



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

From: Andrew Jinks (Regional Director),  
Operations Directorate  
Midlands Region  
Highways England  
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To: **Cherwell District Council – FAO: David Lowin**

CC: [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk)  
[spatialplanning@highwaysengland.co.uk](mailto:spatialplanning@highwaysengland.co.uk)

**Council's Reference: 21/03266/F**

**Location:** OS Parcel 2636, NW of Baynards House, Ardley

**Proposal:** 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

**National Highways Ref:** 92860


Referring to the consultation on a planning application dated 5 Oct 2021 referenced above, in the vicinity of the A43 and M40 that form part of the Strategic Road Network, 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 not relevant to this application.<sup>1</sup>

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](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

<b>Signature:</b> 	<b>Date:</b> 25 January 2022
<b>Name:</b> Martin Seldon	<b>Position:</b> Assistant Spatial Planner
<b>National Highways</b> National Highways, The Cube, 199 Wharfside Street, Birmingham, B1 1RN <a href="mailto:Martin.Seldon@highwaysengland.co.uk">Martin.Seldon@highwaysengland.co.uk</a>	

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<sup>1</sup> 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.

### **Recommended Non-Approval**

It is recommended that the application should not be approved for a further period of three months from the date of this response to allow the applicant to provide the additional information required.

### **Reasons**

National Highways has engaged with the applicant/ their consultants on this development proposal since the pre-application stage in July 2021.

National Highways previously issued a holding recommendation response for this application on 26 October 2021. In our response we noted that more detailed information was required regarding the extent of proposed geotechnical activity, as well as the associated potential impact on the operation of the adjacent SRN. It was also noted that the outcome of this would, in turn, affect our review of the proposed drainage arrangements for the site.

Following the submission of this additional information, National Highways will be in a position to provide our comments regarding application 21/03266/F.