured by planning condition, it is considered that the proposal meets the requirements of paragraph 198 of the NPPF, Policy ESD 15 of the CLP 2015 and Policy ENV 1 of the CLP 1996.

Flooding and Drainage

Policy context

- 9.431. Section 14 of the NPPF considers the issue of meeting the challenge of climate change, flooding and coastal change. Paragraph 172 states that when determining any applications, local planning authorities should ensure that 'flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site specific flood-risk assessment'.
- 9.432. Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk and resists development where it would increase the risk of flooding and seeks to guide vulnerable developments towards areas at lower risk of flooding.
- 9.433. Policy ESD7 of the CLP 2015, relates to sustainable drainage systems and advises that all development will be required to use sustainable drainage systems (SuDS) 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. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as Lead Local Flood Authority (LLFA). Proposals must also include an agreement on the future management, maintenance and replacement of the SuDS features.

Assessment

- 9.434. The application is supported by a Flood Risk and Drainage Strategy. The comments of the LLFA, EA, Thames Water and CDC Land Drainage Officers are noted.
- 9.435. The application site is located in Flood Zone 1 (low probability) and as such, the development itself is at a low (less than 1 in 1000 year) risk of flooding from rivers or the sea but is more than 1 hectare in size and therefore a detailed Flood Risk Assessment is required. The application was therefore accompanied by a Flood Risk Assessment accordingly.

- 9.436. Surface water flooding is a description for excessive overland flows that have yet to enter a natural or manmade receptor (e.g. aquifer, watercourse or sewer). Surface water flooding also occurs when the amount of runoff exceeds the capacity of the collecting system and spills onto overland flow routes. Surface water flooding is usually the result of very intense, short lived rainfall events, but can also occur during milder, longer lived rainfall events, when collecting systems are at capacity or the ground is saturated. It often results in the inundation of low points in the terrain. In accordance with the EA's Long Term Flood Risk Information, the mapping indicates an area of high-risk surface water flooding shown at the west of the site, which correlates with an area of low topography. Further small areas are indicated at risk of flooding that follow the known locations of the drainage ditches to the southwest and south (beyond Stratfield Brake), ranging from high to low risk.
- 9.437. Drainage ditches invert levels indicate that they convey surface water runoff toward the existing culvert located southwest that discharges under and beyond Frieze Way. A site walkover completed by the applicant's drainage engineers in July 2023 confirmed that the existing culvert is approximately 825mm in diameter and mostly blocked (approx. 85%) with silt, likely restricting flows during large storm events and causing localised flooding particularly in areas of low topography. All remaining areas of the site are considered very low risk of flooding from surface water.
- 9.438. However, the site levels will be raised to circa 64.800m AOD (FFL) and proposed surfaces will be positively drained, therefore alleviating the issue of standing water. The proposed method of discharging is to utilise the existing culvert whilst restricting proposed surface water flows to greenfield runoff rates with the use of a Hydrobrake. Not only will this minimise the offsite flows in accordance with policy requirements it also mitigates the risk of flooding to both the development and its surroundings. In order to achieve this, provisions of sustainable drainage features (SuDS) to attenuate flows are required, which are provided as ponds and geo cellular crates that total an approximate volume of 3,715m³. Hydraulic modelling has confirmed that there is no flooding in the 1 in 30-year storm event and flooding of less than 8m³ during the 1 in 100 year + 40% CC storm event.
- 9.439. Other SuDS features like rain gardens, swales and filter drains will also provide some attenuation. During an exceedance or any flooding caused by blockages, any surface water arising will be contained onsite and due to surfacing designed to fall away from the building, will be held within the car park area until the network is able to drain down.
- 9.440. It will be necessary to provide a suitably designed storm water drainage system to collect, convey and attenuate the additional runoff generated by the development of this site. The net result should be that there is no increase in flood risk to either downstream properties or assets as a result of the development. This will be demonstrated by the developing drainage strategy of the site. This strategy should also include measures to improve run-off quality whilst maximising biodiversity and amenity to provide a sustainable drainage system as noted in Planning Practice Guidance (PPG).
- 9.441. The updated Flood Risk and Drainage Strategy confirms that a connection to the 6 inch water main at the roundabout has been discussed with Thames Water, which will supply the potable water and fire hydrant supply. Thames Water is to confirm that the potable water supply in the area has suitable capacity; discussions with Thames Water are ongoing (see para 9.443 below). The Thames Water foul network has capacity at the moment to accommodate 12l/s from the development. The foul network will need to be upgraded to accommodate the flow rate required by the Proposed Development which Thames Water is obligated to provide. Attenuation storage for foul flows is to be provided on site.

9.442. The EIA assesses the impact of the proposed drainage strategy on receptors within a 1km radius and concludes that there will be no change to the greenfield runoff rates from the Site, there will be a Negligible significance of effect to the impact zone of the Pixey and Yarnton Meads SSSI, the wildlife area adjacent to the Oxford Canal and Stratfield Brake woodland during the construction period (Low sensitivity, Negligible magnitude).

9.443. Thames Water have raised no objection to the proposal, subject to conditions requiring network upgrades to be completed to foul, sewage and water network or a development phasing plan to be agreed, prior to occupation. The Environment Agency similarly do not object, subject to a pre commencement condition requiring the approval of a detailed scheme to dispose of foul drainage.

Conclusion

9.444. The comments and concerns raised by third parties and consultees have been carefully considered. Considering the application site is located in Flood Zone 1 and the applicant's Flood Risk Assessment and Drainage Strategy, the proposals are considered to be acceptable, subject to conditions and in accordance with Development Plan policy and national planning policy guidance.

Sustainability

Policy context

9.445. Section 14 of the NPPF addresses the issue of meeting the challenge of climate change, flooding and coastal change. Policies ESD1-5 of the CLP 2015 similarly deal with these matters.

9.446. Policy ESD1 of the CLP 2015 deals with the issue of Mitigating and Adapting to climate change and includes criteria under which applications for new development will be considered, such as the requirement that development will incorporate suitable adaptation measures to ensure that development is more resilient to climate change impacts by proposing sustainable drainage methods and increased green infrastructure provision.

9.447. Policy ESD2 considers Energy Hierarchy and Allowable Solutions and seeks to achieve carbon emissions reductions where the council will promote an 'energy hierarchy' as follows: reducing energy use, in particular by the use of sustainable design and construction measures; supplying energy efficiently and giving priority to decentralised energy supply; making use of renewable energy and making use of allowable solutions. Any new development will be expected to consider these and address the energy needs of the development.

9.448. Policy ESD3 considers Sustainable Construction and states that 'all new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement'. Cherwell is also in an area of water stress and therefore requires all new development to achieve a limit of 110 litres/person/day.

9.449. Policy ESD4 considers the use of decentralised energy systems and requires a feasibility assessment to be submitted with a relevant application which includes non-domestic developments above 1000sqm floorspace. Policy ESD5 considers renewable energy and requires that all non-residential developments of above 1000sqm of floorspace are accompanied by a feasibility assessment of the potential

for significant on-site renewable energy provision, above that required to meet national building standards.

Assessment

- 9.450. The application is supported by a Sustainability and Energy Statement which seeks to demonstrate compliance with the above-mentioned policy requirements. The statement outlines that compliance would be achieved by adopting a '360 framework' that sets out target ambition levels across a range of sustainability themes.
- 9.451. The statement addresses GHG (Greenhouse Gas) emissions and mitigation measures such as setting out a Construction Environmental Management Plan to minimise construction emissions and to reduce energy usage during construction. The effects from matchday travel are predicted to be positive as the new stadium has a target to achieve more sustainable travel modes compared to the existing stadium. During operation, mitigation measures include introducing low carbon technologies such as air source heat pumps and solar panels, resulting in no significant effects after mitigation.
- 9.452. With regards to climate resilience, risks can be managed and reduced by considering future climate conditions within the detailed landscaping design, and also by monitoring and managing the operation and use of the proposal through its lifetime, including through planning for heatwaves and other extreme weather events to reduce heat-related risks to fans and players.
- 9.453. The BREEAM pre-assessment notes that the Proposed Development is targeting a 'Very Good' rating, with an expected total score of 74.23%. Additionally, a feasibility study of the Low and zero carbon technologies has been undertaken. Heating and cooling will be provided in the form of air source heat pumps to provide space heating and cooling. In addition, PV panels are also proposed as an onsite electricity generation system, further reducing the energy consumption of the building.
- 9.454. In relation to water use, the Statement outlines measures to conserve water, with the primary aim to reduce potable water consumption as much as possible. To ensure the building users can record and analyse their consumption data, a submeter will be provided on the mains water supply, and any areas consuming more than 10% of the annual water consumption will also be metered. Additionally, to reduce wastage due to water leaks, a permanent, automated water leak detection system will be installed to detect major water leaks. This is to be activated when the flow of water passing through the meter is at a flow rate above a pre-set maximum for a pre-set period of time. Flow control devices will be provided to regulate water supply to each WC area or sanitary facility, also to minimise undetected wastage and leaks.
- 9.455. Whilst it is not specified within the Statement, a suitably worded condition can be imposed to ensure that the development achieves a limit of 110 litres/person/day, in accordance with Policy ESD3.
- 9.456. The Sustainability and Energy Statement has been reviewed by the Council's consultant (Bioregional). Whilst comments on the latest submission have not been received these aspects of sustainable design are positive aspects of the scheme and would make a valuable contribution to national/ local climate objectives and achieving policy compliance.
- 9.457. Third party representations have referred to the absence of the environmental cost of disposing of the existing stadium, and that this should be included in the energy, carbon and waste account of the new stadium. The applicants have responded to

these concerns and are committed to conducting a detailed embodied carbon assessment post planning.

Conclusion

9.458. Subject to appropriate conditions, the proposal is considered to comply with the requirements of Policies ESD 1 to 5 of the CLP 2015.

Environmental Statement

9.459. The application is accompanied by an Environmental Statement (ES). undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The ES covers the application site and contains information describing the project, aspects of the environment likely to be significantly affected by the development and measures to prevent or mitigate any identified impacts. Where an ES has been submitted with an application the Local Planning Authority must have regard to it in determining the application and can only approve the application if they are satisfied that the ES provides adequate information.

9.460. A formal scoping opinion was issued by the LPA on 29 September 2023. The structure and the topics in scope within the Environmental Statement align with the Scoping Opinion. The EIA has sought to identify good practice measures to mitigate likely significant adverse environmental effects that might arise as a consequence of constructing and operating the Proposed Development. The assessment process has also sought to determine the residual environmental effects that will remain after mitigation has been incorporated.

9.461. The ES for each chapter considers the impacts and the significance as well as the cumulative effects. It is not possible within this report to set out all of the impacts identified, but below is a summary of the areas covered. The full reports, technical notes and non-technical summary can be viewed via the Council's website. The originally submitted ES was amended by the applicant following the result of consultation responses and third party representations.

9.462. The topic areas covered within the ES are as follows:

- Introductory Chapters, prepared by Ridge and Partners;
- Landscape and Visual Impact, prepared by Fabrik
- Ecology and Nature Conservation, prepared by Ecology Solutions
- Cultural Heritage and Archaeology, prepared by Cotswold Archaeology
- Transport and Access, prepared by Ridge
- Noise and Vibration, prepared by Mott Macdonald
- Air Quality, prepared by Mott Macdonald
- Lighting, prepared by Mott Macdonald
- Flood Risk and Drainage, prepared by Mott Macdonald
- Socio-Economics, prepared by Ekosgen
- Climate Change, prepared by Mott Macdonald

- Waste, prepared by Mott Macdonald
- Major Accidents and Disasters, prepared by LUC
- Cumulative Effects, prepared by Ridge and Partners

9.463. The overall conclusions of the ES are that during construction, there will be some adverse significant effects associated with the proposed works, primarily in relation to the effects on site landscape, contextual landscape, visual effects from residential properties, Stratfield Brake and users of some local roads and PRowS. The majority of these effects will be temporary and mitigated as far as practicable through implementation and adherence to measures set out within the CEMP. Once the development is operational, there will be significant adverse effects on contextual landscape and site landscape by the very nature of the site being developed. There will also be significant visual effects on users of Oxford Road and Frieze Way, users of the PRow Footpath 229/4/30 to the east of the Site and users of Stratfield Brake. There will be significant beneficial effects in terms of the creation of natural and semi-natural habitats, plant and habitat for bats and invertebrates. In terms of highways, there will be significant beneficial effects in terms of pedestrian delay and non-motorised user delay on both Oxford Road and Frieze Way, although there will be significant effects on driver delay on 4 local road links on match-days, albeit this will be for a temporary period and irregular in nature. There will be significant beneficial effects in terms of labour market. No residual significant effects are anticipated in respect of all other topics.

9.464. Officers consider that the information provided in the ES and subsequent addendums accords with the EIA Regulations in terms of what is required for inclusion within an ES and the environmental information before the Council (which includes relevant representations from statutory and non-statutory consultees as well as the public representations) and is considered to be sufficient to enable the planning application to be determined in accordance with the EIA regulations.

Planning Obligations

9.465. Paragraph 56 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

9.466. Paragraph 58 continues by stating that planning obligations must only be sought where they meet all of the following tests⁵:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

9.467. Policy INF1 of the CLP 2015 covers the issue of infrastructure and requires proposals to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.

9.468. The Council also has a Developer Contributions SPD in place which was adopted in February 2018. It should, however, be noted that this is a general guide and development proposals will continue to be assessed on a case-by-case basis with the

⁵ Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010

individual circumstances of each site being taken into consideration when identifying infrastructure requirements.

9.469. Draft Heads of Terms have been prepared and is in the process of being negotiated with the applicants and which are based on the application documents and the Officers' negotiations with the Applicants since the application was submitted. The following items are likely to be included:

- An obligation to secure apprenticeship and training requirements, as set out in the Council's Adopted Developer Contributions SPD (2018)
- Payment of a contribution towards Public Art proportionate to the cultural significance of the development which can help integrate it into the evolving sense of place in the area.
- Contributions and obligations to secure improvements to the highway network. These are set out in Appendix 2 of this report, within the Local Highway Authority response.
- Payment of contributions towards Chiltern Railway improvements, as set out in Appendix 2 of this report.
- Woodland Management Plan
- Community Use Agreement obligations to provide measures to enforce the various community use commitments by OUFC
- Biodiversity Net Gain (on site monitoring)
- Payment of the Council's Monitoring Costs

9.470. It is considered that in the event that the Planning Committee resolve to approve this application, this would be subject to the completion of a S106 agreement. As such, it is considered that the proposed development will comply with Policy INF1 of the CLP 2015 as well as guidance outlined in paragraph 56 of the NPPF. Details of the S106 contributions/obligations can be seen in Appendix 2 of this report.

10. PLANNING BALANCE AND CONCLUSION

10.1. As detailed in Section 8 of this Report, Section 38(6) of the Planning and Compulsory Purchase Act requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

10.2. Section 13 (paragraphs 142 to 156) of the NPPF sets out national Green Belt policy. The NPPF (2024) post-dates the Cherwell Local Plan and so provides up-to-date Green Belt Policy.

10.3. Paragraph 11 of the NPPF highlights how to apply the presumption in favour of sustainable development. For decision taking, the presumption in favour of sustainable development means approving development proposals that accord with an up to date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed;
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

10.4. The proposed development is considered to be inappropriate development within the Green Belt by definition, as it does not fall within any of the exceptions set out by paragraph 154 of the NPPF; it comprises the provision of a stadium with associated commercial facilities and hard/soft landscaping which do not preserve the openness of the Green Belt. The proposed stadium, owing to its height, bulk, mass and materiality causes substantial harm to the openness of the Green Belt.

10.5. Whilst the December 2024 NPPF introduced the concept of 'Grey Belt', this site has been assessed not to comprise Grey Belt land.

10.6. Paragraph 153 of the NPPF requires the decision maker to give substantial weight to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.7. The applicant has made a case that there are very special circumstances applicable to this case. In terms of what constitutes very special circumstances, this depends on the weight of each of the factors put forward and the degree of weight to be accorded to each is a matter for the decision taker, in this case the Planning Committee, acting within the "Wednesbury Principles"⁶. This stage will often be divided into two steps. The first is to determine whether any individual factor taken by itself outweighs the harm and the second is to determine whether some or all of the factors in combination, outweigh the harm. There is case law that says that a number of factors, none of them "very special" when considered in isolation, may when combined together amount to very special circumstances and goes on to say that "there is no reason why a number or factors ordinary in themselves cannot combine to create something very special"⁷.

10.8. The factors considered in section 9 above and summarised below, individually do not represent very special circumstances and the question for the decision taker is whether collectively those factors combine with sufficient weight to represent the very special circumstances that would overcome the harm to the Green Belt. To assist in the decision making process the following tables have been produced:

10.9.

Very Special Circumstance	Weight to be attached *
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⁶ [The 'Wednesbury Principle' is a legal doctrine. It states that a decision made by a public authority can be quashed through judicial review if it is so unreasonable that no reasonable authority could have made it.](#)

⁷ Redhill Aerodrome Ltd v Secretary of State for Communities and Local Government [2014] EWCA Civ 1386

The need to locate from the Kassam Stadium	Substantial weight
Financial sustainability of owning their (OUFC) own stadium	Limited Weight
Lack of alternative sites	Substantial Weight
The importance of keeping OUFC in the local area	Substantial weight
Benefits for fans	Limited Weight
Benefits for women's football/ the club	Moderate Weight
Other community benefits including socio-economic benefits	Substantial Weight
Sustainable design and operational benefits	Moderate Weight
Sustainable transport benefits	Substantial Weight
Biodiversity enhancement measures	Moderate Weight
Access to the Green Belt	Limited Weight
Precedent Appeal decisions	No weight applicable
English Football League (EFL) requirements	Substantial Weight

*

Scale of weight is as follows: Substantial; Moderate; Limited.

10.10. The relocation of OUFC is rooted in the need to find an alternative site in the absence of any other feasible, practical or realistic alternatives to accommodate a proposed stadium and in order to improve its viability as a business operation and maintain its socio-economic contribution to the area. In addition, to secure the long term prospects of OUFC, the club is in need of financial self sufficiency, that the existing location does not and will not provide.

10.11. There is no general requirement in the NPPF or development plan for a developer to undertake an alternative or sequential site assessment. This approach was recently corroborated in an appeal decision for development within the Green Belt for a Battery Energy Storage Facility⁸. The Inspector noted that:

The Courts have held, that the task of a decision maker is to consider the planning merits any particular planning application and as such planning law does not require the decision maker to consider whether the proposed development would be more appropriately located at an alternative site. That said, the Courts have held that there may be exceptional circumstances such that a potential alternative is a material consideration which the decision maker either must have regard to, or may have

⁸ Appeal Ref: APP/V4630/W/24/3347424 Land off Chapel Lane, Great Barr, Walsall

regard to, in the exercise of planning judgment. Although the site is within Green Belt, this location is not, on its own or cumulatively, a bar to development. However, whilst the location of the site does not represent an exceptional circumstance, an ASA has been submitted and it is a material consideration that attracts significant weight.

- 10.12. The applicants have undertaken a robust assessment of alternatives and have concluded that there are no alternative sites suitable for this proposal. The assumptions made in respect of site availability, landscape and visual harm have been challenged and scrutinised by Officers and independent consultants and there is no reason to disagree with the conclusions therein. This site, when considered against other sites is the third most preferential (behind the Kassam Stadium, where it is accepted that OUFC cannot remain and behind site 30 which has been confirmed as being unavailable).
- 10.13. The proposed stadium represents a significant upgrade to the existing facilities at the Kassam Stadium, which provides greater opportunities for women's and youth games. The alleged community benefits, including year-round access to the stadium's inclusive community facilities, which could be used by local sports groups and the wider community, support for local sporting facilities, limited free access to facilities by local schools, hosting of local community events and the potential for education provision on site, must be tempered by the fact that the club is a private entity and public use is not automatic or legally required.
- 10.14. Several community benefits are not dependent on the development of this specific site. For example, the OUitC programmes, whilst beneficial and which provide a valuable contribution to the development of sport in under-represented areas, are not location specific and can continue to make these contributions regardless of where the team plays. However, should the Club cease to exist without a new home stadium, these community benefits may also cease. Similarly, the proposed conference facilities are primarily commercial in nature and not demonstrably community amenities.
- 10.15. The very special circumstances factors are compelling. However, as set out at paragraph 153, very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 10.16. In terms of "other harm", as per paragraph 153 of the NPPF, the development would clearly impact openness given the scale of the development in a part of the green belt which is fragile and where development would significantly weaken the distinction between Kidlington and Oxford. The land makes a significant contribution to the Green Belt and its purposes in this location. The development would cause significant landscape and visual harm at a localised level and there would be some impacts to ecology which would need to be carefully mitigated and compensated for.
- 10.17. To avoid and minimise additional harm beyond the 'by definition' harm of allowing inappropriate development in the Green Belt (which attracts substantial weight), mitigation has been secured to achieve a neutral impact on a number of factors. This includes: improvements to the surrounding transport network and the inclusion of measures to encourage the use of public transport and active mode travel; measures to reduce and enhance ecological impact, notably through a requirement to achieve biodiversity net gain; inclusion of a package of works and planning obligations to reinforce supporting infrastructure capacity; and discipline specific measures to protect residential amenity, notably in relation to noise, air quality and lighting.

- 10.18. Account has been taken of the impacts of the development, including the landscape and visual impacts, change to the existing setting of nearby receptors and the impact to the openness of and the direct loss of Green Belt land, which has been considered and weighed in the planning balance.
- 10.19. Taking into consideration the assessment of impacts and resulting harm from the development as presented in this report, the residual effects and the weight to be attributed to them can be summarised as follows:

Material planning consideration	Summary of assessment	Overall impact*
Heritage	Neutral impact on setting of heritage assets and archaeological features	NEUTRAL
Trees and Ecology	Negative impact on local populations for bats and nesting birds and invertebrates, negative impact on loss of TPO trees; significant positive for overall Biodiversity Net Gain (20%) although the overall benefit is tempered by this needing to be achieved primarily off site.	MODERATE POSITIVE
Landscape and visual impact	Temporary negative impact during construction; residual impact on the openness of the Green Belt; positive impact on increased site vegetation; negative impact on landscape, townscape; negative visual impact on residential, road network and open spaces.	SIGNIFICANT NEGATIVE
Design	Positive impact on improved inclusive facilities enabling wider participation	MODERATE POSITIVE
Retail impact	Neutral impact on Kidlington village centre	NEUTRAL

Residential amenity	Temporary negative impact during construction, neutral impact operationally	NEUTRAL
Transport and Highway safety	Temporary negative impact during construction; neutral impact on the highway network and highway safety; significant positive impact on pedestrian and cycling movement, rail infrastructure facilities and bus services; neutral impact on match/events days on the highway network and public transport; neutral impact on parking.	MODERATE POSITIVE
Noise and air quality	Temporary negative impact during construction, neutral impact operationally	NEUTRAL
Lighting	Neutral impact operationally	NEUTRAL
Flooding and drainage	Positive impact on surface water drainage, neutral impact on groundwater	MODERATE POSITIVE
Sustainability	Positive impact on energy reduction, fabric performance and renewable technology integration potential negative impact on embodied carbon	MODERATE POSITIVE
Social infrastructure	Significant positive impact on employment	SIGNIFICANT POSITIVE
Public and community benefit	OUI/C	SIGNIFICANT POSITIVE

**Scale of impact is as follows: Significant positive; Moderate positive; Neutral; Moderate negative; Significant negative*

- 10.20. This table indicates that there would be positive social, economic and environmental aspects to the development. The area of greatest harm is to the landscape and visual receptors at a localised level. There is a presumption in favour of sustainable development.
- 10.21. As per paragraph 215 of the NPPF, it is also necessary, due to the identification of the potential for less than substantial harm to heritage assets (i.e. below ground archaeology), to weigh this harm against the public benefits of the proposal, including where appropriate, securing its optimal viable use. In this case and for the reasons set out throughout this conclusion which represent significant public benefits, it is considered that those benefits outweigh the harm to designated heritage assets. This also acknowledges the required planning conditions sought by the OCC Archaeology team which has led to their response of no objection.
- 10.22. The weight to be attributed to the Club's very special circumstances is set out in the tables above. Although regard needs to be had to the full weighting of benefits and harms set out above, it is considered that the pressing need to find OUFC, an important social and community institution, a new home and in sufficient proximity to comply with EFL rules, the absence of alternatives, and the benefits that the scheme delivers outweigh that harm in this case, notwithstanding the significance of some of those harms.
- 10.23. Whilst Officers recognise that there would be an inevitable degree of adverse impact from the level of activity associated with the maximum of 43 home match days a year and up to 580 other events per year (of varying scales, anticipated as being minor events of around 10-30 people up to approximately 68 events with an average of 700 people), this impact would be controlled and mitigated to an acceptable level in accordance with the various plans that will manage activities at the site and surrounding area, in particular the Travel Plans, the Crowd & Traffic Management strategy and Evacuation Strategy which will contain specific mitigation measures relating to such events. Officers consider that in relation to the community uses of the Stadium there would be positive impacts from the proposal, as detailed earlier in this report by reference to the VSC. For example, by making the Stadium and its associated facilities more accessible and inclusive, both through design and free use of some of the spaces in a more sustainable location within the community.
- 10.24. All of these impacts are considered likely to be very positive for the health and wellbeing for the communities of Kidlington, Oxford and Oxfordshire as a whole and outweigh the harm to the Green Belt caused by the construction of the stadium and the associated home match day and other activities that will be generated at the stadium and other associated uses. As detailed in the consultation response section above, the current proposal has not received any objection from any other statutory consultees, including the Local Highway Authority, Lead Local Flood Authority, Environment Agency, Natural England or National Highways.
- 10.25. After very careful consideration and detailed negotiations with the applicants in relation to the design and content of the proposed development, as well as the stringent requirements of the recommended planning conditions and obligations, Officers have concluded that very special circumstances to justify this proposed development have been demonstrated, on the basis that the harm to the Green Belt by reason of inappropriateness, and the other harm from the proposal, is clearly outweighed by the other considerations listed above.
- 10.26. Referral to the Secretary of State: Given that the application comprises a major development which is a departure from the Development Plan due to the development comprising inappropriate development in the Green Belt, if members are minded to approve the application it will need to be referred to the Secretary of State. The

Secretary of State will then determine whether she wants to 'call in' the application for determination or whether this can be determined at the local level.

RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO

- (i) REFERRAL TO SECRETARY OF STATE AS THE APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN**
- (ii) THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY), AND**
- (iii) THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, TO SECURE THE MITIGATION SET OUT IN APPENDIX 2 (AND ANY AMENDMENTS TO THOSE OBLIGATIONS AS DEEMED NECESSARY)**

FURTHER RECOMMENDATION: THE STATUTORY DETERMINATION PERIOD FOR THIS APPLICATION EXPIRES ON 15 AUGUST 2025. IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT IS 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:**
 - a) Transport - The proposed development fails to provide a mechanism (via a Section 106 legal agreement) to ensure the provision of necessary transport and highway works to satisfactorily mitigate its impacts or meet the travel demand created by the development. Without a section 106 agreement the necessary highway works could not be secured to ensure safe access to and egress from the site or the promotion of use of sustainable modes of transport including walking, cycling or the provision of a public route through the site. In addition, there would not be a mechanism to ensure the proposed highway works are carried out in a timely way or are safely designed. The proposal is therefore contrary to policies SLE4 and INF1 of the Cherwell Local Plan 2011-2031, guidance within the Council's Developer Contributions SPD (February 2018) and guidance within the National Planning Policy Framework.**
 - b) Apprenticeship and Training - The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure an Employment and Training Strategy specifying how the developer or their main contractors will provide opportunities for local people to gain employment or training on the construction phase of the proposed development contrary to Policy INF1 of the Cherwell Local Plan 2011-2031, guidance within the Council's Developer Contributions SPD (February 2018) and guidance within the National Planning Policy Framework.**
 - c) Public Art - The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure delivery towards the provision of a public art, proportionate to the cultural significance of the development, contrary to Policy INF1 of the Cherwell Local Plan 2011-2031, guidance within the Council's Developer Contributions**

SPD (February 2018) and guidance within the National Planning Policy Framework.

- d) Railway Improvements – The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure financial contributions towards Chiltern Railway improvements, without which, adequate rail capacity to serve the new stadium could not be delivered. This would prevent the effective implementation of the travel plan strategies and undermine the assumptions within the Transport Assessment, to the detriment of highway safety, contrary to Policy SLE4 and INF1 of the Cherwell Local Plan 2011-2031, guidance within the Council’s Developer Contributions SPD (February 2018) and guidance within the National Planning Policy Framework..**
- e) Woodland Management Plan – The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure necessary improvements to the Stratfield Brake woodland to the south of the site to ensure the long term resilience of the woodland by safeguarding against direct and indirect harm, contrary to policy ESD10 of the Cherwell Local Plan 2011-2031 and guidance within the National Planning Policy Framework.**
- f) Community Use Agreement - The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure measures to enforce the various community use commitments made by the applicants, to provide direct socio-economic benefits to the community, contrary to Policies BSC12 and INF1 of the Cherwell Local Plan 2011-2031, guidance within the Council’s Developer Contributions SPD (February 2018) and guidance within the National Planning Policy Framework..**
- g) Biodiversity Net Gain (BNG) - The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure and maintain on site, long term habitat enhancement commitments, contrary to policy ESD10 of the Cherwell Local Plan 2011-2031 and guidance within the National Planning Policy Framework.**

Monitoring - The proposal fails to provide a mechanism (via a Section 106 legal agreement) to secure a financial contribution to ensure timely monitoring of the s106 agreement and ensure effective implementation of relevant Development Plan policies contrary to Policy INF1 of the Cherwell Local Plan 2011-2031, guidance within the Council’s Developer Contributions SPD (February 2018) and guidance within the National Planning Policy Framework.

DRAFT CONDITIONS

Time limit

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.

Reason - 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 following approved plans and documents:

Site Location Plan - OUFC AFL ZZ 00 DR A 000001 - P09
 Site Masterplan OUFC AFL ZZ 00 DR A 001000 - P08
 Proposed Site Elevations OUFC AFL ZZ ZZ DR A 002001 - 05
 Existing Site Sections OUFC AFL ZZ ZZ DR A 003000 - P03
 Proposed Site Sections OUFC AFL ZZ ZZ DR A 003001 - P05
 Elevations West And North Stand OUFC AFL ZZ ZZ DR A 202001 - P17
 Elevations East And South Stand OUFC AFL ZZ ZZ DR A 202002 - P17
 Main Sections OUFC AFL ZZ ZZ DR A 203000 - P13
 Access General Arrangement Part 1 5018932 RDG XX XX DR H PL001 - P04
 Access General Arrangement Part 2 5018932 RDG XX XX DR H PL002 - P04
 Access General Arrangement Part 3 5018932 RDG XX XX DR H PL003 - P04
 Access Vehicle Access And Egress 5018932 RDG XX XX DR H PL005 - P04
 Car Parking And Delivery 5018932 RDG XX XX DR H PL012 - P04
 Existing Site Elevations OUFC AFL ZZ ZZ DR A 00200 - P04
 Level 00 GA Floor Plan OUFC AFL 00 00 DR A 201000 - P25
 Level 01 GA Floor Plan OUFC AFL 00 01 DR A 201010 - P24
 Level 02 GA Floor Plan OUFC AFL 00 02 DR A 201020 - P23
 Level 03 GA Floor Plan OUFC AFL 00 03 DR A 201030 - P24
 Level 04 GA Floor Plan OUFC AFL 00 04 DR A 201040 - P23
 Level 05 Hotel Roof Plan OUFC AFL 00 05 DR A 201050 - 13
 Level 06 Roof Plan OUFC AFL 00 06 DR A 201060 - P13
 Landscape General Arrangement plan OUFC FAB 00 XX DR L 1001 - P21
 Landscape Section A-AA OUFC FAB 00 XX DR L 8000 - PL03
 Landscape Sections B-BB, D-DDOUFC FAB 00 XX DR L 8001 - PL03
 Landscape Section C-CC OUFC FAB 00 XX DR L 8002 - PL03
 Landscape Section E-EE OUFC FAB 00 XX DR L 8003 - PL03
 Landscape Sections F-FF, G-GG, H-HH OUFC FAB 00 XX DR L 8004 - PL03
 Landscape Sections J-JJ, K-KK OUFC FAB 00 XX DR L 8005 - PL03
 Illustrative Landscape Masterplan OUFC FAB 00 XX DT L 1000 - P21
 Typical Planting Details- Soil Profile planOUFC FAB XX XX DR L 8700 - P01
 Typical Planting Details-Tree Pitts 1 OUFC FAB XX XX DR L 8701 - P01
 Typical Planting Details - Tree Pits 2 OUFC FAB XX XX DR L 8702 - P01
 Hard Landscaping Legend OUFC-FAB-00-XX-DR-L-2000 - PL01
 Hard Landscaping Gen Arrangement 1 of 9 OUFC-FAB-00-XX-DR-L-2001 PL01
 Hard Landscaping Gen Arrangement 2 of 9 OUFC-FAB-00-XX-DR-L-2002 PL01
 Hard Landscaping Gen Arrangement 3 of 9 OUFC-FAB-00-XX-DR-L-2003 PL01
 Hard Landscaping Gen Arrangement 4 of 9 OUFC-FAB-00-XX-DR-L-2004 PL01
 Hard Landscaping Gen Arrangement 5 of 9 OUFC-FAB-00-XX-DR-L-2005 PL01
 Hard Landscaping Gen Arrangement 6 of 9 OUFC-FAB-00-XX-DR-L-2006 PL01
 Hard Landscaping Gen Arrangement 7 of 9 OUFC-FAB-00-XX-DR-L-2007 PL01
 Hard Landscaping Gen Arrangement 8 of 9 OUFC-FAB-00-XX-DR-L-2008 PL01
 Hard Landscaping Gen Arrangement 9 of 9 OUFC-FAB-00-XX-DR-L-2009 PL01
 Detailed Planting plan 1 of 12 OUFC-FAB-00-XX-DR-L-3001 - PL01
 Detailed Planting plan 2 of 12 OUFC-FAB-00-XX-DR-L-3002 - PL01
 Detailed Planting plan 3 of 12 OUFC-FAB-00-XX-DR-L-3003 - PL01
 Detailed Planting plan 4 of 12 OUFC-FAB-00-XX-DR-L-3004 - PL01
 Detailed Planting plan 5 of 12 OUFC-FAB-00-XX-DR-L-3005 - PL01
 Detailed Planting plan 6 of 12 OUFC-FAB-00-XX-DR-L-3006 - PL01
 Detailed Planting plan 7 of 12 OUFC-FAB-00-XX-DR-L-3007 - PL01
 Detailed Planting plan 8 of 12 OUFC-FAB-00-XX-DR-L-3008 - PL01
 Detailed Planting plan 9 of 12 OUFC-FAB-00-XX-DR-L-3009 - PL01
 Detailed Planting plan 10 of 12 OUFC-FAB-00-XX-DR-L-3010 - PL01
 Detailed Planting plan 11 of 12 OUFC-FAB-00-XX-DR-L-3011 - PL01
 Detailed Planting plan 12 of 12 OUFC-FAB-00-XX-DR-L-3012 - PL01
 Landscape Details - Furniture 1 of 6 OUFC-FAB-00-XX-DR-L-8100 - PL01
 Landscape Details - Furniture 2 of 6 OUFC-FAB-00-XX-DR-L-8101 - PL01

Landscape Details - Furniture 3 of 6	OUFC-FAB-00-XX-DR-L-8102 - PL01
Landscape Details - Furniture 4 of 6	OUFC-FAB-00-XX-DR-L-8103 - PL01
Landscape Details - Furniture 5 of 6	OUFC-FAB-00-XX-DR-L-8104 - PL01
Landscape Details - Furniture 6 of 6	OUFC-FAB-00-XX-DR-L-8105 - PL01

Environmental Statement dated February 2024
Environmental Statement Addendum dated December 2024

Biodiversity Net Gain dated May 2025

Arboricultural Impact Assessment dated June 2025

Transport Assessment Addendum dated March 2025

Retail Impact Assessment Addendum dated November 2024

Utilities Statement V4 dated November 2024

Geotechnical and Geo-Environmental Desk Study December 2023

QuitC Community Benefits dated June 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.

Materials

Sample materials

3. Full details of the development, including samples of all materials to be used for the external surfaces shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples shall include sample panels, glazing and a roofing material sample combined with a schedule of the exact product references.

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.

Sample boards

4. All approved materials shall be erected in the form of a samples board to be retained on site throughout the works period concerned and the relevant parts of the works shall not be carried out otherwise than in accordance with the approved details.

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.

Energy

BREEAM

5. Development shall take place in accordance with the approved details (Sustainability and Energy Statement Feb 2024 and subsequent amendments) of on-site renewable energy provision and it shall be occupied until the approved on-site renewable energy provision is operational and shall be retained as such thereafter. The development shall deliver, as a minimum, a BREEAM 'Very Good' standard.

Reason: In the interests of ensuring that major development takes all reasonable opportunities to operate more sustainably in accordance with the requirements of Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

Security

Counter-terrorism measures

6. Prior to the commencement of development above slab level, details of counter-terrorism measures for the stadium building, concourse and fan zone, Oxford Road, Oxford Parkway Park and Ride and Frieze Way, which have been reviewed and approved by a Register of Security Engineers and Specialists registered engineer, shall be submitted to the Local Planning Authority and approved in writing, in consultation with Thames Valley Police. Approved measures shall thereafter be implemented prior to the first use of the stadium and maintained permanently thereafter.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

Note: The counter terrorism measures must include;

- *Hostile Vehicle Mitigation Measures, locations and specifications*
- *Blast mitigation measures*
- *Specification of walling and laminated glazing of the stadium building*
- *Specification/design of public litter bins and street furniture*

Secured by Design

7. Prior to first occupation or use of the development, Secured by Design accreditation shall be achieved for the development hereby approved. The development shall be carried out in accordance with the approved Secured by Design principles.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

Secured Environments

8. Prior to first occupation or use of the development, Secured by Design "Secured Environments" shall be achieved for the development hereby approved. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In

accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

Restriction of Use

9. The stadium bowl and pitch area hereby permitted shall be limited to Use Class F2 for outdoor sports only, and shall not be used for the purposes of accommodating an amplified music concert.

Reason: In the interests of the public safety and to ensure the development does not harm the amenities of the occupiers of surrounding properties and users of the open spaces surrounding the stadium and to be consistent with the assessment and other environmental information provided under the EIA process in accordance with Policies ENV1 and ESD15 of the Cherwell Local Plan 2011 and Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f) of the NPPF.

10. No more than 43 professional or semi-professional football games shall be played at the stadium in each calendar year.

Reason: To ensure that the development accords with the principles and parameters that have been assessed in the EIA process and the transport assessment relating to this application in accordance with policies ENV1 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

11. The club shop hereby permitted shall be used for the sale and display of non-food goods relating to Oxford United Football Club and for no other goods whatsoever.

Reason: To enable the local planning authority to retain planning control over the development of this site in order to safeguard the amenities of the area and to sustain the vitality and viability of Kidlington village centre, 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.

Evacuation Strategy

12. Prior to commencement of development above slab level, a full emergency/exceptional evacuation strategy shall be submitted to the local planning authority and approved in writing in consultation with Thames Valley Police and the Local Highway Authority. The strategy shall demonstrate that emergency vehicle access into the site is maintained during such events. The development shall not be brought into use until the Evacuation Strategy has been agreed. Thereafter and for the life of the development, the Evacuation Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of highway safety, security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1

Segregation Strategy

13. Prior to the first occupation or use of the development hereby approved, an

external fan segregation strategy shall be submitted to the local planning authority and approved in writing, in consultation with Thames Valley Police. The strategy shall demonstrate safe and effective fan segregation on match days. The strategy should include, as a minimum, details of how Home and Away fans will be separated during the ingress and egress phase.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

CCTV strategy

14. Prior to the first occupation or use of the development hereby approved, a CCTV strategy shall be submitted to the local planning authority and approved in writing, in consultation with Thames Valley Police. The strategy shall demonstrate effective CCTV coverage of the stadium site.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development and in the interests of security and the prevention of crime. In accordance with NPPF 2024, Section 8, paragraph 102; Section 12 paragraph 96 (b); Section 12 paragraph 135 (f), Policy ESD15 of the Cherwell Local Plan 2011 Part 1.

External Lighting scheme

15. Prior to the commencement of the development above slab level, details of a proposed external lighting scheme, which shall provide details of lighting levels on match days, non match days and any other events, provide details of timing and seasonal differences and which shall adhere to the recommendations within the ILP and Bat Conservation Trust Guidance Note 08/23 *Bats and Artificial Lighting in the UK, Bats and the Built Environment Series (Bat Conservation Trust and ILP 2023)* shall be submitted to the local planning authority and approved in writing. The scheme shall also set out the steps that will be taken to ensure that external lighting promotes a secure environment that supports effective CCTV operations and does not cause a nuisance to local residents and shall demonstrate that external lighting to be positioned to the south of the site as set out in document titled 'Ecology Response to Lighting Technical Note' – June 2025 prepared by Ecology Solutions shall not exceed 0.2 lux horizontal illuminance and 0.4 lux vertical illuminance and that the pedestrian access points on the Eastern boundary shall be lit by not more than 1-2.5 lux above the baseline. The external lighting shall be implemented in accordance with the approved scheme and shall be retained and operated in accordance with the approved details thereafter.

Reason: In the interests of the public safety, to ensure a satisfactory standard of development, in the interests of security and the prevention of crime and to mitigate for the potential impacts of artificial lighting on protected species, specifically bats. In accordance with Policies ESD10 and ESD15 of the Cherwell Local Plan 2011-2031 and in accordance with the guidance contained within the National Planning Policy Framework.

Ecology (additional conditions at the end)

16. No development shall commence unless and until an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions has been submitted to and approved in

writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in strict accordance with the approved AMS.

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.

Landscape

Landscaping and Boundary Treatment

17. No development shall take place until a Landscape Management Plan (which includes a Boundary Treatment Plan and Planting Schedule), and details of implementation and maintenance, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). Planting shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

Reason: To mitigate any adverse impact from the development on the A34 and to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Public Toilets – hours of use

18. The public toilets hereby permitted shall only be open for use of match days during operational hours, and between the hours of 0700 and 1800 on non-match days. Out of these hours, the public toilets shall be closed and locked.

Reason: To mitigate any adverse impact from the development on the A34 and to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Drainage

Drainage Scheme – EA

19. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. This will include confirmation from the sewerage undertaker that the receiving Sewage Treatment Works has the capacity to accept flows from this development. The scheme shall be implemented and thereafter maintained as approved.

Reason: The Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class and/or prevent the recovery of Thames (Evenlode to Thame) and/or Northfield Brook water body.

Drainage Details

20. No development hereby permitted shall take place until full details of new drainage

and its location shall be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The development shall thereafter be undertaken in strict accordance with the approved details prior to the first occupation of the development and retained in accordance with the agreed specification. No surface water shall be permitted to run off from the development onto the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development may be made to any Strategic Road Network drainage systems.

Reason: To ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and paragraph 59 of DfT Circular 01/2022.

Foul Water Upgrades

21. The development shall not be occupied until confirmation has been provided that either:-

1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or-
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - In the interests of sustainability and to ensure a satisfactory form of development. Network reinforcement works are likely to be required to accommodate the proposed development to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with Government guidance contained within the National Planning Policy Framework.

All Water Upgrades

22. No development shall be occupied until confirmation has been provided that either:-

- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development 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, in accordance with Government guidance contained within the National Planning Policy Framework.

No development within 5m of the water main

23. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must

be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: In order to protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.

Surface Water Drainage

24. Construction shall not begin until; 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;
- 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

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

SuDS A Built and Maintenance Details

25. 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.

Highways

Construction Environment Management Plan

26. No development shall commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways).

The CEMP shall include, but not be limited to the following:

- Construction programme for the site;
- the proposed construction traffic routes to the site, to be identified on a plan;
- Construction Traffic Management Plan (to include the co-ordination of deliveries and plant and materials and the disposing of waste resulting from by vegetation clearance, ground works, demolition and/or construction to avoid undue interference

with the operation of the public highway, particularly during the Monday-Friday AM

Peak (0800-0900) and PM Peak (1700-1800) periods);

- an estimate of the daily construction vehicles, number and type profiled for each construction phase, identifying the peak level of vehicle movements for each day
- Cleaning of site entrances, site tracks and the adjacent public highway;
- management and hours of construction work and deliveries;
- area(s) for the parking of vehicles of site operatives and visitors;
- area(s) for the loading and unloading of plant and materials;
- area(s) for the storage of plant and materials used in constructing the development;

- details of effective silt and pollution mitigation measures;

- siting and details of wheel washing facilities;

- the mitigation measures in respect of noise and disturbance during the construction

phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;

- a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;

- details of waste management arrangements;

- Details of any proposed strategic road temporary traffic management measures on the SRN;

- the storage and dispensing of fuels, chemicals, oils and any hazardous materials (including hazardous soils);

- measures to avoid impacts on the non-statutory designated sites and retained habitats;

- details of drainage arrangements during the construction phase identifying how surface water run-off will be dealt with so as not to increase the risk of flooding to downstream areas because of the construction programme;

- protection measures for hedgerows and grasslands;

- contact details of personnel responsible for the construction works; and

- soil movement, methods of tracking soil movement and details for demonstrating soil will be suitable for use.

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

Reason: To mitigate any adverse impact from the development on the A34, to ensure that the A34 continues to be an effective part of the national system of

routes for through traffic in accordance with section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.

Construction Traffic Management Plan (CTMP)

27. A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify;

- The CTMP must be appropriately titled, include the site and planning permission number.
 - Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
 - Details of and approval of any road closures needed during construction.
 - Details of and approval of any traffic management needed during construction.
 - Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
 - Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
 - The erection and maintenance of security hoarding / scaffolding if required.
 - A regime to inspect and maintain all signing, barriers etc.
 - Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
 - The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
 - No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
 - Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
 - A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
 - Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
 - Any temporary access arrangements to be agreed with and approved by Highways Depot.
 - Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic time.

Travel Plan

28. Prior to the first occupation of the site an updated, comprehensive, framework travel plan shall be submitted to and agreed in writing by the local planning authority, together with a supplementary travel plan or travel plan statement for each of the ancillary land uses within 3 months of first occupation.

Reason: To promote sustainable modes of transport.

Public Transport Information System

29. Prior to commencement of development details of the Public Transport Information System should be provided and agreed by the Local Planning Authority. The development should not be brought into use until the Public Transport Information System has been provided within the site in accordance with the approved details. Thereafter and for the life of the development, the applicant must ensure retention and adequate maintenance of the Public Transport Information System.

Reason: To promote sustainable modes of transport.

Signage Strategy

30. Prior to commencement of development the Signage Strategy shall be submitted to and approved by the Local Planning Authority. This should set out all signage on the Local Highway Network, Strategic Road Network, including Variable Messaging Signs as well as signage at Oxford Parkway, Peartree Park & Ride and within the site. The development shall not be brought into use until the approved signage has been installed.

Reason: In the interests of highway safety.

Communication Strategy

31. Prior to commencement of development the Communication Strategy shall be submitted to and approved by the Local Planning Authority. This should set out the measures to be provided to make residents aware in advance of when matches will be taking place and of any route diversions. The development shall not be brought into use until the Communication Strategy has been provided in accordance with the approved details. Thereafter the Communication Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety

Car Park Management Plan

32. Prior to commencement of development the Car Park Management Plan shall be submitted to and approved by the Local Planning Authority. This should set out how car parking will be controlled, monitored and enforced on site for the different uses. Thereafter and for the life of the development, the Car Park Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety

Crowd & Traffic Management Strategy

33. Prior to commencement of development the Crowd & Traffic Strategy shall be submitted to and approved by the Local Planning Authority. This should set out the different forms of crowd and traffic management, the enforcement, monitoring and reporting methods and location of marshals. The development shall not be brought into use until the Crowd & Traffic Management Strategy has been agreed. Thereafter and for the life of the development, the Crowd and Traffic Management Strategy shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety.

Cycle Parking

34. Before the development permitted is commenced details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until the cycle parking areas and means of enclosure have been provided within the site in accordance with the approved details and thereafter the areas shall be retained and maintained solely for the purpose of the parking of cycles.

Reason: To encourage the use of sustainable modes of transport.

Framework Event Management Plan

35. No events shall take place until a Framework Event Management Plan for managing all fixtures and large events associated with the use of the site (stadium and conference facility) shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways). Thereafter all events will be carried out in full accordance with approved details.

Reason: To mitigate any adverse impact from the development on the A34, to ensure that the A34 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Geotechnical submissions

36. No development (for avoidance of doubt this includes excavation works, and/ or landscaping works), shall commence until geotechnical submissions (in accordance with Design Manual for Roads and Bridges Standard CD622) have been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety, convenience of highway users and to ensure that the A34 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

A34 Water Eaton Bridge

37. Prior to the commencement of any improvement works to the A34 Water Eaton Bridge, full details of the design, materials, and construction methods shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Highways. The design must fully comply with the standards outlined in the Design Manual for Roads and Bridges, including CG300 and CD622. The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of highway safety, convenience of highway users and to ensure that the A34 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Archaeology

Archaeological Written Scheme of Investigation.

38. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

Staged programme of archaeological evaluation and mitigation

39. Following the approval of the Written Scheme of Investigation referred to in condition 38, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2024).

Environmental Protection

Unexpected Contaminated Land at a later date

40. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development [or relevant phase of development] is resumed or continued.

Reason: To ensure that any ground and water contamination is identified and 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 Section 15 of the National Planning Policy Framework.

Noise

41. All plant, machinery and equipment to be used by reason of the granting of this permission shall be so installed, maintained and operated so as to ensure that the rating noise level from the equipment shall be:

- Daytime (07:00-23:00) of 49 dB

- Night time (23:00-07:00) of 39 dB

when measured at site boundary. Measurements and rating of noise for the purpose of this conditions shall be in accordance with BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound (or subsequent updates).

Reason: To protect nearby properties from unacceptable noise pollution and vibration and to comply with policy PSD1 of the Cherwell Local Plan and guidance contained with the National Planning Policy Framework.

Waste

42. Prior to the first occupation of any building on the site (excluding temporary, service buildings e.g., substation, or buildings used for security purposes) details of the waste management strategy (i.e. storage of bins and collection) for that building shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved at all times thereafter.

Reason: In the interests of sustainability and to ensure a satisfactory form of development and to accord with Policy ESD1 and with Government advice in the National Planning Policy Framework.

Additional Ecology conditions (to be reviewed alongside S106 requirements)

43. Prior to the commencement of the development hereby approved a Landscape and Ecology Management Plan (LEMP) detailing all species specific provisions on site, their location, type and their on-going management shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in full accordance with the approved LEMP including any/all timescales set out therein.

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.

44. 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.

45. 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)
- 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
- Details of the surveys of trees which showed roosting potential and which will be removed as well as details of any mitigation plan and the licence which shall be in place should this be required.

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.

46. If the development hereby approved does not commence within two years from the date of the current surveys. A walkover survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on all currently surveyed habitats and species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing by 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.

47. Prior to the commencement of the development a site-wide Biodiversity Net Gain (BNG) strategy (incorporating a calculation) for the development shall be submitted to the Local Planning Authority and approved in writing. It shall be accompanied by a BNG compliant statement setting out how the development will contribute to achieving a site-wide BNG target of no less than 20%.

The proposed biodiversity enhancement measures shall be implemented in accordance with the approved details and shall be managed and maintained for a minimum period of 30 years.

Reason: To ensure that the proposals deliver appropriate an amount and variety of habitats and support the biodiversity net gain opportunities in accordance with the submitted Environmental Statement to comply with Policy ESD10 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework. This information is required prior to the commencement of the development as it is fundamental to the acceptability of the scheme because biodiversity net gain is a crucial requirement and a strategy to understand how this will be achieved must be understood from the outset.

Informatives

Environmental Statement

1. In accordance with Regulations 3 and 9 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Cherwell District Council as Local Planning Authority is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this application.

East West Rail

2. Land within the application site is proposed for the construction and operation of the East West Railway, a nationally significant infrastructure project. The Council strongly advises the Applicant to liaise closely with EWR Co over the timing and detailed implementation of the application proposals and the EWR project, to seek to agree a detailed approach that avoids or reduces conflicts between the two development proposals, and that seeks to mitigate any impacts arising

National Highways

3. Framework Event Management Plan

The Framework Event Management Plan shall but not limited to the following:

- Anticipated fixture and event -related information (i.e. dates, times and estimated attendances);
- Timings on the day, including: the activation of control points or road closures;
- arrival and departure times for staff, stewards, players/performers, and spectators;
- briefings and final pre-event safety checks; and
- debriefings;
- Generic Traffic Management Plan, including: road closures and traffic diversions, parking arrangements, traffic control measures, signage and traffic and pedestrian

marshalling;

- signage (including local and strategic VMS messaging and timing strategies); and
- travel advice proposals;
- Communication Plan, including website, advertisements/articles, information to local radio stations, and text alerts;
- Post-event procedures, including inspections, debriefings and completion of the Event Record;
- Chain of command, including the names, roles and location of all key members of the event management team more particularly those responsible for traffic management; and
- Highways Authority and Police engagement protocols, procedures and processes in the case of each qualifying fixture or event.

Landscape Boundary treatment plan

2. For avoidance of doubt the boundary treatment plan will include but not limited to the following:

- a) details concerning works locations, materials types, construction methods and maintenance;
- b) details concerning the management of existing boundary planting to include an Arboricultural Tree Survey and Tree Protection Plan with a Method Statement for any works required to address the removal, retention and management of trees along this boundary. All works shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

A34 Water Eaton Bridge

3. This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and National Highways (as the strategic highway company appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to National Highways). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with National Highways and the Local Highway Authority.

OCC Highways

4. Please note If works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council. This is separate from any planning permission that may be granted and will be dealt with through S106 and S278 agreement as noted above. Works delivered via S278 agreement will need to also consider Oxfordshire County Council's Tree and Street Lighting policies along with the Oxfordshire Flood Toolkit.

Signage to be placed on the public highway can be installed as part of the Section 278 agreement, however, signage to be installed on the SRN or on private land (Peartree & Parkway) will need a separate agree

The following items will require a separate legal (Traffic Regulation Order) process, which includes public consultation, and which will require sign off by the cabinet member for highways:

- Oxford Road diversion route.
- Parking measures at Oxford Parkway.
- Matchday Controlled Parking Zone.
- Speed limit reduction on Frieze Way.
- Parking restrictions on Bicester Road, Oxford Road and Frieze Way.
- New cycle paths and signalised crossings.

5. The access steps from Oxford Parkway to Oxford Road and the cycle parking at Oxford Parkway are not fully within public highway land. As such the land outside of the public highway will need to be dedicated along with land either side for maintenance and illumination. As such Chiltern Railways will need to be party to the S106 agreement.

6. A mechanism will also be required in the S106 agreement to monitor and review the effectiveness or otherwise of matchday shuttles/bus services. This should set out the stakeholders within the Matchday Steering Group, the frequency the group will meet and should provide a baseline level of service (in line with the planning application) that must be provided/achieved as a minimum and all in accordance with the travel plan and transport assessment.

7. Oxford Airport is a legally safeguarded aerodrome, as listed in ODPM/DfT Circular 01/2003 'Safeguarding of Aerodromes, Technical Sites and Military Explosives Storage Areas Direction' and as such, it is a requirement that development do not introduce safety hazards to aviation. There is insufficient information provided for Oxford Airport to assess whether there are any glare or lighting patterns that may cause confusion to pilots operating to/from or in the vicinity of Oxford Airport. The developer should provide an assessment to demonstrate that the proposed lighting scheme will not cause any safety hazards to aviation.

8. No information has been provided on the cranes that will be used during the construction of the development. The developer is reminded of their responsibility to notify aerodromes within 6km of their intent to use cranes. A Crane Permit should be requested from Oxford Airport via email to safeguarding@londonoxfordairport.com where an appropriate level of assessment will be conducted at the cost of the developer.