

**Case Officer:** Shawn Fleet

**Applicant:** Oxfordshire Rail Freight Limited.

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

**Wards:** Fringford & Heyford

**Councillors:** Cllr Jean Conway, Cllr Grace Conway-Murray and Cllr Nigel Simpson

**Reason for Referral:** Major development

**Expiry Date:** 19<sup>th</sup> July 2026

**Committee Date:** 2nd July 2026

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**SUMMARY RECOMMENDATION: To approve Cherwell District Council's Relevant Representation comments to submitted Oxfordshire Strategic Rail Freight Interchange Development Consent Order application subject to the approval of any amendments by the Chair of the Planning Committee and the Deputy Leader of the Council in their role as Portfolio Holder for Planning.**

## **MAIN REPORT**

### **1. INTRODUCTION AND APPLICATION SITE**

- 1.1. On 28 April this year, The Planning Inspectorate notified the Council that they had accepted the submission of a proposal by Oxfordshire Railfreight Ltd. for the development of a strategic rail freight interchange just off Junction 10 of the M40 just south of Ardley. As the development is located within the Council's administrative area, the Planning Inspectorate have identified the Council as a Host Authority. The County Council have also been notified of the proposal, and they too have been identified as a host authority.
- 1.2. The Planning Inspectorate have written to the two Councils to seek our views on the proposal. This is one of a series of consultations on the scheme. The project commenced in 2018 involving initial design work which led to the non-statutory stage 1 consultation in 2022 and the statutory stage 2 consultation which ended in November last year.
- 1.3. This phase of statutory consultation is referred to as the relevant representations stage and a deadline of 19 July has been set for comments to be submitted. In addition to the two host authorities, comments have also been sought directly from statutory consultees including National Highways, Historic England, Natural England, and the Environment Agency and notices have been placed in the vicinity of the site, enabling the local community to engage with the project.
- 1.4. Unlike the earlier Stage 2 consultation which was prepared and submitted in conjunction with the County Council, this submission needs to be made by the District Council only. This is because the submission serves two purposes. Firstly, it allows the Council to express its views on the application as originally submitted highlighting areas of interest to the Examining Authority and areas of additional work that may be needed but also to secure for the Council the status of an Interested Party.

- 1.5. This status as an Interested Party is significant because it ensures the Council then has the legal right to participate in the subsequent examination by submitting evidence, asking questions, and speaking at public hearings. Furthermore, only Interested Parties can challenge the Secretary of State's final decision and apply for a Judicial Review in the High Court within the 6-week post-decision period if this is considered necessary.
- 1.6. If no submission is made by the Council by 19 July, then the Council does not have a legal position at subsequent stages of consideration of the application. It is therefore recommended that the response contained in Appendix 1 is submitted on or before the 19<sup>th</sup> July.
- 1.7. Following this stage, discussion on the proposal continues through to the Local Impact Report (LIR) stage and then written submissions and hearings. For the latter stages of the consideration of the Order, especially at examination, timescales will become shorter for comments to be submitted. Officers though will continue to engage and update members as the process allows.
- 1.8. As work progresses through the latter stages, the Council will review its position regarding working with the County Council as undertaken for the Stage 2 representation though at this stage it is anticipated that the Council will work with the County Council on a joint submission of the LIR.
- 1.9. A full description of the proposals is contained below but in summary it constitutes an intermodal freight rail interchange terminal with sidings and associated works to the rail line, associated warehousing development (805.133m<sup>2</sup>) and significant highways works to M40 J10, a new Ardley bypass, relief road around the north-eastern side of Middleton Stoney, link road connecting B430 to Camp Road, Heyford Park, stopping up the existing B430 south of Ardley, widening the A43 north of M40 J10 to the B4100 at Baynards Green, improvements to the A43/B4100 junction and improvements to M40 Junction 9.
- 1.10. The main site for the Strategic Rail Freight Interchange extends to 241 Ha and mostly comprises agricultural land used for the growing of crops and grazing of livestock.
- 1.11. It is located to the west of the B430 and is bound by the existing Chiltern Railway line to the north and the B4030 to the south.
- 1.12. Within the site there is Ashgrove Farmstead (Ashgrove Farm) which includes farm buildings and farm- house. The on-site threshing barn is Grade II Listed.
- 1.13. Also, within the main site is the In Vessel Compositing Facility that is operated by Biffa. The lease on the facility is due to expire in 2030 at which point the owner will vacate the site and the existing buildings and associated hard standing will be demolished. There is also an underground reservoir in the south-eastern part of the site which will remain in place.
- 1.14. Within the site to the south of Ashgrove Farm is a deciduous woodland which is designated as a priority habitat. Adjacent to the site to the south of Camp Road is another area of deciduous woodland. The site is divided into field parcels by mature hedgerows within which are mature trees.
- 1.15. The Ashgrove Brook flows through the application site and is identified by the Environment Agency as being at risk of surface water flooding. The remaining parts of the site fall within flood risk zone 1.

1.16. To the north of the site and running parallel with the Chiltern Railway Line is the Ardley Cutting Site of Special Scientific Interest. To the east of the site on the opposite side of the B430 is the Ardley Trackways Site of Special Scientific Interest. This SSSI is split into northern and southern parcels. Figures 1 below shows the areas of SSSI. To the west of the site is RAF Upper Heyford Local Wildlife Site.

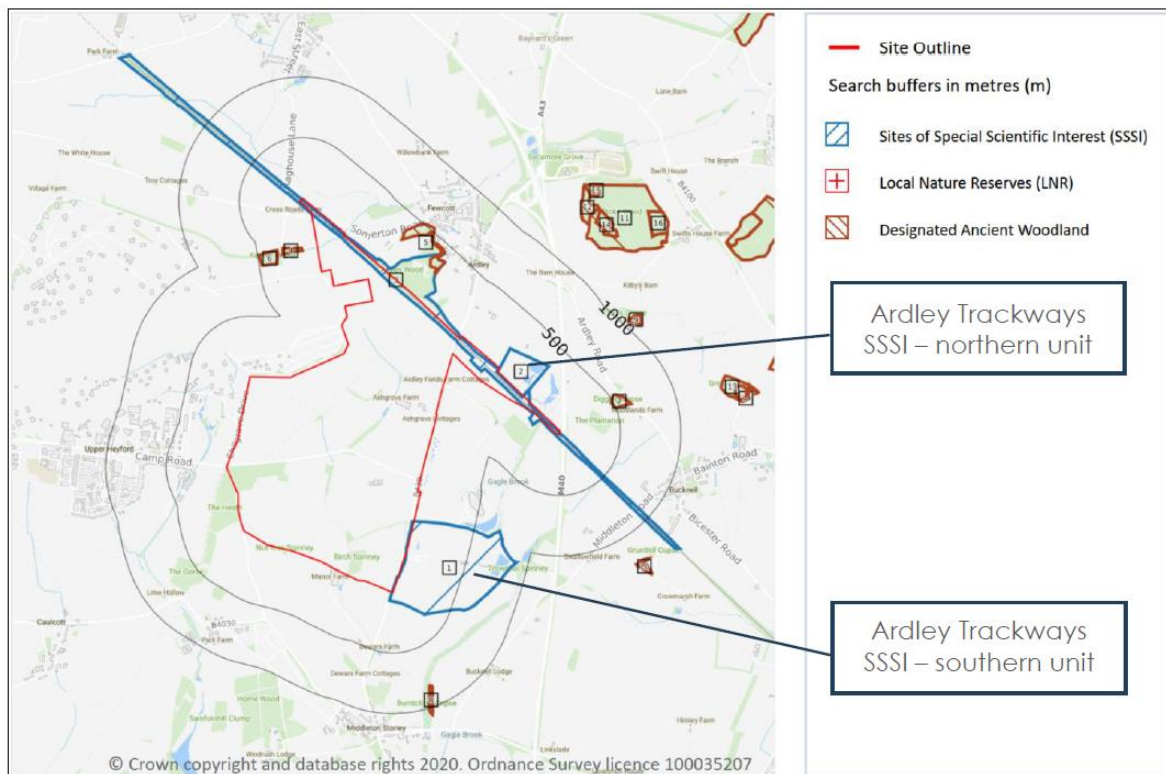


Figure 1 showing the two SSSI Areas. The red line shown denotes the application boundary for the main site.

- 1.17. To the west of the application boundary is the former RAF Upper Heyford Airfield which is a designated Conservation Area. Within the former airfield are two Scheduled Monuments in the form of the northern and southern bomb stores.
- 1.18. In the north-western corner of the site, between the northern edge of the airfield and Ardley Road is Kennel Copse Ancient Woodland.
- 1.19. The site is within the Ardley and Upper Heyford Conservation Target Area.
- 1.20. Two public rights of way (PROW.109/30/10 and PROW 109/29/20) cross the site connecting Ardley with Upper Heyford.

## 2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 Due to the scale of the proposals, the scheme is classified as a Nationally Strategic Infrastructure Project (NSIP) and so are subject to the 2008 Planning Act. This is a separate process to ordinary planning applications which are assessed under The Town and Country Planning Act 1990.
- 2.2 The National Networks National Policy Statement which defines whether an application is, or is not, an NSIP scheme prescribes several criteria that a SRFI must meet to be considered a NSIP project. These include the ability to accommodate 4 freight trains per day each of a length of 775m and the ability for the rail network to accommodate a minimum of W8 gauge which is required for freight rail transport. In

accepting the proposal as a formal NSIP application, the Planning Inspectorate have taken the view that the proposal does meet the necessary criteria.

- 2.3 The National Networks National Policy Statement does not however prescribe a minimum or maximum floorspace figure for the warehouse logistics space required to be provided as part of the rail freight terminal. The proposal is for in the region of 600,000 sq.m. (6.5 million sq.ft.) of warehouse space with a further 200,000 sq.m. (2 million sq.ft.) in the form of mezzanines. These units will be set into the site through the proposed cut and fill exercise but will extend up to 25m in height. Given the scale of the proposals and identified harm caused by such scale, further justification is required as to why this level of floorspace is required.
- 2.4 The submission consists of three NSIP applications. This is because each component is dealt with under separate areas of the 2008 Planning Act ('the Act'). These are detailed below:
- The SRFI (including warehousing) (section 26 of the Act);
  - Motorway alteration works to M40 Junction 10 (section 22 of the Act);
  - Alteration of a trunk road (A43) (section 22 of the Act).
- 2.5 The key proposals for this project as defined on the Planning Inspectorates NSIP pages are:
- An intermodal rail terminal served via new connections to the Chiltern Main Line (part of the Strategic Rail Freight Network), including container storage;
  - Up to 603,850 sqm (approx. 6.5 million square feet) of warehousing, including ancillary office accommodation, plus up to 201,283 sqm (2 million square feet) of additional floorspace in the form of mezzanines. Maximum building heights are proposed at 25m;
  - Improvements to Junction 10 of the M40 involving works on the A43 east of the M40, new slip roads to and from the M40 an Ardley Bypass to the east of Ardley;
  - Improvements to Junction 9 of the M40 involving a dedicated slip road for vehicles travelling between the A43 and M40 northbound;
  - A Heyford Park Link Road which runs from Camp Road south-east of Heyford Park and south of the proposed development to a new junction on the B430;
  - A Middleton Stoney Relief Road around the north-eastern side of the village connecting from a new junction on the B430 to the existing B4030 which links over the M40 to Bicester which will remove key traffic flows from the centre of the village;
  - The Principal Access to the Main Site will be from a new roundabout on the B430 in the north-eastern corner of the Main Site, south of the railway line. This primary access will serve all HGV and car traffic accessing the site;
  - A Secondary Access into the Main Site will be provided from the Heyford Park Link Road for bus, pedestrian, cyclists and emergency vehicles only;
  - Retention of the Grade II listed Threshing Barn at Ashgrove Farm as part of a Central Hub of estate management and communal facilities for the other development on the Main Site;

- Retained key landscape features and new landscaping and planting, including on the proposed earthwork bunds within the Main Site.

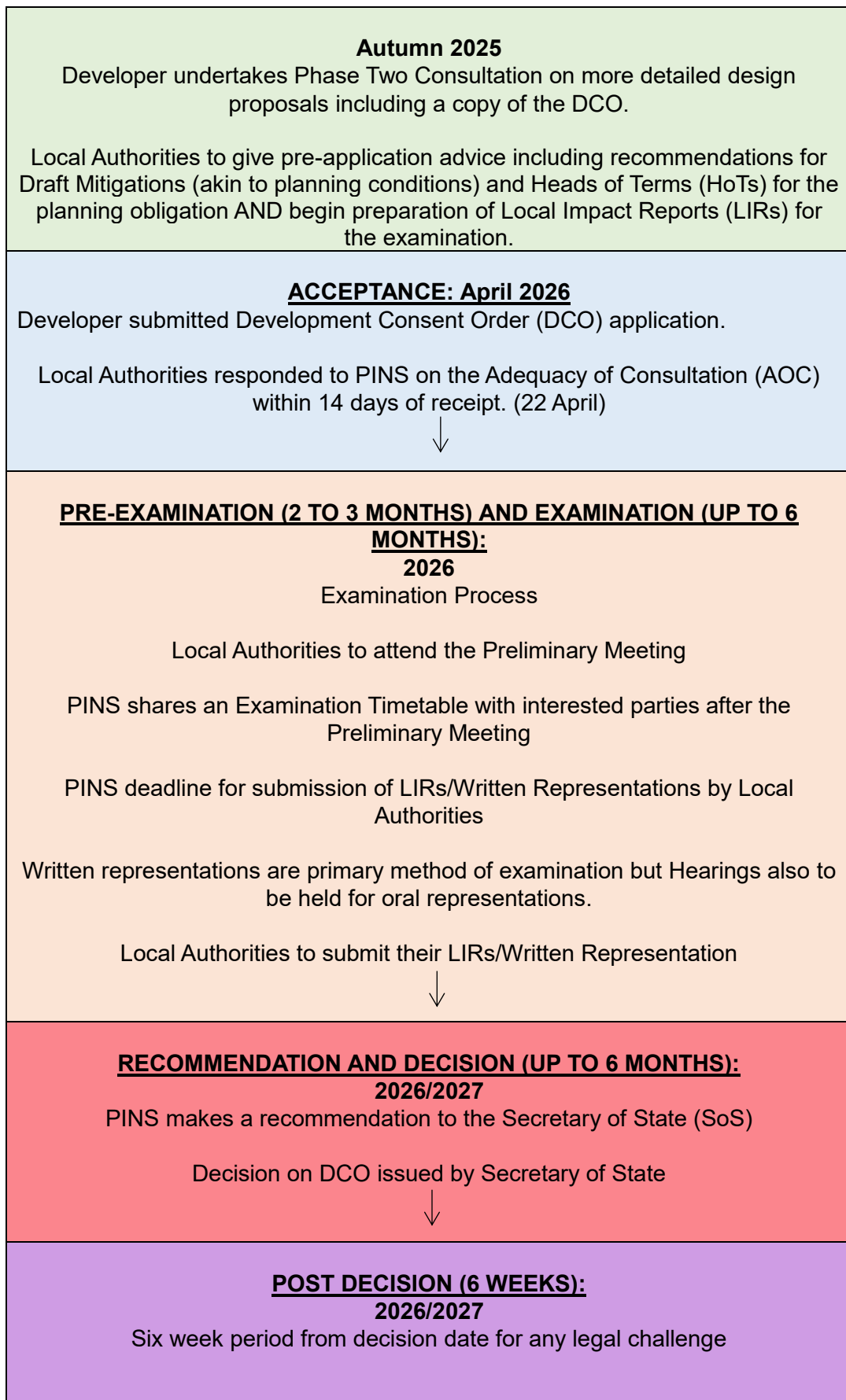
### 3. RELEVANT PLANNING HISTORY

- 3.1 The Stage 2 consultation ended in November 2025. In advance of this deadline, a report was present to Planning Committee on 6 November, and it was resolved that the draft response prepared by officers from both Council's be submitted to the Planning Inspectorate as the Council's formal submission. The comments were submitted on time.
- 3.2 Concerns raised at the meeting included, the suitability of the location, relationship of this scheme to other SRFI projects notably those along the M1, suitability of the Chiltern line to serve freight rail including connections to the main ports, impacts on the highway network both along the M40 corridor and the local road system particularly in conjunction with other developments off J9 and J10 of the M40, the use of solar panels to be provided on the roofs of the buildings and the phasing of the delivery of the rail freight interchange to the occupation of the logistics buildings.
- 3.3 Following the formal submission of the application, the Planning Inspectorate wrote to the two-host Council's and those neighbouring to seek views on whether it was felt the applicants had undertaken to necessary consultation steps in accordance with the established legislation.
- 3.4 Due to the timescales set down for a response, it was not possible to bring a draft response to Planning Committee. Officers did though submit a response on 22 April 2026 and whilst it was considered that the statutory requirements had been met, the Council would have appreciated additional engagement following the Stage 2 consultation exercise particularly on matters around landscape, biodiversity, cultural heritage and socio-economic impact.

### 4. PROCESS AND TIMELINE

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

<b>Figure A</b>	<b>TIMETABLE AND PROCESS for the OxSFRI</b>
	<b><u>PRE APPLICATION (NO TIME LIMIT):</u></b>
	<b>Spring/Summer 2022</b>
	Developer undertakes Phase One Community Consultation on initial proposals Spring/Summer 2022.
	<b>Summer 2023</b>
	Developer consults with local authorities on draft Statement of Community Consultation (SoCC).
	Local Authorities provide written comments on the draft SoCC



4.3 As the application boundary is all within the jurisdiction of Cherwell District Council, we are the host authority along with Oxfordshire County Council for the purposes of

this NSIP application. Neighbouring authorities including West Northamptonshire District Council, West Oxfordshire District Council, Oxford City Council, South Oxfordshire and Vale of White Horse will also be consulted as part of the NSIP process.

## 5. PRINCIPLE

- 5.1 Both CDC and OCC have declared has declared a climate emergency and is committed to tackling climate change. CDC recognise the government's goal of increasing rail freight by 75% by 2050. CDC accepts that there is a compelling need, as a matter of principle to reduce carbon emissions. Both OCC and CDC are therefore supportive of projects such as this which seek to reduce road base freight transport movements and use rail-based alternatives. There are however concerns over the environmental impacts caused by the scale of the proposals and the adequacy of the mitigation being proposed.
- 5.2 As the strategic matters around impacts on the highway network, rail system, waste and minerals are being dealt with by the County Council in their representations, these representations look to focus on environmental health matters of noise, odour, lighting and ground conditions, landscape, ecology, heritage and the socio-economic impact.
- 5.3 In terms of changes to the DCO, requirement five of the DCO seeks to allow occupation of 2.5 million sq ft of warehouse floorspace on the main site prior to a fully functioning rail freight terminal capable of accommodating a minimum of 4 trains per day being completed. Both CDC and OCC do not consider that the wording of this restriction is sufficient. It does not explicitly reference providing a connection to the rail freight terminal to the Chiltern Main Line. A situation could therefore arise whereby the terminal is constructed but is not able to be used as it is not connected to the freight network. This could potentially allow warehousing to come forward that is reliant on road rather than rail-based transport for movement. Both OCC and CDC consider that this requirement should be re-drafted to make it more explicit that the connection to the Chiltern Main Line is included in the associated rail infrastructure. Similar approaches have been taken on other SRFI's such as that at Northampton Gateway.
- 5.4 Paragraph 4.83 of the National Networks NPS makes clear that SRFI's may not be considered suitable adjacent to residential areas. Although Heyford has not been identified by the Ministry of Housing, Communities and Local Government as a potential location for a new town, there is a live planning application currently being considered for the redevelopment of the RAF basis and therefore further evidence is required that the proposed SRFI would not adversely affect potential future occupants of these dwellings should the proposal be accepted.
- 5.5 Each of the topics contained in the draft Environmental Statement have been reviewed by the relevant service within the Council. A response on the adequacy of the mitigation proposed and level of impact is contained within the draft response.
- 5.6 At the time of Stage 2 Consultation Response, CDC did not have in house landscape expertise to review the proposed plans and reports. LUC were appointed on behalf of the CDC to undertake the required work and provided a response as part of the consultation. Since then, CDC has appointed in house landscape expertise who have provided a response on the proposals as part of the relevant representations.

In addition, FLAC have been appointed on behalf of CDC to review and the submitted Arboricultural Impact Assessment.

- 5.7 Further details on the recommendations and views of those consulted within Cherwell District Council and Oxfordshire County Council are contained in the attached formal response.
- 5.8 It is Officer's recommendation that members agree to the submission of the attached comments as the relevant representations on the proposed development on behalf of Cherwell District Council.

**6. RECOMMENDATION**

**SUBJECT TO THE APPROVAL OF ANY AMENDMENTS BY THE CHAIR OF THE PLANNING COMMITTEE AND THE DEPUTY LEADER OF THE COUNCIL IN THEIR ROLE AS PORTFOLIO HOLDER FOR PLANNING, APPROVE THE SUBMISSION OF THE RELEVANT REPRESENTATIONS TO THE PLANNING INSPECTORATE.**