

Planning and Development

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Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

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Please ask for: **Laura Bell**

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Your Ref:

4th June 2024

Dear Mr Brockbank

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('The EIA Regulations')

Application No.: 24/00539/F

Applicant's Name: Oxford United Football Club Limited

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

Location: Land To The East Of Stratfield Brake And West Of Oxford Parkway Railway Station
Oxford Road
Kidlington

Parish(es): Kidlington

I write with regard to the above mentioned planning application.

The content of the Environmental Statement (ES) accompanying the planning application that is the subject of the above planning application has been considered, having regard to Regulation 2(1) and Schedule 4 of the EIA Regulations. Following examination of the ES, the Local Planning Authority notifies you by this letter, pursuant to Regulation 25 of the EIA Regulations, that, to comply with Schedule 4 of those regulations (Information for inclusion in environmental statements) the applicant is required to supply the following further information:

- In respect of Traffic and Transport, Oxfordshire County Council, acting as the Local Highway Authority (LHA), cannot fully assess this planning application until further information has been provided. The following information will need to be provided by the applicant:

- Utilisation data for the Chiltern Railway car park at Parkway. It should be assumed that fans could use this as well as the County Council operated park and ride areas; the club would otherwise need to provide evidence of how they can enforce no parking in the railway car park.
- As stated within the Transport Assessment (TA), the County Council has requested that the club undertake micro-simulation modelling to allow a better understanding of how the local highway network will operate on matchdays – this should cover both weekend and weekday evening matches. This will allow interaction between the junctions to be considered which the stand-alone LinSig junction models which the club have currently used do not allow. The LinSig models are useful and will be used for some scenarios, but it is considered that micro-simulation modelling is necessary to provide a more robust assessment of the area as a whole.
- Micro-simulation modelling will be required for the conference centre and any other uses during the AM and PM peak hours. Whilst this may not be the most intense use on the site, it is when the local highway network is most heavily congested. This will be exacerbated further by committed development coming forward in the area.
- Consultants for a number of the housing sites in the area (known as the 'PR' (Partial Review) sites) have developed a North Oxford VISSIM micro-simulation model which the club can use to build their own model for evening and weekend match days. The club has already undertaken surveys for these times, although additional A34 southbound surveys will be required.
- The modelling will need to demonstrate the traffic and the bus journey time impacts caused by the development. In particular the applicant must show how bus journeys will be affected, particularly during any of the proposed temporary closures of Oxford Road to vehicular traffic.
- In addition to the above, the applicant must demonstrate the key junctions in the area are not severely impacted by the proposal. This analysis needs to take into account the proposed temporary road closures and the reassignment of vehicles from Oxford Road to the diversion route.
- Bus stops and waiting areas must be shown to be provided on Frieze Way for the diverted buses, due to the number of buses using the Oxford Road corridor plus the match day services/Park & Ride shuttles, these will need to include shelters and RTI displays. The applicant will need to demonstrate that the number of bus bays provided will be sufficient to accommodate the arrival profile of buses – and how the arrival of buses will be managed to ensure there are no safety implications associated with buses arriving and being unable to fit into the bus bays. It will also need to be shown that the anticipated number of fans using these services can safely use these stops, with adequate holding capacity should buses be delayed by an unforeseen incident on the network.
- The applicant must demonstrate how the proposed 'Cycle Superhighway' along Oxford Road will continue across their site frontage. The cycle superhighway must be continuous, which the current plans do not appear to show. The width of the cycle lane must be 2.5m with a 2m footway and floating bus stops. Again, due to the frequency of the bus services there must be a minimum of 2 bays with shelters and RTI displays.
- All cycle parking must be provided in accordance with County Council standards. It will not be acceptable to monitor the need for cycle parking through the travel plan and provide spaces later, so an objection will be raised unless a solution is identified. A minimum of 645 spaces are required, only 150 spaces are proposed at the stadium in the current application plans which is well below that number and no plans have been provided showing the form of these spaces which will need to be covered, secure and accessible. The existing cycle parking spaces at Oxford Parkway cannot be counted towards the requirement for the stadium as these are for the station. A new Cycle Hub at Parkway (similar to that at Didcot Parkway) should be provided but is unlikely to be big enough for the almost 500 spaces the club still need to find. There is space available for this next to the P&R building on Parkway, but a plan must be submitted showing this.
- Should planning permission be granted, along with a number of other financial contributions and works secured via Section 106 and Section 278 agreements, a shared path alongside Frieze Way will be requested. This will need to be 3m wide with an additional 500mm buffer (this will need to be increased if speed is not reduced) with a toucan crossing at the Loop Farm junction. The County Council needs to see a plan of this to show it is possible, as it is considered necessary to make the development acceptable.
- Speed limit reductions along Frieze Way should also come forward as part of the proposal, the current section of 40mph is being reduced to 30mph as part of the Kidlington Roundabout scheme, the remaining length should be reduced to 40mph which

will not only improve the environment for pedestrians and cyclists but will also improve the vehicle access.

- Further drawings of the access works are required showing detailed geometry and dimensions. The signalised crossing will need to be staggered unless the island is at least 5m wide. There should be no pedestrian fences and there should be room for bicycles with trailers to use the crossing easily. The crossing cannot be located within the slip road into the site so this needs to be redesigned and adequate drawings provided. At 30mph and with the level of traffic expected to use the access the slip road into the site is likely not required.
 - National Highways have issued a Holding Direction that planning permission is not granted until 26 June 2024 to allow the applicant to supply the requested information above, to enable a view to be formed as to the impact of the proposals on the Strategic Road Network, which in this case, is the A34.
 - It is understood that work remains ongoing regarding the scope of the additional VISSIM modelling and it is the applicant's intention to provide an updated scoping document for further review and comment by the LHA and National Highways, for agreement before the modelling work is undertaken. The LHA provided comments on the 'North Oxford VISSIM Model Scoping' note on 8 May 2024 and National Highways provided comments on this document directly to you on the 19 April 2024 (this was sent to the LPA on 28 May 2024). The applicants are advised to continue to liaise with these consultees.
- In respect of Public Health, there are aspects of the Health Impact Assessment that require further information and analysis as follows:
 - The affected wards for the proposed development are noted as Kidlington East and Kidlington West, although the site is only 1km away from the boundary of Oxford City. This includes a densely populated area which is likely to interact with the future stadium and surrounding facilities – the impact of the development on their health needs should be included.
 - The Oxfordshire Joint Strategic Needs Assessment (JSNA) is mentioned in the Policy Context section, although there is no evidence of JSNA data being used in the main assessment section of the HIA. This includes data on healthy life expectancy, which is currently lacking in the assessment.
 - More detail is required to critique the content of the Air Quality Assessment in the HIA's sections on Air Quality and Traffic and transport. The analysis is based on a predicted reduction in air pollutants – presumably due to the reduction in NO₂ due to the move to electric cars. However, the increased traffic generated by the stadium may negate this trend. This trend will not impact on levels of PM₁₀ and PM_{2.5}. The 'commitment to reduce private vehicle use' doesn't present how this will be achieved, and 'potential effects caused by additional traffic during operation' are deemed to be insignificant, however the provision of car parking and the likelihood of spectators travelling from afar, implies that the potential influx of private cars on match days could be significant and adversely impact on air quality. The HIA should set out recommendations for how this will be mitigated – in particular what efforts will be made to promote active, sustainable travel to the stadium in terms of communication to Oxford United's supporters and those of visiting teams. The traffic management plan needs to include a comprehensive communication plan which sets out how information will be provided to football supporters, the relevant travel details by train and bus, as well as information on the lack of parking, in addition to provision of infrastructure improvements such as new pedestrian crossing point and bus stops. Additional mitigation effects for Air quality should be referenced, including planting to absorb harmful pollutants. These requirements should be included in the recommendations section of the report.
 - Network Rail (NR) have provided comments on the proposal in respect of Oxford Parkway but also in relation to the Sandy Lane and Yarnton Lane level crossings. NR have stated that any development of land which would result in a material increase or significant change in the character of traffic using rail crossings should be refused unless, in consultation with Network Rail, it can either be demonstrated that they safety will not be compromised, or where safety is compromised serious mitigation measures would be incorporated to prevent any increased safety risk as a requirement of any permission. The following information is therefore required:
 - It must be demonstrated that the proposed development will not likely lead to increase use of Sandy Lane and Yarnton Lane level crossings with the proposed improvements to sustainable transport modes.

- In respect of arboriculture and trees, the Council's Tree Officer has raised an objection to the proposals. The following further information is required:
 - Significant sections of hedgerow are proposed for removal both along the east and west boundaries of the site. G94 on the western boundary must be included within the arboricultural assessment so that its removal can be fully assessed and considered.
 - Please explain and justify how the removal of high value arboricultural features (2 category B trees on the eastern boundary which are subject to a TPO and 1 category A feature) complies with British Standard 5837:2012.
- In respect of Ecology, the following information will need to be provided by the applicant:
 - Bird surveys – only three visits have been carried out for breeding birds and these were all in June. Accepted practice is for more surveys than this and ideally with some to be earlier/later to reflect a greater proportion of the breeding season. No wintering bird surveys have been carried out – these will need to be undertaken. Due to the constrained space and likely disturbance on site, full mitigation for the bird species found is likely to be difficult and off-site mitigation for birds should be considered.
 - Great crested newts – The Newt officer (Nature space) has objected on the basis of insufficient information and the LPA would expect action to be taken to overcome this objection, either through additional survey data or through joining the district licence scheme. Please confirm.
 - Invertebrates – The technical appendix (Ecology) states that 'invertebrates have been included in the ecology assessment of the Site and information can be viewed within section 8.6 below' however there does not appear to be a section 8.6. Only Hairstreak butterflies seem to have been assessed. It is stated that the surveys by Judith Webb 'reduce the need for further survey'. Therefore, going by the information in the independent ecologists (J Webb) reports - the site appears to be of relatively high ecological value for invertebrates with at least two species on site classed as Conservation Status 'Rare'. The loss of the habitat to support these rare species must be taken into account in assessing impacts. However, within the technical appendix, only impacts on common invertebrates and brown hairstreaks seem to have been assessed. A dedicated invertebrate survey is required and assessment of how impacts on notable species dependent on the current habitats can be mitigated. Without these, an updated assessment using the independent report as the basis for what is likely to be present should be made.
 - Similarly, there are discrepancies, in terms of botanical value and abundance of rarer plant species, between the findings of the independent ecologists survey and that of Ecology Solutions - who have not carried out a dedicated botanical survey. Relying on the independent survey information, there is an (unquantified) area of rare and notable plant species present. Ecology Solutions states 'If deemed necessary, a transplantation exercise will be conducted which will involve moving the plants that are of greater conservation value (e.g. Narrow-leaved Bird's-foot-trefoil, Corn Mint, Pyramidal Orchid and Two-spotted Orchid) to dedicated areas left for biodiversity.' However, it should be made clear under what conditions this will be deemed necessary (following additional surveys) and where a dedicated suitable area for this would be located on site.
 - Linked to this, it is recommended that a botanical survey is carried out to determine the appropriateness of the categories assigned within the BNG metric. Whilst short-rotation coppice does come under 'non-cereal crops' within the UKHabs, consideration should be given as to whether some parts of the SRC are more appropriately classified under other categories given the botanical value found within some areas.
 - Bats - Prevention of access into the woodland by the public through fencing is positive however the additional noise, lighting and sudden change to an urban fringe in this location may have a detrimental effect on the (potentially ancient) woodland. A strong and unfragmented buffer to the whole length of the woodland boundary needs to be designed in.
 - Biodiversity Net Gain – Please provide user comments within the metric and habitat condition sheets to assist with assessment of BNG. There appears to be a discrepancy between the metric tree categorisation and those shown on the landscape plans; The metric shows 81 medium trees and 62 small trees will be planted on site. However, it is unusual to plant 'medium' sized trees (certainly in this number) as trees are semi-mature at this size with girths of more than 94cm. The illustrative landscape masterplan (OUFC-FAB-00-XX-DR-L-1000-P18) states at key point 15 that '81 trees of *girth* 30cm or above will be planted', however this would not make them 'Medium' trees under the metric guidelines – these should be put in as 'small' trees. 'Medium' is 30cm *diameter at breast*

height. If it is proposed to plant 81 trees at 30cm girth they would count as 'small' trees (or a diameter at breast height of around 9.5cm..) and this would result in an overall net loss on site.

- If it is proposed to plant 'medium' trees, the wording in the illustrative masterplan will need to be amended to '**diameter** of 30cm or more' and justification as to how successful planting of trees this size will be achieved. Whilst a Habitat Management and Monitoring Plan can be submitted post decision, a draft HMMP would help with demonstrating how the habitats and targets can be achieved. Please can this be provided.
 - It would appear that the pitch surface itself has been included in the metric as grassland (albeit modified and poor condition). However, it is considered that this ought to be considered as a developed surface, as its biodiversity value is likely to be zero being entirely within the stadium building itself and highly managed for a very specific purpose. It would seem inappropriate to subject this surface to being part of an enforced Habitat Management and Monitoring Plan to restrict how it can or cannot be managed. Removing this area affects the net gain achievable. Please can you clarify and comment.
 - The original plans showed a ditch along the Southern boundary of the site and the District Wildlife Site (DWS) woodland. Where ditches are within 5m of the boundary of a site (or within them) these should be counted within the watercourse element of the metric. No watercourse units are shown here. Please clarify the distances from the site boundary to the closest ditch and whether this should have been scoped into the metric.
 - It is proposed to have wildflowers and flowering lawns within the 'garden' area to the North to compensate for the loss of grassland interest on site. It is proposed that these will reach 'moderate' condition along with the created scrub. Whilst the plans show paths within the garden area, this is the only amenity space on site and will presumably be used by those going to the stadium, staff, local residents, dog walkers as well as people using the gym and the hotel. There is likely therefore to be an unusually high level of footfall here it is considered that a 'fairly poor' condition would be more achievable for much of the publicly accessible areas. Please provide a draft HMMP to demonstrate why this is felt to be achievable.
- Thames Valley Police have raised an objection to the application, pending the receipt of further information as follows:
 - Please provide a traffic management plan, to include;
 - § Match day management of fan/staff vehicle and coach movements/parking, and all pedestrian routes to/from the site including both a road closure and non-closure event. This should include all possible parking locations around the site, including, for example, Stratfield Brake if it is envisioned fans may park here on match days.
 - § Location and method of road closures and diversion routes required.
 - § Legislation to be used to implement any road closures.
 - § Communication strategy in the event of road closures.
 - § Management plan for safe turning of vehicles who have ignored closure signs.
 - § Proposals for safe continued operation of the Parkway train station, Park and Ride, and bus routes during events.
 - § Emergency vehicle access arrangements through closures
 - § Hostile Vehicle Mitigation measures, location of secure lines and management of vehicles required to pass through closures.
 - § Match day CPZ's and management and prevention of unauthorised parking in the vicinity of the site including local residential roads.
 - Transport (VISSIM) modelling data which demonstrates that all of the above does not have an unacceptable impact on the highway network. In particular in the event of a road closure, diversionary routes must not become unacceptably impacted. Modelling should be completed for both weekday and weekend fixtures and should be completed with models considering all forthcoming PR sites as constructed and fully occupied. This data must include the application site, and surrounding network including Pear tree interchange and A34, Wolvercote Roundabout, Cutteslowe Roundabout, Loop Farm roundabout, A4260 and Bicester Road.
 - Transport modelling data which demonstrates that non-match day events do not have an unacceptable impact on the highway network.
 - Speed profiles for Oxford Road
 - Details of proposed cycle parking, including on-site storage and any facility to be provided at Oxford Parkway. Proposals must demonstrate that all cycle storage is safe, secure, well lit, overlooked by surrounding development, fully covered by CCTV, and managed to mitigate against the risk of theft.

- Counter terrorism - Hostile Vehicle Mitigation (HVM) is of fundamental importance for this development, and details must be provided regarding the proposed location and nature of proposed HVM. Details should include the proposed methods of HVM to be deployed (exact specifications may be reserved for conditional approval), and operational management of HVM on match days for both road closure and non-closure scenarios.
- Football policing and operations – please provide pedestrian/transport modelling that demonstrates the safe flow of pedestrians/vehicles in the following events;
 - § Pedestrian and coach movements to/from the stadium with the stadium at capacity during a high risk fixture with segregation in place.
 - § Emergency evacuation of the stadium at full capacity
 - § Pedestrian modelling should also take into account Business as Usual pedestrian and cyclist movement.
- Match day plans for vehicular access on site during high capacity/high risk events and proposals for accommodation of emergency vehicles within the stadium footprint, particularly if available space is reduced with a broadcast OB compound in place.
- Zone Ex plans for the stadium and surrounding area should be provided.

Please be advised that the content of the Landscape and Visual Impact Assessment (LVIA), Retail Impact Assessment (RIA), Sustainability and Energy Statement and Alternative Site Assessment (ASA) documents is currently being reviewed. The Council reserves the right to request further information from the applicant, in respect of these elements and any other aspect of the Environmental Statement in due course, should it be necessary to do so.

I would be grateful if you could inform us, within 2 weeks of the date of this letter, how long you anticipate it will take to prepare this further information, so that an expected submission date can be identified. Please send your response for the attention Laura Bell, using the contact details at the head of this letter (by email).

Yours sincerely

Laura Bell BSc (Joint Hons) MA MRTPI
Principal Planning Officer – South Area Major Projects Team