



Quod

Planning Statement

J10 M40 – Enabling Works

September 2021

Q210254

Contents

1	Introduction _____	2
2	Background _____	4
3	Consultation _____	6
4	Description of Proposals _____	7
5	Planning Designations and Policy Context _____	11
6	Planning Considerations _____	16
7	Conclusions _____	22

1 Introduction

- 1.1 This Planning Statement has been prepared on behalf of Albion Land ('the Applicant') in support of an application for full planning permission for enabling works at Land to the west of the A43 and south of the B4100 ('the Site').
- 1.2 The proposed enabling works comprise the construction of a new access roundabout from the B4100 as well as an internal roundabout and connecting roadway, bus layby and foul drainage station and temporary road. The Proposed Development also includes the installation of in-ground services, the diversion of an existing overhead cable and an existing Public Right of Way (PROW) and soft landscaping.
- 1.3 The proposed description of development is:

"Site clearance, construction of new site access from the B4100, permanent and temporary internal roads, an internal roundabout and a foul drainage station, diversion of an existing overhead power cable and public right of way, and soft landscaping".

Related Applications

- 1.4 The planning application is submitted concurrently with a separate, albeit related, outline planning application for the erection of logistics buildings at Land to the west of the A43 and south of the B4100. The Applicant is in discussions with a leading logistics distributor regarding the occupation of some of the warehouse floorspace proposed on the site.
- 1.5 This application has been submitted at the same time as the outline application so that both can be determined together. The acceptability of the Proposed Development set out herein is by virtue to its requirement to facilitate the construction of the development proposed within the outline planning application. It is not anticipated that planning permission would be granted for the Proposed Development unless planning permission is also granted for the outline application.
- 1.6 Ordinarily the proposed enabling works would have been submitted under the associated outline application. However, the prospective occupier of some of the proposed floorspace within the Site has an urgent requirement to commence works on site as soon as possible. The submission of this enabling works application at the same time as the outline application will allow the initial works required to service the prospective occupier's plots to commence in advance of reserved matters approval. This in turn will allow the prospective occupier to commence construction of the superstructure immediately following the granting of reserved matters.
- 1.7 Given the nature of the Proposed Development the extent of the application site is the same as the Outline Planning Application site. However, the two applications have been designed to be fully compatible and to enable both developments to be built out in full.

- 1.8 An application for a public path order has also been submitted separately pursuant to section 257 of the Town and Country Planning Act (1990) (as amended). The application includes details of the proposed PROW diversion.
- 1.9 The proposed enabling works relate solely to the land to the west of the A43 and south of the B4100.
- 1.10 However, the Applicant is also bringing forward land to the east of the A43 and south of the B4100 for future development. The proposals are subject to a separate outline planning application.
- 1.11 Given that the three proposals are intrinsically linked they are supported by a single Environmental Impact Assessment (EIA).

Document Structure

- 1.12 This Planning Statement has been prepared by Quod to support the application and is structured as follows:
- Section 2 describes the Site and its surroundings and summarises the relevant planning history;
 - Section 3 describes the pre-application consultation;
 - Section 4 describes the application proposals;
 - Section 5 sets out the relevant planning designations and planning policy context;
 - Section 6 discusses the planning considerations associated with the proposals; and
 - Section 7 draws conclusions.

2 Background

Site and Surrounding Context

Site Location

- 2.1 The Site is located to the north of Junction 10 of the M40 and is bounded by the B4100 (a single carriageway road) to the north, the A43 dual carriageway to the east and the M40 and M40 slip road to the south west and south.
- 2.2 The junction of the B4100 and A43, which comprises a dual lane roundabout, is located approximately 200 metres to the north east of the site with a service station and fast food restaurant beyond. Three residential properties are located to the west of the roundabout and adjoin the Site along its north-eastern corner.
- 2.3 A private single-lane road is located immediately west of the Site beyond which are agriculture fields. Further agriculture fields, including Baynards Green Farm, are located to north of the B4100.
- 2.4 A communications mast is located to the south west of the Site immediately adjacent to the M40.

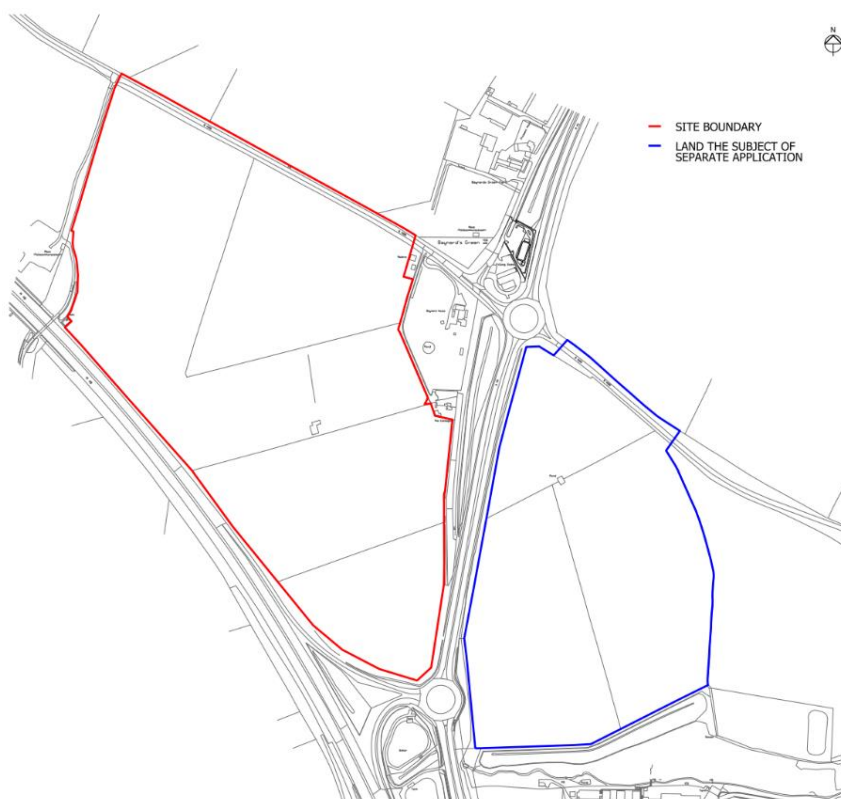


Figure 2.1 - Site location

Site Description

- 2.5 The Site comprises a parcel of land located to the north west of Junction 10 of the M40 and extends to an area of 43.9 hectares.
- 2.6 The Site is predominately in agricultural (arable) use and contains crops, areas of bare ground, ditches, hedgerows and other scrub and vegetation. A small farm building, currently used for storage, is located within the Site.
- 2.7 The Site also incorporates part of the B4100 along its northern boundary.
- 2.8 A public right of way (PROW) passes through the centre of the Site and along parts of the eastern and western boundaries. Tree belts and hedgerows are located around the north, eastern and western boundaries of the Site.
- 2.9 An overhead power cable crosses over the western part of the Site.

Relevant Planning History

- 2.10 The site is in agricultural use and has no relevant planning history.

3 Consultation

Approach to EIA

- 3.1 A request for an EIA Screening request was submitted to Cherwell District Council (CDC) on 27th July 2021. The request concludes that, based on the findings of the Screening Appraisal undertaken, the enabling works are unlikely to give rise to significant environmental effects and, as such, do not constitute EIA development.
- 3.2 The EIA Screening Opinion (LPA reference. 21/02581/SO) was received from CDC on 16th August 2021 and concludes that, in the Council's opinion, the proposed enabling works comprise EIA Development.
- 3.3 Although the conclusions of the Screening Opinion are disputed, for robustness the Proposed Development has been assessed as part of the EIA that has been prepared to inform the related Outline Planning Applications.
- 3.4 A single Environmental Statement has been prepared for the two outline applications (relating to 'Land to the west of the A43 and south of the B4100' and 'Land to the east of the A43 and south of the B4100') and this enabling works application. This is because the proposals are intrinsically linked. However, as the applications are capable of being delivered independently of each other the Environmental Statement considers the environmental effects of the following in turn:
 - Development at Land to the west of the A43 and south of the B4100 (including both the development proposed through the outline planning application and the proposed enabling works set out within this application)
 - Development at Land to the east of the A43 and south of the B4100
 - Development at both Land to the west of the A43 and south of the B4100 (including both the development proposed through the outline planning application and the proposed enabling works set out within this application) and at Land to the east of the A43 and south of the B4100
 - Development at both Land to the west of the A43 and south of the B4100 (including both the development proposed through the outline planning application and the proposed enabling works set out within this application) and at Land to the east of the A43 and south of the B4100 and cumulative schemes.

4 Description of Proposals

Proposals Summary

- 4.1 Full planning permission is sought for enabling works comprising the construction of a new access roundabout from the B4100 as well as the construction of an internal roundabout and connecting roadway. The enabling works also include the construction of a bus layby, foul drainage station and temporary road, as well as the installation of in-ground services, the diversion of an existing overhead cable and an existing Public Right of Way (PROW), and soft landscaping.
- 4.2 The proposed enabling works will facilitate the vertical build of the logistics units and internal access routes proposed as part of the associated outline planning application for the land to the west of the A43. The works comprise:
- Clearance of existing vegetation and structures;
 - Construction of a new access roundabout on the B4100;
 - Construction of an internal roundabout, including adjacent footpaths, landscape verge and street lighting;
 - Construction of a 7.3m wide roadway (and adjacent footpaths, landscape verge, street lighting and a bus layby) to connect the new roundabouts;
 - Construction of a foul drainage station to serve the Site and a temporary access road and electrical point;
 - Construction of swales;
 - Installation of utility connections, including electricity, water, BT and GTT fibre infrastructure;
 - Diversion of an existing overhead cable;
 - Provision of soft landscaping and planting; and
 - Diversion of the existing public right of way

- 4.3 The proposed works are described in further detail below.

Description of Development

- 4.4 The proposed Description of Development is as follows:

“Site clearance, construction of new site access from the B4100, permanent and temporary internal roads, an internal roundabout and a foul drainage station, diversion of an existing overhead power cable and public right of way, and soft landscaping”.

Proposed Development

Site Clearance

- 4.5 The first phase of the proposed enabling works will comprise clearance of the existing agricultural crops and storage building located on the Site.

Access

- 4.6 Access to the Site will be provided via a new roundabout entrance from the B4100. The proposed access is also included within the associated outline planning application but will be constructed as part of the proposed enabling works.
- 4.7 The roundabout will provide vehicular and cycle access to the Site and has been designed to allow lorries, cars, cyclists and pedestrians to safely enter and exit the Site. The design and layout of the proposed roundabout has been subject to pre-application discussions with the local highway authority.
- 4.8 The proposed roundabout will be located approximately 340 metres west of the B4100/A43 junction and will provide a direct entrance into the Site. The roundabout will connect to a second roundabout located within the Site. The roundabouts will be connected by an internal roadway. The roadway will be 7.3 metres wide and accommodate the two way flow of traffic. Footpaths, a landscape verge, street lighting and a layby will also be installed adjacent to the roadway as part of the proposed enabling works.
- 4.9 The internal roadway forms part of the related outline planning application but will be constructed as part of the proposed enabling works
- 4.10 Detailed drawings of the proposed access from the B4100 are enclosed with this application. The construction of the new entrance roundabout will require works to the public highway, which will be secured via a section S278 agreement.

In-Ground Services

- 4.11 In-ground services, including electricity, water and communications infrastructure, will be installed as part of the Proposed Development.
- 4.12 High Voltage electricity cables will be installed beneath the proposed internal access road and will connect to the existing services located to the north east and north west of the Site.
- 4.13 Details of the connections into the future building plots have not been submitted as these cannot be finalised until the final design of each building is known.

- 4.14 Low voltage electricity cables will also be installed from a point of connection to be agreed with the operator. The low voltage electricity infrastructure will provide a temporary electrical connection for the foul water pumping station.
- 4.15 New communications infrastructure will also be installed beneath the internal access road and will provide a point of connection for the future buildings. The proposed infrastructure will connect to existing services located beneath the B4100, which will be both diverted and extended as part of the proposed enabling works.
- 4.16 A new water main will also be installed and provide points of connection to the future buildings. The water main will follow the alignment of the proposed access road. The new water main will pass along the B4100 to the north of the Site towards its junction with the A43. Works to the public highway will be secured via a S278 Agreement.
- 4.17 The existing GTT infrastructure along the part of the B4100 to the north of the Site will be diverted around the new site entrance.
- 4.18 The proposed enabling works also include the installation of a foul water drainage station to serve the Site and a temporary electrical point. The foul water drainage station will be located in the south eastern corner of the Site.
- 4.19 A temporary access road will be constructed to connect the foul pumping station to the internal roadway. The road will allow maintenance and service access to the foul pumping station.

Drainage

- 4.20 Two swales will be installed within the Site. These are proposed adjacent to the internal roundabout and in the south east corner of the Site.
- 4.21 The swales will provide a sustainable drainage function within the Site. Water will drain towards the larger swale located in the southern corner of the Site. Water from the largest swale will drain at greenfield rate to a local ditch.
- 4.22 A foul water pumping station will be located in the south east of the Site.

Diversion of Overhead Power Cable

- 4.23 The existing overhead power cable will be removed and diverted beneath the Site to facilitate the vertical construction of buildings proposed in the Outline Planning Application.

Diversion of Public Right of Way

- 4.24 An existing Public Right of Way crosses through the centre of the 'Land to the West of the A43 and South of the B4100' and around part of its north eastern and western boundaries.
- 4.25 Part of the existing PROW will be diverted to facilitate the construction of the buildings proposed in the Outline Planning Application. The diversion will also minimise the potential for conflict between pedestrians/cyclists and larger vehicles once the Site is operational.

- 4.26 The PROW will initially be diverted northwards towards the internal roundabout. At the internal roundabout the PROW will be diverted south west through the Site before connecting to the existing footpath located adjacent to the M40.
- 4.27 The diverted PROW will be two metres in width and have a gravel surface.
- 4.28 An application for a public path order has also been submitted separately pursuant to section 257 of the Town and Country Planning Act (1990) (as amended).

Soft landscaping

- 4.29 A limited amount of soft landscaping will be provided as part of the Proposed Development. This will include landscape verges around the new site access and internal road.

5 Planning Designations and Policy Context

- 5.1 This section provides the national and local planning policy context to the proposals and describes the designations affecting the Site.

National Planning Policy

National Planning Policy Framework (July 2021)

- 5.2 The National Planning Policy Framework (NPPF) is a material consideration in the decision-taking process. The NPPF (para 7) states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 5.3 Achieving sustainable development means that the planning system has three overarching objectives: an economic objective; a social objective; and an environmental objective.
- 5.4 Paragraph 10 identifies a presumption in favour of sustainable development. For decision-taking this means:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permissions unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or

ii) any adverse impacts of doing so would significantly outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

- 5.5 Paragraph 38 requires Local Planning Authorities (LPAs) to approach decisions on proposed development in a positive and creative way. Decision makers should seek to approve applications for sustainable development where possible.
- 5.6 Paragraph 81 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity. Chapter 6 (para 84) goes on to state that planning policies and decisions should enable the sustainable growth and expansions of all types of business in rural areas. Planning policies and decisions should also recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations that are not well served by public transport (para 85).
- 5.7 Paragraph 100 states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

- 5.8 Section 9 (para 104) of the NPPF requires transport issues to be considered at the earliest stages of development proposals. Patterns of movement, streets, parking and other transport considerations should be integral to the design of schemes.
- 5.9 Development should take up appropriate opportunities to promote sustainable transport modes; achieve safe and suitable access to the site for all users and reflect current national design guidance.
- 5.10 Paragraph 112 expects development to give priority first to pedestrian and cycle movements and secondly (so far as possible) to facilitating access to high quality public transport.
- 5.11 Section 10 relates to ‘supporting high quality communications’ and states in paragraph 114 that:
- “Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being”.*
- 5.12 Section 11 states that decisions should promote an effective use of land and encourage multiple benefits from urban and rural land, including through taking opportunities to achieve net environmental gains.
- 5.13 Paragraph 129 of the NPPF states that the National Design Guide (NDG) and the National Model Design Code (NMDC) should be used to guide decisions in the absence of locally produced design guides or design codes. The NDG and the NMDC state that utilities infrastructure should be well-considered for all users. The siting and layout of utilities infrastructure should take into account their space requirements and visual impact; convenient maintenance while not impeding the planting of street trees; and implications for foreseeable future changes in demand. Simple electric, lighting and water systems are discreet and well designed. Such services should be easy to access, clean and maintain.
- 5.14 The NDG encourages development to prioritise pedestrians and cyclists, including by protecting and enhancing public rights of way. Development should also improve and enhance water management. This can be achieved through the use of multifunctional green sustainable drainage systems such as swales, which can also enhance the attractiveness of a place.
- 5.15 Paragraph 159 of the NPPF states that development should be directed away from areas at highest risk of flooding. Development should not increase flood risk elsewhere (para 167) and should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (para 169).
- 5.16 Paragraph 174 requires planning policies and decisions to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services; and minimising impacts on and providing net gains for biodiversity. LPAs should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

5.17 If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or compensated for, then planning permission should be refused (para 180). Opportunities to improve biodiversity should be integrated as part of development's design.

Development Plan

5.18 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.19 The Development Plan for the Site comprises:

- The Cherwell Local Plan 2011 – 2031 (adopted July 2015);
- The Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford's Unmet Housing Need (adopted September 2020);
- The 'Saved' Policies of the Adopted Cherwell Local Plan 1996; and
- Mid-Cherwell Neighbourhood Plan 2018 – 2031 (made May 2019).

5.20 A new Oxfordshire Plan (2050) and a new Cherwell Local Plan (2040) are also currently being prepared and once adopted will form part of the Development Plan for the Site. The new Cherwell Local Plan (2040) will replace the adopted Cherwell Local Plan 2015 and 'saved' policies in the Cherwell Local Plan (1996).

5.21 The Policies Map shows that a designated public footpath runs across the Site and identifies the A43 as a designated 'new or improved road'. This designation incorporates a small part of the Site and relates to the saved policies of the Cherwell Adopted Local Plan 1996.

5.22 No other planning policy designations affect the Site.

5.23 The Site is at very low risk of flooding from rivers or sea and flooding from surface water, except for a small area of land located along its southern boundary.

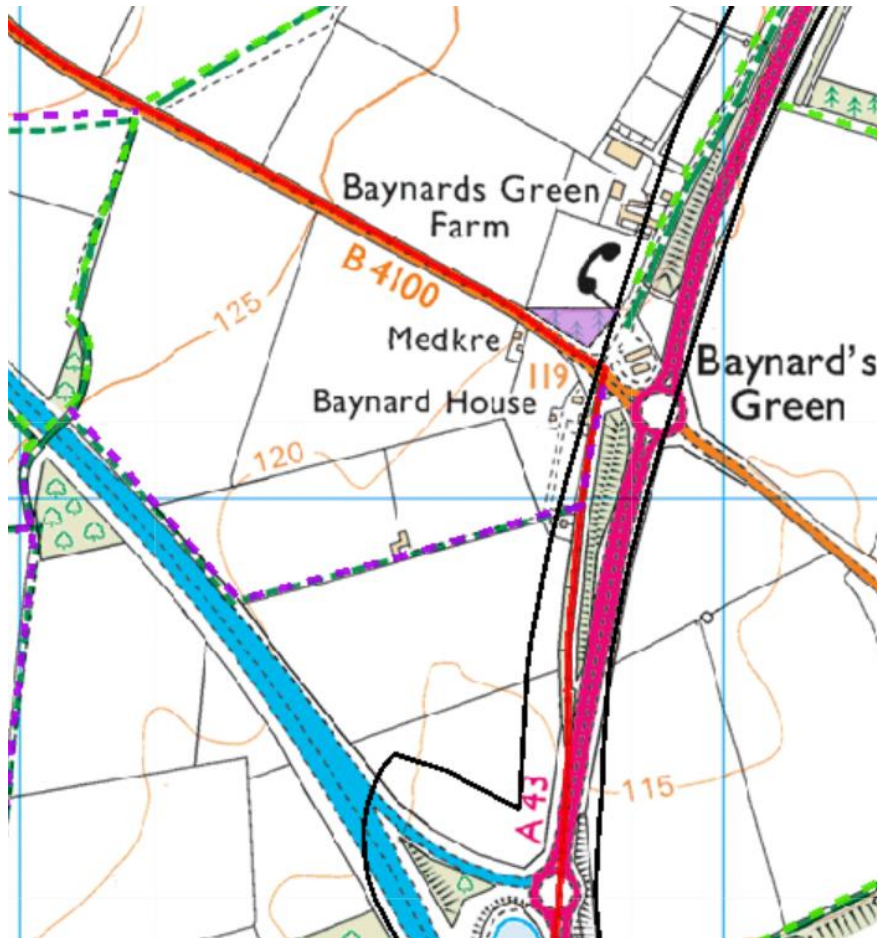


Figure 5.1 - Extract of Policies Map

Overview of relevant policies

Cherwell Local Plan 2011 -2031 (adopted 2015)

- 5.24 The Cherwell Local Plan sets out (Policy SD 1) a presumption in favour of Sustainable Development. However, Policy SLE 1 states that unless exceptional circumstances are demonstrated, employment development in rural areas should be located within or on the edge of Category A Villages.
- 5.25 Where reasonable to do so, all development should facilitate the use of sustainable transport (Policy SLE 4) and sustainable drainage systems (Policy ESD 7).
- 5.26 Policy ESD 10 states that a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources and by creating new resources. Development proposals are expected to incorporate features to encourage biodiversity and retain and where possible enhance existing features of nature conservation value within the site.
- 5.27 Policy ESD 17 requires development to maintain and enhance the district's green infrastructure. Proposals involving SuDS must consider the protection of ground water quality.

Where possible, SuDS should seek to reduce flood risk and pollution and provide landscape and wildlife benefits.

- 5.28 The Plan (Policy BSC 9) states that the Council will support proposals which involve new or improvements to utilities if they are required to enable the successful delivery of sites and where they accord with other relevant policies in the Plan. All new developments are expected to include provision for connection to Superfast Broadband.
- 5.29 Policy INF 1 states that development proposals will be required to demonstrate that infrastructure requirements can be met.

[Saved Policies of the Adopted Cherwell Local Plan 1996](#)

- 5.30 Saved Policy TR1 states that the Council will need to be satisfied that new highway improvement works and other transport measures required as a result of development will be provided.
- 5.31 Saved policies C7 and C8 state that development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape and that sporadic development in the open countryside, including developments in the vicinity of motorway or major road junctions, will generally be resisted.

[Mid Cherwell Neighbourhood Plan \(Made May 2019\)](#)

- 5.32 Policy PD 5 of the Mid Cherwell Neighbourhood Plan states that development proposals should wherever possible include appropriate landscape mitigation measures.

6 Planning Considerations

Principle of Development

- 6.1 The Proposed Development comprises the construction of a new access roundabout from the B4100 as well as an internal roundabout and connecting roadway, foul drainage station and a temporary road. The Proposed Development also includes the installation of in-ground services, the diversion of an existing overhead cable and an existing Public Right of Way (PROW), and soft landscaping.
- 6.2 The application has been submitted at the same time as a separate, albeit related, outline planning application for the construction of logistics buildings at Land to the west of the A43 and south of the B4100.
- 6.3 The Proposed Development comprises the enabling works required to deliver the initial phases of the outline planning application.
- 6.4 The Site is currently in agricultural use and is not allocated for development within the Development Plan. However, the outline planning application demonstrates that the development proposals for the wider site are consistent with national planning policy and that the relevant policies of the Cherwell Local Plan are out-of-date and that very little weight should be applied to them.
- 6.5 The NPPF states that significant weight should be placed on supporting economic growth, and that planning decisions should recognise the locational requirements of storage or distribution uses (paragraph 83). The framework also states that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, including locations that are not well served by public transport (paragraph 85).
- 6.6 The proposals for the wider site will satisfy a significant and growing need for logistics floorspace along the M40 corridor, which has been exacerbated by the Covid-19 pandemic and will create wide-ranging benefits within the local area. The wider development will also help address the key challenges identified in the Cherwell Local Plan and is consistent with a number of its strategic objectives.
- 6.7 The wider development proposals are therefore acceptable in principle.
- 6.8 The Proposed Development is fully compatible with the outline planning application and the proposals have been co-ordinated to ensure that both can be built out in full. The enabling works are required to facilitate the construction of the development proposed within the associated outline application and have been submitted separately to the outline application so to allow works to commence quickly following the determination of both applications. Without the proposed enabling works the development proposed in the outline planning application cannot be delivered.
- 6.9 The proposed site access will be delivered as part of the enabling works and comprises a roundabout entrance on the B4100. Construction of the roundabout will require works to the

public highway, which will be secured via a Section 278 agreement. The Proposed Development will therefore provide the necessary infrastructure required to support the wider proposals and complies with the requirements of Saved Policy TR1 and Policy INF1 of the Cherwell Local Plan.

- 6.10 The Proposed Development will also provide the initial in-ground services and infrastructure required to support the future development set out within the outline planning application. The Proposed Development is therefore consistent with policy BSC 9 of the Cherwell Local Plan, which states that the Council will support proposals which involve new or improvements to utilities if they are required to enable the successful delivery of sites. The Proposed Development is also consistent with section 10 of the NPPF, which supports the provision of high quality infrastructure.
- 6.11 The proposed swales comprise a Sustainable Drainage System and will ensure that future development on the Site can be drained without increasing flood risk on site or elsewhere. The proposed swales will also enhance biodiversity and the appearance of the Site in accordance with policies ESD 7, ES10 and ESD 17 of the Cherwell Local Plan.
- 6.12 The other proposed enabling works, including the diversion of the existing overhead power cable and the diversion of the existing public right way are necessary to facilitate the wider development proposals and to ensure that such development fully optimises the Site's potential.
- 6.13 An application for a public path order has been submitted separately pursuant to Section 257 of the Town and Country Planning Act (1990) (as amended). The proposed PROW diversion will provide a visually attractive and efficient route and will minimise the risk of conflict between pedestrians and vehicles once the Site is operational. The diverted PROW will be provided in accordance with Oxfordshire County Council standards and will be available for public use immediately following the completion of the relevant works.
- 6.14 It therefore follows that the Proposed Development is acceptable in principle.

Design

- 6.15 The design and layout of the proposed new site entrance has been subject to pre-application discussions with the local highway authority. The roundabout complies with the relevant design guidance and will provide a direct point of entry and exit to the Site from the B4100 for pedestrians, cyclists, cars and larger vehicles. The proposed entrance has been designed to minimise (as far as possible) queuing on the B4100 and into the Site and to allow the safe flow of traffic along the road.
- 6.16 The proposed entrance will be connected to a second roundabout located within the Site via an internal road. The internal road will be 7.3 metres wide and will enable the two way flow of traffic. Footpaths will be located either side of the road. These will connect to further footpaths provided as part of future reserved matters applications submitted pursuant to the outline planning permission (if granted).
- 6.17 The proposed footpaths will provide safe and direct routes for pedestrians and cyclists and will encourage active travel around the Site. A layby will also be provided along the internal access

road to allow for a potential future bus service to the Site. The Proposed Development will therefore promote active travel and sustainable transport modes in accordance with the NPPF and Policy SLE 4 of the Cherwell Local Plan.

- 6.18 The Proposed Development also includes the provision of in-ground services and swales. The in-ground services and swales have been fully co-ordinated with the Outline Planning Application so to avoid prejudicing the provision of a high quality landscape scheme within the site. The in-ground services will be located beneath the proposed internal road and will therefore not prevent the provision of tree planting and other soft landscaping across the Site.
- 6.19 The swales will be located adjacent to the internal road and in the south west corner of the Site. The location of the proposed swales will allow significant tree planting and hedgerow strengthening to be provided along the Site's boundaries and around the parking areas. This will be secured through the outline planning application.
- 6.20 The proposals therefore accord with the relevant guidance set out within the National Model Design Code as well as paragraph 167 of the NPPF and policy ESD 7 of the Cherwell Local Plan, which encourage the provision of sustainable drainage systems.

Public Right of Way Statement

- 6.21 The Proposed Development includes the diversion of part of the existing PROW that crosses the Land to the West of the A43 and south of the B4100. An application for a public path order to divert the PROW has been submitted to CDC under separate cover.
- 6.22 The PROW will initially be diverted from the Site's north eastern corner towards the proposed internal roundabout. At the internal roundabout the PROW will be diverted south west across the site towards its boundary with the M40.
- 6.23 The diverted footpath will connect directly to the existing footpath located along the south west boundary of the Site. This proposed 'connection point' is a short distance north of part of the existing PROW.
- 6.24 The proposed diversion is shown as the green dashed line in Figure 6.1 below.
- 6.25 The proposed diversion is required to facilitate the Applicant's wider proposals for the Land to the West of the A43 and South of the B4100. The proposed diversion will minimise the risk of conflict between pedestrians and vehicles once the Site is operational and will enable the development potential of the Site to be fully optimised through the outline application.
- 6.26 Paragraph 100 of the NPPF and the NDG aim to prioritise pedestrian travel through protecting and enhancing public rights of way. The proposed PROW diversion is necessary to support development at the Site and represents the most efficient, convenient and safe route for all users. The diversion will connect to the existing PROW located along the south west boundary of the Site and will be of a high quality construction. The PROW diversion will be two metres wide and comprise a durable gravel surface.
- 6.27 Accordingly, the proposals are consistent with the requirements of national planning policy and guidance.



Figure 6.1 – Location of proposed PROW diversion (in the context of the wider development)

Environmental Effects

6.28 An Environmental Impact Assessment has been undertaken to support the Proposed Development. A summary of the environmental effects of the Proposed Development is set out below.

Landscape and Visual Impact

6.29 Several mitigation measures will be implemented during the enabling works to minimise the visual impact of the development and its impact on the existing landscape. These measures are detailed within the accompanying Environmental Statement and include (but are not limited to) protecting existing trees and hedgerows as far as possible and in accordance with British Standards.

6.30 The Proposed Development will result in temporary effects on the landscape character and visual appearance of the Site. However, due to the temporary nature of these changes, which will be subsumed by the eventual development, no significant effects are expected and no further mitigation is deemed necessary.

Air Quality

- 6.31 Measures to mitigate dust emissions will be required during the enabling works in order to minimise effects upon nearby sensitive receptors. Implementation of the identified mitigation measures will ensure that the cumulative effect of construction activities on air quality will be 'not significant'.
- 6.32 Accordingly, the Proposed Development is consistent with paragraph 186 of the NPPF, which requires development to mitigate their impact on air quality.

Climate Change

- 6.33 Mitigation measures will be implemented during the Proposed Development to minimise greenhouse gas emissions. Good and best practice will be adopted in minimising greenhouse gases from construction activities and a Construction Environmental Management Plan will be adopted.
- 6.34 Despite these mitigation measures, a net increase in greenhouse gases will arise as a result of the Proposed Development.
- 6.35 Institute of Environmental Management and Assessment (IEMA) Guidance makes clear that any increase in GHG emissions should be considered significant. However, the residual emissions arising from the development are a small component in the context of the local greenhouse gas emissions. In addition, the mitigation proposed follows best practice and is in accordance with relevant local and national policy on climate change.
- 6.36 Accordingly, the residual effects have been minimised through an appropriate degree of mitigation consistent with best practice and IEMA Guidance.
- 6.37 The Proposed Development will also incorporate climate change resilience measures and is consistent with policy ESD 1 of the Cherwell Local Plan, which requires new development to include suitable adaptation measures so that it is more resilient to climate change impacts.

Biodiversity

- 6.38 No adverse effects are likely on statutory or non-statutory sites in the area from the proposed enabling works. Effects will largely be confined to the Site and its immediate vicinity.
- 6.39 Site clearance has potential to cause adverse effects on ponds, hedgerows, hazel dormouse and farmland birds, which could be significant at the local level. Measures will be undertaken during the enabling works in order to minimise disruption and manage the impacts of the Proposed Development. This will include controls to minimise noise, lighting and dust disturbance, which will be set out within a CEMP. Any suitable bird nesting habitat will be cleared outside of the nesting bird season (typically March to July inclusive) or checked by an ecologist prior to removal.
- 6.40 With the proposed mitigation in place, residual effects on all habitats and species are considered to be negligible, except in relation to birds for which a residual minor adverse effect is anticipated. However, these effects will be temporary and will be subsumed by the eventual development.

- 6.41 The wider development will also result in a Biodiversity Net Gain of at least 10%. This will be achieved through on-site measures and off-site compensatory habitat.
- 6.42 The Proposed Development will include suitable mitigation measures and is necessary to facilitate the Applicant's wider proposals, which will enhance biodiversity in the district in accordance with paragraph ESD 10 of the Cherwell Local Plan.

Heritage

- 6.43 Archaeological remains of high significance that could preclude development are unlikely to be present at the Site. It is therefore considered that any further archaeological works can be reasonably secured by an appropriately worded planning condition. The location, timing and extent of any archaeological mitigation will be discussed and agreed with CDC and their archaeological advisor.
- 6.44 No significant cumulative effects are anticipated in relation to below ground archaeological remains arising from the Proposed Development.
- 6.45 Additionally, no specific mitigation measures are considered necessary in relation to built heritage as no impacts are predicted.
- 6.46 The Proposed Development is therefore consistent with Policy ESD 15 of the Cherwell Local Plan, which requires development to conserve and sustain designated and non-designated heritage assets.

7 Conclusions

- 7.1 This Planning Statement has been prepared in support of an application for full planning permission for site clearance and the construction of a new entrance from the B4100, an internal roundabout, permanent and temporary roads and a foul drainage station. The Proposed Development also includes the installation of in-ground services, the diversion of an existing overhead cable and an existing Public Right of Way (PROW), and soft landscaping.
- 7.2 The planning application is submitted concurrently with a separate, albeit related, outline planning application for the erection of logistics buildings at Land to the west of the A43 and south of the B4100.
- 7.3 This application has been submitted at the same time as the outline application so that both can be determined together. The acceptability of the Proposed Development is by virtue to its requirement to facilitate the construction of the development proposed within the outline planning application. It is not anticipated that planning permission would be granted for the Proposed Development unless planning permission is also granted for the outline application.
- 7.4 The Proposed Development will facilitate the delivery of the initial phases of the Applicant's wider development proposals for 'Land to the west of the A43 and south of the B4100'. The proposed site entrance will provide access to the site for vehicles and cyclists. In-ground services and drainage swales are also proposed to service the future buildings.
- 7.5 The services and swales have been fully co-ordinated with the emerging masterplan for the Site and will not prejudice the delivery of a high quality landscaping scheme. The diverted Public Right of Way will also provide a high quality, convenient and efficient route through the Site for pedestrians and other users and will minimise the potential for conflict once the wider development is operational.
- 7.6 The Proposed Development is required to facilitate the construction of, and provide the necessary infrastructure for, the wider proposals being brought forward by the Applicant for the land to the west of the A43 and south of the B4100.
- 7.7 The proposed enabling works are fully compatible with the wider development and are consistent with national planning policy and the Cherwell Local Plan. Accordingly, it is respectfully requested that the application is approved without delay.