

# PROJECT NAME: M40 J10 – EASTERN SITE OUTLINE PLANNING APPLICATION

## STATUTORY CONSULTATION PROCESS – SCHEDULE OF APPLICANT’S RESPONSES TO COMMENTS RECEIVED

DATE ISSUED: 21 MARCH 2022

<b>COMMENTS RECEIVED FROM:</b>	Stoke Lyne Parish Council	<b>FORMAT:</b>	Online	<b>DATE RECEIVED:</b>	22/10/2021
<b>SUBJECT:</b>	Various				

ID	ISSUE	COMMENT	RESPONSE
1.	General	Stoke Lyne Parish Council objects in the strongest possible terms to this proposal on the following grounds;	Noted. Please see response to comments below.
2.	Sustainability	Any development at this site is not a sustainable option – while it is situated adjacent to major roads, there is no public transport accessing the site, and employees and vehicles would add to the current road use, which is already over capacity.	<p>The Proposed Development comprises a high quality scheme that will contribute to the economic, social and environmental objectives of ‘sustainable development’.</p> <p>The Proposed Development will create up to 3,830 direct and 3,400 indirect jobs. These jobs will be well matched to the district’s skill profile; will help support an increase in skills and innovation; and will promote more sustainable patterns of travel by reducing out-commuting from the district. The Proposed Development will also generate Gross Value Added of £228 million per year as well as business rates of approximately £8.8 million per year, which can be invested in local services and infrastructure.</p> <p>The Proposed Development will therefore facilitate economic growth and employment and will help address the challenges facing Cherwell (many of which have been exacerbated by the Covid-19 pandemic).</p> <p>The Proposed Development will be located immediately adjacent to the strategic highway network, which is a fundamental requirement of logistics operators.</p> <p>A series of measures are proposed to encourage active travel to the site. These include (but are not limited to) the provision of cycleways along the B4100 (on both the western and eastern side of its junction with the A43) as well as financial contributions to mitigate the impact of the development on the surrounding Public Right of Way network. These will be secured through the</p>

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			<p>S106 and S278 Agreements.</p> <p>The Applicant is also committed to supporting the provision of a scheduled bus service linking both the Western and the Eastern sites to Bicester. A bus layby will be provided in the Eastern Site when the detailed design of the site is developed at reserved matters stage.</p> <p>Additionally, a travel plan will be implemented to encourage future employers to use active and sustainable modes of transport.</p> <p>The development will also include a significant amount of electric vehicle charging points for cars and HGVs and will be operationally carbon zero.</p> <p>A Transport Assessment has been prepared to accompany the application and concludes that the relative change in traffic demand individually and cumulatively on the A43 as a result of the development will be small and will not have a material impact on the operation of the local road network.</p> <p>The Applicant is undertaking further modelling of the highway network (in consultation with National Highways and Oxfordshire County Council). The results of this modelling will be reported separately in due course and will inform any required mitigation.</p>
3.	Visual Intrusion	Any development would be visually intrusive, (as stated by the Inspector at the 2015 Local Plan Inquiry) "in the open countryside due to the size of the buildings, as well as potentially difficult and/or expensive to cater for satisfactorily at the M40 junctions in highway capacity terms" (para 41).	<p>A landscape and visual impact assessment has been undertaken to assess the impacts of the development on local views and the landscape.</p> <p>The proposed development will be visible from numerous viewpoints. However, the Site is located on an elevated plateau situated between the Cherwell Valley and the lower and flatter landscape to the north of Bicester. As such there are few elevated positions to experience the Site. Belts of woodland also curtail many views towards the Site.</p> <p>Notwithstanding this, a landscape strategy has been prepared to mitigate the potential landscape and visual impacts of the development as far as possible. The landscape strategy will guide and inform all future reserved matters applications.</p> <p>The landscaping strategy includes retaining the majority of good quality trees</p>

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			<p>along the boundaries of both sites; retaining the existing hedgerows along the M40, A43 and B4100 corridors; enhancing existing hedgerows; and replacing any dead, dying or dangerous trees with trees of a similar species.</p> <p>A native woodland of between 15 to 20 metres wide will be established along the eastern boundary of the Eastern Site. This will connect to the existing woodland surrounding the Site and provide <b>significant visual screening</b> along the eastern boundary for the proposed built development.</p> <p>The Parameter Plans identify proposed areas of soft landscaping to be provided within the site. The soft landscaping will comprise of a range of landscape character areas including semi natural woodland screen planting; wet woodland scrub; native hedgerow planting; specimen tree planting; neutral grassland; and amenity grassland.</p> <p>The proposed landscape and planting strategy will help integrate the Proposed Development into the landscape and reduce views of lower building elevations, although some loss of openness and landscape features will result.</p> <p>The visual effects of the Proposed Development have been assessed within the Environmental Statement. This concludes that, although significant residual visual effects are expected on users of the Public Right of Way to the south of the Site, the residual visual effects elsewhere will be not significant.</p>
4.	Location	<p>While the site is located close to the strategic highway network, this does not in itself justify the location as buildings (as observed by Inspector K Ford when dismissing the appeal against refusal of planning application ref 18/00672/OUT), who noted that the proposal would:</p> <p>“lead to an urbanisation of the site .... This is regardless of whether it is deemed large or small in scale” (para 18)</p> <p>The inspector “consequently disagree(d) with the LVIA [Landscape Visual Impact Assessment] that the proposal would not have an unacceptable visual impact” (para 19).</p> <p>“Whilst the roads and neighbouring petrol station and drive-thru have eroded the landscape quality of the area, the harm would</p>	<p>Albion Land’s applications must be determined on their own merits and with regard to current planning policy and relevant material considerations.</p> <p>The Proposed Development will address a significant and growing need for logistics floorspace (which has been exacerbated by Brexit and Covid and is not reflected within the evidence base underpinning the Cherwell Local Plan) and will be located immediately adjacent to the strategic highway network, which is a fundamental requirement of logistics operators. Baynards Green sits at Junction 10 of the M40 motorway mid-way between London and Birmingham. The motorway provides fast access to the M25 to the south east and the M42 to the north west. There are very few sites nationally that have such favourable road links.</p> <p>The Proposed Development will provide a mix of unit sizes, including large</p>

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		<p>be compounded by the development in an area that otherwise has an open character with open fields of which the site forms part. The impact of the surrounding development does not weigh in favour of the proposal and does not justify further exacerbation of the harm.....the proposal would make a significant contribution in urbanising the junction to an unacceptable degree” (para 20).</p> <p>“The proposal would harm the character and appearance of the area ..... It would also conflict with saved Policy C8 of the Cherwell Local Plan 1996 which resists sporadic development in open countryside, including developments in the vicinity of the motorway or major road junctions” (para 21)</p>	<p>warehouses, that is required to address market demand and cannot be accommodated on any other existing employment sites or other suitable sites along the M40 corridor.</p> <p>The submission documents demonstrate that there are not any other sites along the M40 that are generally capable of accommodating large scale warehouses (in excess of 1 million square feet) of the type proposed.</p> <p>A landscape strategy has been prepared to mitigate the potential landscape and visual impacts of the development. The landscape strategy will guide and inform all future RMAs.</p> <p>The proposed landscape and planting strategy will help integrate the development into the landscape and contribute to achieving local landscape character objectives, although some loss of openness and landscape features will result.</p> <p>The visual impact of the proposed development has been assessed within the Environmental Statement and concludes that the residual effects will not be significant except for users of the PRoW to the south of the Site.</p> <p>Policy C8 of the Cherwell Local Plan is not consistent with national planning policy and fails to reflect the substantial and emerging need for logistics floorspace. The policy is therefore out of date and no weight should be applied to it by decision takers.</p> <p>The Proposed Development will address a substantial and growing need for logistics floorspace and create up to 3,830 new direct jobs (as well as indirect jobs, construction jobs and apprenticeships), which is a significant material consideration.</p>
5.	Location / principle of development	The proposal would lead to the creation of a significant amount of commercial floor space in a geographically unsustainable location. The development is not in accordance with Local plan proposals, and the applicant has not demonstrated any exceptional circumstances for the development. The development should be in a more sustainable locations	<p>The National Planning Policy Framework (NPPF) (Para 83) states that planning decisions should recognise and address the specific locational requirements of different sectors, including the logistics industry.</p> <p>The site is in a highly accessible location immediately adjacent to the strategic highway network. This is a fundamental requirement of logistics operators.</p>

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			<p>Baynards Green sits at Junction 10 of the M40 motorway mid-way between London and Birmingham. The motorway provides fast access to the M25 to the south east and the M42 to the north west. There are very few sites nationally that have such favourable road links.</p> <p>The Site's location adjacent to J10 of the M40 and its excellent road links mean that it is ideally suited for a logistics development.</p> <p>The development will be able to serve national, regional and local demand and would address a substantial and growing shortage of logistics floorspace.</p> <p>The Proposed Development will also provide a mix of unit sizes, including large warehouses, that is required to address market demand and cannot be accommodated on any other existing employment sites or other suitable sites along the M40 corridor. There are not any other sites along the M40 that are generally capable of accommodating large scale warehouses (in excess of 1 million square feet) of the type proposed.</p> <p>The relevant policies of the Development Plan are inconsistent with the NPPF, do not reflect the growing and substantial need for logistics floorspace, and are therefore out-of-date. Very limited weight should be applied to these policies in the decision-making process.</p> <p>The Proposed Development cannot be accommodated on the sites allocated for employment use within the Cherwell Local Plan (2015), which have now mostly been built out or are under construction.</p> <p>Notwithstanding this, the exceptional circumstances required by Policy SLE 1 of the Cherwell Local Plan (2015) have been satisfied for the reasons set out below:</p> <ul style="list-style-type: none"> <li>- The evidence base underpinning the Cherwell Local Plan (which is over seven years old) is out-of-date and does not reflect the significant and growing demand for employment floorspace within Cherwell and the wider area. There is a significant and growing need for logistics floorspace at a national, regional and local level (including along the M40 corridor), which has been exacerbated by Brexit and the Covid-19 pandemic supply. Meanwhile, supply is at an all time low. This has resulted in a significant imbalance that is likely to increase given that</li> </ul>

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			<p>there is limited development currently under construction and the Local Plan Review is not expected to be adopted until November 2023 at the earliest. Additionally, development has already commenced or completed at most of the strategic employment sites identified within the current Local Plan.</p> <ul style="list-style-type: none"> <li>- The scale and nature of the proposals reflect the market demand for logistics floorspace. However, this is not compatible with a 'Category A' village location and there are no other suitable sites capable of accommodating the scale of development proposed.</li> <li>- The Site is highly accessible to the strategic highway network, which is a fundamental requirement of logistics operators. The Proposed Development will provide a mix of unit sizes required to address market demand and cannot be accommodated on other existing employment sites or other suitable sites along the M40.</li> <li>- The Proposed Development will create up to 3,830 direct jobs (across a wide range of skill sets) and 3,400 indirect jobs, as well as construction jobs and apprenticeships. The Proposed Development will also generate between £168 million to £228 million per annum in Gross Value Added and up to £8.8 million annually in business rates. The Proposed Development will therefore make a significant contribution to the local economy's recovery from the Covid-19 pandemic</li> <li>- A holistic masterplan approach has been adopted across the Western Site and the Eastern Site to ensure that development is sensitive to its landscape setting.</li> <li>- The Proposed Development will result in a Biodiversity Net Gain (BNG) of at least 10% and will provide a range of ecological benefits to the area. A detailed BNG assessment has been prepared (to be issued separately in due course) and demonstrates that the Proposed Development will achieve a net gain of 11.6% in habitat units and 12% in hedgerow units. This will be achieved through a combination of 'on-site' and 'off-site' measures.</li> </ul>

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6.	Traffic	<p>The traffic impacts of the development must robustly assessed within any Transport Assessment particularly in regard to the impact on the junction into the site when approach along the B4100. This is a highway which is already over used, leading onto junction 10 of the M40. The road network at this point cannot accommodate more traffic into the area.</p>	<p>A Transport Assessment has been prepared to accompany the application and is appended to the Environmental Statement. The Applicant is also currently undertaking further additional modelling in consultation with National Highways and Oxfordshire County Council regarding the proposals. The results of this modelling will be reported separately in due course and will inform any mitigation measures (if required).</p> <p>The proposed new site entrance has been modelled using industry standard software. The results show that the proposed roundabout has ample capacity to accommodate the development demand with limited delay or queuing on any arm.</p>
7.	Cumulative impact	<p>The Parish Council is aware of major development proposals in the area, including the Dorchester new Town, work to upgrade Junction 10 of the M40 and proposals for a strategic rail/freight interchange near Ardley. The cumulative effects on residents and the road network will be completely unacceptable.</p>	<p>The cumulative impacts of the Proposed Development and other relevant emerging developments within the vicinity of the site have been assessed within the Environmental Statement.</p> <p>The Applicant is also currently undertaking further additional modelling in consultation with National Highways and Oxfordshire County Council regarding the proposals. The results of this modelling will be reported separately in due course and will inform any mitigation measures (if required).</p>