

UPDATED VERSION

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

**November 2025**



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# Executive Summary

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

The main site for the Strategic Rail Freight Interchange extends to 241Ha and mostly comprises agricultural land used for the growing of crops and grazing of livestock. Within the site there is Ashgrove Farmstead (Ashgrove Farm) which includes farm buildings and farm- house. There is also an underground reservoir in the south-eastern part of the site which will remain in place.

In terms of designations, the on-site threshing barn is Grade II Listed. Also, within the main site is the In Vessel Compositing Facility that is operated by Biffa, which is safeguarded within the Oxfordshire Minerals and Waste Local Plan. The site also covers a Minerals Safeguarded Area.

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

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

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

*improvements to M40 J9 and other highway improvements at junctions on the local highway network and related traffic management measures;*

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

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

Zones A1-A5 will accommodate the proposed warehousing of up to 6.5 million sq ft with an allowance made for an additional 2 million sq ft of floorspace in the form of mezzanines. The maximum building heights are proposed to be up to 25.5m.

The number and layout of the buildings is not fixed at this stage however, further details on the potential layout of the warehousing is shown on the illustrative masterplan. The final layout will be determined post consent should the DCO be approved.

A secure, dedicated HGV parking area will also be provided within zone A, ensuring HGV's arriving early at the main site are able to wait in a safe and suitable location.

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

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

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

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

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

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

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

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

The Department for Transport has published a series of National Policy Statements (NPS) which will be used by the Secretary of State as the primary basis for making decisions on development consent applications for NSIP's. The NPS which is most relevant to this application is the National Networks NPS dated March 2024. The policies contained in the adopted and draft Local Plan will also be considered along with the National Planning Policy Framework.

Under Section 104 of the Planning Act 2008, the Secretary of State in making their decision must decide an application for a Nationally Significant Infrastructure Project in accordance with the NPS unless he/she is satisfied that do so would:

- Lead to the UK being in breach of its international obligations
- Be unlawful

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

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

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

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

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

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

- Changes to the DCO as outlined in Sections 6 and 8 including changes to the grampian condition to make it explicit that the connection to the Chiltern Main Line is included in the associated rail infrastructure.
- In accordance with the OCC Parking Standards SPD and OCC Local Transport and Connectivity Plan agree to a commitment to ensure that 25% of all vehicle spaces are provided with EV Charging points with the remaining 75% provided with EV Charging ducting to encourage the use of electric LGV Vehicles.

- Provision of on-site hydrogen fuel cell refuelling as part of the government's commitment to delivering a world class hydrogen sector as contained in the Hydrogen Update to the Market dated July 2025.
- A commitment to a watching palaeontological watching brief in light of the discovery of dinosaur footprints on the adjacent site.
- Given there is no minimum amount of warehouse floorspace required for SRFI's as contained in the NPS, the warehousing proposed should be reduced in scale in order to reduce impact on the landscape, safeguarded minerals, arboriculture, best and most versatile agricultural land and ecology.
- Demonstrable conformity with Policy M8: Safeguarding Mineral Resources, of the Oxfordshire Minerals and Waste Local Plan Mineral Safeguarding, through extraction of mineral prior to development or otherwise justification that the need for the development outweighs the economic and sustainability considerations relating to the mineral resource.
- Demonstrable conformity with Policy W11: Safeguarding waste management sites, of the Oxfordshire Minerals and Waste Local Plan, by retaining the waste management facility on site, or alternatively replacement with equivalent waste management capacity elsewhere, or through demonstrating that the site is no longer required for waste management.
- Ensure the commuter style cycle route to Bicester is provided to LTN1/20 standards including appropriate lighting.
- Further mitigation to overcome concerns of construction traffic routing through Ardley given the bypass will not open until year 3.
- Provision of further information on the viability of the scheme as an intermodal freight terminal based on the freight paths identified to and from major ports at Southampton, London and Felixstowe as well as further assurances that the lack of W10 gauge clearance will not result in a significant impact on viability.
- Provide clarification on how the ecological mitigation hierarchy has been applied both during site selection and at site level with regards to the ecological receptors identified with impact pathways to the proposed development. Further detail is required regarding the habitat, protected and notable species surveys undertaken which are currently considered incomplete in line with best practice guidelines and in the absence of further justification and/or survey results. A number of bespoke mitigation strategies have been requested and further details regarding the currently proposed mitigation strategies including the proposed biodiversity net gain plan.
- Provision of further information on the landscape assessment methodology used within the LVIA to support the conclusion of no significant impact. Further details are also required on the adequacy of the ecological mitigation.

- Ensure that the potential impacts of up to 9000 homes at the adjacent Heyford Park (Local Authority Ref. 25/02190/HYBRID) are being considered both within the cumulative effects chapter of the ES, but also in relevant topic chapters such as those that may impact residential amenity.
- Ensure the cumulative effects of the proposed development are considered in conjunction with Puy du Fou and both logistics proposals at Junction 10.



# 1 Introduction

- 1.1.1 Oxfordshire Strategic Rail Freight Interchange (OxSRFI) comprises approximately 461ha of land that is located within the administrative areas of Cherwell District Council (CDC) and Oxfordshire County Council (OCC) (collectively 'the Councils' or 'The Host Authorities').
- 1.1.2 Both Cherwell District Council and Oxfordshire County Council welcome the opportunity to comment on OxSRFI's consultation pursuant to Section 42 of the Planning Act 2008. This response has been prepared jointly by both councils and constitutes each council's formal response to the Section 42 consultation.
- 1.1.3 Unless explicitly stated the views expressed in this response are those of both councils.
- 1.1.4 Whilst both councils have reviewed the consultation documents submitted by the applicants and provided their comments below, the councils reserve the right to address any issues not outlined below at a later date if further evidence becomes available.

# 2 Proposed Development

- 2.1.1 The proposed development is set out in Schedule 1 of the DCO and comprises:
- Railway works to the Chilterns Main Line (Work No.1);
  - Construction of new Private Railway lines (Works No.2);
  - Construction of a new Freight Rail Terminal (Works No.3) – a plateaued terminal site with rail sidings, internal roads and parking areas, signalisation, storage, security and drainage;
  - Construction of a plateau area (Works No.4) for use either as an extension to the freight rail terminal (described in Works No.3) or for construction of rail served warehousing (described in Works No.6);
  - Construction of new private Rail Sidings (Works No.5) to directly serve Warehousing (Works No.6) – comprising tracks, railway cuttings and embankments, railway infrastructure, security fencing and CCTV and construction of a new road bridge over the main line railway (Bridge 5);
  - Construction of Rail Served Warehousing (Works No.6) – comprising earthworks, formation of development platforms, demolitions, new warehousing and gatehouses, service yards with vehicle & cycle parking, drainage and landscaping, weighbridges, access routes for all modes,

photovoltaics, plant, maintenance areas, hardstandings, HGV parking, container storage, energy centre, electric sub-station, management offices, new, stopped-up and diverted PRow, and closure of existing private accesses;

- Construction of private Estate Roads (Works No.7) – including roundabouts and other junctions, connections with the principal access road and a realigned Heyford Park Link Road (Work No.12), construction of a new bridge over the main line railway (Bridge 5) for the estate road, new footways and cycleways, cycle parking, vehicle lay-bys and bus stops and shelters;
- Landscaping (Works No.8) including surface water attenuation basins, amenity open space, acoustic fencing/landscape screening and new wayfinding signage;
- Construction of a Central Hub (Works No.9) including retention of the Threshing Barn as a welcome building and provision of ancillary buildings and open space for employees and site visitors;
- Retention and conversion works to Ashgrove Cottages (Work No.10) for use as rail and estate management offices/welfare facilities;
- Construction of a new Principal Access to the Main Site (Work No.11) – including construction of a new off-set roundabout on the B430 just south of the railway bridge (connecting to works packages No.7 and 20), a segregated left turn lane exiting the main site onto a new B430 Ardley Bypass (Work No.20), a new bridge (Bridge No.6) to take the new highway over the new private railway and sidings, alterations to the B430 access junction to the Ardley Fields Energy From Waste Management Facility, and new bus stops and shelters;
- Formation of a realigned Heyford Park Link Road (Work No.12) connecting from the B430 to Camp Road/Chilgrove Drive junction (Work No.13B), construction of a T-junction off the new road to form a secondary access to the Main Site, formation of footways/cycleways between the eastern edge of Heyford Park and a new Middleton Stoney Relief Road (Work No.23), realignment of the B430 with two signalised junctions connecting the Link Road to the B430 and Middleton Stoney Relief Road, crossing the Ashgrove Brook tributary to Gagle Brook (Bridge 18) and stopping-up diverting or creating PRow;
- Construction of an Aves Ditch Bridleway connection (Work No.13A), including a signalised crossing of the Camp Road/Chilgrove Drive junction;
- Reconfiguration of the Camp Road/Chilgrove Drive upgraded junction (Work No.13B) to change junction priority and extend the shared footway/cycleway;
- Alterations to M40 Junction 10 (Work No.14) comprising an M40 northbound to A43 northbound link road, with diverge and bridge over the M40 (Bridge 12), stopping-up the existing M40 northbound slip road and

- providing a replacement, including a crossing of Padbury Brook (Bridge 13), widening the M40 southbound slip road to provide 2 lanes, realignment of the M40 northbound and southbound slips connecting to upgraded A43 Ardley and Padbury roundabout junctions (part Work No.15), and resultant alterations to the M40 signage;
- Alteration to lengths of the A43 Trunk Road (Work No.15) including signalisation of the Ardley and Padbury roundabouts, upgrade of the Cherwell roundabout, widening the A43 to 3 lanes between the Padbury roundabout and Baynards Green, widening the A43 southbound between the Padbury and Cherwell roundabouts to 4 lanes, new signage, extension of the Padbury Brook culvert plus stopping-up, diversion and creation of new shared-use PRoW;
  - Upgrade to the A43/B4100 Baynards Green roundabout junction (Work No.16) including widening to 3 lanes with shared use PRoW and improved signalisation;
  - Widening of the B4100 at its junctions with the A43 at Baynards Green (Work No.17) to increase highway capacity and provide shared-use PRoW;
  - Realignment of the B439 south of Ardley roundabout (Work No.18);
  - Realignment of B430 Ardley Road south of the M40 J10 Ardley roundabout (Work No.19) including construction of a bridge over the new bypass (Bridge 16);
  - Formation of an Ardley Bypass (Work No.20) to the east of Ardley between the Ardley roundabout (Work No.15) and the principal access to the Main Site (Work No.11) including Bridge 7 over the railway line, and provision of shared-use PRoW with landscaping bunding and earthworks;
  - Alterations to the B430 Station Road between the railway line and Upland Cottage, south of Ardley (Work No.21A) including stopping-up the B430 in the vicinity of the railway bridge except for maintained access for pedestrians, cyclist and horse-riders;
  - Stopping-up, diversion and creation of new PRoW alongside the Ardley Bypass (Work No.21B) including construction of Bridge No.9 (Work No.2) over the private railway
  - Alteration of M40 Junction 9 (Work No.22) to include widening of the A34 approach to the junction and widening the northbound slip to the M40 to 3 lanes plus stopping-up of PRoW;
  - Construction of a Middleton Stoney Relief Road to the NE of the village (Work No.23) connecting to the Heyford Park Link Road (Work No.12), a new roundabout on the B430 and the A4095 to the east of the village, including shared-use PRoW alongside (Work No.24) plus a bridleway underpass beneath the Link Road (Bridge No.19) and crossing of Gagle Brook (Bridge No.20) with landscaping and alterations to PRoWs;

- Construction of a shared-use Cycle Link between the new Link Road and Middleton Road (Work No.24) including alterations to the bridge over the M40 (Bridge No.22) with signalisation and connections to existing PRow beyond the motorway;
- Minor Works to the B430 (Work No.25) including a shared-use cycle track on the west side of the B4030 with a new toucan crossing and removal of the existing B430 and Upper Heyford Road;
- Formation of a Turning Head & Bridleway at Quarry Cottages, Somerton Road north of the Chiltern Main Line railway (Work No.26) including stopping-up the lane south of the new turning head and its conversion to a bridleway and with works to the railway bridge (Bridge No.3);
- Works within Middleton Stoney at the Crossroads (Work No.27) including signalised pedestrian crossing within the existing signalised junction across the B430 southern arm and B4030 western arm, with bus stops on the B430 north and south of the junction and a zebra crossing on the B430 north of the junction;
- Works to Aves Ditch PRow north of the former RAF Upper Heyford airfield (Work No.28);
- Provision of Biodiversity & Landscape Enhancement works North (Work No.29) including new calcareous grassland close to Ardley Cutting & Quarry SSSI, broadleaved woodland and tree planting, cereal crops for foraging Corn Bunting and other priority farmland bird species, plus a new bridleway connecting Work No.28 and Work No.8;
- Provision of Biodiversity & Landscape Enhancement works South (Work No.30) including landscaping south of the Heyford Park Link Road with earthworks and s/w attenuation basins and altered PRow;
- Provision of Biodiversity & Landscape Enhancement Woodland Planting works (Work No.31) including broadleaved woodland and native hedgerow and tree line to the west;
- Provision of Biodiversity & Landscape Enhancement MSRR North works (Work No.32) including an area of open neutral grassland with scrub and trees, a native hedgerow, treeline stopped-up and diverted PRow;
- Provision of Biodiversity & Landscape Enhancement MSRR South works (Work No.33) including broadleaved and mixed deciduous woodland, neutral grassland, tree groups and new PRow bridleway;
- Landfill Works to the Waste Management site south of the Chiltern Main Line railway (Work No.34) including removal/relocation of buried waste, import of inert material and construction of railway works (Work Nos.1, 2 and 11);
- Construction of a Foul Sewer Outfall to Middleton Stoney and/or Bicester (Work No.35);
- Construction of a Foul Sewer Outfall to Ardley (Work No.36);

- Provision of Biodiversity & Landscape Enhancement works North of Ardley Road (Work No.37) including calcareous and neutral grassland, cereal crops for foraging Corn Bunting and other priority farmland bird species, plus provision of a private means of access; and
- Works to Ardley Tunnel (Work No.38) to provide W8 loading gauge clearance through the tunnel.

2.1.2 The DCO also includes two potential further areas of work, including:

- Upgrade of the B4030/A4095 Roundabout (Work No.39) including upgrading to a signal-controlled gyratory with crossings; and
- Amendments to the junction between the B4030 and Empire Road, and/or potential changes to the layout of Empire Road (Work No.40).

2.1.3 Further works are also permitted by the DCO provided that any such works do not create materially different significant effects requiring assessment under the EIA Regs. These further works include ancillary works within Work Nos.1-10 and 11-40 and temporary works as Work Nos.1-40

2.1.4 If consented by the Secretary of State, the DCO contains wide-ranging powers designed to enable swift delivery of the authorised development. Prior to final determination by the SoS the application will be subject to consideration at Examination by The Planning Inspectorate (PINS) who will seek to ensure that it is subject to appropriately designed mitigation.

2.1.5 The scope of the DCO is divided into six parts:

- Part 1 – Development that it is authorising and controls by applying requirements, similar to planning conditions attached to a planning permission;
- Part 2 – Authorisation and governing highway works to be undertaken as part of the proposed development;
- Part 3 – Orders, such as highway orders and footpath diversion orders, required to implement development – avoiding any need to be separately obtained;
- Part 4 – Supplemental powers regarding water discharge, land surveys, protective works and removal of human remains;
- Part 5 – Powers to acquire land speedily through Compulsory Purchase Order (CPO) to ensure landowners cannot frustrate development delivery and override easements and other rights. It includes protective provisions for parties, such as utility companies, whose assets may be affected by development; and
- Part 6 - Miscellaneous provisions to ensure no obstacles to development delivery

## 3 The Site

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

## 4 Relevant Planning History

### 4.1 Site Specific Relevant Planning History

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

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

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

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

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

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

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

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

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

## 5 Legislation and National Policy Context

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

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

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

### 5.1 National Policy Statement for National Networks (NNNPS)

5.1.1 The relevant NPS to the proposed development is the National Policy Statement for National Networks which was last updated in 2024. This National Policy Statement covers all three of the NSIPs proposed as part of this development.

5.1.2 The NPS outlines the overarching general principles, processes and impacts to be taken into consideration for all types of NSIP relating to the national road and rail networks including bespoke sections on Strategic Rail Freight Interchanges. Parts 1 to 4 set out introductory themes, the Government's general policy on the demand and need for new transport infrastructure, the need for new NSIPs and assessment principles.

5.1.3 Paragraph (1.4) states that under section 104 of the Planning Act 2008, the Secretary of State must decide an application for a relevant NSIP in accordance with the NPS unless he/she is satisfied that doing so would:



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

5.1.4 Paragraph 1.5 states that the thresholds of nationally significant road, rail and strategic rail freight infrastructure projects are defined in sections 22, 25 and 26 of part 3 of the Planning Act 2008.

5.1.5 Paragraph 3.97 of the NPS states that SRFI developments will need to be sensitive to, respond to, and contribute to their environmental context. For developments such as SRFIs, it is likely that there will be local impacts in terms of land use and increased road and rail movements. It is important for the environmental impacts to be taken into account when planning a development, by avoiding harm wherever possible, where adverse impacts are unavoidable adequately mitigating or as a last resort, compensating as well as delivering environmental enhancements.

5.1.6 Paragraphs 3.98-3.103 outline the basis of need for SRFI and the positive benefits that intermodal interchanges that allow transition of freight from road to rail will have on emissions, air quality and congestion on the Strategic Road Network.

5.1.7 Paragraphs 4.80-4.89 outlines the criteria for SRFI and are discussed further in Section 6 below.

5.1.8 Paragraph 4.27 of the NPS outlines that good design should be an integral consideration from the outset of a proposal and that this should not be limited to aesthetics. The NPS draws attention to the NIC's four design principles: Climate, People, Places, and Value.

5.1.9 Paragraph 4.28 goes further and outlines that good design should include the application of the mitigation hierarchy: Avoid, Mitigate or as a last resort Compensate for the identified problems and existing adverse impacts.

5.1.10 Paragraph 4.29 states that the Secretary of State needs to be satisfied that national networks infrastructure projects are sustainable, having regard to appropriate industry good design guidance, and that the applicant has considered, as far as possible, both functionality (including fitness for purpose and sustainability) and aesthetics (including the scheme's contribution to the quality of the area in which it would be located).

5.1.11 Paragraphs 5.160-5.179 outline the approach applicant should take towards assessing landscape and visual impacts and mitigation against these impacts to minimise harm.

- 5.1.12 Paragraph 5.43-5.69 outlines the principles for assessing ecological impacts and the expectations on applicants to mitigate harm and provide Biodiversity Net Gain.
- 5.1.13 Paragraphs 5.204-5.226 outline how harm to heritage assets should be assessed and mitigated for. It also outlines what weight should be given to harm different types of heritage asset depending on their significance and the level of harm.
- 5.1.14 Paragraphs 5.227-5.242 outline how applicants and the SoS should assess noise and vibration impacts both at construction and operational stages of development.
- 5.1.15 Paragraph 5.243 - 2.251 outlines socio-economic impacts
- 5.1.16 Paragraph 2.52 - 5.268 outlines water quality and resources impact
- 5.1.17 Paragraphs 5.269-5.291 outlines how applicants should approach transport impacts resultant from a National Networks NSIP, how these impacts should be assessed and how mitigation should be applied.
- 5.1.18 Paragraphs 5.191 and 5.196 discuss the important role of NSIPs have in safeguarding minerals resources and outlines that the Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources.
- 5.1.19 Finally paragraphs 4.33-4.44 of the NPS outlines how National Network NSIPs should approach Climate impacts including carbon neutrality, assessing Greenhouse Gas emissions and ensuring that schemes are sufficiently climate resilient.

## 5.2 National Planning Policy Framework (NPPF)

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

- Identify, assesses and take into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. (Part F)

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

5.2.11 Part E of paragraph 187 of the NPPF should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans

5.2.12 Paragraph 193 of the NPPF requires local planning authorities to apply the following principles:

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

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

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

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

## 5.3 National Planning Policy for Waste (NPPW)

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

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

## 5.4 National Planning Policy Guidance (NPPG)

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

5.4.2 The following PPG's are considered relevant

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

## 6 Local Policy Context

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

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

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

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

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

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

## 6.1 Cherwell District Council (CDC)

6.1.1 For Cherwell District the Development Plan comprises the Adopted Cherwell Local Plan 2011-2031 (Part 1) (CLP), 'Saved' policies of the Adopted Cherwell Local Plan 1996 and the Adopted Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need, alongside the Oxfordshire Minerals and Waste Local Plan (2017).

6.1.2 The policies contained in the draft Cherwell Local Plan 2019-2040 (Regulation 19) which was submitted for examination on the 31st July 2025. Whilst it does not form part of the development plan against which applications should be assessed against, it is a material consideration in the determination of the application. The amount of weight that can be attributed to the draft policies is dependent on the number of objections.

6.1.3 Regulation 10A reviews of the Cherwell Local Plan 2011-2031 Part 1 took place in 2020 and 2023. In 2020, the Council undertook a 5 Year Review of the Local Plan and concluded that the majority of the policies were generally consistent with government policy and/or local circumstances. It did not indicate that the Local Plan policies needed updating. The Review was presented to and approved by the Council's Executive on 4 January 2021.

6.1.4 Two material changes in circumstance since that approval prompted the 2023 Local Plan Review:

- Termination of the Oxfordshire Joint Local Plan work programme; and
- New evidence in the form of the Housing and Employment Needs Assessment (HENA) 2022

6.1.5 The Regulation 10A Review of Local Plan Policies (February 2023) showed that nearly all policies were generally consistent with government policy and/or local circumstances. It did not indicate that the policies needed updating at this time, with the exception of Policy BSC1 District-Wide Housing Distribution.

- 6.1.6 The Adopted Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need was formally adopted as part of the statutory Development Plan in September 2020. The Partial Review provides the strategic planning framework and sets out strategic site allocations to provide Cherwell District’s share of the unmet housing needs of Oxford to 2031.
- 6.1.7 The site falls within the Mid Cherwell Neighbourhood Plan which was adopted in May 2019 and therefore forms part of the Development Plan. The Mid Cherwell Neighbourhood Plan is in the process of being updated. The pre-submission version (Regulation 14) was consulted upon in May 2025. As it has not been adopted, only moderate weight can be attributed to the policies contained within it.

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

Relevant Policies

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

PSD1 – Presumption in Favour of Sustainable Development

SLE4 - Improved Transport Connections

ESD1 - Mitigating and Adapting to Climate Change

ESD2 – Energy Hierarchy and Allowable Solutions

ESD3 – Sustainable Construction

ESD5 – Renewable Energy

ESD6 – Sustainable Flood Risk Management

ESD7 – Sustainable Drainage Systems

ESD8 – Water Resources

ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment

ESD12 – Cotswold Area of Outstanding Natural Beauty

ESD13 – Local Landscape Protection and Enhancement

EDS14 – Oxford Green Belt

ESD15 – The Character of the Built and Historic Environment

ESD17 – Green Infrastructure

‘Saved’ policies of the Adopted Cherwell Local Plan 1996

C15 – Prevention of Coalescence of Settlements
C25 – Development affecting the site or setting of a scheduled ancient monument
C33 – Protection of Important Gaps of Undeveloped Land

### **Partial Review (CLP review), adopted in 2020**

<u>Relevant policies</u>
None

### **Emerging Cherwell Local Plan**

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

<u>Relevant Policies</u>
CSD 1 - Mitigating and Adapting to Climate Change;
CSD 3 - Achieving Net Zero Carbon Development, Non-residential
CSD 5 - Embodied Carbon;
CSD6 - Renewable Energy;
CSD7 - Sustainable Flood Risk Management;
CSD8 - Sustainable Drainage Systems (SuDS);
CSD9 - Water Resources and wastewater infrastructure;
CSD11 - Protection and Enhancement of Biodiversity;
CSD12 - Biodiversity Net Gain;
CSD13 - Conservation Target Areas;



CSD14 - Natural Capital and Ecosystem Services;  
 CSD15 - Green and Blue Infrastructure;  
 CSD16 - Air Quality;  
 CSD17 - Pollution and Noise;  
 CSD18 - Light Pollution;  
 CSD19 - Soils, Contaminated Land and Stability;  
 CSD21 - Waste Collection and Recycling;  
 CSD22 - Sustainable Transport and Connectivity Improvements;  
 CSD23 – Assessing Transport Impact/Decide and Provide;  
 LEC5 – Community Employment Plans;  
 LEC6 - Supporting a Thriving and Resilient Farming Sector;  
 LEC7 - Best and Most Versatile Agricultural Land;  
 LEC9 - Tourism;  
 COM10 – Protection and Enhancement of the Landscape;  
 COM13 – Settlement Gaps;  
 COM14 – Achieving Well Designed Places;  
 COM15 – Active Travel – Walking and Cycling;  
 COM16 – Public Rights of Way;  
 COM18 – Creating Healthy Communities;  
 COM20 – Providing Supporting Infrastructure and Services;  
 COM24 – Open Space, Sport and Recreation;  
 COM25 – Local Green Space;  
 COM26 – Historic Environment;  
 COM27 – Conservation Areas;  
 COM28 – Listed Buildings;  
 COM29 – Registered Parks and Gardens and Historic Battlefields;  
 KID1 – Kidlington Area Strategy;  
 KID2 - London Oxford Airport;  
 KID3 – Delivery of Transport Schemes within the Kidlington Area;  
 KID H1 – South-East of Woodstock

## 6.2 Oxfordshire County Council (OCC)

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

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

#### Relevant Policies

Policy M3 - Principal Locations for Working Aggregate Minerals

Policy M5 - Working of Aggregate Minerals

Policy M8 - Safeguarding Mineral Resources

Policy W8- Safeguarding Waste Management Sites

### **6.2.4 Local Transport and Connectivity Plan (2022)**

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

#### Relevant Policies

Policy 1 – Transport User Hierarchy

Policy 2 – Cycle and walking networks

Policy 3 – Local Cycling and Walking Infrastructure Plans

Policy 4 – Strategic Active Travel Network

Policy 5 – Public Rights of Way

Policy 6 – Greenways

Policy 9 – Health Impact Assessment  
Policy 15 – Vision Zero  
Policy 21- Rail Strategy  
Policy 29- Zero Emission Vehicles  
Policy 30- Green Infrastructure  
Policy 31 – Network Management  
Policy 33 – Parking Management  
Policy 40 – Connected and Autonomous Vehicles.  
Policy 47 – Freight and Logistics Strategy  
Policy 48 – Long Distance Movement  
Policy 49- Local Movement  
Policy 50 – Last Mile Movement  
Policy 52- Movement and Place Strategies.

**6.2.6** Page 89 of the Local Transport Connectivity Plan recognises that Hydrogen Fuel-Cell vehicles are less common at present, and the scale of their role in the future net-zero transport system is uncertain. However, infrastructure for fuelling FCEV's must also be considered to support their deployment as the technology becomes more readily available.

**Oxfordshire County Council Electric Vehicle Infrastructure Strategy  
(March 2021)**

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

Relevant Policies

Policy EVI11.

Policy EVI 13.

Policy EVI 16

**Oxfordshire County Council Freight and Logistics Strategy (July 2022)**

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

Relevant Policies

Action 1. Promote Rail Freight

Action 2. Work with stakeholders to increase rail network capacity

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

Action 9. Promotion of Oxfordshire HGV Route Map.

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

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

Action 19. Monitor alternative HGV fuel requirements and options

Action 20. Strategically locate refuelling infrastructure.

Action 25. Support the provision of freight interchanges.

Action 30. Promote cycle freight across Oxfordshire.

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

6.2.9 Oxfordshire County Council are in the process of preparing a plan for the future of rail in Oxfordshire. The plan is being developed to support the over-arching aims and ambitions of the Oxfordshire Local Transport and Connectivity Plan

6.2.10 Page 14 of the document provides details of proposed new stations in Oxfordshire in order to support growth. The Plan for Rail references a new station at Ardley being explored in order to serve Heyford Park housing, new leisure development and the proposed Strategic Rail Freight Interchange.

6.2.11 Page 18 of the document refers to freight terminals and facilities expansion. It states that freight growth must shift from road to rail in or to cut congestion and emissions. The SRFRI at Ardley is referenced as being a major new hub.

6.2.12 The Strategy is expected to go before Cabinet in November 2025 and will be adopted in January 2026 and as such will have the full weight of an adopted strategy by the time the OxSRFI application is submitted to the Planning Inspectorate in Q1 2026.

**Hydrogen Update to the Market (July 2025)**

- 6.2.13 The Hydrogen Update to the Market was published in July 2025 by the Department for Energy Security and Net Zero.
- 6.2.14 The document explains low-carbon hydrogen is at the heart of the Government' mission to Kickstart Economic Growth and become a Clean Energy Superpower. The vision contained within the document is to create a thriving low-carbon hydrogen economy that decarbonises hard to electrify sectors, strengthens energy security, and fuels good jobs and economic growth across the UK.

## 7 The Principal of Development

### Key Policies

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

### Policy Detail

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

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

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

### **Commentary**

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

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

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

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

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



- 7.1.23 The Planning Statement and Rail Report submitted by the applicant envisage the OxSRFI serving markets in London and Birmingham along the M40 Corridor as well as other urban locations within Oxfordshire. If this is the case then it is envisaged that the location of the SRFI could fill the criteria of being located near the markets they serve. However, the councils have not been presented with a Marketing Report which is referenced in paragraph 3.9 of the submitted Planning Statement and so it is not explicitly clear which markets the SRFI would serve.
- 7.1.24 If Birmingham is to be one of the target markets for the SRFI then there are several existing SRFI in greater proximity to Birmingham (such as East Midlands Gateway, Northampton Gateway, and DRIFT) which are better placed to serve the market, particularly as these facilities are located adjacent to freight lines which are more active than the Chiltern Main Line.
- 7.1.25 If the target market is to be considered London, then the site's location approximately 50 miles from the outskirts of greater London via the M40 could not be considered 'near' to the target market.
- 7.1.26 Whilst the councils await further detail of the markets the proposed site would be intended to serve it is acknowledged that the location of the proposed SRFI would allow it to serve major urban centres such as Oxford, Northampton or Milton Keynes via the Strategic Road Network and as such is likely to be considered by the SoS to be located near major urban centres, particularly those within the South East
- 7.1.27 Another essential criteria of an SRFI is the ability to handle 4 goods trains per day and as well as trains up to 775m long (NPS paragraph 4.89). The Councils acknowledge the position statements of Network Rail and GB Rail Freight which indicates that modelling has been carried out and at least 4 paths in and out of the site have been identified as possible throughout a 24 hour period.
- 7.1.28 Whilst it is acknowledged that based on previous SoS decision letters for SRFI, it is likely that the Network Rail position statement will be sufficient to provide the SoS confidence that the proposed development will meet the criteria of paragraph 4.89, the Councils remain concerned around the viability of the proposed freight paths. The Council's comments regarding rail can be found in section 8.2 below.
- 7.1.29 Broadly the Councils concerns relate to the viability of the site as a commercially attractive SRFI based on its siting on the Chiltern Main Line and the difficulty associated with pathing freight to this location from deep seaports. Suggestions are made at 8.2 below on how the applicant could alleviate these concerns.

- 7.1.30 In relation to the length of train that the proposed development site would be able to accommodate, the Councils are content with the evidence provided by the applicant in their Rail Report and railway general arrangement drawings as well as the position statement of Network Rail, that the proposed terminal will be capable of serving goods trains up to 775m long.
- 7.1.31 Paragraph 4.82 of the NPS outlines that SRFI need to be located on route with at least W8 clearance. The Councils note and acknowledge the Network Rail position statement which indicates that a gauging study has been undertaken which outlines that W8 gauge clearance can be achieved on routes to and from the site, but that this would require works to be undertaken to Ardley Tunnel to ensure that there is clearance for W8 gauge. The Councils also note that Work No.38 as identified in Schedule 1 of the DCO would secure these works. Given this the Councils are content that the proposed development would meet the gauging criteria outlined in paragraph 4.82 of the NPS.
- 7.1.32 However, as is outlined in section 8.2 below the Councils have concerns that the site only being served by W8 gauge clearance would impact the commercial viability of the SRFI. As outlined above if the site is not commercially attractive it will not address the need for intermodal freight terminals established within section 3 of the NNNPS.
- 7.1.33 Another consideration within the principle of development is the interpretation of several of the paragraphs contained within section 4 of the NPS.
- 7.1.34 Paragraph 4.88 of the NPS outlines that the Secretary of State may consider the need to deliver warehousing ahead of the final delivery and commissioning of connections to the rail network coming forward, but must ensure that the rail infrastructure is delivered 'in a timely manner'. This paragraph also outlines that the applicant should provide evidence of discussions and demonstrate agreement with Network Rail regarding the planned timeframe for the delivery and commissioning of rail network connections.
- 7.1.35 The Councils note the inclusion of a Grampian Requirement at Requirement 5 of Schedule 2 of the DCO which would limit to amount of warehousing floorspace that could be occupied within the site to 232,258 square metres until a freight terminal capable of handling four 775m trains per days has been constructed and is available for use.
- 7.1.36 It is noted that similar requirements have been used for previously consented SRFI, such as Requirement 2 of the East Midlands Gateway DCO, and Requirement 3 of the Northampton Gateway DCO following an Amendment Order approved by the SoS in October 2023.

- 7.1.37 The Councils will outline their concerns about the cumulative impact of the SRFI and other logistics parks within the area below, however a key concern is that without the intramodality provided by a rail terminal connected to the freight network, the site will operate as a logistics park with freight being transported both to and from the site exclusively by HGV. This would result in the proposed development failing to address the national need for SRFI outlined within Section 3 of the NPS.
- 7.1.38 The Grampian Requirement 5 as drafted within the draft DCO does not provide the Councils with sufficient certainty that the required inter-modality could be achieved. The drafting outlines that the restriction on occupation only 'until the rail freight terminal which is capable of handling a minimum of four 775 metre trains per day and the associated rail infrastructure required for those purposes has been constructed and is available for use'.
- 7.1.39 The wording of the Requirement does not explicitly reference the connection of the rail terminal to the Chiltern Main Line. As such a situation could arise where the terminal is constructed and 'available for use' but is not able to be used as it is not connected to the freight network. This could result in the full 603,850sqm of warehousing coming into use for an indeterminate amount of time until the connection to the mainline is established. The requirement should be redrafted to make it explicit that the connection to the Chiltern Main Line is included in the 'associated rail infrastructure'. This approach is consistent with Requirement 3 of the Northampton Gateway Order and would ensure that the development would result in the required inter-modality.
- 7.1.40 Furthermore and in support of this point, the last sentence of paragraph 4.88 outlines that the 'applicant should provide evidence of discussions and demonstrate agreement with Network Rail regarding the planned timeframe for the delivery and commissioning of rail network connections.' Based on the Agreed Position Statement with Network Rail included in the Phase 2 consultation documentation there is not yet an agreed 'connection date' with Network Rail (i.e a timeframe for the delivery and commissioning of the rail network connections). Without this certainty, the currently proposed wording of the Grampian, which does not explicitly limit occupation until after the rail terminal has been connected to the network, would not provide the SoS with certainty that operational rail connections would come forward in a timely manner as is required by paragraph 4.88.
- 7.1.41 The Ministry of Housing, Communities and Local Government on behalf of the New Towns Taskforce published its report (New Towns Taskforce, Report to Government) in September 2025 shortlisting 12 potential locations for new towns. One of the locations identified for a new town is land at the former RAF Upper Heyford for 13,000 homes. There is currently a live planning application for a mixed use development on the former airfield at Upper Heyford which if allowed would provide up to 9000 dwellings.

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

### **Conclusions on the Principle of Development**

- 7.1.46 The Councils require further evidence to be satisfied that the SRFI is located near to the market that it would serve in line with paragraph 3.103 of the NPS.
- 7.1.47 The Councils would like to see Requirement 5 redrafted to make it explicitly clear that the remaining warehousing could not be occupied until the rail terminal and associated infrastructure is available for use and connected to the Chiltern Main Line.
- 7.1.48 The Councils request further information on how the proposed development would not result in an adverse impact on adjacent proposed residential development at Heyford Park to ensure compliance with NPS paragraph 4.83.

7.1.49 In addition to addressing the concerns listed above with the principle of the development, the applicant must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately managed and/or mitigated through the DCO process. The topic sections of below therefore consider the potential impacts of the development and will discuss the adequacy of any proposed mitigation measures.

## 8 Environmental Impacts

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

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

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

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

### 8.1 Urban Design

#### **Summary**

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

NPS	NNNPS
Cherwell District Council	Policy ESD10 ESD15
Oxfordshire County Council	N/A

### **Policy Detail**

- 8.1.1 Paragraphs 4.27 to 4.32 of the National Networks NPS relate to the importance of the delivery of good design for national network infrastructure. It states that design should be an integral consideration from the outset. Well-designed infrastructure should be delivered that gives places a strong sense of identity, make a positive contribution toward local landscapes.
- 8.1.2 In relation to urban design, proposals should meet the objectives of the mitigation hierarchy to avoid, mitigate and as a last resort, compensate for the identified problems and existing adverse impacts. The scheme design should incorporate both functionality and aesthetics and give regard to industry good design guidance.
- 8.1.3 The submission should demonstrate how the design process was conducted, include engagement with local communities and detail on the evolution of the design of the proposal.
- 8.1.4 Policy ESD15 of the Cherwell Local Plan states that successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. It further states that all new development will be required to meet high design standards. Design should deliver high quality, safe, attractive, durable and healthy places to live and work in. Buildings places and spaces should be delivered that adapt to changing social, technological, economic and environmental conditions. Development proposals should also support the efficient use of land and infrastructure, through appropriate land uses, mix and development intensity.
- 8.1.5 Policy ESD10 of the Cherwell Local Plan states that development will be expected to respect and enhance local landscape character and secure appropriate mitigation where damage to local landscape character cannot be avoided.

### **Commentary**

- 8.1.6 The applicant has submitted a Design Approach Document, which outlines the design approach taken to the layout and orientation of buildings, scale, height and massing, appearance and materials, building signage and numbering, hard infrastructure (including car parking, service yards, boundary treatments, security and retaining features), active travel infrastructure, on-plot amenity, landscape design.
- 8.1.7 The Design Code will identify the coding principles to be referenced within the design of each building and its plot layout, The overall objective will be design buildings that respond to the needs of future occupiers needs and be flexible and functional. In the design evolution of each building, high quality design, placemaking, connectivity and wellbeing will be key drivers, as outlined within the Design Approach Document.
- 8.1.8 Cherwell's Urban Design Officer has considered the details presented and considers that the scheme has been developed through an iterative process of design and assessment. The Urban Design Officer considers that the scheme has been generally well integrated into the landscape, particularly through the re-use of the listed farm building, retention of existing planting, new planting and the creation of new pedestrian and cycle routes.
- 8.1.9 Strategic planting associated with the road, pedestrian and cycle network and bunding will need to be implemented at an early stage in the life of the project.
- 8.1.10 If future proposals do not accord with the coding principles, clear justification must be provided, and it must be shown that any alternative design solution will in no way undermine key design objectives expressed throughout the Design Code. In relation to the scale, height and massing of the proposal as well as appearance and materials, the Design Approach Document states that the banding colours on the warehouse will grade from darkest at ground level up to the lightest colour at the parapet line, with the objective being that this would visually soften the building's form against the skyline. Cherwell would add to this point that the exact colours should be informed by an Environmental Colour Assessment (ECA) that should be in accordance with the Landscape Institute Technical Note 04/2018.

## 8.2 Transport and Access

### Summary

- There has been extensive engagement with OCC and National Highways officers through the Transport Working Group. The approach to testing the peak hour traffic impact in terms of capacity is agreed, but some scenario testing has yet to be done, including opening year and 'with travel plan' scenarios. Further cumulative scenarios to include other development proposals in the area are likely to be required for the Examination in 2026.

- The Public Transport Strategy is agreed by officers, and contributions are offered to allow the site to be connected to Bicester and Heyford Park on a half-hourly service including early and late and weekend services.
- Significant traffic mitigation would be provided as part of the scheme, including extensive changes to M40 J10, a change to the A34 approach to M40 J9, a by-pass for Ardley in Phase 1 and a relief road for Middleton Stoney in Phase 2, which would be accompanied by pedestrian improvements in Middleton Stoney village. The new roads are considered by officers to be a requirement for environmental reasons and in the case of Middleton Stoney, to enable the development to be served effectively by bus.
- Highway works general arrangements have been reviewed by officers and are considered acceptable subject to review of further detail and detailed capacity testing, consideration of lower speed limits, and review of the lighting strategy.
- Further mitigation on the B4030 corridor towards Bicester is still being discussed with officers.
- Significant improvements to public rights of way connectivity in the area are proposed, but there are some gaps and queries highlighted in this report, which should be the subject of further discussion ahead of the DCO submission.
- Cycle facilities would be provided through the site and on adjacent and new roads, but a commuter-style cycle route to Bicester is not currently proposed. Officers consider that this should be provided and further information is expected.
- All post completion lorry movements would be routed directly to M40 J10, enforced through physical measures and cameras, and villages accessed north of the site from the B430 would be protected by environmental weight limits as part of the Development Consent Order. The details of the proposed environmental weight limit areas are still being reviewed by officers.
- Construction routes and accesses would not be fixed by the DCO but would be subject to later approval for each element of the project. Officers require this to be considered ahead of the DCO submission and restrictions set out in the overarching CEMP or an overarching CTMP.
- Primary vehicular access would be via a signalised roundabout on the B430 immediately south of the Chiltern main line. The Ardley bypass would lead from this roundabout, with the current B430N being closed to motor traffic at this point.
- Secondary vehicular access at the southern end of the development would be for bus and active travel only.



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

### **Mitigation/Improvements**

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

- The noise impact of traffic during construction and operation needs to be assessed.
- The applicant should consider a haul route along the alignment of the Ardley Bypass during the earliest stages of construction to reduce the amount of construction traffic that would need to route through Ardley.
- Terms of reference for the Sustainable Working Group need to be agreed prior to submission.

NPS	NNNPS
CDC	Policy SLE4 (Improved Transport Connections)
OCC	<p>Bicester Area Transport Strategy</p> <p>Local Transport and Connectivity Plan (2022):</p> <p>Policy 1 – Transport User Hierarchy</p> <p>Policy 2 – Cycle and walking networks</p> <p>Policy 3 – Local Cycling and Walking Infrastructure Plans</p> <p>Policy 4 – Strategic Active Travel Network</p> <p>Policy 5 – Public Rights of Way</p> <p>Policy 6 – Greenways</p> <p>Policy 9 – Health Impact Assessment</p> <p>Policy 15 – Vision Zero</p> <p>Policy 21- Rail Strategy</p> <p>Policy 29- Zero Emission Vehicles</p> <p>Policy 30- Green Infrastructure</p> <p>Policy 31 – Network Management</p> <p>Policy 33 – Parking Management</p> <p>Policy 40 – Connected and Autonomous Vehicles.</p> <p>Policy 47 – Freight and Logistics Strategy</p> <p>Policy 48 – Long Distance Movement</p> <p>Policy 49- Local Movement</p> <p>Policy 50 – Last Mile Movement</p> <p>Policy 52- Movement and Place Strategies</p> <p>Oxfordshire County Council Freight and Logistics Strategy (July 2022):</p> <p>Action 1. Promote Rail Freight</p> <p>Action 2. Work with stakeholders to increase rail network capacity</p> <p>Action 6. Work and lobby a range of stakeholders at the regional and national level to encourage the shift of long distance freight from road to rail.</p> <p>Action 9. Promotion of Oxfordshire HGV Route Map.</p> <p>Action 17. Promote the creation of rest stops and lorry park facilities.</p> <p>Action 18. Support of the freight industry's electric vehicle</p>

	charging requirements. Action 19. Monitor alternative HGV fuel requirements and options Action 20. Strategically locate refuelling infrastructure. Action 25. Support the provision of freight interchanges. Action 30. Promote cycle freight across Oxfordshire.
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### **Policy Detail**

- 8.2.1 Paragraph 4.82 of the NPS outlines that adequate road and rail links are essential to SRFI developments.
- 8.2.2 Paragraph 5.271 states that applicants should consult with Local Authorities and Transport Authorities and that applicants should have appropriate regard to Local Plans and Local Transport Plans, Local Cycling and Walking Infrastructure Plans and Public Rights of Way Improvement Plans.
- 8.2.3 Paragraph 5.273 outlines that applicants should seek to offer an integrated transport outcome, significantly considering opportunities to support other sustainable transport modes, as well as improving local connectivity and accessibility in developing infrastructure. The needs of pedestrian and other vulnerable road users should be considered, where appropriate, in line with the principles of the road user hierarchy.
- 8.2.4 For SRFI paragraph 5.276 states the applicant's assessment should include an assessment of the transport impacts on other networks as part of the application, based on discussions with the Local Highway Authority and Local Planning Authority.
- 8.2.5 5.728 outlines that applicant should also prepare a travel plan outlining management measures to mitigate transport impacts. This plan will understand the needs of people walking, wheeling or cycling. Audits should be undertaken and opportunities should be explored to improve the environment for all users including providing appropriate facilities. The development should also facilitate modal shift by enhancing modal interchanges. Proposals should reduce the need for parking and should make provision for alternative fuels.
- 8.2.6 Paragraph 5.781 states that mitigation should be proportional, reasonable and focussed on facilitating journeys by active travel, public transport, shared transport and cleaner fuels.
- 8.2.7 Paragraph 5.783 outlines that the applicant should provide evidence that the development improves the operation of the network and assists with capacity issues.

- 8.2.8 When it comes to decision-making in relation to SRFI paragraph 5.290 states that where a development negatively impacts on surrounding transport infrastructure including connecting transport networks, the Secretary of State should ensure that the applicant has taken reasonable steps to mitigate these impacts. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should expect applicants to accept requirements and/or obligations to fund infrastructure or mitigate adverse impacts on transport networks.
- 8.2.9 Policy SLE4 (Improved Transport Connections) of the Cherwell Local Plan states New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.
- 8.2.10 Improving connectivity between key employment and residential sites and the strategic transport system is one of the policies in the existing Bicester area transport strategy – BIC1. There has been extensive work on assessing the impact and options for mitigating the proposed development's impact at Junction 10 of the M40. This is the right approach to safeguard the villages and local Bicester roads from vehicles travelling longer distances. This is summed up in the Preliminary Environmental Information Report, Appendix 3.25 in paragraph 4.1 with vehicles reassigning to higher category roads.
- 8.2.11 Reducing the impact on the B430 by delivering improvements at Junction 9 of the M40 is also welcomed, where there are considerable existing congestion problems, and works to keep vehicles heading northbound towards the development site on the strategic road network is an appropriate strategy.
- 8.2.12 The policy emphasis within the Oxfordshire Local Transport & Connectivity Plan is on sustainable transport. Although a development of this nature will inevitably produce a high number of motorised vehicles, it is imperative that as many trips as possible are by active travel or public transport. Chapter 3, Appendix 3.1 sets out the Sustainable Transport Strategy and there is more detail provided in the separate Public Transport Strategy report. From a transport strategy point of view, the focus on bus is appropriate and ensuring that the proposed Ardley passenger station is not prejudiced is also welcomed.
- 8.2.13 The Bicester cycle connectivity plan in Appendix K contains a number of improvements – this is covered in more detail below, including the need for a commuter cycle route provision between the site and Bicester.

### **Commentary**

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

### **Adequacy of the draft ES and proposed mitigation**

#### Vehicular Access Arrangements

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

8.2.21 The junction will incorporate physical measures to require HGVs to turn left out of the site, as set out in section 4 of the proposed HGV Routeing Strategy. A bypass lane with a rising barrier will allow buses to turn right out of the site.

8.2.22 The secondary access would be for controlled for active travel and buses only, at the southern end of the development spine road. OCC's preference would be for this to be controlled formally by an Order preventing traffic from turning from the highway into the secondary access.

8.2.23 The B430 would be closed to motor traffic north of the site access and diverted onto the Ardley bypass. The link would remain open for non motorised users.

8.2.24 A signage strategy has been provided which shows the proposed directional signs on the new highway works. OCC requires further time to review the detail of this, but we have the following comments:

- The freight terminal will be attached to a logistics park, which will probably have a name – shouldn't the name be on the signs?
- RAF Croughton (signed from B4100) spelt incorrectly
- Why would the freight terminal not be signed from B4100? It will employ thousands of people. If it's only being signed from freight routes, then why is it being signed from the B430 south?
- RS25 (on exit from the freight terminal) should say something about HGVs not being allowed to turn right to Bicester and Middleton Stoney.
- RS83 should indicate the turn into the Rail Freight Terminal is for buses and deliveries only (this access will be gated with a rising barrier)

8.2.25 A financial contribution will be required for OCC to install signage further away from the site, on existing routes. The amount is to be confirmed.

#### Active Travel

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

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

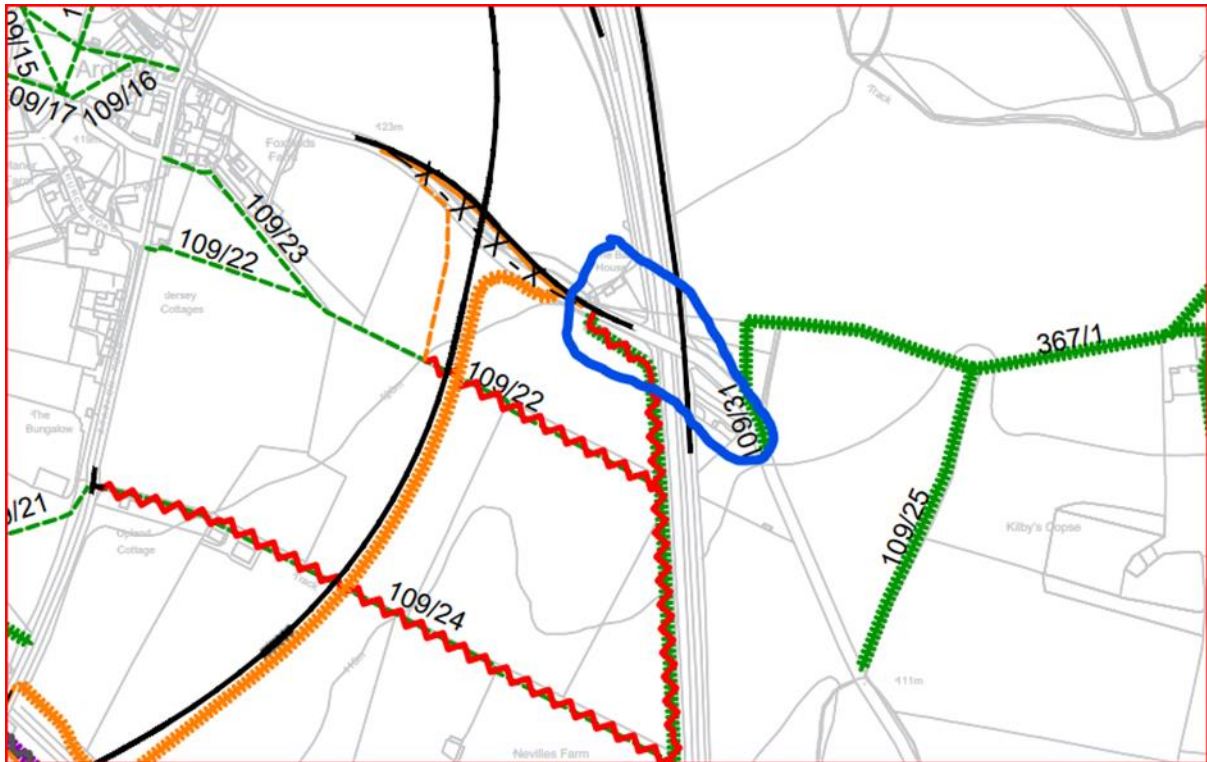
- 8.2.31 Additionally, improved pedestrian facilities would be provided in Middleton Stoney, and there would be cycle connections within the site, including a publicly accessible route along the spine road (also set out in the Sustainable Transport Strategy). Appendix M of the Sustainable Transport Strategy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

#### Public Rights of Way

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



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



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

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

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

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

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

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

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

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

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

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

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

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

## Public Transport

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

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

8.2.49 Some relatively minor points:

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

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

## Cycle and Car Parking

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

## Framework Travel Plan

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

#### HGV Routing Strategy

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

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

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

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

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

#### Proposed Speed Limits

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

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

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

#### Sustainable Transport Working Group

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

#### Traffic Impact

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



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

- 8.2.67 OCC is satisfied that this estimate is reasonably robust and represents a modal share with the proposed connectivity improvements but without additional incentives for sustainable travel that would be introduced through a travel plan.
- 8.2.68 Trip distribution (origin and destination of vehicle trips) for light vehicles was derived from the BTM, which is a gravity model. For HGV trips, a bespoke trip distribution was agreed with OCC and NH as set out in Appendix 6.1AF HGV Trip Distribution.
- 8.2.69 It was agreed that the impact of the development would be tested in the opening year (2031) and completion year (2034). The reference case includes all committed development and forecast local plan allocation completions for 2031, scaled up proportionately for 2034. It includes the Albion Land development proposals at Baynards Green because they gained a CDC resolution to grant permission in August. Note that it does not include Puy du Fou or the Heyford Park new town proposals; at the time of writing these are not considered committed development, however, this position is likely to change ahead of or during the Examination, so officers advise that it is considered as soon as reliable information becomes available.
- 8.2.70 To date only the full development 2034 scenarios – reference case RC3A and ‘Do Something’ DS3A (with development) have been tested. Further scenarios will test the development impact cumulatively with draft local plan development (2042) and provide for the NH requirement to test the full development in the opening year. ‘With travel plan’ scenarios will also be tested.
- 8.2.71 The Do Something scenario includes the embedded highway works listed in the Stage 2 Modelling Report at paragraph 3.14. In addition to the new roads directly connecting to the new development and improvements at M40 J10, an improvement to the A34 approach at M40 J9 is also included.
- 8.2.72 The strategic modelling has been undertaken using the Bicester Transport Model, as agreed with OCC and NH. As set out in Appendix 3.5 of the Transport chapter, the model has a 2016 base year, but was not revalidated in 2021 due to lockdown impacts. Instead, the developers’ consultants worked on the model to address issues on the A43 near Baynard’s Green Roundabout, the A41 and the B4100. The model was then agreed for use. Further information on validation of the BTM should be provided as supporting material.

8.2.73 Figures 3 and 4 of the Stage 2 Modelling Report show how the BTM assigns development traffic to the network in each of the peaks. The numbers of PCUs on each link are tabulated in 4.12 and 4.14. Flow difference plots, showing the impact of the development on traffic flows across the network, are shown in figures 5, 6, 7 and 8 and tabulated in 5.16, 5.18, 5.29 and 5.34, and the report describes the impacts. Appendices H and I show percentage impacts at junctions and from that proposes junctions for further detailed analysis.

8.2.74 OCC agree with the conclusion of this report, "...it can be concluded that the significant upgrades to M40 Junction 10, including further works at Baynard's Green, and the improvement scheme at M40 Junction 9, help to release congestion and allow long distance traffic to use the SRN. The Ardley Bypass, MSRR and HPLR creates an improved, more direct route between Bicester, Heyford Park, the Proposed Development, and M40 Junction 10, which draws traffic away from lower category or congested routes through local population centres. Hence, the embedded mitigation strategy has a positive effect on traffic flow change." There is a significant amount of new highway infrastructure proposed but given the volume of vehicles predicted this is assessed as necessary, and also ensures protection for the villages and other unsuitable roads, and will enable buses and cyclists to have effective routes.

8.2.75 The Interim Stage 3 Modelling report describes initial testing of junctions within the proposed study area, and will be updated once the remaining scenarios are modelled. However, we note the following points which we will expect to be addressed:

- Only an interim report has been issued; a further submission (final Transport Assessment) is expected once the remaining scenarios have been tested.
- It appears that no local model validation or calibration has been undertaken.
- M40 Junction 9 continues to show negative PRC values even with mitigation.
- B4030 Middleton Stoney Road / Empire Road Junction 10: DS3A scenario shows overcapacity; four mitigation options have been identified. This is subject to further discussion.
- B4030 Middleton Stoney Road / Howes Lane Roundabout: DS3A scenario also shows overcapacity; consideration of mitigation is ongoing. A linked model should be considered for suitability when developing mitigation for these junctions.

- Should additional significant mitigation schemes be required at other locations identified through strategic model outputs (e.g. signalisation of B4030 / Howes Lane roundabout), consideration may need to be given to undertaking a further model run that includes all proposed highway mitigation. This would capture potential re-assignment effects of both baseline and development flows resulting from the introduction of further significant highway mitigation - an iterative process.
- M40 J10 is being tested using NH's VISSIM microsimulation model, which is being extended to include the proposed Ardley bypass and main site access.

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

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

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

8.2.79 B4030 Middleton Stoney Road/Howes Lane roundabout has been modelled, and the results show that in the RC3A morning peak hour the roundabout would operate reasonably well, with only the B4030 Middleton Stoney Road approach operating with an RFC above 85%. However, in the RC3A evening peak hour, the results show that the B4030 Middleton Stoney Road and the Vendee Drive approaches would be congested, particularly the Vendee Drive arm which would be operating at 121% of its capacity. It goes on to say that the emerging solution is for the roundabout to be upgraded to a traffic signal controlled gyratory, with two lanes on each approach and two lanes on the circulating carriageway. Initial high-level appraisals suggest that this form of junction could be achieved within the available highway boundary and would deliver a material improvement in performance. OCC would actively engage in such discussions

- 8.2.80 An estimate of the level of construction traffic is set out in Appendix 3.29 Construction Traffic. 2.1 sets out the proposed construction schedule. 3.9 sets out the estimated light and heavy construction traffic on each road link. Although there is no commitment in the overarching CEMP to route all HGV construction traffic to M40 J10, this is stated in the Appendix 3.29, paragraph 3.6. There is to be a separate P-CEMP agreed at a later stage for each project component, at which stage construction access and routing would be agreed, but officers would like to see a firm commitment to this in the overarching CEMP, with plans. OCC has concerns about damage to the unnamed road linking Camp Road and the B430, from which the secondary operational access would be taken in Phase 1. If this is to be used as a construction route, pre-emptive works would need to be undertaken to avoid it becoming so damaged that it would need to be closed. The on-site spine road should be constructed to allow construction traffic to route through the site instead.
- 8.2.81 The Ardley Bypass would be completed in year 3, but prior to that there would be an increase of well over 30% HGVs on the B430 through Ardley, which is the IEMA Guidance threshold for impact assessment. The threshold is not predicted to be exceeded on any other road link as a result of construction traffic.
- 8.2.82 The construction schedule in paragraph 2.1 of Appendix 3.29 describes works that would be started prior to the opening of the bypass. The extent to which excavation of on-site materials are used in construction, to minimise lorry movements, is not discussed here but we understand has been taken into account, and the schedule should be re-worked to prioritise the completion of the bypass or the use of its alignment as a construction haul road.
- 8.2.83 It should be noted that the transport chapter only assesses community severance, driver and NMU delay, NMU amenity, fear and intimidation, road user and pedestrian safety. Noise and vibration is covered in Chapter 5, and it is noted that the assessment of traffic noise is not yet complete (5.5.4). Vibration from traffic impact does not appear to be considered.
- 8.2.84 The assessment of the B430 through Ardley correctly states that there is a footway and signalised crossings but does not mention the narrow width of the footway and the fact that it has no verge separation.
- 8.2.85 It is assumed that light construction vehicles and cars would not be controlled by a routing agreement. It is not clear in the ES whether routes of these vehicles south of the site have been considered, and this should be clarified.
- 8.2.86 The opening year scenario, when modelled, must include the construction traffic associated with the development at that time:

Environmental assessment of post-completion traffic impacts

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

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

#### Rail

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

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

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

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

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

#### Pathing

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

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

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

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

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

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

8.2.98 It is therefore clear from the applicants own consultation documents and the National Policy Statement that links to deep seaports are a vital part of an SRFI's ability to viably function.

8.2.99 In the applicant's pathing report it has been indicated 4 possible paths were available from Crewe to the application site. Connections to Crewe have the potential to provide connectivity to Teesport but would be reliant on paths between Teesport and Crewe. Evidence for this has not been provided within the applicant's submitted documentation.

- 8.2.100 Connections to Felixstowe would also be difficult and do not seem to have been considered a viable option by the applicant as they are not referenced within any of the applicant's consultation material. The logical connection between Felixstowe and Oxfordshire would be the EWR line once this has been completed. The location of the facility on the Chiltern Main Line would make a connection to the EWR line challenging due to the difficulty of connecting the Chiltern Main Line to the Cherwell Valley Line (discussed below).
- 8.2.101 The closest deep seaport to the application site (and to Oxford) is Southampton. Currently freight from Southampton either moves through Oxfordshire to existing SRFI in the midlands via the Cherwell Valley Line or makes use of HGV's via the A34 and M40.
- 8.2.102 As the GB Railfreight statement outlines Southampton is only 80 miles from the application site and would logically seem to be the most viable deep seaport to connect to. As previously indicated the Cherwell Valley Line, which runs through Oxfordshire, is the main avenue for rail freight coming from Southampton and would be the obvious route for rail freight from the port to access the County. Unfortunately, due to the inadequacy of existing rail infrastructure it is not possible for a train heading northbound along the Cherwell Valley Line to easily access the Chiltern Main Line. This includes capacity constraints to the north of Oxford, as well as the need for train reversing movements in the Banbury area that are likely to impact on operations of existing services.
- 8.2.103 The alternative proposed by the pathing document within the consultation material is a path which utilises the Great Western Main Line from Reading to the Greenford Branch Line. The path then uses the Greenford Branch Line to join to the Chiltern Main Line and there on access the site. The pathing report indicates that this route only provides one possible return path per day which would require significant modification of existing timetabling.
- 8.2.104 The Council notes that the section of Great Western Mainline between Reading and West Ealing is used extensively by Elizabeth Line services which take up significant capacity on this line. This would result in a bottle neck in the route which is contrary to paragraph 3.93 of the NNNPS and would not result in a 'safe, direct and efficient freight route' which is contrary to paragraph 3.92 of the NNNPS. The Council therefore think it will present a significant challenge for a freight operator to be able to find regular paths via this route to the OxSRFI which will prevent the OxSRFI from being able to reliably receive freight from Southampton contrary to what is claimed by GB Railfreight at paragraph 54 of their statement.



- 8.2.105 It is worth noting that the Council has similar concerns around the paths proposed from Wembley which also make use of the Great Western Main Line. This concern is not alleviated by the fact that GB Railfreight have existing trains using these routes which are anticipated to be unnecessary by the time the OxSRFI is operational as there is no certainty that these paths will definitely be allocated to freight traffic to the OxSRFI.
- 8.2.106 This raises doubt as to the viability of the OxSRFI as it will not be able to receive freight from the closest deep seaport. It also means that the scheme is not likely to result in a significant reduction of HGV traffic along the A34 which means that the County would not directly benefit from the intermodal benefits that could result from an SRFI.
- 8.2.107 The Council has previously indicated to the applicant that a viable route that would allow regular freight traffic to access OxSRFI could be established by an investment in a run around to the north of Banbury connecting the Cherwell Valley Line to the Chiltern Main Line. This would allow northbound trains on the Cherwell Valley Line to access the Chiltern Main Line without needing to use the Great Western Main Line. Without this investment in additional rail infrastructure the Council does not believe there would be a viable path that would allow the OxSRFI to access the freight market coming out of Southampton.
- 8.2.108 Given the importance of access to deep sea ports outlined within the NNNPS as well as the applicants own consultation materials, the Council at this stage are concerned that the OxSRFI would not be an attractive option for freight customers and as such may not result in the modal shift expected to be resultant from a SRFI.
- 8.2.109 In order to alleviate these concerns the Council would expect the applicant to demonstrate with a degree of certainty that a significant number of the 4 trains expected to use the site could arrive from, and depart to, one of the major deep seaports in a frequent and viable manner.
- 8.2.110 Given the Council's concerns around the capacity of the Great Western Main Line between Reading and West Ealing, the Council also request that the applicant demonstrate that the SRFI is still able to accommodate 4 trains per day without making use of paths which utilise this route. For example, we would want to see evidence that freight trains could safely and effectively operate along the Cherwell Valley Line and turn around in the Banbury area without impacting on existing services, including understanding any required further rail infrastructure needed to facilitate this, as well as recognising the gauging points noted below.

#### Gauging

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

- 8.2.112 The National Policy Statement for National Networks at paragraph 4.82 outlines that as a minimum SRFI should be located on a route with a gauge clearance of W8. It is acknowledged that the Agreed Position Statement with Network Rail confirms that gauge clearance of W8 is possible on the Chiltern Main Line following works to the Ardley Tunnel. The Council have no reason to disagree with Network Rail on this issue and are not contesting that the proposed development would not comply with paragraph 4.82 of the NNNPS as far as that paragraph relates to the requirement to achieve W8 clearance.
- 8.2.113 However, the Council is concerned that if the SRFI is only capable of being served by trains with a W8 gauge clearance this will impact the attractiveness of this facility to potential customers.
- 8.2.114 The applicant's Rail Report at paragraph 6.3.2 outlines the difficulty of accommodating modern deep sea shipping containers on much of the rail network. These intermodal deep sea containers require a gauge clearance of W10/12 if they are to be transported on a conventional truck.
- 8.2.115 The Council notes that all of the SRFI approved by the SoS since the introduction of the NSIP regime have been on sections of line served by a minimum gauge of W10. This means that intermodal containers have been able to reach these facilities on conventional trucks. It also means that the adequacy of W8 gauge for a modern SRFI has not been subject to the scrutiny of an Examining Authority or the Secretary of State.
- 8.2.116 It is also noted that Radlett (Park Side) SRFI, which was submitted under the TCPA prior to the adoption of the Planning ACT 2008, was conditioned via a Grampian to ensure that the whole site could not be occupied until works were completed to ensure that the Midlands Main Line was served by W10 gauge clearance.
- 8.2.117 It is clear then that W10 gauge clearance has been the industry standard for SRFI since at least 2008 to allow them to make the most of intermodal connections.
- 8.2.118 In their Rail Report the applicant outlines that there are solutions to this issue which either involve investment in rail infrastructure to secure the appropriate gauge or investment in specialist trucks with a dropped bed to allow intermodal containers to achieve the appropriate clearance. They then list examples of where SRFI such as DRIFT have used such specialist equipment to allow connections to places such as Cardiff which are served by W8 gauge lines.
- 8.2.119 However, it should be noted that these journeys are the exception, and DRIFT is capable of (and frequently does) receive W10/12 gauge intermodal trains. As such the business model for DRIFT does not rely on W8 gauge trains, it has simply been able to add W8 gauge services on top of its other services.

- 8.2.120 In comparison, the OxSRFI will be reliant from the off on investment in specialist and costly trucks and wagons to allow intermodal containers to access the site. Not only this but dropped bed trucks capable of allowing intermodal containers to make use of W8 gauge can only carry half as many containers per truck as a conventional flat bed truck at W10/12 gauge. The combination of these factors reduces the attractiveness of the OxSRFI to customers due to the increased cost associated with overcoming this issue.
- 8.2.121 If the freight terminal is not attractive to customers and therefore not used, a situation could arise whereby the full warehousing space is occupied but without the benefit of the modal shift provided by the terminal. Without this the need established in the National Policy Statement will not be addressed and any positive weight given to the development could not be used to weigh against harm identified elsewhere within this response.
- 8.2.122 Given this the Council would suggest an amendment to Requirement 5 of the Draft DCO. The Council would suggest that as well as the requirement to provide the appropriate rail infrastructure and connection to the main line prior to the occupation of more the 232,258 square metres of warehouse (see Section 6 of this response for the Council's comments on the current drafting of this condition), an additional commitment is added to the Grampian that the additional warehousing could not be constructed until evidence has been presented to the LPA that contracts have been agreed which would result in at least 4 trains per day making use of the terminal.
- 8.2.123 This would ensure that any potential environmental harm from the scheme is limited until the national need for functioning intermodal freight interchanges has been met.

#### Modal Shift

- 8.2.124 The need established by the National Policy Statement for Rail Freight Interchanges is due to a need to allow modal shift from road to rail. This is an aspiration shared by OCC.
- 8.2.125 However, due to the combination of concerns outlined above relating to pathing and gauge the Council has concerns that the proposed OxSRFI will not be able to achieve the modal shift required to address the need for SRFI outlined within the National Policy Statement. The Council has suggested how the applicant could overcome this concern above and urges the applicant to make the changes and provide the supporting evidence outlined above.

#### Ardley Station and capacity on the Chiltern Main Line

- 8.2.126 In August to September 2025 OCC consulted on a new daughter document to the Local Transport and Connectivity Plan. This document, OxRail: 2040, outlines the Council's ambitions for rail over the next 15 years including investment in existing facilities, supporting electrification of the rail network within Oxfordshire, and investing in new railway stations to create an 'Oxfordshire Metro'. OxRail: 2040 is expected to be adopted by OCC in November 2025.
- 8.2.127 One of these railway stations is proposed for Ardley. A previous railway station served Ardley until the 1960s and the location of this station was to the south of Ardley on the northern side of the Chiltern Main Line directly opposite the site of the proposed SRFI.
- 8.2.128 In October 2025 the Government's New Town Task Force published its recommendations for locations for 12 new towns in England. The report recommended the site of the former airbase at Heyford Park for one of the new towns and outlined that the site had potential for around 13,000 homes. In addition to this there is an application currently being determined by Cherwell District Council for c.9,500 homes on the same site.
- 8.2.129 In order to address the predicted increase in housing in this area as well as to serve the existing local communities, the Council is seeking to promote a railway station near Ardley.
- 8.2.130 In both the applicant's Rail Report (section 6.8) and the Agreed Position Statement with Network Rail (paragraph 6) the applicant has indicated that the proposed SRFI would not hinder the delivery of a station at the site of the former Ardley Station and in fact would potentially aid in its delivery due to rail infrastructure being installed as part of the applicant's work. Whilst this is appreciated the Council has not yet undertaken work to assess the viability of the former Ardley Station site for a modern railway station. It is possible that a different location will be required for the station and the proposed SRFI reduces the land available for this station.
- 8.2.131 The Council will undertake work to assess potential locations for the Station as soon as it is able. If this work is completed in advance of the applicant submitting their proposal to the Planning Inspectorate, then OCC would seek a dialogue with the applicant to ascertain the potential impact their scheme would have on delivering a new station at Ardley.

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

## 8.3 Air Quality and Odour

### Summary

- The methodology and baseline conditions for the construction and operational phase are agreed and accepted.
- Road traffic emissions will need to be considered.
- Rail emissions are considered to be negligible and not significant.

### Mitigation/Improvements

- A draft CEMP will need to be reviewed by the Councils in advance of submission

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

### Policy Detail

8.3.1 Paragraph 4.71 of the NPS outlines that National Network NSIPs have the potential to impact human health including through impacts to air quality.

8.3.2 Paragraph 5.7 outlines that the operational and construction impacts of National Network NSIPs can result in a worsening of local air quality.

8.3.3 Paragraph 5.10 outlines that the impacts on air quality can extend well beyond an individual scheme.

8.3.4 Paragraph 5.12 places a duty on applicants to assess the significance of impacts to air quality whilst paragraph 5.13 lists what this assessment should describe, including:

- existing air quality emissions and concentrations
- forecasts of emissions and concentrations at the time of opening, assuming that the scheme is not built (the future baseline) and taking account of the impact of the scheme
- any significant air quality effects, their mitigation and any residual effects, distinguishing between the construction and operation stages and taking account of the impact of any road traffic generated by the project
- the predicted emissions, concentration change and absolute concentrations of the proposed project after mitigation methods have been applied
- any potential impacts on nearby designated habitats from air pollutants
- the proximity and nature of nearby receptors which could be impacted, including those more sensitive to poor air quality

8.3.5 Paragraph 5.17 states mitigation measures may affect the project design, layout, construction, operation and/or may consist of measures to improve air quality beyond the immediate locality of the scheme. Measures could include, but are not limited to, changes to the route or design of the new scheme, changes to the proximity of vehicles to local receptors in the existing route, physical means including barriers to better disperse emissions, and/or speed control.

8.3.6 Paragraph 5.18 goes on to say that where a project is located within, or in close proximity to, an Air Quality Management Area or Clean Air Zone, applicants should engage with the relevant local authority to ensure the project is compatible with the Local Air Quality Action Plan.

8.3.7 Paragraphs 5.19 and 5.20 outline that applicants should take all reasonable mitigation action with regards to relevant statutory air quality limits and that applicants should take all reasonable steps to reduce emissions of PM<sub>2.5</sub> and its precursor pollutants in the construction and operational stage of the development by following available Defra guidance.

8.3.8 Paragraph 5.25 states that the Secretary of State should give air quality considerations substantial weight where, after taking into account mitigation, a project would lead to a significant air quality impact in relation to meeting environmental assessment requirements; or where they lead to a deterioration in air quality in a zone/agglomeration.

8.3.9 Cherwell Local Plan Policy BSC7 states that planning decisions can have an effect on air quality which can impact health and well-being. In addition to this, Policy ESD10 requires that air quality assessments will be requirement for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution.

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

### **Commentary**

8.3.11 The methodology and baseline conditions for the construction and operational phase are agreed and accepted, including the findings of the preliminary assessment which concluded that construction phase dust emissions are not likely to be significant

8.3.12 The odour impact of the partial excavation of the Ardley Landfill is to be considered within the ES and Regulatory Services and Community Safety will be consulted on the assessment.

8.3.13 The EHO notes that road traffic emissions for the operational phase will be further assessed once detailed traffic data is available. This will include the cumulative impact of other committed developments as listed in Table 1.2 in Chapter 1: Introduction, which includes the recently submitted application, ref. 25/02190/HYBRID at Heyford Park. Given the impact of traffic emissions has not been assessed at this stage it is not possible to ascertain the level of impact on air quality.

8.3.14 Paragraph 4.8.3 of the ES has assessed rail emissions. It has determined that the proposed development would not exceed any of the screening criteria detailed for rail locomotives and therefore the impacts on local air quality from rail emissions as a result of the operational development are considered to be negligible and not significant.

### **Adequacy of the draft ES and proposed mitigation**

8.3.15 Chapter 4 of the Environmental Statement refers to a qualitative construction phase dust risk assessment being undertaken. The measures contained within the assessment were recommended for inclusion in a Construction Environmental Management Plan in order to minimise emissions during construction activities. The Councils will need to review a draft of the CEMP in advance of submission.

8.3.16 The mitigation measures recommended include soft stripping inside buildings before demolition, avoid scabbling (roughening of concrete surfaces) if possible and ensuring sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process. Sand and other aggregates should be stored in bunded areas in order to prevent drying out unless this is required for a particular process

## Conclusions on Air Quality and Odour

8.3.17 As the impacts on odour arising from the partial excavation of the Ardley Landfill site remains to be determined along with the impact on air quality arising from road traffic emissions for the operational phase, it is not possible to determine whether paragraph 5.12 and 5.13 of the NPS have been accorded with.

## 8.4 Noise and Vibration

### Summary

- The methodology and baseline conditions for the construction and operational phase are agreed and accepted, including the findings of the preliminary assessment.

### Mitigation/Improvements

- Further assessment of road traffic noise is to be undertaken for the operational phase once detailed traffic data is available.
- The Councils will need to review the CEMP prior to submission.

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

### Policy Detail

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

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

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



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

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

### **Commentary**

8.4.4 The methodology and baseline conditions for the construction and operational phase are agreed and accepted, including the findings of the preliminary assessment.

8.4.5 Further assessment of road traffic noise is to be undertaken for the operational phase once detailed traffic data is available.

8.4.6 CDC's target level for operational noise would be a rating noise level of a minimum of 5dBA below pre-existing background noise levels when measured at the boundary of any noise sensitive receptor.

8.4.7 Paragraph 5.7.4 under Cumulative Effects mentions that the Heyford Park Scheme and the recent application for an additional 9,000 dwellings has been considered in the assessment

### **Adequacy of the draft ES and proposed mitigation**

8.4.8 Paragraph 5.8.2 of Chapter 5 of the Environmental Statement states that a full noise assessment of the proposed development and the associated highways works remains ongoing. It also states that assessment work and consideration of options for additional mitigation remains ongoing and additional work will be undertaken to include consideration of the additional highways works proposed at M40 Junction 9.

8.4.9 Paragraph 5.8.3 refers to construction noise impacts being mitigated through a Construction Environmental Management Plan details of which are yet to be seen. Operational adverse noise impacts are proposed to be mitigated through embedded mitigation which includes bunding and acoustic barriers to the north of the site. Further details on these acoustic barriers is required before it can be determined whether these are acceptable.

### **Conclusions on Noise and Vibration**

8.4.10 Given the scale of the highways works proposed and in light of the full traffic noise assessment and associated highways works being undertaken it is not possible to determine whether the criteria of *excessive noise* as contained in paragraph 5.227 of the NPS is being triggered and whether the proposed mitigation is sufficient.

## 8.5 Ecology and Arboriculture

### Summary

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

### Mitigation/Improvements

- Robust justification is needed to clarify that the harm to the SSSI is outweighed by the benefits of the scheme.
- Further clarification should be provided as to how the mitigation hierarchy has been followed and applied.
- Details demonstrating consideration of opportunities to enhance connectivity between woodlands to increase resilience should be provided

- It should be ensured that all ecological survey results are complete and in date in line with best practice guidelines and licencing requirements. This includes surveys for bat, reptiles, great crested newts, badgers, otters, voles, dormouse, aquatic flora and fauna.
- Clarification is requested on the details and impacts of translocating basil thyme and meadow clart plants currently within the Road Verge Nature Reserves.
- The applicant should address the outstanding issues raised by Natural England in their letter relating to Great Crested Newts.
- The habitat condition criteria should be included in a revised BNG report.

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

### Policy Detail

- 8.5.1 Paragraph 5.43 of the National Policy Statement recognises the need to protect and enhance biodiversity and geological conservation interests. Paragraph 5.46 goes onto state that the applicant should consider how the potential direct and indirect impacts on ecosystems including the impacts on habitats and protected species. Paragraph 5.47 requires the applicant to show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation.
- 8.5.2 The NPS set out a number of mitigation measures for biodiversity and arboriculture. Paragraph 5.48 requires the applicant to demonstrate that developments are designed to avoid the risk of harm, for example by minimising the footprint of the development and or retaining the sites important habitat features. Paragraph 5.49 states that if avoidance or reduction of harm is not possible, applicants should include appropriate mitigation measures, in line with the mitigation hierarchy, as an integral part of the proposed development, including identifying where and how these will be secured in the long term.

8.5.3 Paragraph 5.61 of the National Policy Statement states that where a proposed development on land within or outside a Site of Special Scientific Interest is likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments), development consent should not normally be granted. An exception should only be made where the benefits of the development proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. The Secretary of State should ensure that the applicant's proposals to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest, are acceptable.

8.5.4 Policy ESD 10 of the Cherwell Local Plan seeks to protect and enhance biodiversity and the natural environment through application of the following principles:

- In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources
- The protection of trees will be encouraged, with an aim to increase the number of trees in the District
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted
- Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated
- Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
- Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity

- Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity
- Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value

8.5.5 Policy ESD13 of the Cherwell Local Plan states that opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

8.5.6 The Cherwell Local Plan Proposals map shows the application site to include land within the Ardley Cutting and Quarry Site of Special Scientific Interest (SSSI) which is identified as being of National Level Importance. The Ardley Trackways SSSI is partially within the application site on its south-eastern boundary. The entire application site is within the SSSI Impact Risk Zones.

8.5.7 The Upper Heyford Airfield Local Wildlife Site lies adjacent to western site boundary. The Ardley Fields Quarry Local Wildlife Site is located within the northern section of Ardley Trackways SSSI and comprises a restored quarry containing geological features of national importance.

8.5.8 Ardley Fields Ponds West Local Wildlife Site and Ardley Fields Pond East are located to the east of the application site on the opposite side of the B430

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

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

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

### **Commentary**

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

- 8.5.13 Paragraph 6.5.12 of the Draft Environmental Statement Ecology and Arboriculture Chapter refers to the loss of around 1.24 HA of the SSSI Habitat and the potential disturbance of an additional 7.39 HA.
- 8.5.14 Paragraph 6.5.20 of the same report refers to the loss of around 30% of the Ardley Road Verge Nature Reserve District Wildlife Site
- 8.5.15 The arboricultural impact assessment (Appendix 6.8) refers (paragraph 9.2) to the removal of much of the internal tree cover. Paragraph 9.1 refers there to being a total of 266 individual trees, 139 tree groups, 80 hedges and 5 woodlands within the site boundary. The applicant has confirmed the proposals would result in the loss of around 11ha of woodland, this would be off-set through the planting of 150,000 new trees extending to 60HA. This would result in a net gain of 49 HA of tree planting. Further details are required on the specification and maturity of the trees to be planted to better understand the appropriateness of the mitigation put forward.
- 8.5.16 In considering hedgerow loss, the proposal is expected to result in the loss of approximately 11.38 km of hedgerow including sections of three of the important hedgerows occurring within the application site totalling 320m in length. It is acknowledged that this is proposed to be off-set through the planting of 13.5km of new species rich hedgerow.
- 8.5.17 Further justification is required as to why the above impacts cannot be reduced through a smaller scale proposal given there is no minimum space requirement for SRFI's.

#### **Adequacy of the draft ES and proposed mitigation**

- 8.5.18 Further detail should be provided by the applicant to explain and justify how the mitigation hierarchy has been applied to selecting the proposed application site including evidence that other sites have been explored and the reason they have been discounted.
- 8.5.19 Further clarification should be provided on how the mitigation hierarchy has been applied to each of the ecological receptors identified at the application site level. For example, further detail should be provided to explain how impacts to Ardley Cutting and Quarry SSSI have been avoided/minimised, mitigated for and what compensation will be provided specifically to offset these impacts. The extent of the Ardley Cutting and Quarry SSSI needs to be quantified. A standalone mitigation strategy with plans demonstrating the quantity and quality of habitat to be created and enhanced to mitigate impacts would allow the acceptability of the mitigation/compensation to be assessed. The applicant may wish to explore appropriate management across the wider SSSI as compensation. Other key receptors where this is applicable include other designated sites with proposed impacts, ecologically important hedgerows as well as protected and notable species.

- 8.5.20 There is no direct loss of Ancient woodland or ancient and veteran trees within the proposals however an assessment of indirect impacts from loss of surrounding habitats and fragmentation of hedgerows and tree belts should be provided. There is proposed to be impacts on 96 trees, 53 groups of trees, 50 hedgerow and 3 woodlands – many of which are mature and connect other areas of tree cover. Woodland planting adjacent to ancient woodland is proposed to only reach ‘poor’ condition and it should be explained why a higher condition could not be achieved. Details demonstrating consideration of opportunities to enhance connectivity between woodlands to increase resilience should be provided.
- 8.5.21 It should be ensured that all ecological survey results are complete and in date in line with best practice guidelines and licencing requirements. This includes reptiles, great crested newts and bats where the adequacy of the proposed mitigation cannot yet be determined due to incomplete survey results. Where deviation from best practice guidelines have been undertaken, further explanation and justification should be provided. For example, further detail to explain why reptile surveys have not been undertaken in July and August.
- 8.5.22 Survey areas should be provided for all species including badgers, otters and water voles.
- 8.5.23 It is understood further surveys for dormouse were discounted predominantly due to the absence of hazel across the application site. This justification is considered insufficient and further reasoning should be provided in line with best practice guidelines. Alternatively, dormouse surveys should be undertaken.
- 8.5.24 A number of watercourses are proposed to be impacted. It is requested that these watercourses are subject to an assessment for aquatic fauna and flora such as fish and invertebrates to help understand the impacts of the development on watercourses and inform further management and mitigation requirements.
- 8.5.25 It is noted that the application site falls within the impact risk zones of multiple SSSIs, however the impact pathways between the application and these sites are not fully identified and addressed for all sites. This information should therefore be added.
- 8.5.26 While it is appreciated and welcomed that Conservation Target Areas have been considered throughout the assessment undertaken, regard should be had to Oxfordshire’s Local Nature Recovery Strategy which is due to be published on 12th November 2025.
- 8.5.27 Confirmation should be provided to determine whether impacts to basil thyme will be anticipated and if so a translocation plan should be provided as has been included for meadow clary.

- 8.5.28 Confirmation is requested on the number of meadow clary plants to be translocated in relation to the number of meadow clary plants present within the Road Verge Nature Reserve (RVNR). This is to ensure a viable population of meadow clary is maintained within the RVNR. This could include additional compensation such as management of the RVNR site. It should also be noted that this RVNR site is not a District Wildlife Site.
- 8.5.29 Section 6.35 of the submitted Ecological Appraisal provides a 'worst case scenario' for hedgerow loss and concludes that the hedgerow compensatory planting will 'add greater value than that is to be lost'. Clarification should be provided on the actual hedgerows proposed to be removed and what value is referred to here.
- 8.5.30 A full lighting scheme demonstrating how increases in light spill across the whole site will be avoided with specific reference to mitigation for nocturnal species should be provided. The specifications of the unlit hop overs for bats and other nocturnal species should be provided.
- 8.5.31 Section 6.112 of submitted Ecological Appraisal identifies a check for otters and water voles within 8m of construction activities. Further explanation should be provided to justify this reduced survey distance in line with best practice guidelines. Alternatively the distance should be updated in line with best practice guidelines and consideration of potential ecological receptors such as otter natal holts.
- 8.5.32 The applicant should include a discussion around the consideration of the use of otter ledges when installing the proposed bridge structures.
- 8.5.33 Confirmation should be provided which waterbodies were surveyed for great crested newts in 2025.
- 8.5.34 It is noted that great crested newt metapopulations 3 and 4 overlap. Further detail is therefore requested to outline how these metapopulations were defined.
- 8.5.35 Justification should be provided to explain the proposed fencing locations and duration for great crested newts.
- 8.5.36 Section 6.23 of the submitted report for great crested newts includes reference to culvert installation. However, the locations of the proposed culverts is not provided within this report and is therefore requested.
- 8.5.37 It is noted that a letter from Natural England has been included on pages 19 to 22 of the submitted report for great crested newts. However, not all points raised within this letter have been addressed in the submitted report. These points should therefore be addressed in a revised report.



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

- 8.5.48 The habitat condition criteria of the proposed post development habitats should be included in an updated BNG report to help inform the feasibility of the proposed habitat types and their ecological condition.
- 8.5.49 Draft Habitat Management and Monitoring Plans should be provided to demonstrate the achievability of the proposed post development habitats.
- 8.5.50 Increased specificity is requested regarding what habitat interventions are planned and where within the scheme. For example, section 5.7 of the submitted BNG report only identifies 'several areas' of poor condition 'grassland' to moderate condition. This statement does not identify the type of grassland nor its location within the site.
- 8.5.51 It is noted that a Construction and Environmental Management Plan has been identified as appropriate mitigation for a number of ecological receptors. This should therefore be secured

### **Conclusion on Ecology and Arboriculture**

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

## **8.6 Landscape and Visual Impact**

### **Summary**

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

### **Mitigation/Improvements**

- The applicant should address the 26 issues with the draft LVIA identified by LUC below as well as the issues raised by OCC's Landscape Officer
- The applicant should revisit their mitigation strategy based on a revised LVIA which has taken into consideration the points outlined below. The applicant should demonstrate how they have applied the mitigation hierarchy.

NPS	NNNPS
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CDC	ESD13. Local Landscape Protection and Enhancement.
OCC	N/A

### **Policy Detail**

- 8.6.1 Paragraph 5.161 of the NPS requires the applicant to carry out a landscape and visual impact assessment in accordance with the third edition Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.
- 8.6.2 Paragraph 5.164 states that the project should be designed, and the scale minimised, to avoid or where unavoidable, mitigate the visual and landscape effects, during construction and operation, so far as possible while maintaining the operational requirements of the scheme. Paragraph 1.164 makes clear that in exceptional circumstances a reduction in operational requirements might be warranted.
- 8.6.3 Paragraph 15.165 states that projects need to be designed carefully, taking account of the potential impact on the landscape.
- 8.6.4 Paragraph 5.166 states adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design and topographical interventions for example creation of bunds or lowering of ground levels.
- 8.6.5 Paragraph 5.169 covers decision making. It states that the project needs to have regard to the siting, orientation, height operational and other relevant constraints. The aim should be to avoid or minimise harm to the landscape, where adverse impacts are unavoidable providing reasonable mitigation and deliver landscape enhancement measures where possible and appropriate.
- 8.6.6 Locally designated landscapes are covered in paragraph 5.175. It states that where a local development plan in England has policies based on landscape character assessment and has identified landscapes of local value they should be given particular consideration. The NPS makes clear that such areas should not be used in and of themselves as reasons to refuse consent as this may unduly restrict the development.
- 8.6.7 Policy ESD13 states that opportunities will be sought to secure the enhancement of the character and appearance of the landscape through restoration, management or enhancement of existing landscapes, features or habitats and where appropriate create new ones.
- 8.6.8 Policy ESD13 goes onto state that proposals will not be permitted if they would:
- Cause undue visual intrusion into the open countryside
  - Cause undue harm to important natural landscape features and
  - Topography
  - Be inconsistent with local character

- Impact on areas judged to have a high level of tranquillity

### **Commentary**

- 8.6.9 The application site is not within a designated National Landscape nor is it within a locally designated landscape based on the adopted local plan. If allow the development would result in visual intrusion into the open countryside and be inconsistent with the existing rural local character. Policy ESD13 of the Cherwell Local Plan is not therefore accorded with.
- 8.6.10 Based on the advice of LUC, who have been appointed by Cherwell District Council in order to review the draft LVIA, it is not considered that the planting and landscaping proposed is sufficient in order to mitigate the visual and landscape effects of the development during construction and operation.
- 8.6.11 Insufficient information has been provided to justify the scale of the warehousing proposed. Paragraph 5.154 of the NPS is not therefore accorded with, as it clearly makes reference to the need for the project to be designed, and the scale minimised to avoid or where unavoidable, mitigate the visual and landscape effects during construction and operation.
- 8.6.12 Reference is made in paragraph 3.28 of the supporting planning statement to substantial earthworks being undertaken on the site resulting in some areas of the site being significantly lower than existing ground levels.
- 8.6.13 Based on the review of the Consultation documents by both OCC and LUC the following comments are made on compliance with the NNNPS paragraphs relating to landscape impacts.

NPS Paragraph	Policy summary	Notes on compliance
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Paragraph 5.161.	Requirement for the applicant to carry out a LVIA in accordance with GLVIA as published by the landscape institute.	The LVIA is based on the principles set out within GLVIA3, some changes and clarifications have been requested including those relating to the method, and details of the method. Responses are required to the clarifications before it can be confirmed whether paragraph 5.161 is accorded with.
5.164	The project should be designed, and the scale minimised, to avoid or where unavoidable, mitigate the visual and landscape effects, during construction and operation, so far as possible while maintaining the operational requirements of the scheme. Paragraph 5.164 makes clear that in exceptional circumstances a	The Councils acknowledge that for a development of this scale and type some significant residual landscape and visual effects are to be expected. This is contrary to the conclusions of the LVIA.  The Councils question the extent to which the scheme has been designed to avoid landscape harm. See comments below

	reduction in operational requirements might be warranted.	
5.165	Requirement for projects to have been designed carefully, taking account of the potential impact on the landscape.	The Councils question the extent to which the project has been designed to take into consideration the potential impacts on the landscape- see comments below.
5.166	Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, design and topographical interventions for example the creation of bunds or lowering of ground levels.	It is acknowledged that the applicants proposed mitigation makes use of topographical changes and bunding. However as outlined below the applicant has failed to demonstrate how they have considered the siting of infrastructure- including highways infrastructure- to mitigate landscape harm
5.169	States that the project needs to have regard to the siting, orientation,	Suggested changes and clarifications are contained in the LUC

	<p>height operational and other relevant constraints. The aim should be to avoid or minimise harm to the landscape, where adverse impacts are unavoidable providing reasonable mitigation and deliver landscape enhancement measures where possible and appropriate.</p>	<p>recommendations further details on which are contained below. These need to be included within the proposals before it can be confirmed whether the proposed mitigation is sufficient.</p> <p>The applicant has failed to demonstrate how they have sought to avoid harm through the design of infrastructure- see below.</p>
5.175	<p>Where a local development plan in England has policies based on landscape character assessment, and has identified landscapes of local value they should be given particular consideration. The NPS makes clear that such areas should not be used in and of themselves as reasons to refuse consent as this may unduly restrict the</p>	<p>The site is not within an adopted or draft Local Landscape Designation. Paragraph 5.175 is therefore accorded with.</p>

	development.	
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### **Adequacy of the draft ES and proposed mitigation**

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

8.6.15 In addition Oxfordshire County Council's Landscape Officer has reviewed the consultation documentation and offered their own comments from paragraph 8.6.20 onwards.

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

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

8.6.18 LUC has set out 25 recommendations for the LVIA to provide further information and clarifications further details of which are contained below. In order for the LVIA to be considered adequate, each of the below should be considered when finalising the LVIA:

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



- 10) The applicant should provide a ZTV to the Local Planning Authorities to ascertain the likely level of visibility of the proposed development from the following receptors. Viewpoints should be selected accordingly to represent the receptors and the receptors should also be assessed in terms of the visual change they will experience:
  - Users of PRow that pass through the Application Site (ON/109/28/10 and ON/109/30/10 and the proposed diversion/ realignment along Estate Roads within the main site.
  - Residents and users of the PRow on the north-western edge of Bicester
  - Users of PRow to the north-east of the Application Site in the vicinity of Stoke Wood and Stoke Little Wood
- 11) Further detail should be provided on each of the individual receptors presented in Appendix 7.3 rather than combining them based on location
- 12) Clarify when agreement on viewpoints was reached agreed with Cherwell District Council and Oxfordshire County Council and whether this was based on the proposed development as presented on the current parameters plan and a ZTV
- 13) Narrative should be provided to justify/explain the ratings for magnitude of change and overall level of effect for each identified landscape and visual receptor - and relate ratings (magnitude of change and overall level of effect) in Chapter 7 to the ratings presented in Appendices 7.2 and 7.3. This applies to both construction and operational phases
- 14) For the majority of the identified landscape and visual receptors the magnitude of change and overall level of effect as assessed reduces from that reported for the construction phase. We would question this, particularly when duration is considered as a factor/moderator for magnitude of change. This should be reviewed and any judgements thoroughly justified.
- 15) All judgements should be reassessed/ reviewed in the context of the comments and requests for further information raised as part of this review – the current draft finding that there are no ‘significant’ residual effects reported for any of the landscape or visual receptors does not seem right for a development of this type and scale. The assessment should also pick up on the realignment of the network of PRow within the Application Site to a corridor along the proposed Estate Road and assessment of the change in experience for users

- 16) The applicant should review the list of cumulative developments until a 'cut-off' date for assessment (up until which planning status of developments might change, to be agreed with the Local Planning Authority). The assessment should distinguish between the different planning status of developments i.e. distinguishing those developments with planning permission but not built from those that are planning applications awaiting planning permission. Any developments that are likely to be determined before this development should be included in the assessment
- 17) A detailed cumulative assessment should be provided for each relevant landscape and visual receptor. Cumulative schemes should be shown on the LVIA figures (including visualisations) to help in visualising the cumulative effects
- 18) Confirm the methodology used for the night-time assessment
- 19) Provide a night-time assessment for landscape and visual receptors (during construction and operation) in line with the Scoping Opinion. This should include sensitivity, magnitude and overall effect for all receptors in Appendices 7.2 and 7.3 (and significance) with reference to quantitative data provided by a lighting engineer's lighting impact assessment.
- 20) Provide night-time baseline photographs and visualisations to help inform the night-time assessment. Baseline night-time photos should be provided to communicate the existing lighting levels (this could be part of the lighting assessment or LVIA). Night time photomontages should be provided if there will be significant effects arising from lighting.
- 21) Provide further details on justification/clarification on planting growth rates assumed at Year 15 and confirm the size and nature of the planting at construction.
- 22) Some of the photomontages (e.g. viewpoint 20 and 22) show the proposed buildings as wirelines rather than the block models. The final photomontages should be presented in a consistent way.
- 23) Review the baseline photography that was captured during different times during 2020 and 2022 to see if it is still up to date - if the situation has changed photos may need to be retaken and Figures 7.100 and 7.11 updated for the final LVIA.
- 24) The proposals should refer to:
  - Measures set out in the Cherwell Green and Blue Infrastructure Strategy (May 2022) - range of interventions and opportunities for GI provision within the Mid-Cherwell Focus Area which could contribute towards enhancement and mitigation opportunities;
  - The Cherwell Green Gaps Study (September 2024), in particular guidance for preservation and enhancement of settlement gap between Heyford Park and Ardley and Fewcott and between Heyford Park and Middleton Stoney
- 25) LUC advise that the proposals should plan for:

- Larger areas of woodland planting along the eastern boundary of the Application Site – A minimum of 35m width of locally appropriate (and climate resilient) woodland screen planting should be provided along the development edges.
- Wider corridors for the realigned PRow to improve experience;
- Softening of bunds through landform modelling to appear as ‘natural’ as possible, and tree species and planting ages selected to ensure they can establish, especially those on bunds

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

8.6.20 In addition to the comments received from LUC the Landscape Officer at Oxfordshire County Council had the following additional observations with regard to the consultation documents.

#### 8.6.21 LVIA

8.6.22 Whilst the methodology provided is not incorrect it only uses a three-point scale for susceptibility and value and a four-point scale for magnitude of impact, which is often used in smaller, less complex projects. Considering the size, scale and related impacts of the development a more detailed scale, i.e. a five-point scale matrix should be considered to provide a more nuanced approach to the assessment.

8.6.23 The methodology does not set out ‘sensitivity levels’ (as a combination of value and susceptibility) and how ‘sensitivity’ and ‘magnitude’ are combined to determine the level of effect. This should be provided.

8.6.24 As already mentioned by LUC LI TGN 2024-1 states in relation to significance that “moderate effects may or may not be significant and justification would be needed in the methodology or receptor assessment as to whether a moderate effect is significant or not”. This should be addressed in the ES.

#### Visual Effects and Visualisation

8.6.25 Visual receptors, viewpoints and visualisations are covered in Figure 7.8 (Location of photo viewpoints and visualisation), Figure 7.9. (Visual receptor locations) and Appendix 7.11 (photomontages). The key in Figure 7.8 distinguishes between viewpoint locations and visualisation locations but the colours are too similar to distinguish them on the plan. This should be corrected. Figure 7.9. Visual receptor locations, which distinguishes residential /settlement, Roads / transport. Public rights of way and other visual receptors.

- 8.6.26 These plans don't show the same locations - figure 7.8 includes viewpoints that are not reflected in figure 7.9 and vice versa. The visual receptor table in appendix also only assesses visual impacts by receptor type but does not provide corresponding viewpoint locations. This is confusing and should be clarified. It is also unclear, why not all receptor locations are accompanied by visualisations to assist with the judgements on these groups.
- 8.6.27 LUC already highlight the need for more narrative on how viewpoints are affected and how judgements on impact are reached. The LVIA should include an assessment of individual viewpoints as well as of receptor groups.
- 8.6.28 Photo viewpoints are presented in appendix 7.10 but these don't include any captions explaining what will be visible in the view. The location and extent of the proposed development is also not indicated in the photographs as it is best practice and required by LI TGN 06-19 for type 1 visualisations. This information should be provided in the ES.
- 8.6.29 Photomontages are provided in figure 7.11 but there is no list in the main body of the LVIA stating which viewpoints are accompanied by a photomontage. The ES should include both a list and corresponding plan that indicates the level of visualisation. Appendix 7.11 includes photomontages for 11 viewpoints, but it is not clear how these were chosen. They appear to focus on the main development, i.e. the warehouses and rail terminal but don't include photomontages to show the impact of the ancillary road works (including cycle lanes) and junctions. This is an omission and should be addressed in the ES.
- 8.6.30 The applicant is also requested to include a plan in the ES that shows the viewpoint locations (including the direction of view) on the masterplan to make it easier to understand the visibility and impact of the development in views, and to help judge the accuracy of the visualisations.
- 8.6.31 Impacts on PRow users are often represented by only one representative viewpoint, but the receptors are not stationary but travel along paths. Therefore the impact on respective routes will vary. To help understanding of the level of effect on PRow users when walking or cycling, the applicant is requested to colour code (RAG) the paths to indicate where views are open, glimpsed/partial views or no views on a stretch of footpath are expected.
- 8.6.32 Overall, effects on landscape character and views appear to have been underestimated and further information on how judgements are being reached is requested.
- 8.6.33 Mitigation
- 8.6.34 The LVIA provides insufficient information on how aspects of siting, design and topographical infrastructure have been addressed. A topographical survey plan should be provided to help understanding of changes in level.

8.6.35 The documents set out the design evolution, but it is not clear how the LVIA has informed the design. The landscape approach to the development appears to have changed little during the design development and consists of bunding in combination of planting for screening. Similarly, whilst the arrangement and orientation of buildings have changed over the years, the size and height of buildings appear to have remained largely the same. The ES should provide further information on how the size and height of the buildings have been determined and how the mitigation hierarchy of avoid, minimise, mitigate, compensate has been applied in relation to landscape and visual considerations.

8.6.36 The scale of the proposed mitigation planting does not match the scale of the development. Whilst many of the tree belts and green infrastructure links are proposed to be 50m wide they are dwarfed by the scale and height of the buildings. It is also unclear how the design and landscape treatment has been informed by the local landscape character. Further information should be provided in the ES.

8.6.37 It is unclear what embedded design has been considered to reduce the impact of the development on landscape character and views, e.g. lower buildings, smaller footprints, materials, green roofs or similar

8.6.38 The document proposes the building design to maximise glazing, which has the potential to increase the impact of lighting of the scheme on the surrounding areas as it will be in addition to lighting controlled by the external. The extent of highway and junction work will also create an impact on the light levels within the area which will need to be mitigated.

#### Trees/Vegetation

8.6.39 Trees and hedgerows are covered as part of chapter 6 (ecology including arboriculture) and in appendix 6.8 (Arboricultural Assessment), but they are also important features in the landscape contributing to the landscape character. It is therefore important to also consider them in landscape and visual terms.

8.6.40 The Arboricultural Assessment (AA) states in para 5.20 that “Both the adopted Cherwell Local Plan and the Tree Policy for Oxfordshire include policies aimed at increasing tree cover. Development of the site will significantly increase tree cover and will meet many of the individual aspirations set out in these policies”, but no information is given in the report on how much tree and woodland planting is proposed.

8.6.41 The ES should provide further information on trees/woodlands/hedgerows lost in comparison to trees/woodlands/hedgerows proposed to be planted. Information should also be provided on how many of the trees proposed to be removed are ash trees and might be lost to Ash die-back in the foreseeable future.

8.6.42 It is also important that consideration is not only given to the number of trees but also the type and quality of trees. Category A and B trees can be over 100 years old and cannot be replaced. Any tree planting should also reflect the local landscape character, e.g. the creation of woodland blocks.

8.6.43 The AA correctly refers to the need to assess the loss of highway trees against Oxfordshire's tree policy

### **Conclusion on Landscape and Visual Impacts**

8.6.44 The Councils expect the applicant to address the issues raised by both LUC and the OCC Landscape Officer above with regard to the draft LVIA.

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

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

## **8.7 Lighting**

### **Summary**

- The methodology and baseline conditions for the construction and operational phase are agreed and accepted

### **Mitigation/Improvements**

- The applicant should ensure that potential impacts on residential properties associated with 25/02190/HYBRID are considered in their assessment.

NPS	NNNPS
CDC	ESD15 The Character of the Built and Historic Environment Mid Cherwell Neighbourhood Plan (2017): PD6 Control of Light Pollution
OCC	N/A

### **Policy Detail**

- 8.7.1 Paragraph 5.117 of the NPS outlines that artificial light pollution is a likely impact associated with National Network NSIPs. Paragraph 5.118 goes on to say that it is important that this impact is considered by the applicant as well the ExA and the SoS
- 8.7.2 Paragraph 5.119 states that some impact on amenity for local communities is likely to be unavoidable. Impacts should be kept to a minimum and should be at a level that is acceptable
- 8.7.3 Paragraph 5.120 outlines that the applicant should assess the potential impact of artificial light on amenity. Paragraph 5.121 states that in particular the assessment should describe:
- the type and quantity of emissions
  - aspects of the development which may give rise to emissions during construction, operation and decommissioning
  - premises, locations or species that may be affected by the emission
  - effects of the emission on identified premises or locations
  - measures to be employed in preventing or mitigating the emissions
- 8.7.4 Paragraph 5.122 outlines that applicants are advised to consult the local relevant environmental health team.
- 8.7.5 Paragraph 5.123 outlines that impacts from light emissions should be sufficiently mitigated. The SoS should consider whether to require the applicant to abide by a scheme of management and mitigation concerning artificial light from the development to reduce any loss to amenity which might arise during the construction and operation of the development. This should be detailed within a Statement Relating to Statutory Nuisance.
- 8.7.6 Paragraph 5.124 states that The Secretary of State should be satisfied that all reasonable steps have been taken, and will be taken, to minimise any detrimental impact on amenity from artificial light. This includes the impact of light pollution from artificial light on local amenity, landscapes and protected species and habitats, using directed light when necessary.
- 8.7.7 Policy ESD15 of the Cherwell Local Plan outlines that development should Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- 8.7.8 Policy PD6 of the Mid Cherwell Neighbourhood Plan states that the design of external and street lighting in all new development should minimise the risk of light spillage beyond the development site boundary. Proposals should ensure that the installation of all external lighting satisfies the following criteria:
- elevations of buildings, particularly roofs, should be designed to limit light spill
  - proposals should not have a detrimental effect on the amenity of surrounding occupiers

- proposals should not have a significant adverse impact on the character of a village and its setting or of the wider countryside
- proposals should not be detrimental to an area of nature conservation interest
- particular care should be taken to avoid light pollution where the development is in a remote rural location, or where it might adversely affect the setting of the Oxford Canal

### **Commentary**

8.7.9 External lighting will be included within the proposed development both within the main site and adjacent to the proposed highways.

8.7.10 Residential receptors are present within the adjacent village of Ardley and Middleton Stoney as well as within recently consented development on Chilgrove Drive. As has been outlined elsewhere within this response there are also two schemes likely to come forward prior to the submission of this application to the Planning Inspectorate for large scale housing developments on the site of the former airfield at Heyford Park.

### **Adequacy of the draft ES and proposed mitigation**

8.7.11 Impacts of light pollution on the landscape and on ecological assets are considered elsewhere within this response.

8.7.12 From an Environmental Health perspective, the methodology and baseline conditions for the construction and operational phase are agreed and accepted.

8.7.13 However, it is not clear from the tables and Appendices if the proposed development at Heyford Park for a further 9,000 dwellings application ref. 25/02190/HYBRID has been considered in the assessment.

8.7.14 Whilst it is acknowledged that 25/02190/HYBRID has yet to be determined it is reasonably likely that it will be determined either prior to the submission of this application or during the examination. Equally the Government's New Towns Task Force has shortlisted Heyford Park as one of 12 new towns within the Country. Given this the Council contends that residential development on the former Heyford Park site of up to 13,000 homes is reasonably foreseeable and as such should be considered within the applicant's ES.

## **8.8 Water Environment (including flood risk and drainage)**

### **Summary**

- The scope of the LLFA's comments is limited to surface water drainage and surface water flood risk
- Hydraulic modelling reports have been provided for the fluvial flood risk. Initial review suggests that the development and access routes will be in areas at low risk of flooding.



- Surface water drainage information is very limited and only the principle of the design can be assessed, and only at a high level

#### **Mitigation/Improvements**

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

NPS	NNNPS
CDC	N/A
OCC	N/A

#### **Policy Detail**

8.8.1 Paragraph 5.135 of the NPS states that: Surface water flood issues need to be understood and then account of these issues can be taken, for example, flow routes should be clearly identified and managed

8.8.2 Paragraph 5.136 states proposals should prioritise the use of Sustainable Drainage Systems unless there is clear evidence that this would be inappropriate. A drainage strategy should also be produced and submitted as part of the Flood Risk Assessment. Paragraph 5.137 goes on to define what the NPS considers to be Sustainable Drainage Systems.

8.8.3 Paragraph 5.139 states site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts

8.8.4 Paragraph 5.140 states that the surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project unless specific off-site arrangements are made and result in the same net effect.

8.8.5 Finally, paragraph 5.142 states if there are no viable Sustainable Drainage Systems options available, it may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.

#### **Commentary**

8.8.6 The LLFA is normally responsible for commenting on surface water drainage and surface water flood risk. Surface water flood risk modelling may require further review by external consultants.

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

#### **Adequacy of the draft ES and proposed mitigation**

- 8.8.20 The surface water drainage proposals require more detail to understand the impact on the water environment. The use of SuDS, a discharge rate restricted to  $Q_{bar}$  and attenuation storage for the 1 in 100 year storm event plus climate change, provide an indicator that the impact will be mitigated with respect to runoff quantity. Not all information has been included to verify this, e.g. hydraulic calculations
- 8.8.21 Further information on groundwater levels and infiltration viability from the Phase 2 report under 'Chapter 11: Ground Conditions' has not been referred to.
- 8.8.22 Further information is required to demonstrate:

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

### **Conclusion on Water Environment**

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

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

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

## **8.9 Cultural Heritage and Archaeology**

### **Summary**

- The proposal site lies in an area of relatively high archaeological interest and potential, and as such, the applicant engaged with the Oxfordshire County Archaeological Service (OCAS) at a relatively early stage in the development of the proposals for the scheme.
- The applicant has undertaken geophysical surveys of the site and trial trenching in line with an approved WSI which outlined that there was a high potential for Prehistoric, Roman, Saxon and post-Medieval activities.
- The development proposals preclude preservation in situ however OCAS are satisfied that the loss of the remains can be mitigated through full excavation and recording
- The application site is adjacent to the RAF Upper Heyford Conservation Area. There is also the Grade II Listed Threshing Barn at Ashgrove Farm within the application redline plan. The existing farm buildings at Ashgrove Farm are proposed to be retained and re-used through a change of use to form an estate management, training and communal facilities centre for the site.
- Both of these are heritage assets. Based on the comments received from the Cherwell District Council Conservation Officer, the proposals are expected to result in less than substantial harm to the heritage assets

- **Mitigation/Improvements**

- The proposals will result in extensive below ground impacts, and these will remove archaeological features identified on the site. We have agreed that the nature of the remains does not warrant preservation in-situ, and that their loss can be mitigated through full archaeological excavation
- A proposed Archaeological Mitigation Strategy has been included within the consultation material. OCAS has outlined some improvements required to this strategy. The strategy will require the written approval of a WSI before it is submitted to the Planning Inspectorate.
- Requirement 14 (1)(c) in Schedule 2 of the dDCO does not include provision for publication of the results of the archaeological mitigation

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

### **Policy Detail**

- 8.9.1 Paragraph 5.206 of the NPS defines a 'heritage asset' and 'significance' in relation to heritage assets. It outlines that significance is derived from the physical form of the asset but also its setting.
- 8.9.2 Paragraph 5.207 outlines that certain assets have a level of significance which justifies official designation. These assets include Scheduled Monuments, Conservation Areas and Listed Buildings.
- 8.9.3 Paragraph 5.208 of the NPS states that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments, should be considered subject to the policies for designated heritage assets. The absence of designation for such heritage assets does not indicate lower significance. Whilst paragraph 5.209 outlines that the SoS should also consider the impacts on other non-designated heritage assets.
- 8.9.4 Paragraph 5.10 outlines that applicants must undertake an assessment of any significant heritage impact and should describe its significance (including contributions from its setting) Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, the applicant should include an appropriate desk-based assessment and, where necessary, a field evaluation.

- 8.9.5 Paragraph 5.212, in line with the NPPF, states that a documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.
- 8.9.6 Paragraph 5.214 states that the Secretary of State may add requirements to the Development Consent Order to ensure that this is undertaken in a timely manner in accordance with a written scheme of investigation that meets the requirements of this section, and has been agreed in writing with the relevant Local Authority, Historic England or Marine Management Organisation.
- 8.9.7 In making their decision paragraph 5.217 outlines that the SoS should take into account the nature of the significance of a heritage asset and the value that it holds for future generations. This understanding should be used to minimise and avoid conflict between the assets conservation and any aspect of the proposal.
- 8.9.8 Paragraph 5.218 states that the Secretary of State should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities – including their economic vitality. The Secretary of State should also take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).
- 8.9.9 Paragraph 5.219 outlines that great weight should be given to the conservation of heritage assets and that the greater the significance of the asset the greater the weight. Substantial harm to or loss of Grade II Listed Building should be exceptional whilst substantial harm to or loss of a Grade II\* or Grade I Listed Building, or a Schedule monument should be wholly exceptional
- 8.9.10 Policy ESD15 requires new development to conserve and enhance designated and non-designated heritage assets including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated.
- 8.9.11 Policy C18 states that in determining an application for listed building consent, the Council will have special regard to the desirability of preserving the building or its setting.

### **Commentary**

#### Archaeology

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

- 8.9.21 A single Saxon feature was recorded in the evaluation trenching, a likely sunken featured building.
- 8.9.22 Within the wider landscape surrounding the DCO site, a number of large archaeological investigations have been undertaken. These have recorded further banjo enclosures, Iron Age – Romano British settlement, stone Roman agricultural buildings and scattered funerary remains. At Dewars Farm to the south east of the proposal site, a significant Anglo Saxon cemetery was recorded, with two rare bed burials, and further SFBs.
- 8.9.23 These features have been investigated via evaluation and will require further mitigation prior to any development on the site
- 8.9.24 The development proposals will not offer opportunities for the majority of archaeological remains identified in the evaluation trenching to be preserved in-situ, however, we are satisfied that the loss of the remains can be mitigated through full excavation and recording (Appendix 10.8)

#### Built Heritage

- 8.9.25 The Cherwell District Council Conservation Officer has provided comments on the proposals and advised that the significance of the heritage assets lies in the fabric and character of the 18th century barn and the buildings that contribute to its setting. The landscape surrounding RAF Upper Heyford is also of significance as it contributes to the character and setting of the conservation area. The airfield due to its very nature is set in a flat open landscape with clear views out from the runway.
- 8.9.26 The conservation officer has advised that in general there are no objections to the redevelopment of the farm buildings including the restoration and re-purposing of the barn. The The proposed approach to the works to the barn are considered acceptable in principle and the retention of the significant buildings and structures associated with it is welcomed. The proposed materials for the works to the barn are considered largely appropriate however careful consideration and further detail would be needed as part of any Listed Building Consent. Similarly the works to the associated buildings are considered acceptable in principle. The retention of Ashgrove Cottages (previously to be demolished) is welcomed and supported, these are considered to be non-designated heritage assets and therefore care should be taken to ensure any works or alterations do not detract from or harm their character or significance. The proposed changes to the landscaping around the farm buildings is considered to potentially improve their setting. The farmhouse, farm buildings and cottages should be included in the heritage assessment for the site.

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

### **Adequacy of the draft ES and proposed mitigation**

#### Archaeology

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

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

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

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

### **Conclusion on Cultural Heritage and Archaeology**

#### Archaeology



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

#### Built Heritage

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

## 8.10 Ground Conditions

### **Summary**

- The proposed development may sterilise 27 million tons (or more) of safeguarded minerals resources in the form of crushed rock. This is the equivalent to 27 years worth of supply for Oxfordshire.
- The applicant has not demonstrated conformity with NNNPS, the NPPF or Policy M8 of the Oxfordshire Minerals and Wastes Local Plan.
- The applicant has made assumptions to calculate the amount of minerals that would be sterilised as a result of the proposed development. OCC does not see sufficient evidence for these assumptions
- Due to the proximity to the site to Ardley Trackways SSSI, Dewars Farm Quarry and the Ardley EFW facility there is a reasonable likelihood of Dinosaur Footprints being present within the application site that may be impacted by the deeper elements of proposed excavation works.

### **Mitigation/Improvements**

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

- The applicant needs to agree a methodology for a palaeontological watching brief with a credible palaeontological institution and secure it the watching brief via a Requirement.

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

### **Policy Detail**

8.10.1 Paragraph 5.191 of NNNPS states that applicants should safeguard any mineral resources on the proposed site as far as possible. Taking into account the policies of the Minerals Planning Authority, applicants should consider whether prior extraction of the minerals would be appropriate

8.10.2 Para 5.196 of NNNPS states that where a proposed development has an impact on a Mineral Safeguarding Area, the Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to safeguard mineral resources

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

8.10.4 Policy M8 of the Oxfordshire Minerals and Wastes Local Plan (2017) states that mineral resources in the Mineral Safeguarding Areas shown on the Policies Map are safeguarded for possible future use. Development that would prevent or otherwise hinder the possible future working of the mineral will not be permitted unless it can be shown that:

- The site has been allocated for development in an adopted local plan or neighbourhood plan; or
- The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or
- The mineral will be extracted prior to the development taking place

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

### **Commentary**

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

#### Conformity with Policy M8

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

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

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

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

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

#### Quality of Minerals Resource Within the Site

8.10.12 Chapter 6 Ground Condition of the Environmental Statement confirms that most of the site is underlain by White Limestone formation, with limited superficial deposits and isolated pockets of Forest Marble Formation (limestone) and Rutland Formation (mudstone).

8.10.13 The Minerals Resource Assessment includes information confirming that the mineral resources within the site boundary are considered economically viable in accordance with BGS criteria for workable deposits, as set out below:

- The deposit should average more than 2m in thickness;
- The ratio of overburden to mineral should not exceed 1:1;
- The proportion of fines should not exceed 15 – 25% silt or 10 - 15% clay; and

- The deposit should lie within 5 – 10m of the surface

8.10.14 It also includes a number of mineral resource data sets at Appendix 2:

- Dynamic Sample logs – BGL of 0.71- 3.03m before refusal due to limestone.
- 8 Rotary Core logs – BGL of 10m, over half have limestone occurring beyond 6m depth
- Trial Pit logs – BGL 1.6-2.4m

8.10.15 The Mineral Resource Assessment states that limestone is generally located 1m below the surface, with an average depth of 6m across the site. While the 1m depth is supported by the dataset, it is unclear how the 6m average has been derived, as the data indicates a range of depths between 5m and 10m. We request further clarification from the applicant on this point.

8.10.16 Based on these given assumptions, the Mineral Resource Assessment estimates that the development would sterilise approximately 27.6 million tonnes of crushed rock, assuming 50% of the deposit is workable. However, no justification is provided as to why only 50% of the deposit has been assumed to be workable. If 75% were workable, the site could yield around 41.4 million tonnes; at 100%, up to 55 million tonnes.

8.10.17 Even at the 50% assumption, the site contains significant reserves that could meet Oxfordshire's crushed rock requirements for at least 27 years, well beyond the current plan period to 2031.

8.10.18 In light of this information we strongly disagree with the assessment of impact of the loss of this mineral resource as set out in Table 11.4 Summary of Likely Effects in Chapter 11 as minor, and the level of Effect as Minor Adverse. This is a large resource and so should reflect the criteria as set out in Table 11.2 – Sensitivity of Geological Receptors, and be classified as High Sensitivity. Nor do we agree with the Table 11.3 - Effect of the Magnitude Criteria, that only operational resources would be considered major. This site is on a Mineral Safeguarded Area as set out in the Oxfordshire Minerals and Waste Local Plan and the loss of an assumed 27 million tonnes, should be classed as Major.

8.10.19 We therefore seek clarification on how both the depth and workability figures have been calculated. Once this information is provided, we will be able to fully assess the Mineral Resource Assessment and its impact on minerals within Oxfordshire. The Authority would also like additional time to explore undertaking their own Mineral Resource Assessment of this area in light of the scale of mineral sterilisation.

#### Minerals Demand

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

### Ardley Trackway

- 8.10.21 The application site lies to the northwest of the Ardley Trackway SSSI. This SSSI is designated due to the discovery of Dinosaur footprints within the SSSI area. The applicant has indicated in Chapter 11 of the ES that the application site will not impact on the SSSI due to the distance separating the site.
- 8.10.22 However in 2024 over 200 additional dinosaur footprints were found to the north of the SSSI at Dewars Farm Quarry. Additional footprints were found in the summer of 2025. Footprints were also found beneath the Ardley Energy from Waste facility which lies close to the application site. Based on this it is clear that this significant and irreplicable geological and palaeontological asset extends well beyond northern boundary of the Ardley Trackway SSSI.
- 8.10.23 The applicants proposed rail cutting, to connect their rail terminal into the existing Chiltern Main Line (which is in itself in a SSSI), lies to the north of Dewars Farm Quarry and so it is likely that the dinosaur footprints and other palaeontological assets could be present within the application site.

### **Adequacy of the draft ES and proposed mitigation**

- 8.10.24 OCC strongly disagree that the impact of the loss of this mineral resource as set out in Table 11.4 of Chapter 11 is Minor and the level of Effect is Minor Adverse.
- 8.10.25 This is a large resource, which we consider to be of nationally significant scale, so under Table 11.2 Sensitivity should be High Sensitivity.
- 8.10.26 Nor do we agree with the Table 11.3 Effect of the Magnitude Criteria, that only operational resources should be considered major. This site is on a Mineral Safeguarding Area as set out in the Oxfordshire Minerals and Waste Local Plan, in accordance with the NPPF, and the loss of an assumed 27 million tonnes, should be classed as Major.
- 8.10.27 Ahead of Submission these tables should be amended to accurately reflect the impact and magnitude on mineral resources
- 8.10.28 Section 3.5 describes crushed rock as “abundant” in Oxfordshire. This is a misleading term for describing mineral resources. Mineral resources are finite, non-renewable, and can only be worked where they naturally occur. Oxfordshire’s crushed rock deposits are locally and regionally significant due to the limited geological availability across the wider South East. The NPPF requires Minerals Planning Authorities to safeguard such resources.
- 8.10.29 In addition, Section 13.4.9 of Chapter 13 states that Oxfordshire has a large existing supply of minerals. Our landbank for Crushed rock is significantly below the 10 years required by the NPPF, clearly demonstrating that Oxfordshire does not have a large supply of existing permitted aggregate

8.10.30 Section 4.3 references the 2014 Local Aggregate Assessment (LAA), which indicated no additional requirement for crushed rock at that time. However, more recent annual Local Aggregate Assessments have consistently identified a clear and growing need for additional crushed rock reserves to support development, which cannot be met by existing permitted sites, contrary to the statement in Section 6.2.

8.10.31 In addition, Policy M2 of the Oxfordshire Minerals and Waste Local Plan permits additional aggregate mineral working, under Policy M5, to maintain landbanks of reserves with planning permission to be maintained, for crushed rock is this a period of at least 10 years in accordance with the annual requirement rates.

8.10.32 The following evidence also contradicts the assessment and conclusion of the Mineral Resource Assessment:

- The NPPF requires a minimum landbank of at least 10 years for crushed rock. Oxfordshire's latest LAA (2023) shows a landbank of just 4.9 years—well below the national requirement.
- Oxfordshire County Council is committed to enabling the provision of 0.964 million tonnes of crushed rock annually to support planned growth.
- The Government's growth agenda will require substantial mineral resources, including crushed rock.
- In 2023, crushed rock sales in England totalled 78.5 million tonnes, indicating that this site could make a meaningful contribution to national supply

8.10.33 As Minerals Planning Authority, we therefore strongly disagree with the conclusions in Section 5.6 and 6.8 of the Mineral Resource Assessment and 11.4.62 of Chapter 11 Ground Conditions, that it is considered unlikely that there will be economic demand for the mineral if extracted for sale within the lifetime of the current plan or in the next decade or more. The site, based on the figures provided, could yield approximately 27.6 million tonnes of primary aggregate, which as mentioned above could meet Oxfordshire's crushed rock requirements for the next 27 years, well beyond the current plan period (to 2031)

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

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

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

#### Conformity with the NPPF

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

#### Conformity with NNNPS

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

#### Chapter 13 Resource Requirements

8.10.38 Chapter 13 of the Environmental Statement explores materials required for the development of the proposal and their impact.

8.10.39 Minimal information has been provided on the construction materials required for this development within the consultation materials. While it is acknowledged that aggregates will be needed, the consultation materials lacks detail on the types, quantities, timescales, and sources of material. Table 13.12 lists several Oxfordshire mineral sites as potential sources, but these may close or cease extraction during the construction period.

8.10.40 To be able to fully assess the environmental impacts of this site, the mineral requirements should be provided ahead of submission.

8.10.41 In addition to enable the Minerals Planning Authority to plan for a steady and adequate supply, as required by the NPPF, further detail is needed on the specific aggregate requirements and sourcing strategy

8.10.42 Paragraph 13.5.27 concludes that the effect of construction materials is “Not Significant” and this is also reiterated at 11.7.15 of Chapter 11. However, this conclusion is not supported by sufficient evidence. For example, if crushed rock is required, Oxfordshire’s current landbank is only 4.9 years—well below the NPPF’s 10-year requirement. Sharp sand and gravel reserves were also nearing the 7-year NPPF threshold at the end of 2023. This site could need significant external minerals to construct.

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

#### Aggregate Depot

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

#### Ardley Trackway

8.10.45 As outlined above the Councils believe that there is a reasonable likelihood that significant palaeontological assets are present within the application site, particularly in the area of the applicant's rail cutting to the north of Dewars Farm Quarry and the Ardley EFW facility.

8.10.46 At paragraph 11.6.9 of Chapter 11 of the ES the applicant outlines that due to the depths of the proposed excavation works in relation to the depths of palaeontological assets there is only likely to be an impact in the rail freight terminal and the west of Zone A4. The applicant concludes that being as there is no SSSI associated with Ardley Trackways within the application site there is a low sensitivity of minor significance and therefore a minor adverse effect.

8.10.47 However, whilst the Ardley Trackway SSSI does not lie within the site boundary, the Ardley Cuttings SSSI does lie within the site boundary within the area identified by the applicant as possibly containing dinosaur footprints. The designation of the Ardley cuttings SSSI identifies that 'This is a key site for its fossil marker horizons, palaeontology, sedimentary features such as channels and emergent surfaces, and its stratigraphy. The rocks of Ardley enable the Bathonian sections of the Midlands to be correlated with those of the Oxford area and Cotswolds and as such is of national importance for the understanding of the Jurassic Period in Britain.'

8.10.48 Whilst the Ardley Cuttings SSSI does not specifically outline a link to the Ardley Trackway dinosaur footprints, it is clear that this site is designated for its palaeontological significance. As such the councils contend that there is a low sensitivity and therefore a minor adverse effect.

8.10.49 Given this, the councils believe there would be a greater adverse effect which would require mitigation. Palaeontology falls outside the scope of Oxfordshire County Archaeological Services expertise, however the councils consider that a reasonable approach would be to approach a credible palaeontological institute, such as the University of Oxford, and agree a methodology for a watching brief to be undertaken by the palaeontological institute. This watching brief should identify which excavations would need to be monitored based on the anticipated depth of their impact and the location in relation to the relevant limestone deposits. This watching brief would need to be secured via a requirement in the DCO.



8.10.50 These footprints are a known asset which Oxfordshire County Council has sought to mitigate and avoid impacts on when determining applications for minerals extraction within the locality. For instance, Condition 17 in recent permission MW.0049/23 limits the excavation of minerals resources at Dewars Farm to the depth of the top of the relevant geological strata. This type of condition would not be possible in relation to the proposed development, however it highlights that the likelihood of significant impacts on these assets has been deemed significantly high to warrant mitigation in the form of a condition. The Councils do not see that this should not be the case for the proposed development.

#### **8.10.51 Conclusion on Ground Conditions**

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

8.10.53 No mitigation for the sterilisation of the mineral has been provided

8.10.54 The Assessment criteria for mineral resources should be amended to accurately reflect the sensitivity and magnitude of impact of this proposal on Mineral Safeguarded Resources ahead of submission.

8.10.55 Due to the significant minerals resources impacted by this proposal the Minerals Planning Authority may need to resource external consultancy to fully review the mineral resource implications and make a further response to the impact on Mineral Safeguarded Resources.

8.10.56 At this time the proposal potentially sterilises at least 27 million tonnes of crushed rock, which is a significant amount, especially when Oxfordshire's Crushed rock landbank is below the required 10 years and Central Government is promoting a growth agenda.

8.10.57 No information has been provided on the quantities of material needed to deliver this project, and this could have significant environmental impacts and should be considered and included before submission

8.10.58 The applicant has underestimated the significance of impacts on potential palaeontological assets and is required to ensure adequate mitigation in the form of a watching brief is agreed with a credible palaeontological institution and secured via a requirement in the DCO.

## **8.11 Socio-Economic Impacts**

### **Summary**

- Provision of walking and cycling connections are welcomed.

### **Mitigation/Improvements**

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

NPS	NNNPS
CDC	Strategic Objective 1.
OCC	N/A

### **Policy Detail**

- 8.11.1 Paragraph 4.71 of the NPS outlines that SRFI have the potential to effect health due to traffic, noise, vibration, air quality and emissions, light pollution, community severance, dust, odour, polluted water and pests.
- 8.11.2 Paragraph 4.72 states that where the proposed project has an effect on human beings, the applicant should assess these effects, identifying any potential adverse health impacts, and identify measures to avoid, mitigate or as a last resort compensate for adverse health impacts as appropriate. Enhancement opportunities should be identified by promoting local improvements for active travel and horse riders driven by the principles of good design to create safe and attractive routes to encourage health and wellbeing; this includes potential impacts on vulnerable groups within society, i.e. those groups within society which may be differentially impacted by a development compared to wider society as a whole
- 8.11.3 Paragraph 5.244 states that where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts. 5.245 goes on to say that this assessment should include all relevant socio-economic impacts.
- 8.11.4 Paragraph 5.246 requires applicants to describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.
- 8.11.5 At paragraph 5.247 the NPS specifically outlines that Strategic Rail Freight Interchange developments, applicants should outline the benefits to workforce conditions of the new development once it is operational. This should include improved facilities for drivers (including Heavy Goods Vehicles) such as parking, hygiene facilities and hospitality establishments.
- 8.11.6 Paragraphs 5.248 and 5.249 outline the requirements for mitigation and outline that the SoS should have regard to potential socio-economic impacts and consider any positive provisions that the applicant has made.

### **Commentary**

- 8.11.7 The following comments relate to the human health and wellbeing aspects of the proposals, with a primary focus on the draft Health Impact Assessment (HIA) compiled by Ekosgen for Oxfordshire Railfreight Ltd.
- 8.11.8 It is understood that this development will include the provision of vehicular relief roads/bypasses as well as an active travel bridge to the north of the site. This will be a welcome addition to the development as a way to encourage active travel and connectivity.
- 8.11.9 It is supported that noise and air quality are scoped into the assessment as the proposals will involve changes to operations in the local area, notably around the noise of operational works at the new rail freight interchange. While it is noted that this will be mitigated to the north-west of the rail terminal via noise barriers, the health assessment doesn't appear to explicitly refer to future residential units proposed in the Heyford Park wider site, some of which might be located on the boundary with the rail freight interchange. It will also be important to consider the height of noise barriers in relation to the height of future operations at the site, taking into account a worst case scenario assumption.
- 8.11.10 The rationale around the beneficial effects to physical activity is acknowledged. Due to local issues with physical inactivity and low rates of active travel to places of work, it will be essential that the proposed foot and cycleways provide safe and direct connections from the rail freight interchange and surrounding settlements, such as Heyford Park and Bicester.
- 8.11.11 The potential employment opportunities offered by the development will be positive for the local and district-level population. To ensure that new jobs are created as sustainably and attractively as possible, the applicant will need to consider opportunities to access the site through walking and cycling, such as the provision of shower, locker and changing facilities, secure and covered cycle storage, and on-site green spaces which cater to staff during breaks (benches, use of green infrastructure etc).

#### **Adequacy of the draft ES and proposed mitigation**

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

#### **Conclusions on Socio-Economic Impacts**

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

8.11.14 The applicant needs to further consider the impacts of the scheme on residential receptors at the proposed new town at Heyford Park adjacent to the site.

## 8.12 Waste

### Summary

- The proposed development would result in the permanent loss of a safeguarded waste facility at Ashgrove Farm
- The proposed development may risk prejudicing Oxfordshire's commitment to waste self-sufficiency per W1 of OCC's M&W LP

### Mitigation/Improvements

- No mitigation has been provided for the proposal to remove Ashgrove Farm, a safeguarded waste facility
- A Wastes Need Assessment must be undertaken by the applicant to understand the impact of the loss of Ashgrove Farm as well as the extraction of waste from Ardley and wastes arising from Construction.
- Further detail is needed on the management of waste arising from the scheme
- Further information is required on the impact on Ardley Landfill.

NPS	NNNPS
NPPW	Section 5, paragraph 7
CDC	N/A
OCC	W11 Safeguarding Waste Management sites W1: Oxfordshire waste to be managed (net self-sufficiency)

- 8.12.1 Paragraph 5.71 of the NPS states that the applicant should demonstrate that they will adhere to the waste hierarchy, preventing and reducing waste produced in the first place and maximising preparation for reuse and recycling for waste that cannot be prevented. Where possible, applicants are encouraged to use existing materials first, then low carbon materials, sustainable sources, and local suppliers. Consideration should be given to circular economy principles wherever practicable, for example by using longer lasting materials efficiently, optimising the use of secondary materials and how the development will be maintained and decommissioned. Applicants should consider and take into account emerging government policy, including Maximising Resources, Minimising Waste, constituting the new Waste Prevention Programme for England and Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, which provides practical guidance on how to improve appropriate soil reuse on construction sites and reducing the volume that is sent to landfill.
- 8.12.2 Paragraphs 5.72 and 7.73 require a circular approach to waste management and outline that sustainable waste management is implemented through the waste hierarchy.
- 8.12.3 Paragraph 5.75 outlines that Infrastructure projects should employ Modern Methods of construction such as sustainable timber and low carbon concrete where possible.
- 8.12.4 Paragraph 5.76 outlines that the SoS needs to consider the effectiveness of the process proposed by the applicant to manage waste through construction and operation.
- 8.12.5 Finally, paragraph 5.78 states that where possible, projects should include the reuse of materials and use of sustainable materials and recycled materials
- 8.12.6 The National Planning Policy for Waste sets out the role of planning for waste, which includes providing a framework in which communities and businesses take more responsibility for their own waste, including enabling waste requiring disposal or mixed waste destined for recovery to be managed in line with the proximity principle. It also requires that, in preparing waste local plans, waste planning authorities should identify quantities of waste requiring different types of management in their area over the plan period.
- 8.12.7 Section 5, paragraph 7 of the NPPW, states that local authorities should ensure that the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities

8.12.8 Policy W11 of the Minerals and Waste Local Plan safeguards waste management sites within the County. The Policy sets out that development which will directly or indirectly prevent or prejudice the use of safeguarded waste management sites will not be permitted unless the site is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan, or equivalent waste management capacity can be appropriately and sustainably provided elsewhere; or it can be demonstrated that the site is no longer required for waste management.

8.12.9 Policy W1 of the Minerals and Waste Local Plan sets out that provision will be made for waste management capacity that allows Oxfordshire to be net self-sufficient in the management of its principal waste streams

### **Commentary**

8.12.10 This site proposes the removal of Ashgrove Farm, a waste management facility that manages up to 35,000 tonnes of waste per year. The Ashgrove Farm site is listed within Appendix 2 of the Oxfordshire Minerals and Waste Local Plan and in the Authority's Annual Monitoring Reports. Therefore, it is a safeguarded site under Policy W11 of the Oxfordshire Minerals and Waste Local Plan

8.12.11 The proposal for the Strategic Rail Freight Interchange is not within an adopted Local Plan or Neighbourhood Plan

8.12.12 The consultation documents do not propose to deliver equivalent waste management capacity elsewhere

8.12.13 The consultation documents have not demonstrated that Ashgrove Farm is no longer required.

8.12.14 A detailed waste needs assessment has not been provided as part of the consultation, and this is required to be able to fully assess the impact of the loss of this site. It is critical that this is undertaken before Submission, so that the full implications of this development can be considered prior to submission.

8.12.15 Without this assessment, and ahead of any full needs assessment, we have reviewed the last published Authority Monitoring Report (AMR) for 2020 (published 2023). It demonstrated that permitted Composting/Biological Treatment capacity within Oxfordshire was 239,000 tonnes, with 188,177 tonnes of composting/food waste treatment being managed.

8.12.16 In addition, the Composting/Biological Treatment sites that are listed in the Authority Monitoring Report indicate that a number of sites listed are temporary and their permission has expired since 2020, or is due to in the future, removing Composting/ Biological treatment capacity within Oxfordshire.

- 8.12.17 At Section 13.4.25 the consultation document states that the Waste Data Interrogator provides details of waste capacity. This is incorrect, the Waste Data Interrogator provides details of waste movements received or removed from sites, not capacity.
- 8.12.18 Without the detailed figures and method of calculation provided to reach the figures in 13.4.25, it is assumed that the figures included are the average waste received into Oxfordshire Sites between 2019 -2023, and the Waste Data Interrogator has indicated that Oxfordshire's composting and food waste treatment facilities are potentially receiving around 226,298tpa.
- 8.12.19 With a capacity of 239,000 taken from the AMR, which could be less due to the closure of temporary sites, waste received at these sites is potentially reaching capacity, therefore the loss of Ashgrove farm could significantly impact Oxfordshire's Waste Management Capacity.
- 8.12.20 However, to fully assess and understand the full implications of the impact of the potential loss of this site a full Waste Needs Assessment will need to be prepared. As this has not been provided by the applicant, Oxfordshire County Council will need to undertake this.
- 8.12.21 At this stage it has not been proven that the site is no longer required for waste management, nor is the development within a Local Plan or Neighbourhood Plan, nor is it proposed to be provided elsewhere. Therefore, until a full waste needs assessment is undertaken, this proposal is contrary to Policy W11 of the Oxfordshire Minerals and Waste Local Plan
- 8.12.22 Oxfordshire (Policy W1) and the South East Authorities, have a commitment to be net self-sufficient at managing in the management of their principle waste streams. This is in accordance with the NPPW. We would therefore not wish to see Oxfordshire's waste management capacity reduced so that Oxfordshire has a reliance on Buckinghamshire, Milton Keynes or West Northamptonshire.
- 8.12.23 In addition, no assessment of Buckinghamshire's, Milton Keynes or West Northamptonshire's waste needs has been provided to demonstrate that they can manage the additional 35,000tonnes annually if Ashgrove Farm were to be lost
- 8.12.24 It is not considered that the Environmental Statement (ES) and supporting documents provide sufficient detail on the impact of the proposed development on Ardley Landfill, particularly regarding the north-eastern edge of the site, which extends into the landfill area. There is a lack of clarity on the following points:
- The anticipated quantity of waste to be removed from the restored landfill, including the existing cap,
  - The material needed for the recapping,
  - Any alternatives considered for the management of the waste removed from the cells, if the EA do not permit the placement of the waste on the wider site

- 8.12.25 This information is essential for a full assessment of the proposal and should be provided before any decision is made
- 8.12.26 We are pleased to see the consultation documents provide the estimated waste arisings from construction of the proposal and support the commitment that the development would match or exceed the targets within Policy W2 for both the construction and operation phases of the development. We also support the preparation of a Construction Management Plan and Site Waste Management Plan to be submitted. We would expect to be consulted on this ahead of submission.
- 8.12.27 However, in light of this commitment we would have expected a greater level of detail regarding the specific types of waste anticipated, the projected quantities for recycling, and the potential impacts on Oxfordshire's waste management facilities beyond landfill alone. Whilst we recognise that IEMA guidelines require developments to consider impacts on landfill capacity, due to the scale and nature of this development, we would expect that the impact on other waste management capacity should be considered.
- 8.12.28 Especially as Oxfordshire has set a target for no more than 5% of construction, demolition, and excavation (CD&E) waste to be sent to landfill by 2030. This means that 95% of waste generated from this development will need to be managed through alternative treatment and recycling routes. It is therefore essential to understand how the CD&E arisings from this site will affect the capacity and operation of Oxfordshire's other waste management facilities, not just landfill.
- 8.12.29 Without the detailed information on potential waste arisings and management routes, we are unable to agree with the assertion in paragraph 13.4.18 that the sensitivity of waste transfer and treatment sites to construction and demolition from the development waste is low, nor with the conclusion in Table 13.23 that the preliminary assessment of construction impacts is slight.
- 8.12.30 This proposal has significant potential to impact existing local recycling and recovery capacity and therefore this should be considered and assessed.
- 8.12.31 We request that the applicant provides further clarity on these points to ensure the impacts of the development can be fully considered and the proposal aligns with Oxfordshire's waste management targets

#### **Adequacy of the draft ES and proposed mitigation**

- 8.12.32 The planning permission for the Biffa Green Power IVC Facility at Ashgrove Farm is permanent, not temporary, and thus forms part of Oxfordshire's permitted permanent waste management capacity. The assumptions within the consultation documents that it is a temporary facility should be removed and corrected within the Environmental Statement (13.4.19).



- 8.12.33 Paragraph 13.4.22 is incorrect and should be addressed prior to submission. Ashgrove Farm is listed within Appendix 2 of the Oxfordshire Minerals and Waste Local Plan, and it is also listed within the Authority Monitoring Reports. It is a safeguarded site and Policy W11 applies.
- 8.12.34 The impact of the loss of this site has not been accurately considered in terms of loss of waste management capacity in Oxfordshire
- 8.12.35 No mitigation has been provided for the proposed removal of Ashgrove Farm.
- 8.12.36 Without detail of construction and operation waste arisings and management routes and the impact of these on existing waste management facilities within Oxfordshire (other than landfill), it is not appropriate to assess the magnitude and significance of these proposals at this time. This will need to be assessed prior to submission.
- 8.12.37 The ES does not provide a Waste Needs Assessment which is required to fully understand and undertake an assessment of the impact of the removal of Ashgrove Farm, the extraction of waste at Ardley, and the waste arisings from the development during construction and operation

### **Conclusions on Waste**

- 8.12.38 The waste management facility at Ashgrove Farm is safeguarded by Policy W11 of the Oxfordshire Minerals and Waste Local Plan.
- 8.12.39 The proposal to remove Ashgrove Farm is contrary to Policy W11 of the Oxfordshire Minerals and Waste Local Plan, as the site is safeguarded. The SRFI has not been allocated, provision of equivalent capacity has not been provided, nor has evidence been submitted that it is no longer required.
- 8.12.40 The consultation documents or Environmental Statement do not provide a detailed Waste Needs Assessment which is required to fully understand and undertake assessment of the impact of the removal of Ashgrove Farm, the extraction of waste at Ardley, and the waste arisings from the development during construction and operation.
- 8.12.41 The application lacks sufficient detail on the management of construction, demolition, and excavation waste, and does not adequately address the potential impacts on existing waste management facilities beyond landfill.
- 8.12.42 The Environmental Statement does not provide adequate information regarding the impact on Ardley Landfill, including quantities of potential waste removal, recapping requirements, and alternative management options, which are essential for a full assessment.
- 8.12.43 Until a comprehensive Waste Needs Assessment and further technical details on waste arisings and management routes for the development are provided, the proposal cannot be considered compliant with national policy, the NPPW, or the Oxfordshire Minerals and Waste Local Plan

## 8.13 Agricultural Land

### Summary

- Agricultural Land Classification Maps show the site as majority Class 3 (the maps do not distinguish between 3a and 3b), with a smaller portion being Class 2. The land surveys carried out by the applicant do not show any Class 2 Agricultural Land, with just 3a and 3b. The applicant should explain this discrepancy.
- The proposal would result in the loss of 38.2ha of BMV Agricultural Land (Subgrade 3a), representing 9% of the total development area. The proposal would have a major magnitude loss as it would exceed 20ha of BMV land

### Mitigation/Improvements

- No mitigation is proposed for the loss of Class 3A BMV Agricultural Land
- Embedded mitigation is proposed through a Soil Management Plan, to ensure effective management, protection and reuse of topsoils. Implementation of this plan would ensure that there would be negligible residual effects on soil resources

NPS	NNNPS
CDC	ESD10 (Protection and Enhancement of Biodiversity and the Natural Environment)
OCC	N/A

### Policy Detail

- 8.13.1 NPS National Networks Sections 5.189-5.190 states that the Agricultural Land Classification is the only approved system for grading agricultural land in England and Wales and that the economic and other benefits of BMV Agricultural Land should be taken into consideration. Where significant development of agricultural land is demonstrated to be necessary, area of poorer quality land shall be used in preference to that of higher quality.
- 8.13.2 Cherwell Local Plan section C.5 reinforces the importance of agriculture to the district's local economy by stating that "farming remains of vital importance to Cherwell's rural identity and to local food production". Best and Most Versatile Agricultural Land is universally recognised as those falling within Grade 1, 2 and 3a. Policy ESD10 of the CLP2015 states that "protection and enhancement of the natural environment will be achieved by...the reuse of soils

### Commentary

- 8.13.3 It is noted that the Agricultural Land Classification Maps show the majority of the site as being within Grade 3 agricultural land, with a smaller portion being within Grade 2 (around Camp Road). It is also acknowledged that these maps do not distinguish between Subgrade 3a (Good Quality Agricultural Land) and Subgrade 3b (Moderate Quality Agricultural Land).
- 8.13.4 The submitted Map 2B (part of Appendix 6.14A) shows the distribution across the site of Grade 3 Agricultural Land, with no Grade 2 Agricultural Land identified. This is contrary to the ALQ Mapping from Natural England, which is stated to have been used as part of the desk study within Section 14.2 of Chapter 14 of the Draft Environmental Statement.
- 8.13.5 The Draft Environmental Statement concludes that the proposal would result in the loss of 38.2ha of BMV Agricultural Land (Subgrade 3a), representing 9% of the total development area. Land falling within Subgrade 3b would constitute 282.4ha or 63% of the development area. The remaining area would constitute BNG land where soils would be retained or non-agricultural land.
- 8.13.6 Given the loss of 38.2ha of Subgrade 3a agricultural land, the proposal would have a major magnitude loss as it would exceed 20ha of BMV land

#### **Adequacy of the draft ES and proposed mitigation**

- 8.13.7 There is no mitigation for the major magnitude loss of Subgrade 3a Agricultural Land. Given the context of the proposed development, and the fact that the proposal would result in the loss of BMV Agricultural Land constituting 9% of the total development site, the scope of the assessments carried out is generally accepted. Cherwell would appreciate commentary on the discrepancy between the ALC Mapping, which shows the presence of Grade 2 Agricultural Land and the lack of any Grade 2 Agricultural Land identified within the applicant's own Agricultural Land Quality Survey.
- 8.13.8 Embedded mitigation is proposed through a Soil Management Plan, to ensure effective management, protection and reuse of topsoils. Implementation of this plan would ensure that there would be negligible residual effects on soil resources.

#### **Conclusions on Agricultural Land**

- 8.13.9 The proposal would result in the loss of BMV Agricultural Land totalling 38.2ha, equating to 9% of the development site. As it would exceed 20ha in area, the proposal would constitute a major adverse effect. The management, protection and re-use of top-soils would ensure that soil resources of the site would be effectively managed and is considered to be an adequate mitigation measure.
- 8.13.10 Given the negative impacts of the proposal on BMV Agricultural Land, this will need to be balanced against other negative impacts, as well as public benefits of the proposed development

## 8.14 Climate Change

### Summary

- In the absence of any further mitigation, the proposed development in the construction phase is expected to have a moderate adverse/significant impact and the operational phase of the development would be in line with national decarbonisation targets in a 'do minimum' scenario. With the implementation of further mitigation through a Carbon Management Plan, including 'green leases' the proposal is expected to have a negligible impact on climate change in EIA terms.

### Mitigation/Improvements

- OCC will need to review a draft Carbon Management Plan in advance of submission to the Planning Inspectorate. We would expect this plan to include provision of Green Leases, encouraging public transport as well as walking and cycling, applying BREEAM Excellent status, and a plan for mitigating the impact of unregulated energy use.
- OCC also expects the applicant to Update to GHG emissions calculations including refrigerant gases and embodied carbon of solar PV and BESS
- The number of EV parking spaces should be increased to 25% to match OCC's standard. A commitment should be provided that the remaining vehicle parking spaces will be fitted with passive EV charging infrastructure
- Finally OCC require the applicant to model a GHG emissions scenario in which the intermodal rail terminal is not operational.

NPS	NNNPS
CDC	ESD1 (Mitigating and Adapting to Climate Change), ESD2 (Energy Hierarchy and Allowable Solutions), ESD3 (Sustainable Construction), ESD4 (Decentralised Energy Systems), ESD5 (Renewable Energy), ESD6 (Sustainable Flood Risk Management), ESD7 (Sustainable Drainage Systems), ESD8 (Water Resources)
OCC	2020 Climate Action Framework 2021 Pathways to a Zero Carbon Oxfordshire 2021 Oxfordshire Net Zero Route Map and Action Plan 2022 Oxfordshire Local Transport and Connectivity Plan 2022 Oxfordshire Climate and Natural Environment Policy Statement 2025 OxRAIL 2040: Plan for Rail

- 8.14.1 NPS National Networks Section 2.31 states that climate change is essential in minimising the most dangerous impacts of climate change, however the severity of these risks is projected to increase, putting additional stresses on transport infrastructure. In addition to this, Section 4.27 states that the design of developments should mitigate carbon emissions and adapt to climate change, including decarbonisation, flexibility and resilience.
- 8.14.2 Oxfordshire has ambitious net zero targets which will be driven by a combination of factors including renewable energy generation within the county, and a reduction in transport demand. Transport is Oxfordshire's greatest source of emissions and is among the most challenging to decarbonise – freight has the highest emission per vehicle mile of any journey. The Local Transport and Connectivity Plan outlines Oxfordshire's targets for transport in the county – to deliver a net zero transport network by 2040, and a transport network that delivers a climate positive future by 2050. These targets include freight vehicles and rail. The forthcoming OxRAIL 2040: Plan for Rail also outlines the role of the railway in delivering climate action and reducing transport emissions in Oxfordshire, which is relevant to this application.
- 8.14.3 Oxfordshire County Council's Climate Action Framework sets out the council's approach to tackling the climate emergency. One of the key outcomes of the framework was enabling a zero carbon Oxfordshire by 2050. This has been brought forward to 'as early as possible in the 2040s' through the Climate and Natural Environment Policy Statement.
- 8.14.4 The Pathways to a Zero Carbon Oxfordshire Report addresses the need and opportunity for Oxfordshire to maintain momentum to achieve net zero emissions. It examines a series of scenarios that could lead to the delivery of net zero emissions within the county and the implications of these scenarios on different sectors.
- 8.14.5 In all of the net zero scenarios, close to 100% of fossil-fuel powered vehicles need to be phased out, and some reduction in travel demand is required. Shifting freight from road to rail, particularly with the electrification of the railway, is one way to achieve this demand reduction. Consolidation of freight is essential to reducing emissions from deadhead journeys. The Oxfordshire Net Zero Route Map and Action Plan, which underpins the delivery of climate action in Oxfordshire, models the changes required in freight trips to reach net zero under the 'Oxfordshire Leading the Way' scenario; trip efficiency is required to increase by 10% by 2050, with 100% of HGV and LGV trips completed by vehicles that have zero emissions at the tailpipe.
- 8.14.6 Cherwell Local Plan has a suite of policies that seek to encourage sustainable development and respond to the climate emergency, relating to increasing temperatures and changes in rainfall patterns. In 2019, Cherwell District Council declared a climate emergency and recognised its role in supporting the district to become carbon net zero.

- 8.14.7 Policy ESD1 of the CLP2015 requires that development be located within sustainable locations, is delivered to ensure that there is a reduction in the need to travel, reduces carbon emissions and promotes the use of decentralised and renewable or low carbon energy.
- 8.14.8 Policy ESD2 of the CLP2015 states that in order to achieve carbon emission reductions, an energy hierarchy should be followed which, in order, should be reducing energy use, supplying energy efficiently, making use of renewable energy and making use of allowable solutions
- 8.14.9 Policy ESD3 of the CLP2015 states that all non-residential development should meet the BREEAM 'Very Good' standard and how this will be achieved should be set out in an energy statement. All development proposals should be encouraged to reflect high quality design and environmental standards and demonstrate sustainable construction measures
- 8.14.10 Policy ESD4 of the CLP2015 states that for all applications for non-domestic developments exceeding 1000sqm of floorspace, the use of decentralised energy systems will be encouraged.
- 8.14.11 Policy ESD5 of the CLP2015 states that all applications for non-domestic development exceeding 1000sqm of floorspace, the potential for significant on-site renewable energy provision (above any requirements to meet national building standards) should be investigated, and if deemed feasible, will be required.
- 8.14.12 Policy ESD6 of the CLP2015 requires that in relation to flood risk management, the sequential test will be required to reduce flood risk, where there are not any existing exemptions outlined within the NPPF and NPPG. Development shall only be permitted in areas of flood risk where there are no reasonably available sites in areas of lower flood risk.
- 8.14.13 Policy ESD7 of the CLP2015 requires that all development to use sustainable urban drainage systems (SuDS) for the management of surface water runoff.
- 8.14.14 Policy ESD8 of the CLP2015 states that Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use.
- 8.14.15 Policy ESD7 of the CLP2015 requires that all development to use sustainable urban drainage systems (SuDS) for the management of surface water runoff.
- 8.14.16 Policy ESD8 of the CLP2015 states that Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use

### **Commentary**

- 8.14.17 The development is noted to result in both indirect and direct greenhouse gas (GHG) emissions at three stages being construction, operation and decommissioning. It is noted that the Draft ES identifies that GHG emissions relate primarily to their global impact rather than any specific local receptor. In the contextualisation of the proposed development a number of factors have been considered, including the magnitude of the gross and net GHG emissions, expressed as a percentage of national and local carbon budgets, the increase or decrease in GHG emissions compared to the baseline scenarios and whether the development is in line with or contributes to the UK's policy for GHG emissions reductions.
- 8.14.18 In determining the current baseline conditions of the site, it has been taken into consideration that the main use of the site is currently predominantly agricultural, with a number of ancillary buildings as well as 'In Vessel Composting' facility. Given the predominantly agricultural uses of the site, emissions associated with the current baseline use have been considered to be negligible. The IVC facility will cease its use in 2030, with the current operator vacating the site and therefore this does not form part of the current baseline calculation (however it should be noted that the Councils contest this position above).
- 8.14.19 In determining the future baseline conditions of the site, the Draft ES notes that in line with national decarbonisation policy goals, that the carbon intensity factors of electricity, heating fuel, transport fuel and the embodied carbon in construction materials are likely to reduce. The future baseline also takes into consideration the 'do minimum' baseline and the road based long distant freight that would be replaced by rail based freight transport, which is noted to be the overarching objective of the SRFI. The conclusion reached is that the future GHG emissions for the existing land use without the proposed development are expected to be similar.
- 8.14.20 A Construction Environmental Management Plan (CEMP) will be produced to set out the best working practices during construction and the Draft ES outlines a number of ways in which these best practice measures will be implemented to ensure that GHG emissions arising from construction activities will be minimised.
- 8.14.21 For the operational phase of the development, an Energy Strategy has been produced which is stated to be centred on reducing the inherent energy demands of the proposed development. It is acknowledged by the Draft ES that the proposal would be "future proofed to focus on net zero ready operations on-site" but also states that it will "where possible out-perform the requirements of the latest Building Regulations".

- 8.14.22 A number of design measures are proposed that adhere to the energy hierarchy principles, being 'be lean, be clean, be green'. A number of measures are proposed, but notably include the installation of localised ASHPs, energy efficient lighting, the use of 100% of usable roofspace for PVs, a target EPC of A+ and building fabric and glazing specifications beyond Building Regulation requirements.
- 8.14.23 In terms of GHG emissions from road users, the target of 20% of parking spaces for EV charging has been set. The Draft ES acknowledges that the take up of EV vehicles cannot be predicted in absolute terms and the quantification of emissions based on operational traffic has assumed the use of EVs in line with current ownership patterns.
- 8.14.24 The GHG emissions arising from the construction phase of the development have been calculated to be 544,128 tonnes and in taking into consideration the UK carbon budget, this creates a contribution toward this budget of 0.018% between 2028-2032 and 0.024% between 2033-2037.
- 8.14.25 The majority of the carbon emissions associated with the construction phase are primarily from 'main site' works over 'highway works'. In comparing the construction phase emissions for the 'main site' against the Net Zero Carbon Building Standard (NZCBS), it has been concluded that the emissions relating to warehousing and rail terminal buildings would not align with the UK's net zero carbon trajectory. Conversely, in benchmarking the highway works against other highway work projects, the proposal would be lower than the other schemes selected.
- 8.14.26 As such, the Draft ES states the emissions for the construction phase of the main site are not in line with UK's net zero trajectory and the significance of this effect would be moderate adverse/significant, prior to the consideration of additional mitigation measures.
- 8.14.27 For the operational phase of the development for buildings, emissions have been informed by the draft Energy Strategy, which includes solar PV provision and no fossil fuel heating. Rail movement operational emissions have been predicted based on the number of intermodal trains per day, containers transported and average payload.
- 8.14.28 The Draft ES notes the overall objective of the proposed development is to facilitate a modal shift for freight from road to rail transport and the operational carbon savings from this have formed part of the calculation. It was concluded that 53,225,172 HGV movements would be saved per annum. Relevant scaling of HGV movements has been undertaken to take account of average commuting distance, haulage distance and the fact that all new road traffic would not be new.



- 8.14.29 The estimated GHG emissions from the operational phase of the development equate to 100,836 tonnes annually and 6,050,167 tonnes over the lifetime of the development. In a similar approach to the construction phase, this has been calculated in the context of the UK's carbon budgets, which equates to 0.031% in the years 2033-2037. This does not factor in the future decarbonisation of the grid (as is stated as a UK government objective) as well as the decarbonisation of maintenance and repair activities. In taking into consideration the avoided emissions, which formed part of the overall calculation, particularly those from a transition to rail freight transport, it has been concluded that this would be in line with national decarbonisation targets.
- 8.14.30 The Draft ES concludes that the design of buildings has reduced operational emissions as far as practicable within the influence of the developer. In taking into consideration the emissions reductions, magnitude of emissions within national carbon budgets, embedded mitigation measures and alignment with national policy, the impact of the main site and highways works would be minor adverse/not significant.
- 8.14.31 Additional mitigation is proposed in the form of a Carbon Management Plan in the construction phase including setting a target emissions intensity for all buildings, reduction in material consumption, consumption of low carbon and recycled materials, use of renewable energy and the appointment of a Principal Contractor that would pursue carbon reduction activities where possible. Reductions available to highways works will be limited by National Highways requirements in road design.
- 8.14.32 For the operational stage of the development, the Carbon Management Plan would seek to secure green leases with tenants which will place certain responsibilities and requirements on future tenants to commit to energy consumption reduction. A Framework Travel Plan along with a Public Transport Strategy will be prepared to examine accessibility to the site by public transport, cycling and walking. The additional measures outlined above would result in some additional carbon reductions beyond those stated above.
- 8.14.33 The Draft Carbon Management Plan as an additional mitigation measure is said to reduce the impacts of construction from moderate adverse/significant to minor adverse/not significant. For the operational phase the impacts have been determined to remain at minor adverse/not significant. With additional measures to reduce the risk of overheating and extreme weather, all effects were determined by the Draft ES to be negligible/not significant in EIA terms with respect to climate change.

#### **Adequacy of the draft ES and proposed mitigation**

- 8.14.34 The statement and appendices provided are well-considered and the conclusions reached are generally accepted. The Framework Travel plan should give consideration to providing adequate provision for bicycle parking, as well as end-of-trip facilities that are available to each respective tenant and their employees. End of trip facilities should include showers, changing rooms, lockers and bathrooms to increase the attractiveness of more sustainable forms of transportation.
- 8.14.35 The Footway/Cycleway/Rights of Way Strategies for Phases 1 and 2 should be updated to ensure that the 'New/Upgraded Highway Works provided by OxSRFI' routes incorporate footpaths and cycle infrastructure to ensure that safe commuting by sustainable forms of transportation is encouraged, particularly those commuting from Heyford Park and Ardley.
- 8.14.36 The Draft ES notes that 20% of car parking will have EV chargers and it is assumed that these would be 'active' EV spaces. A commitment should be provided that the remaining 80% of car parking spaces will be fitted with passive EV charging infrastructure, to ensure that these can be easily connected as demand for electric vehicles increases in the future. It should also be noted that OCC requirements for active charging spaces is 25%. The Carbon Management Plan could also include the commitment that any fleet and delivery vehicles that prospective tenants may employ within their respective businesses will be electric vehicles. This could be included in the green leases that are proposed as part of the Carbon Management Plan. Provision should also be made within the proposed development for hydrogen vehicle infrastructure
- 8.14.37 The Draft ES includes the assumption that the development is focussed around the transition from road freight to rail freight transport and the principle of this is accepted. The calculations provided within the assessment include significant saving in emissions that are a result of 'avoided emissions'. However, modelling should also be carried out in the instance that the rail freight transport arrangements for the site including the rail terminal building as well as the connection to the Chiltern Line are not complete and operational by the time that warehouse buildings may be complete and occupied. This would lead to the development operating more as a logistics park rather than an SRFI and more heavily reliant on road transport/HGV movements than the modelling contained within the Energy Strategy anticipates.
- 8.14.38 It in the Draft ES (Appendix 15.2) the Applicant has stated that: 'fuel procurement for onsite vehicles and plant will be reviewed, with biodiesel/hydrotreated vegetable oil (HVO)/electricity used preferentially where feasible.' OCC would like to see a stronger commitment to the use of HVO and alternative fuels, including electricity and hydrogen, to reflect OCC's own use of HVO and hydrogen in its fleet, and the fleets of its contractors. In addition, transparency in the supply chain for the procurement of HVO is essential to ensure actual emissions savings, alongside the use of recycled rather than virgin oils in the manufacture of any HVO used on site.

- 8.14.39 Appendix 15.2 of the Draft ES states that it is not yet known whether warehouses will be predominantly refrigerated or unrefrigerated. While this is to be expected at this stage, the Global Warming Potential (GWP) of many refrigerant gases is significant. A contingency should be included within the GHG calculations to account for a scenario where a significant amount of refrigeration is required, or at the least mitigations for refrigerant gas leakage and consideration of refrigerant gases with the lowest GWP should be included within the climate change assessment.
- 8.14.40 Overall, Appendix 15.4 of the Draft ES (Energy Strategy) is a good document, and comprehensive, however there are a few issues to highlight. The Energy Strategy notes that 100% of available roof area will be made available to be filled with solar PV (pending further information on the capacity of the DNO for export back to the grid). The OHA is very supportive of such measures, but an analysis of the embodied carbon of the proposed PV infrastructure should be included within the GHG assessment given the potential significance of the installation. Similarly, the Energy Strategy states the need for a Battery Energy Storage System (BESS) on site – both BESS and solar PV have potentially high levels of embodied carbon which should be explored within the GHG assessment.
- 8.14.41 Also in the Energy Strategy, while the building fabric does and, in some cases, exceed 2021 Part L requirements, and BREEAM very good status has been mentioned in the statement, not all u-values meet BREEAM proposals, and the development has not committed to achieve BREEAM excellent status, which developments in the county should be striving for. Air permeability is the only area that the Strategy is meeting and exceeding excellent, and therefore opportunities for improving fabric measures should be explored.
- 8.14.42 Finally on the Energy Strategy, unregulated energy is mentioned but not addressed, which leaves a performance gap. We expect to see a plan, or at the very least some suggestions on how this would be mitigated.
- 8.14.43 Offsets are discussed in Appendix 15.5 of the Draft ES (Carbon Management Plan). While it is accepted that offsetting may be necessary after all other on-site options have been explored, the preference would be for any additional offsetting requirements to be fulfilled using schemes within Oxfordshire, funding projects around the county rather than looking to accredited national schemes. A discussion with the host authority should be arranged when necessary to explore the options within Oxfordshire

### **Conclusion on Climate Change**

- 8.14.44 The Draft ES notes that with further mitigation proposed, including a Carbon Management Plan, that the proposed development would be negligible/not significant. Council considers that there are further measures that could be implemented that could further reduce carbon emissions, as outlined above.

8.14.45 Modelling should be undertaken in case of the event that the rail infrastructure and terminal building are not complete or operational prior to the occupation of the warehouse units

## 8.15 Cumulative Effects

### Summary

- The applicant should expand the scope of the cumulative assessment wider to large-scale development along the A40 that does not fall within the administrative boundaries of Cherwell District Council
- The cumulative assessment should include the Puy Du Fou theme park proposal (Cherwell ref: 25/02232/OUT) that is currently under consultation. Regard should also be given to the proposals of the New Towns Taskforce, which proposes the potential for 13,000 homes at Heyford Park

### Mitigation/Improvements

No specific mitigation measures are proposed at this stage. Mitigation measures will more specifically be addressed within the Transport and Highways impacts topics of the EIA.

NPS	NNNPS
CDC	N/A
OCC	N/A

### Policy Detail

8.15.1 NPS National Networks Section 4.12 states that a key part of environmental assessment is the consideration of cumulative effects. This means that the applicant should consider the impact of other committed and existing developments within an appropriate geographical area and assess the additional impact of their own development.

### Commentary

8.15.2 The Draft ES outlines that there is no single, agreed industry-standard method for calculating which topics are relevant to a cumulative impacts assessment, but the assessment will follow the guidance provided by 'PINS Advice Note Seventeen' which is establishing the long list, establishing the short list, information gathering and finally, assessment (Stages 1-4). The intention of this section of the ES will be to identify significant effects on the environment, resulting in the cumulation of effects with other existing and/or approved projects

- 8.15.3 The approach that will be taken within the ES in terms of cumulative impacts is that these will be included within other topics as part of their technical assessments. The example given is the Transport Assessment will be informed by transport and highways cumulative impacts, which will also give regard to matters relating to air quality and noise.
- 8.15.4 A number of projects were provided as part of the 2021 ES Scoping Opinion and included the HS2 rail project, East-West Rail, the Great Wolf Development at Chesterton, Heyford Park, the M40/J10 junction Baynards Green Distribution Centre and the Ardley Landfill Energy Recovery Centre.
- 8.15.5 Since the ES Scoping Opinion was issued a number of other developments have been added for the purposes of the cumulative assessment. This is included within Matrix 1 of Chapter 16. The projects outlined are said to be those falling within a Zone of Influence of 2km from the application site, or those which make assessment relevant. The Draft Table outlined within Matrix 2 will be progressed with those that have been considered by the applicant to progress to Stages 3 and 4 to include an assessment of potential cumulative effects with the NSIP, proposed mitigation applicable to the NSIP and the residual cumulative effects.
- 8.15.6 The projects that the applicant considers to be relevant for Stage 3 and 4 assessment are Heyford Park, Bicester Expansion/Eco Town, Great Wolf Leisure Resort, David Wilson Homes Residential Site, Albion Land and Tritax Site, M40/J9 Tritax Development and Richborough Estates. HS2, East West Rail and the Adley Landfill Energy Recovery Centre have been discounted from further assessment due to either their distance from the proposed development or the fact that it is existing development.

#### **Adequacy of the draft ES and proposed mitigation**

- 8.15.7 No specific mitigation measures are proposed in this Chapter of the Draft ES, however it is noted that the cumulative assessment will be carried out within the technical assessments within other chapters of the ES. It is also noted that Matrix 2 within Chapter 16 will be finalised at a later date.
- 8.15.8 In terms of the specific developments that have been selected, these appear to be solely within the Cherwell district boundaries. Given the proximity of the site to the M40, transport and highways cumulative impacts are likely to be experienced beyond Cherwell's administrative boundaries and consideration should be given to projects in adjoining authorities.
- 8.15.9 The applicant should give regard to other large-scale developments within the district, such as the Puy du Fou theme park and hotel proposal that has been submitted to Cherwell District Council for outline planning permission under planning 25/02232/OUT. The current status of this application is 'Under Consultation' and public announcements by the developer of this project suggest that the scheduled opening of the park will occur in phases from 2029, should it be granted planning permission.

8.15.10 An announcement from the UK Government on 28 September 2025 indicated that the New Towns Taskforce had recommended the Redevelopment of the Former Airbase at Heyford Park as part of a plan to deliver 1.5 million homes across the country. The New Towns Report identifies the potential for the delivery of 13,000 homes as part of this new town. This should be factored into the cumulative impacts assessment of the EIA. The Draft EIA currently only envisages the delivery of 2,300 homes within this site, but does note a recent planning application for 9,000 dwellings within the status of the application in Matrix 1.

#### **Conclusions on Cumulative Effects**

8.15.11 In assessing the cumulative impacts of the proposed development, the assessment should be taken of large-scale projects outside of the Cherwell District administrative boundaries, particularly those that will rely heavily on the M40. Within Cherwell, consideration should be given to the Puy Du Fou theme park proposal and the Heyford Park proposal for 13,000 homes at Heyford Park as part of the New Towns Taskforce

## 9 Comments on Draft DCO

The Applicant has shared a copy of dDCO and the Council's external solicitors (Sharpe Pritchard LLP) have flagged up certain points for further discussion. In brief, these include (but are not limited to) the following:

- 9.1.1 Article 2 (interpretation) – the definition of “commence” includes wide-reaching carve-outs and, in the first instance, further detail about certain of these is required.
- 9.1.2 Article 2 (interpretation) – the definition of “undertaker” comprises two limbs (a) and (b), the latter of which applies to the main site only. It is not clear why that limb applies to the main site only.
- 9.1.3 Article 3(1) (development consent granted by the Order) – the Applicant states in the Explanatory Memorandum (“EM”) which accompanies the dDCO that it may be necessary for the Applicant to use powers outside the Order limits. More information on this is needed.
- 9.1.4 Article 9(1)(e) (street works) – this provision allows the applicant to construct bridges and tunnels on any of the 19 streets specified in Schedule 3. No justification is provided in the EM and justification of such a wide-ranging power is essential.
- 9.1.5 Article 9(1) (street works) – other powers within this article require discussion with OCC. For instance, particular concern is raised in respect of the ability to reduce the width of the carriageway, something which could interfere with the safety of the road.
- 9.1.6 Article 47(1) (felling or lopping of trees and removal of hedgerows) – this provision allows the undertaker to fell or lop any tree hedgerow or shrub within 15 metres of any part of the authorised development or cut back its roots. It would be helpful to know why 15 metres has been chosen and where the effects have been assessed. Consent of the local planning authority should be obtained for the felling or lopping of any tree not identified within the tree removal plans.
- 9.1.7 Articles 48 (trees subject to tree preservation orders) and 49 (trees in conservation areas) – the trees which are proposed to be lopped etc. and which benefit from TPOs or which are located in conservation areas, should be identified in a schedule to the dDCO or consent to their lopping etc. should be obtained from then local planning authority.

- 9.1.8 The dDCO includes several deeming provisions i.e. if a determination is not made with a certain period, is deemed granted. While deeming provisions are well preceded in development consent orders, several are worthy of further investigation as to whether they should be included in the dDCO. For example, by article 10(1)(a) and 10(2) (power to alter layout, etc., of streets) an application to increase or reduce the width of the carriageway is subject to a deeming provision. Since the highway authority must ensure proper consideration is given so that it does not affect the safety of the carriageway, it is questionable whether deemed consent is appropriate in these circumstances. In addition, the 42-day deeming period is too short. 56 days is more usual in recently made Order.
- 9.1.9 Schedule 2 (requirements) – the Requirements cross-refer to several control documents. It is essential the control documents are drafted appropriately and these will be subject to scrutiny by OCC's subject experts as the application progresses.
- 9.1.10 Schedule 2 (requirements) – Part 2, paragraph 1 provides 42 days for the discharge of requirements. This is too short and should be extended to 56 days.
- 9.1.11 Schedule 2 (requirements) – Part 2, paragraph 2 permits the discharging body 10 days to request further information from the undertaker when discharging a requirement. This time period is too short and should be at least 21-days.
- 9.1.12 Schedule 2 (requirements) – Part 2, paragraph 3 provides an unsatisfactory regime for the payment of fees to the discharging body for discharging requirements. Rather than the regime proposed in the dDCO, the Applicant and authorities should enter into a planning performance agreement ("PPA") for the full recovery of the costs in discharging any application under the Order.
- 9.1.13 Schedule 15 (miscellaneous controls) – paragraph 5 (Environment Act 1995) – provides that no order, notice or regulation under the 1995 Act, in relation to the preservation of hedgerows, has effect in relation to the authorised development. The relevant provision(s) of the 1995 should be set out.
- 9.1.14 Schedule 15 (miscellaneous controls) – paragraph 7(a) (Land Drainage Act 1991) – this provision seeks to disapply section 23 (prohibition of obstructions, etc. in watercourses) of the Land Drainage Act 1991 in relation to watercourses for which OCC is the drainage board concerned. OCC's consent is required for this disapplication and OCC do not consent to it
- 9.1.15 Oxfordshire County Council will endeavour to provide separate comments on the proposed Protective Provisions for the Highways Authority as an appendix to this response. In the event that this is not possible OCC will share their comments on the Protective Provisions with the applicant in due course.



9.1.16 Broadly however, further work needs to be done to the Protective Provisions to bring them in line with the standard process that the council normally follows with S278 agreements for new highways works when the County is expected to adopt the highway.

## 10 Summary and Conclusions

- 10.1.1 This response has reviewed the consultation documentation and has assessed the quality of the applicant's assessments of impacts, proposed mitigation and the quality of the proposed DCO.
- 10.1.2 Whilst compliance with local and national policy has been referenced in places throughout the response of full assessment of compliance will not be undertaken until the Councils produce their Local Impact Report during the Examination.
- 10.1.3 Both Councils appreciate and acknowledge the benefits of intermodal freight interchanges at a national level. OCC's Freight and Logistics Strategy actively supports the provision of rail freight.
- 10.1.4 However, OCC is concerned around the commercial attractiveness of the proposed facility and therefore the likelihood that the rail element of the scheme will be used. Without this use the need for SRFI outlined within section 3 of the NNNPS would not be addressed. The Council has requested further evidence to demonstrate commercial viability and has proposed some alterations to the DCO which would ensure that the facility addressed the national need.
- 10.1.5 Both Councils are concerned around the environmental impacts of the scheme. Concerns around the environmental impacts of the scheme, broken down by ES chapter, have been outlined in section 8 of this report. Whilst this is not the place to go into detail on each potential impact, it is worth noting here that a general concern is that the applicant has failed to demonstrate how the mitigation hierarchy has been applied to the scheme, particularly in relation to landscape, ecology and minerals impacts.