



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Martin Fellows
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To: Cherwell District Council

CC: growthandplanning@highwaysengland.co.uk

Council's Reference: 21/02467/F

Referring to the planning application referenced above, dated 6 August 2021, application for erection of mixed-use development including a 240-bed hotel, 4-storey office building and roadside services including 2 no hot food restaurant drive-throughs, a coffee shop drive through and a petrol filling station with ancillary retail store, at OS Parcel 0005 And Part OS Parcel 1300 0878 And 7566, Banbury, notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B ~~is~~ / is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

Signature: 	Date: 7 September 2021
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Annex A

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard 21/02467/F and has been prepared by Eric Cooper.

The proposed development is located on a site adjacent to the M40 J11 on land between the motorway southbound offslip and the A361. The site currently has extant planning consent (planning application number 19/00128/HYBRID) for warehousing.

The existing consent includes a condition which requires MOVA (Microprocessor optimised vehicle actuation) to be provided within the traffic signal control of the motorway junction, incorporating measures specifically to reduce the risk of traffic queues reaching the main carriageway of the M40.

The existing junction is a gateway from the M40 via Hennef Way into Banbury and suffers significant congestion at peak times. The proposed development will provide an increase in traffic flows, both new and diverted trips to the M40 junction over and above to those predicted for the previous proposals. It is therefore essential that careful consideration is given to the impact of the proposals on the highway, ensuring that it can operate efficiently and safely.

Accompanying the application is a transport assessment which builds on the transport assessments undertaken for 19/00128/HYBRID, using the then available Linsig network model provided by Oxfordshire County Council (OCC). This is now some years old and it is questionable if it is still a suitable model to test the impacts of the current proposals.

I understand that OCC have now developed a more recent microsimulation model and it is suggested the applicant's transport consultants seek access to test the highway impacts using this model.

Since the previous modelling work, there has been some physical changes to the highway network at the junction including the installation of MOVA. The modelling should be updated to reflect these changes.

It is recommended that the developer's consultants engage with OCC and Highways England, to scope the required updates to the modelling work and the transport assessment, so that we can agree a due process to understand the impacts of the proposals and any mitigation that may be required.

Until the further update information is provided, Highways England is not in a position to respond to this consultation. It is therefore requested that this application is not determined until 30 November 2021. If we are in a position to respond earlier than this, we will withdraw this recommendation accordingly