

**OXFORDSHIRE COUNTY COUNCIL’S RESPONSE TO CONSULTATION
ON THE FOLLOWING DEVELOPMENT PROPOSAL**

District: Cherwell

Application no: 24/00539/F

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

Response Date: 9th April 2024

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or Informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If County Council members have provided comments on the application these are appended to this response.

Application no: 24/00539/F

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General Information and Advice

Recommendations for approval contrary to OCC objection:

If within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweighs OCC's objections, and to be given an opportunity to make further representations.

Outline applications and contributions

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of S106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Administration and Monitoring Fee - £18,094**
This is an estimate of the amount required to cover the monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether a S106 agreement is completed or not.

Security of payment for deferred contributions - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

Application no: 24/00539/F

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Strategic Comments

Please note this response is from the regulatory side of Oxfordshire County Council (OCC) rather than OCC as landowner. Further information is requested by OCC's Transport Development Management Team in order to fully assess the planning application, in particular further transport modelling is required to provide a better understanding of how the proposal will affect the local highway network. OCC's Public Health Team have also requested further information in relation to air quality and traffic management.

Subject to conditions there is no objection from the Lead Local Flood Authority Team or Archaeology Team. Our Minerals and Waste Policy Team have no further comments to those provided at the EIA scoping stage. It is not our intention to provide Landscape, Ecology or other specialist comments as Cherwell District Council (CDC) has its own officers dealing with those matters. Whether very special circumstances for development in the Green Belt exist is also a matter for CDC as Local Planning Authority to consider.

OCC's Cabinet seek clarification on a number of points as set out in Annex 1 along with Local Member views.

Officer's Name: David Flavin

Officer's Title: Principal Strategic Planner

Date: 08 April 2024

Application no: 24/00539/F

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

Transport Development Management – Interim Response

Recommendation:

Objection pending further information

Key issues:

Oxfordshire County Council, acting as the Local Highway Authority (LHA), cannot fully assess this planning application until further information has been provided. The further information required is listed below. Upon receiving this, a full response will be provided giving a recommendation either objecting to the application or recommending approval subject to conditions and S106 and S278 contributions.

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.

Should planning permission be granted despite Oxfordshire County Council's objection on highway grounds, the following obligations will be requested. This list is not exhaustive and may be updated prior to the application going to planning committee:

Financial Contributions Required via Section 106 Agreement

Contribution	Amount £	Price base	Index	Towards (details)
Oxford Parkway Junction	£558,937	June 2022	Baxter	Active Travel Improvements to Oxford Parkway Junction
Traffic Management	£250,000	December 2023	Baxter	Variable Message Signs
Speed Management	£250,000	July 2022	Baxter	Average Speed Cameras
Public Transport Services	£593,527	December 2021	RPIX	Public Transport Services in the vicinity of the site
Public Transport Infrastructure	£912,802	January 2024	Baxter	Cowley Branch Line Passenger Line Stations
Public Transport Infrastructure	£1,748,725	June 2022	Baxter	New Mobility Hub at Oxford Airport
Parking Restrictions	£10,000	January 2024	Baxter	Double Yellow Lines and 'Clearway' in vicinity of site
Parking Enforcement	£180,000	April 2024	RPIX	Additional enforcement officers
Matchday Controlled Parking Zone	£100,000	January 2024	Baxter	Matchday Controlled Parking Zone
Framework travel plan	£3265	April 2024	RPIX	Travel Plan Monitoring
Matchday Plan	£1985	April 2024	RPIX	Travel Plan Monitoring
Non Matchday conference & Exhibition use Travel Plan	£1985	April 2024	RPIX	Travel Plan Monitoring
Public Restaurant/Bar Travel Plan	£1985	April 2024	RPIX	Travel Plan Monitoring
Health and wellbeing facility/clinic, and gym Travel Plan	£1985	April 2024	RPIX	Travel Plan Monitoring
Hotel Travel Plan	£1985	April 2024	RPIX	Travel Plan Monitoring
Total	£4,617,181			

Works Required via Section 278 Agreement

- New cycle hub on Oxford Parkway adjacent to Park & Ride building. This should be covered, lit, easily accessible and secure (including surveillance).
- New staggered at grade crossing on Frieze Way.
- 2 new at-grade toucan crossings on Oxford Road.
- Access works and site frontages, incorporating 'Cycle Superhighway' on Oxford Road.
- New 3m off-carriageway shared footway/cycleway on Frieze Way with additional 500mm buffer (minimum, depending on speed reduction).
- Additional staggered at-grade toucan crossing on Frieze Way adjacent to Loop Farm junction.

Planning Conditions

Including but not limited to:

- Cycle Parking
- Signage Strategy
- Event Management Plan
- Matchday Controlled Parking Zone
- Parking Enforcement
- Construction Traffic Management Plan
- Delivery & Service Management Plan
- Travel Plan(s)
- Access Works – full details
- Offsite Highway Works
- Temporary Road Closures
- Visibility Splays
- Monitoring and Evaluation Plan (Decide & Provide) – may be legal obligation.

Officer's Name: Will Madgwick

Officer's Title: Technical Lead

Date: 05 April 2024

Application no: 24/00539/F

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

Lead Local Flood Authority

Recommendation:

No Objection Subject to conditions.

The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing:

Reference:

- Oxford United Stadium Development Flood Risk Assessment and Drainage Strategy
- OUFC New Stadium Development: Environmental Statement Volume 1 (February 2024)

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

Conditions:

Surface Water Drainage

Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

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

- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.
- Consent for any connections into third party drainage systems

SuDS As Built and Maintenance Details

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

Officer's Name: Shada Hasan

Officer's Title: LLFA Engineer

Date: 11th March 2024

Application no: 24/00539/F

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

Archaeology

Recommendation:

The applicant has submitted an approved Cultural Heritage and Archaeology Chapter with the Environmental Statement. The archaeological potential of the site will need to be investigated via a staged programme of archaeological work.

Conditions:

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition along the lines of:

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

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2023).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2023).

Detailed comments:

The applicant has submitted an Environmental Statement that includes a Cultural Heritage and Archaeology Chapter. This chapter is based upon an Archaeological Desk Based Assessment prepared by Cotswold Archaeology (2023) which explores in depth the archaeological potential on the proposal site, and is submitted in Appendix 9.1.

The proposal site lies immediately southeast of an area which recorded finds from the Mesolithic and Neolithic, and features from the Roman and Medieval periods. The Roman features likely represent a small agricultural settlement.

South east of the proposal site, at the land either side of Oxford Road, three barrows have been recorded. Two located at St Frideswide Farm have been archaeologically investigated and carbon dating has revealed that they are Early Medieval, which is unusual for this feature type.

The submitted Archaeological Desk Based Assessment concludes that if further Mesolithic remains are recorded on the site they could be of regional significance. If granted permission, the development of a stadium is likely to have extensive impact on any surviving below ground remains, and so a staged programme of archaeological investigation should be implemented.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 7th March 2024

Application no: 24/00539/F

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

Minerals and Waste Policy

Recommendation:

No comments further to those provided at the EIA scoping stage.

Officer's Name: Nathan Pearce

Officer's Title: Planning Officer

Date: 05/04/2024

Application no: 24/00539/F

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

Landscape / Green Infrastructure

Comments

The District Council Landscape Officer should be consulted on the application.

Officer's Name: Haidrun Breith

Officer's Title: Landscape Specialist

Date: 05/03/2024

Application no: 24/00539/F

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

Public Health

Recommendation:

Objection pending further information

There are a few key areas where further information and analysis are required from a public health perspective, particularly in terms of air quality and traffic management.

Key issues:

- Noise
- Air Quality
- Access to green space
- Human health

Detailed comments:

The Public Health team welcomes the opportunity to provide comment on the planning application to erect a new stadium and various other facilities at the land to the east of Stratfield Brake and to the west of Oxford Parkway Station. These comments take into account our previous submission at the Scoping stage, together with any new information that could have an impact on human health.

Noise

We welcome the inclusion of a full noise assessment in Chapter 11 of the Environmental Statement. We note that the nearest potentially affected residential site will be the proposed new development at Stratfield Farm, 210 m north of the Proposed Development boundary and separated by the A4260. It is strongly supported that outdoor areas used for recreation are included in the list of receptors considered to have high sensitivity to noise pollution – this should include users of public rights of way and other routes where people will be walking, wheeling and cycling to and from the development. We also note that a noise management plan will be conducted for non-football match events.

We welcome the fact that a range of mitigations will be outlined in the CEMP.

Air Quality

We welcome the inclusion of a full air quality assessment in Chapter 12 of the Environmental Statement.

We welcome the acknowledgement of our previous comments for the need of an AQA and Dust Management Plan. It is also noted that both operational and construction air quality is considered separately. We are also satisfied that by following the mitigation measures set out in the report, any adverse effects of this development to air quality will be kept to negligible levels.

Access to green space

We strongly support many of the aspects of the illustrative masterplan which include an array of features which will promote both access to and enjoyment of amenity space within and around the proposed development. These include the public art sculpture, willow archway and wildflower planting. The layout of the timber benches will be crucial to promote social cohesion and visual amenity. We also note the provision of cycle storage for up to 100 cycles. This should be secure and covered to promote its use, and situated as close as possible to the amenities onsite. The Transport Development Management response deals with cycle parking in more detail.

Health Impact Assessment

We note the inclusion of a full HIA within the supporting documents submitted by the applicant.

The HIA for the proposed development of a new stadium and accompanying facilities is well set out and includes all the necessary elements of a comprehensive HIA, as detailed in the Future Oxfordshire Partnership's HIA Toolkit.

We welcome the inclusion of fast food outlet density within the list of health indicators as this is a key indicator of healthy environments. Similarly, the new development has the potential to impact the provision of healthy food with its range of community facilities including a restaurant.

However, there are a few key areas where further information and analysis are required before the application can be approved from a public health perspective, particularly in terms of air quality and traffic management; they are 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.
- The range of stakeholders could have been broader – whilst the local residents are arguably the most important, there are others whose views should have been incorporated into the assessment.
- The Economy and Employment section – there is a typo on page 24 re stakeholder engagement.
- The closing chapter is an opportunity to summarise and conclude the main findings and key recommendations of the HIA, and this should comprise more than half a page of wording.

Officer's Name: John Lee

Officer's Title: Health Improvement Practitioner

Date: 22/03/2024

Application no: 24/00539/F

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

Innovation Service

Recommendation:

Comments

The Innovation Service of Oxfordshire County Council (OCC) have developed an [Innovation Framework](#) (IF) which is a guidance document setting out the need for developers and planners to consider innovation within planning and development, ideally including putting together Innovation Plans for new developments. It covers developments of all kinds, including residential, commercial, workplace, mixed use and infrastructure development. A roadmap of forthcoming innovations and a table on futureproofing measures and also included; in addition a template for developing an innovation plan is available. The IF is an appendix to the Local Transport and Connectivity Plan (LTCP). It is recommended that the IF and an Innovation Plan are considered for this development; the Innovation Service are available to provide guidance and consultancy.

Innovation Service in OCC also has considerable experience in the use of object recognition and counting technology (VivaCity cameras) which can count all modes of traffic from HGVs to vans, cars, cyclists, pedestrians and more. Subject to resource, we would be happy to provide consultancy in this area.

Officer's Name: Peter Taylor

Officer's Title: Innovation Planning and Project Manager

Date: 26th March 2024

ANNEX 1: MEMBER VIEWS

RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL



District: Cherwell

Application No: 24/00539/F

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

COMMENTS FROM OXFORDSHIRE COUNTY COUNCIL'S CABINET

OCC's Cabinet request that the following points are addressed:

1. Is there sufficient capacity at the named Park and Rides on both Saturday and Tuesday evening matches given their current use and predicted use in 2027 post the implementation of the Traffic Filter and ZEZ schemes.
2. Does the Park and Ride table with shuttle buses accommodate the travel schemes outlined in the 14,400 home supporter table? Whose vehicles would be used and where would they park during the match.
3. What are the current traffic concerns at Kassam Stadium with coaches and resident street parking given their 2000 parking spaces at that site.
4. Given the update information and proposed road closures pre and post matches, what are the predicted traffic flows on the surrounding network of the strategic roads, A34, A40, A44, the local roads, Frieze Way, Oxford Road, Banbury Road, Sunderland Avenue and the adjacent areas of Kidlington and North Oxford during evening and weekend match times. Include the different levels for each of the Tier 1, Tier 2 and Tier 3 safety responses.
5. A detailed response on the effect that the proposed closure of Oxford Road pre and post matches will have on the functioning of the Oxford Parkway station as a P&R serving the station and the traffic implications on going to and from the car park during match times.
6. Very careful wording should be used for any conditions that are required so that the condition cannot be met without the problem being completely addressed.

Date: 08/04/2024

**RESPONSE TO CONSULTATION ON THE FOLLOWING
DEVELOPMENT PROPOSAL**



District: Cherwell

Application No: 24/00539/F

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

LOCAL MEMBER VIEWS

Cllr: Ian Middleton
Comments:

Division: Kidlington South

Date: 08/04/2024

1. Site details

- 1.1 This site is a small patch of land sandwiched between 2 major roads south of the Kidlington Roundabout adjacent to Stratfield Brake Sports Ground.
- 1.2 It represents one of the last pieces of untouched green belt separating Kidlington village from the outskirts of Oxford City.
- 1.3 It was purchased by OCC in 1937 with the intention of maintaining a green buffer between the rural areas of Kidlington and Oxford city.
- 1.4 As such it is held in trust by OCC for the benefit of the local residents. Without their support for this development it should not be permitted. As it stands that support has not be significantly demonstrated.
- 1.5 The land is also designated as Green Belt so any development would need to demonstrate very special circumstances as it would be outside the current revised local plan adopted by CDC in 2020.

- 1.6 Revisions to the local plan in 2020 removed large areas from green belt protection around this site making it even more vital as a green buffer between Kidlington and the City boundaries.

2. Transport strategy and roads

- 2.1 One of the major areas of concern for the county council must be the transport strategy surrounding this application.

- 2.2 The applicant states that :

“The Site is well related to existing and proposed development and is in a highly accessible location, adjacent to the strategic highway network as well as Oxford Parkway Railway Station and Park and Ride. It is therefore accessible by a range of transport modes.”

- 2.3 This would appear to ignore the geographical realities of the site being extremely compact and sandwiched between 2 major roads, one being the Oxford Road which separates the site from the railway station. This is a major obstacle that needs to be overcome to achieve safe access to and from the site without disruption for users of the road itself. The application does not address this.
- 2.4 The site under consideration is very compact and sits between two major roads connecting Kidlington with Oxford City.
- 2.5 Much emphasis is placed in the application on shuttle buses operating to/from park and ride sites to stadium (4.11.10 table 4-19 p 48 which states ‘74 park and ride shuttle buses’).
- 2.6 There are however no details about how long will each journey take to/from each site or how many people can be carried on each bus. This would seem to be something that would require detailed modelling in order to confirm if it would be a viable transport mode.
- 2.7 Paragraph 117 of the National Planning Policy Framework states that any application must be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. Data on which to make such an assessment is not provided in the application. Indeed the application states that the transport modelling that has been provided is likely to

be substantially amended during the planning application. Given the fact that 16000 or more people are likely to leave the stadium site within a few minutes of the end of a major event, with a large proportion heading across the Oxford Road and other across Frieze Way, it's difficult to see how any transport modelling could suggest that such a scenario could be safe or sustainable. There were proposals at one point to close these roads after matches for those very reasons. Again, if road closures are to be included in the application, either by default or design, this runs contrary to the negotiations with the OCC cabinet.

2.8 Paragraph 5.8 of the application states that :

“Suitable provision for improved sustainable transport infrastructure will be agreed during the course of the application. From initial discussions around this with both CDC and OCC, the improved highway and pedestrian network along the Oxford Road will be dealt with contributions from the allocated sites and, as a consequence, improvements are likely to focus on suitable connections to Oxford Parkway and potential infrastructure improvements along Frieze Way. OUFC are committed to ensuring suitable sustainable transport connections are provided.”

2.9 This seems to be based on assumptions about as yet undecided and un-agreed contributions from developers who are yet to lodge even outline planning applications on the adjacent sites. Rather than this being a sound and committed transport proposal it is based on 'likelihoods' and assurances without any detail or substance. Crowd management and traffic profiles are some of the most vital aspects of this proposal, particularly in respect of the close proximity of the site to major roads and future housing developments. We surely require a more mature and defined set of proposals and undertakings than this for any such development to be approved. All these aspects cannot simply be dealt with by way of planning conditions.

3. Frieze Way

3.1 This is the dual carriageway on the east side of the site and is being proposed as the main vehicular access point for the development. Yet elsewhere in the application this is also being proposed as a relief road for diversions on the Oxford Road to the west. I don't see how it can be both, especially as Frieze Way is also being mooted as the access point for a large number of coaches decanting fans on to the site.

3.2 There is only a limited capacity on the site itself (2 bays). Add to this the time it will take for passengers to leave the vehicle and it seems very likely that coaches

and buses will be backing up along the dual carriageway. These vehicles will also have to enter the site from the southbound carriageway having driven up the northbound side and then navigated the Kidlington roundabout.

- 3.3 The short distance between the proposed entrance and the roundabout means there is the potential that coaches and other vehicles will be queuing from the roundabout up to the site. This is likely to cause significant congestion impacting all the feeder road on to and off of the roundabout.
- 3.4 There is also no information about where any chartered coaches or buses will park once they have decanted their passengers. This raises similar concerns to that experienced in central Oxford where tourist coaches spent hours with engines idling to keep air conditioning and heating running creating a problem with pollution in the area.
- 3.5 There are proposals to introduce additional bus stops on the east side of Frieze Way with additional Toucan crossings to allow fans to cross both carriageways. As with the Oxford Road the use of Toucan crossings is likely to lead to long periods where the lights are set at red for highways traffic due to the fact that these types of crossing stop traffic for as long as there are people sensed on the crossing. It's easy to envisage long lines of people crossing at once which would introduce significant disruption to traffic flow on this dual carriageway.

4. Oxford Road

- 4.1 This lies to the west of the site and is the other main road between Kidlington and Oxford. It also contains a bus lane. There are proposals to add a 'cycling super-highway' along the length.
- 4.2 Housing developments are proposed on both sides of the road, including the North Oxford Golf Course which lies to the west of the proposed stadium site. These sites are part of the CDC Local Plan Partial Review and will add around 2000 houses to the area creating additional pressures on the Oxford Road which are yet to be assessed. The close proximity of these sites to the proposed stadium needs to be factored into any traffic or transport modelling, especially at peak hours where the road is already likely to be at or beyond capacity.
- 4.3 The plans show multiple pedestrian entrance points along the eastern flank of the site along with graphics showing pedestrian flows going across the Oxford Road using controlled crossing points. Given the capacity of the stadium at some

16000 fans it seems likely at peak times that these crossings will be frequently stopping the traffic on the Oxford Road.

- 4.4 Toucan crossings will keep the lights at red for road traffic while there are people on the crossing which will essentially mean the road could be closed for significant periods on an ad hoc basis. This would have potentially serious implications for the Oxford Road in both directions.
- 4.5 ES Volume 3 Appendix 10.1 Transport Assessment Part2-5.pdf – p 171 illustrations show pedestrian traffic crossing the road at 2 points and staying on the west side. The ramp coming up from the station is not wide and is also quite long. How long would this take for 16,000 people to get to the stadium?
- 4.6 There is also a lack of accessibility in these arrangements for people who are elderly or with disabilities – the stepped areas from the station and into the stadium are steep.
- 4.7 It's also likely that some fans may not bother with the crossings at all and will simply pour across the road causing traffic stoppages and potentially put their and other road user's safety a risk. This scenario has already been raised by Thames Valley Police in their response to the scoping opinion application.

5. Road Closures

- 5.1 My understanding is that OCC have made it clear to the applicants that they will not be allowed to officially close the road (as was originally proposed) due to the impact this will have on the wider transport network, not least access to Kidlington from Cutteslowe and vice versa. However there are clear references in the application to road closures and 'diversions'.
- 5.2 This demonstrates that they feel that a closure of the road will be vital to facilitate safe access to the site. That being the case, the traffic modelling should accurately reflect that. At the moment it doesn't. It should also be remembered that if OCC have categorically stated that they will not accept any form of road closure, the inclusion of closures in the application would seem to preclude the development progressing in any event.
- 5.3 As stated above part of the proposal is that Frieze way would operate as an alternative route if the Oxford Road was closed/diverted, although that is likely to be clogged with buses and coaches and private vehicles looking to access the

site or other areas around it. If the Kidlington roundabout is also brought to a standstill due to traffic backing up from the proposed entrance to the site, the situation is likely to be widespread gridlock potentially reaching back as far as the A34 slip road.

- 5.4 Any closure of the Oxford Road, albeit by official means or by repeated use of controlled crossings, Marshalls, diversions or the road being inundated with pedestrians is likely to have a hugely detrimental effect on the local road network.
- 5.5 This will likely have an impact on the A34 given that the Bicester link road is a direct connection. To the south, the potential for gridlock around the Cutteslowe Roundabout feeding the Oxford Road could create issues on the A40 with knock on effects on the M40. To the north west there is also likely to be congestion on the A44 with traffic approaching the Loop Far Roundabout to access Frieze Way.
- 5.6 All these roads are vital to the smooth running of the local and national network. The capacity of these roads to cope with the extra traffic generated as part of the Local Plan Partial Review sites in Yarnton, Begbroke, Kidlington and Water Eaton needs to be factored in to any traffic modelling. All those roads are likely to be under additional pressure in the future and the additional burden of large traffic and pedestrian movements around the proposed site were never factored in to those proposals.
- 5.7 I note the suggestion of reactive road closures for a short period of time with associated scenarios where these could be managed on an ongoing basis. These include proposals about speed restrictions with digital signage. However in practice any closure would still have impacts on traffic flow for some time given the flow of traffic on that road.
- 5.8 It's also likely that any 'short' closures would probably turn into longer closures as there will be little in the way of stopping that if fans do not all leave in the same timeframe. Given that the proposal includes facilities to increase dwell time on the site after matches, it's likely that egress will be achieved over a significant period of time. This is probably by the original proposals included far longer periods of full road closures both before and after matches.
- 5.9 One recent demonstration of the impact of potential gridlock around the site can be seen from a recent incident when problems on the A34 led to stationary traffic in the same area which locked people into the Sainsbury's car park for over 3 hours. It's therefore highly likely that any road closures, no matter how short, are

likely to have a negative impact on the lives of local residents going about their usual business.

- 5.10 It should also be noted that HGVs from the Heidelberg Aggregates site behind Parkway also use this stretch of road frequently and it is assumed the traffic from the aggregate site will vastly increase when the various local developments come online. They can only use certain defined routes and any reduction in the carriageway and/or road closures are likely to impact safety.

6. Bridge from Parkway into the stadium

- 6.1 There have been various iterations of promises from the applicant about a pedestrian footbridge which would take fans directly from Parkway station into the stadium.
- 6.2 This would seem like a sensible solution, but sadly it is entirely impractical given that any such bridge would have to cross the railway line, the A34 and the Oxford Road in one span. This would be even more difficult given that the Oxford Road is already elevated above the A34 and the Railway line at the only point where a direct bridge would be possible. This would mean a bridge over another bridge which would be a truly gargantuan structure.
- 6.3 Other options would be a bridge from the station across the railway line and the A34 with a footpath linking to another bridge over the Oxford Road to the north end of the site. This would depend on the applicants having agreements with the railways station operators and with the current owners of development site PR7a. As far as I am aware, there are no agreements for access or purchase of this land with either landowner.
- 6.4 This in itself would seem to preclude a bridge but we are told that a planning application for a bridge will be forthcoming. At this point it's not clear where that would be or what it would span.
- 6.5 If it was only a bridge over the Oxford Road that raises questions about how it would be accessed from the station.
- 6.6 The most likely scenario would be a footbridge at the northern end of the site which would allow fans to cross the A34 and the Railway by means of the existing Water Eaton Bridge. The problem with that is that the footpath between the 2 is very narrow. This may be part of the motivation for suggestions

surrounding the closure of the bus lane on the eastern side of the Oxford Road (see below). But this is pure speculation until we see the plans.

- 6.7 I would suggest though that any bridge should form part of a 'Grampian Condition' to be considered as vital infrastructure for the use of the site for a stadium and that no operations should be permitted on the site until a suitable bridge is constructed.
- 6.8 There also needs to be considerations about if any such bridge would be viable in terms of pedestrian flow. It's likely that moving fans from the station to a bridge would create bottlenecks (particularly in the approach to the bridge) as well as the likelihood of crush situations, especially if there were barriers along the length of the footway to prevent egress on to the carriageway.
- 6.9 Again, as with discussions around crossings, there's a very great likelihood that fans eager to get into the stadium would not want to walk the distance from the stadium to the bridge and then wait in potentially large queue to get across it. OUFC's own assessment of the time it would take to get fans attending a sellout event across the bridge would be around 45 minutes.
- 6.10 So it is likely that any footbridge would not be a viable desire line for attendees which once again raises the likelihood of them simply pouring across the road and stopping traffic by default, raising serious safety concerns as highlighted by Thames Valley Police in their response to the Scoping Opinion application.
- 6.11 The other option is that the Toucan crossing will be used and then we're back to road closures by default.
- 6.12 It's therefore a fair conclusion that, if a direct route cannot be achieved from the station to the stadium any crowd control scenario would have to include road closures. This is why they are being proposed tacitly in the application.

7. Removal of the Oxford Road Bus Lane

- 7.1 Drawings contained within the application (ES Volume 3 Appendix 10.1 Transport Assessment Part3-4.pdf – page 13 - 17) shows the permanent removal of the bus lane currently running along the east side of Oxford Road. The diagram shows road markings that suggest this will be a permanent removal as

part of a widening of the footpath on this side of the road.

- 7.2 This is contrary to the local transport policy as it will not allow buses to bypass slow traffic during the morning rush. This will significantly increase the journey time to Oxford.
- 7.3 However there is scant mention of this element of the plans in the application narrative. There is no explanation for why this is needed save for a requirement to expand the footway on the east side of the road north of Parkway. The only reference to it I can find is in the 'Ridge OUFC Transport Assessment – Link Assessment Part - Pedestrian Modelling' where use of the Fruin analysis mentions 'footway widening'.
- 7.4 The diagram in the application is fairly small but shows the current pedestrian footpath split into 2 lanes which then deviates to the west into what is now the bus lane. There are markings shown on the path as being for pedestrian traffic only.
- 7.5 This would appear to extend to beyond the entrance to Parkway station and is presumably being proposed as a way of expanding the currently narrow footpath which crosses the Water Eaton Bridge. Presumably this is in response to the fact that there is no practical way to enlarge the current footway due to the bottleneck created by the bridge parapets on both sides.
- 7.6 The obvious intention is to expand the current pathway into the current bus lane to allow for a greater number of fans to exist the station, cross the WE bridge and then cross the road by one of the means already described to enter the stadium site on the west side of the road.
- 7.7 This presents a number of problems in highways terms, not least the loss of a facility that has been in place for a number of years and is still an integral part the road and traffic strategy for the area. Indeed it is further facilitated as part of the current Kidlington roundabout works which include additional clearways for buses to exit the Bicester Link Road on to the Oxford Road.
- 7.8 The provision of the bus lane was specifically intended to reduce congestion on this road a main route into Oxford City. Its removal will again have significant impacts on traffic flows in the area, especially during rush hours.

- 7.9 It also raises safety concerns for cyclists if we have buses being pushed out of the bus lane into the main carriageway and the back again. As we have already had a cyclist fatality on this stretch of road due to conflicts with HGVs this raises very serious concerns for their safety.
- 7.10 Furthermore this may have an impact on the proposed cycling-superhighway that is being included in active travel plans for this stretch of road in response to development sites PR6b, PR6a, PR7a and PR6b (circa 2000 homes).
- 7.11 I can see no scenario whereby the removal of the bus lane will provide a positive result apart from allowing easier egress and entrance to the station for people visiting the stadium. That would seem like a high price to pay considering the very serious implications for traffic flow, congestion and road safety that the removal of the bus lane would have.
- 7.12 The fact that this proposal appears to have been slipped into the application with no direct reference to it other than in a few diagrams also raises serious concerns about any other similarly impactful proposals hidden away in the application. Surely something as fundamental as a major rearrangement of traffic management on this road should have been highlighted in the narrative and fully justified and explained.

8. Parking

- 8.1 Much is made throughout the application about a reduction in car traffic as a result of the stadium being close to the railway station. However this would seem to be undermined with claims about how cars would be able to access the area and where they would park.
- 8.2 Given that the club's own statistics say that 90% of fans accessing the current stadium travel by car, it's perhaps not surprising that this is a main concern
- 8.3 The local Park and Ride sites – Notably Peartree and Parkway (and Eynsham when it comes online) are referenced in the application as being available for use by visitors to the stadium. However each site is designated within the various PR developments traffic modelling documents as being vital for residents/workers to get to Langford Lane business park, Begbroke Science park, Oxford North, Oxford London airport or into Oxford from the PR sites.

- 8.4 There are nearing 5,000 houses due to be built in the overall area as part of the Local Plan Partial Review along with the expansion of Langford Lane business park, Oxford airport, Begbroke Science Park and North Oxford Development. This could be 10,000-20,000 + jobs coming to the area, excluding the residents. This is going to lead to added stress on the road network which has not been factored into this application.
- 8.5 If the P&R sites are already full with commuter vehicles the expectation is that fans will park in the adjacent areas including local streets in and around Gosford and Garden City. There is currently no capacity within current parking enforcement arrangements to prevent this. There would need to be very stringent requirements and responsibilities agreed with the stadium operators to cover a wide area around the site, probably extending to at least 3Km radius.
- 8.6 It's also notable that the assessments of car potential car numbers do not align with the number of passengers that could be accommodated within the average private car. Most vehicles will take a legal maximum of 5 people including the driver. In some cases up to 7 people could be accommodated. Analysis of the assumptions over private vehicle use and the number of fans attending would suggest that upwards of 14 people would need to be in each vehicle. I am not aware of any private vehicles that would routinely allow this number of passengers.

9. Traffic modelling

- 9.1 It's stated in the application that OCC agreed with the applicants to use the VISSIM traffic modelling system but that instead they used something different. The applicants say that they will be appending the correct, agreed modelling at a later date.
- 9.2 In the meantime it would seem pointless to examine the current modelling data in any detail. It would be useful to have some clarity on how this aspect will be handled. Will the application be deferred in its entirety or would there just be a period of re-consultation on the traffic proposals?
- 9.3 Given that we are also told that a bridge application will also be forthcoming, the whole of the traffic modelling would seem to be in doubt. In view of that should the whole application not be withdrawn or deferred until we have full clarity on all

these vital aspects of the plan?

10. Independent review

10.1 As stated within the NPPF, a Design Review Panel's feedback is a material consideration for local authorities and the planning inspectorate when determining planning applications. The Design Review Panel provides impartial, independent design review services directly to applicants as well as to local authorities.

10.2 I am informed that the Design Review Panel reviewed the proposal on 7 November 2023. Within its opinion in which it recognised the "difficulties of access to the site" (which it did not comment upon), it made the following observations:

1. The visit revealed a site significantly constrained in many ways, not least by its awkward shape and the busy highways that adjoin the site on two of its three sides. These factors alone make the development of the site challenging.
2. The site is not ideal in many respects.
3. There is a concern that the proposed main entrance area point to the stadium may not be able to safely accommodate the sheer volume of fans. It is felt there may not be enough arrival space to accommodate the supporters before they disperse to their seats. A lack of space in this area could also give rise to problems of supporter segregation. The practical problems of access are also accentuated by the difference in levels from the highway.
4. The Panel's chief concern regarding the project is that the awkward shape of the site and its relatively small size may potentially be prejudicing the delivery of the laudable aspirations for public realm. Aside from the concerns regarding the size of the arrival space, there is a general feeling that everything is ever so slightly squeezed and that there is no spare land.

11. Emergency planning

11.1 There would appear to be no recognition of the potential dangers of having such a compact site bounded on both sides by major roads in the event of an

emergency requiring a full evacuation of the building.

- 11.2 Given that the capacity of the site is some 16000 fans along with hundreds of staff and hotels guests, it's difficult to see how all of those could be accommodated in a safe mustering area in the event of a full evacuation. There is simply not enough space surrounding the buildings.

12. Ecology and Biodiversity

- 12.1 OCC has a stated aim as a local authority to “accelerate work on supporting biodiversity and nature recovery in parallel with adaptation to climate change, including potential impacts of extreme weather and supply chain disruption.”
- 12.2 As such we should review any impacts on a wild and biodiverse site such as this very carefully to ensure we are not wiping away decades of organically created habitat for a variety of species that call this site home largely unmolested by human intervention.
- 12.3 Major development on such a site cannot avoid a massive disruption to the habitat and flora of such a site. Any biodiversity net gain claims should be closely evaluated on the light of the history of the site.
- 12.4 Much is made about making the site accessible to humans. However the very fact that it is currently largely inaccessible is a huge advantage to the creatures that inhabit it. As is so often the case, when humans move in the wildlife moves out. That would seem to be inevitable given the nature and scale of this development with all the attendant issues of noise and light pollution as well as the disruption that will be caused by the visitation of thousands of people every month. The provision of a small area of relatively sterile green space cannot be an adequate compensation for the loss of the current mostly untouched and vital habitat.
- 12.5 As referenced in my response to the Scoping Opinion request, reports on the site from ecologist Dr Judy Webb and BBOWT have highlighted a number of key species on the site. Yet the report from the applicant's ecological consultancy – Ecology Solutions – seem somewhat dismissive of these findings.
- 12.6 Dr Webb is a well respected freelance ecologist and species recorder and a recognised expert in her field. She is a founder member of the New Marston Wildlife Group (now Friends of Milham Ford Nature Park) and species recorder

for TVERC and BBOWT. Her special interest is in rare wetland plants, as well as flies and bees, although her interests also extend to other insects and fungi.

Her special areas of expertise are pollen identification, pollinators, field mycology, vascular plants, bryophytes, flies (Diptera), meadows, especially floodplain meadows, calcareous grassland, meadow restoration, fens, fen restoration and peatlands generally.

- 12.7 I will quote some key findings from Dr Webb's reports below. Her full reports have also been submitted to the planning consultation so I will not append them to my response here but can provide them on request. I would recommend that officers and members of the planning committee all of her full reports in conjunction with the applicant's consultant's report as I believe this will give a more rounded overview of the biodiversity and habitat importance of the site. It would seem that Dr Webb has provided a far more in depth study given her longer and more frequent access to the site with the permission of the current tenants.
- 12.8 Whereas the applicant's report has been shown to be incomplete and not carried out over a full year, Dr Webb's study of the site has been more in depth and longitudinal. As a recognised expert in her field, her observations and findings should be given full credence in respect of the ecological importance of this site being left as undisturbed as possible.
- 12.9 The site needs to be looked at not just for its own wildlife but the support it provides to the surrounding Ancient Woodland, the Woodland Trust Reserve and Stratfield Brake.
- 12.10 It should be valued for its wildlife support for insect-eating birds and bats, unusual insects, butterflies and invertebrates, a holistic approach to the scrub field margins – the wildflower forbs and the insect loving willows in the centre.
- 12.11 There are also micro-climates with boggy/marshy areas and dry areas within the site.
- 12.12 The site has been 'human-free' for nearly 18 years which has a big positive impact on the viability of the site being allowed to flourish unimpeded. This site has also been pesticide/herbicide free which could be an interesting wildlife

recovery project for the council.

- 12.13 The scrub/tree margins on the Triangle measure from 5-6m wide on the western margin Frieze Way have no street lighting at present. The lack of street lighting along Frieze Way for most of its length makes the marginal belt on the west side especially important to commuting bats. The light pollution that will be an inevitability should the development go ahead is very likely to impact these species negatively.
- 12.14 The removal of coppice along this side and trees at the southern end of the triangle is likely to have a hugely detrimental effect on these species.
- 12.15 As referenced in ES Volume 2 Figure 4.12 Tree Removal Plans-1.pdf - the removal of the scrub/tree margins on the eastern margin of the Oxford Road extending to some 12-15m, along with the proposed removal of three TPO'd veteran oak trees on Oxford Road side will have a very significant impact on the current site ecology.
- 12.16 The Ecology Solutions report concedes "Potential loss of two trees with bat roost potential (T1 and T2). Potential disturbance from lighting on foraging and commuting routes during the construction and operational phases. Prior to mitigation, effects will be adverse at the European level and of moderate significance." However there is no mention of what 16,000 people will do to these bats foraging and roosting areas. Bats are highly sensitive to noise and light pollution – they need 'dark corridors'
- 12.17 Dr Webb's report confirms that the Triangle habitats are a good foraging area for bats. Using a hand held bat aural detector (Wildlife Acoustics Echo Meter Touch 2 for Android) around the inside of the Triangle on 22.09.2023 recorded Soprano Pipistrelle *Pipistrellus pygmaeus* and Noctule *Nyctalus noctula*. These bats are both Priority Species (Section 41 Species of Principal Importance under the 2006 NERC Act in England (Previously UK BAP Priority Species). The greatest density of bat calls was in the southern ride, adjacent to Stratfield Brake East where bats were seen hunting in the dusk.
- 12.18 The bats will be using the nearby Ancient Woodland of Stratfield Brake East for roosting as it has mature trees and plenty of standing deadwood with peeling loose bark habitat. Further bat surveys are needed beyond those carried out by the applicants, not least because their previous surveys were incomplete due to detection and monitoring equipment being removed by the tenants on the site

who had not been advised of their installation. Any data supplied is, as a result, incomplete which should necessitate a further longitudinal study over at least a year.

12.19 Ecology Solutions bat surveys do however show bats to be present in larger numbers around the east of the triangle and also the west at the southern end. This is the area where the applicant proposes to remove 3 TPO'd veteran oak trees.

12.20 It's notable that Dr Webb seems to have recorded more unusual plants, fungi and insects than Ecology Solutions who say that any rare species such as the two orchids species (Common spotted and Pyramidal) could be moved to another site. This is not usually possible as orchids are dependent on the specific ecology of where they are found .

12.21 Other observations from Dr Webb are :

- a. *"The density of anthills is responsible for my record of the associated uncommon Ant Ladybird Platynaspis luteorubra, the first time I have seen this.*

- b. *Myopites inulaedyssentericae. A picture-wing (Tephritid) fly with no common name (could be imagined to be the 'Fleabane Picture-wing') which only breeds in the flower-heads of Common Fleabane. Several individuals were swept and on one occasion a female was seen ovipositing (egg-laying) in a fleabane flower. This still has a Conservation Status of 'RARE (RDB3)' in older assessment texts (6), but seems to be likely to be increasing with Climate Change and discussion with other entomologists indicates it is now being found more widely. However, it seems to require long-established, large stands of Fleabane for a breeding population - small patches or one or two plants are not enough to support this species. This is the first time I have found this fly in Oxfordshire, despite regularly sweep-netting in wetlands with Common Fleabane in small patches. Distribution maps produced by a specialist in this group of flies show no previous Oxfordshire records at all.*

- c. *One very unusual, wild rose with white flowers is probable hybrid involving the very scarce Small-leaved Sweet Briar Rosa agrestis, found on the eastern fence line at the site margin. This needs more expert botanical*

opinion on its identity; with more time this can be achieved

- d. *The Swiss-cheese Tephritid (Picture-wing) fly *Merzomyia westermanni* with its strangely patterned wings (see discussion below and Appendix I) is a further example. This breeds in Hoary Ragwort, which is on site and common in Oxfordshire, but the fly is very uncommon.*
- e. *In addition a female of the rare Brown Hairstreak *Thecla betulae* was seen in September 2023 and one egg of this species was found on Triangle blackthorn in February 2024”*

12.22 In comparison the ecology of the site is largely dismissed by Ecology Solutions with statements such as *“it is considered that the Site supports an unremarkable ornithological assemblage”*.

12.23 BBOWT response to the scoping report said :

- a. *“Given the ecological sensitivity of this area it is essential that the EIA should include results of appropriate surveys, and an assessment is made of impact on each designated site, including others in proximity as well that are not referred to above, including Duke’s Lock Pond LWS, Wolvercote Mead LWS and Cassington to Yarnton Gravel Pits LWS, as well as numerous others within 2000m of the proposed development. The assessments must deal with potential impacts on both nationally and locally designated sites and how these will be avoided. The full range of possible impacts must be considered including air pollution (including through increased vehicle use), hydrology (noting that many of these habitats are extremely vulnerable in terms of hydrology), loss of ecological connectivity, and recreational impact (including factoring in the proposed hotel). Anything other than avoidance must be a last resort, but if impact cannot be avoided then detailed mitigation plans must be set out, as well as an explanation of how the benefits of the development in the location proposed outweigh its likely impact on the features of the designated sites.*
- b. *The nearby designated sites contain numerous examples of priority habitat. The site itself also contains as far as we understand: good quality lowland mixed deciduous woodland priority habitat, other neutral grassland, willow coppice, hawthorn scrub and mixed scrub. The site includes wet areas within some of these habitats which increases the diversity. We understand the site to have good potential as a minimum for*

the following species groups: plants, birds, invertebrates and bats. There are also records nearby of a variety of amphibians and reptiles

- c. *The proposal raises serious concerns in terms of impact on the green corridor between Oxford and Kidlington. It is not alone on this, as the section on Cumulative Impact above sets out. However if it went ahead it would make a significant contribution to this loss, effectively removing the “last piece of the jigsaw” of undeveloped land between the two settlements. There are many non-wildlife concerns as to the removal of this corridor which are outside of the remit of this response. However the wildlife impacts of the loss of this corridor are very serious and must not be underestimated. There are numerous species of a variety of wildlife groups that rely on rural land for their survival. They are completely incompatible with urban development which is why they are rarely if ever seen in urban areas. These species also need to be able to move, in order to ensure genetic mixing between populations, and in order to move to more suitable habitat if the habitat they live in becomes lost. If their ability to move is lost then whole populations, as well as numerous individuals of species can be lost.*
- d. *We are concerned about the possibilities of the metric in this case undervaluing what is clearly a site of significant value for wildlife. We are concerned that the EIA Scoping Report referred to the willow coppice as an arable habitat. If the implication of this is an intention to value the habitat as arable, condition poor in the metric then we would be greatly concerned that this would greatly under-represent its value. It is not entirely clear where such a habitat should sit within the metric, but there is a clear need to use common-sense ecological discretion to give it a value that reflects what we understand in this case from independent surveys to be a significant habitat both botanically and for invertebrates, and one which by its very nature is also of value to birds. Consideration in the metric needs to be given to the value of the wet grassland, with a wide variety of species, that we understand underlies a significant part of the willow coppice, and the value of the willow coppice itself, its variation in age structure, and the value for many species of the glades produced when it is coppiced.”*

12.24 It seems clear based on the conflicts between the detailed evidence as well as doubt introduced by the removal of monitoring equipment during the initial survey by the applicants consultants, that further independent study is required of the site if we are not to risk losing a very valuable wild site which has evolved over

the past two decades into a biodiverse oasis that could not be recreated by any of the compensatory proposals associated with a huge and invasive development of this type.

13. Broad-leaved Woodland

13.1 The Ecology Solutions report states :

8.5.170 The area of woodland adjacent to the Site is of relatively greater ecological value in the context of The Site and offers suitable nesting opportunities for birds and suitable opportunities for bats and other mammals.

8.5.171 The woodland is to be retained and safeguarded from the Proposed Development.

8.5.172 Woodland is a Priority Habitat.

13.2 There is however no assessment of the long term impacts of 16000 people regularly visiting the site along with associated traffic movements. The only reference there is to such impacts is :

8.5.173 Impacts: Temporary effects: potential damage to retained woodland during the construction phase and dust deposition (and potentially other pollution) to retained woodland during construction phase. Potential for disturbance / damage from people during the operational phase. Prior to mitigation, impacts are adverse at the local level and are of minor significance.

13.3 It seems less than credible to concede the development phases of the project will have an impact yet completely overlook the long-term ongoing impacts of many thousands of noisy and excitable visitors to the site along with cars, coaches, buses and other associated disruption.

14. Ecological conclusions/questions

- 14.1 There seems to be conflicting opinions as to the quality and quantity of the wildlife on the Triangle and there are large gaps within the surveys which need completing.
- 14.2 Dr Webb is reporting she has found unusual plants, fungi and insects which are of scientific importance and are rare in Oxfordshire and the south of the UK. Many of these could not be successfully transplanted to other sites.
- 14.3 Ecology Solutions are reporting finding red listed birds.
- 14.4 The Triangle actively supports many species who come to forage on the site, although not necessarily nest/roost on the site but nearby but this hasn't been fully investigated.
- 14.5 The loss of this site will inevitably impact the other areas of the green corridor? Can this be mitigated?
- 14.6 How will Traffic, light, numerous people, noise and air pollution on these sensitive sites – how will this affect them? Again this has not been fully studied.
- 14.7 This area is one of the remaining pieces of green belt left and is vital for a wildlife corridor. What is proposed by the development is unlikely to compensate for what is already there.
- 14.8 No matter how careful OUFC development are with noise, light, air pollution, the fact that there will be a huge increase in numbers of people/traffic will have an impact on an area previously 'untouched' by humans.
- 14.9 The 10% increase in BNG is going to be very difficult to achieve and, above all, sustain.

15. Air Quality impact

15.1 The applicants state in paragraph 8.5.129

“Regarding air quality impacts on non-statutory designated sites, it was found that potentially significant effects may occur on Stratfield Brake LWS due to traffic emissions at the operational phase. There are not predicted to be any significant effects at the constriction phase.”

15.2 This would not appear to take into account the increase in traffic from 16,000 people coming to the site, whether by car, public transport.

15.3 8.5.128 states :

“A worst-case scenario was applied by the Air Quality consultants which found that no significant effects will occur on any of the statutory designated sites listed, including Oxford Meadows SAC and its constituent SSSIs during either the construction or operational phases.”

15.1 This would seem unlikely given the significant increase in vehicular travel movements in the area including large coaches, buses and private vehicles.

16. Flooding

16.1 The site has been observed to be significantly flooded during wet periods and appears to be a holding basin for run-off from the surrounding roads.

16.2 The adjacent Stratfield Brake sports ground is prone to regular flooding making some of the playing pitches unusable. This wouldn't seem to suggest that it is a suitable area to build a sports area that will contain its own pitch.

16.3 Capping off the porous surface could lead to an increase in carriageway inundation during wet periods that are becoming more common sure to climate change.

16.4 There were proposals to mitigate the height of the structure on the landscape by sinking it below ground level, but I understand this idea has now been

abandoned due to flooding concerns.

- 16.5 As the Lead Local Flood Authority OCC has to be alert to the potential flood risk both on the site as it stands and also the knock on effects of removing what may be a sink for surface flooding from the highway and other areas.

17. Conclusion

- 17.1 Whilst I am sympathetic to the plight of the football club and would support them finding a new home, we cannot allow such considerations to override important planning considerations.
- 17.2 This application is lacking with respect to large areas of concern for the County Council, not least in terms of transport planning, safe access to the site, ecological concerns, flooding and the impact on the local area.
- 17.3 The proposal is for a huge structure, some 26 meters high. It seems unlikely that it would not have a significant impact on the surrounding area, particularly when considered alongside the context of the light and sound pollution that it will generate.
- 17.4 The ingress and egress of in excess of 16000 people is going to be extremely challenging to manage in such a compressed area, especially with regard to navigating 2 major roads. The proposed reduction in traffic management infrastructure such as the bus lane will only serve to make these problems much worse.
- 17.5 The site sits on green belt which has stood largely untouched for nearly 20 years and is part of an area designated to form a barrier between the village of Kidlington and the city of Oxford. In that respect it represents the very epitome of the purpose of green belt land. Any development on this land would have to demonstrate very special circumstances under the NPPF and I do not see anything in this application that would support such a submission.
- 17.6 Considerations should also be given the large number of local residents who have expressed concerns about all the above issues (and others) and registered their opposition to the proposals through a local parish poll. Many of these people may also comment separately on the planning application although I have been made aware of a number of people who are reluctant to comment due to fears of reprisals from club supporters. Whilst these fears may well be

unfounded, this should be factored into any considerations about the level of response from local residents.

- 17.7 It would seem therefore that this is a long way from being a suitable site for such a development and it would be far better for the club to look elsewhere at a space that would be far easier to deliver in the short timeframe they have available.

Ian Middleton – OCC Member for Kidlington South – 8th April 2024