



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

From: Andrew Jinks (Regional Director)
Operations Directorate
Midlands Region
National Highways
PlanningM@nationalhighways.co.uk

To: **Cherwell District Council – FAO: Chris Wentworth**

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.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.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.

| | |
|---|--|
| Date: 26 March 2024 | |
| Signature:  | |
| Name: Martin Seldon | Position: Assistant Spatial Planner |
| National Highways National Highways, The Cube, 199 Wharfside Street, Birmingham, B1 1RN Martin.Seldon@nationalhighways.co.uk | |

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

Annex A **National Highways' 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 Conditions

The application concerns enabling works for the development at the same location which is the subject of application 21/03268/OUT. National Highways has no objection in principle to this planning application, but recommends to West Northamptonshire Council that the following conditions are attached to any grant of planning consent in the interest of maintaining the safety and integrity of the A43:

1. Prior to the commencement of the development hereby permitted a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority for the A43. Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highways Authority.

Reason: To mitigate any adverse impact from the development on the A43 in accordance with DfT Circular 01/2022.

2. Prior to the commencement of any excavation works and landscaping works, geotechnical submissions shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the A43 and M40).

Reason: To mitigate any adverse impact from the development on the A43 and M40 in accordance with DfT Circular 01/2022.

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 74 and 109 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.