



National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Martin Fellows (Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@highwaysengland.co.uk

To: Cherwell District Council

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: 21/02467/F

Location: OS Parcel 0005 And Part OS Parcel 1300 0878 And 7566 Banbury

Proposal: 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.

Referring to the planning application referenced above 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 National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A — National Highways recommended Planning Conditions & reasons);~~
- c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is/is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Signature: S. Gogna

Date: 10/01/2023

Name: Sunil Gogna

Position: Spatial Planner

National Highways

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

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

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a 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.

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

Previously, AECOM on behalf of National Highways (NH) audited the Vissim base year models and reviewed the associated Local Model Validation Report (LMVR) developed by Stantec. AECOM found several issues, summarised in Technical Note 02 and Technical Note 03 and recommended that Stantec address these issues and resubmit the models for review.

Stantec submitted an updated LMVR dated 1st August 2022, and AECOM requested further information, which was received on 22nd August 2022, for review.

In this review, AECOM found that Stantec has addressed some of the issues identified earlier (TN02). However, it is found that there were a few significant issues / errors critical to model acceptability. AECOM provided several comments and recommendations based on the modelling standards and guidelines for Stantec to address.

National Highways was in receipt of further information from the applicant on 27th September 2022.

AECOM's assessment of this was that most of the issues identified in the previous audit were resolved as Stantec had addressed AECOM's comments in the Vissim models and provided additional information wherever requested. Some of the minor issues not addressed by Stantec do not impact the model operation and model results and therefore are acceptable.

It is noted that journey validation results on some of the key routes passing through M40 Junction 11 show poor validation including some of the section approaching M40 J11 (mainly in the PM peak). AECOM has concerns that the forecast models may not accurately predict the delay along these approaches as the base models are underrepresenting delay.

The conclusion of the latest review is that there is no further update required to the base Vissim models. The base models can be used to assess the impacts of the proposed development. However, the delay / queue results of the forecast Vissim models should be interpreted with consideration of the base model validation results, since in the PM peak hour delay is underrepresented on some key routes through the model.

In light of the above, National Highways recommends that planning permission not be granted for a period of three months from the date of this response to allow time to review the additional supporting information.