

PROJECT NAME: M40 J10

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

DATE ISSUED: 21 MARCH 2022

COMMENTS RECEIVED FROM:	Anyo Parish Council	FORMAT:	Online	DATE RECEIVED:	
SUBJECT:	Various				

ID	ISSUE	COMMENT	RESPONSE
1.	Compliance with development plan	The proposed development is contrary to the adopted Cherwell Local Plan	The proposed development is broadly consistent with the national planning policy framework and the development plan.
2.	Material considerations	There are no material reasons why CDC should divert from their own plan	<p>The relevant policies of the adopted Cherwell Local Plan are not consistent with the National Planning Policy Framework (NPPF) and very little (if any weight should be applied to them). The NPPF is a material consideration and states that significant weight should be placed on the need to support economic growth and that the specific locational requirements of storage and distribution operations should be recognized.</p> <p>Additionally, the evidence base underpinning the Local Plan is seven years old and does not reflect the growing and substantial demand for logistics floorspace, which has been exacerbated by Brexit and the covid-19 pandemic (major events that have occurred since the adoption of the Cherwell Local Plan). The documents submitted with Albion Land’s applications demonstrate an urgent and growing demand for logistics floorspace. Supply of logistics floorspace is at an all time low.</p> <p>The sites are ideally located (adjacent to the strategic highway network) to address this need and are available for development now. The proposals will incorporate a range of sustainability measures and will achieve a biodiversity net gain of at least 10%.</p> <p>These are significant material considerations that weigh heavily in the favour of</p>

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			the proposed development
3.	Local Plan Review	The site does not feature in the new Local Plan review nor can any representations be found in support of this allocation	<p>The draft Cherwell Local Plan has yet to be published.</p> <p>The submission of representations to the Local Plan review is not a material planning consideration or relevant to the determination of Albion Land's planning applications.</p> <p>It is important to note that the Local Plan review will not be adopted until November 2023 at the earliest. This does not align with the urgent requirement for logistics floorspace, which must be addressed through the development management process.</p>
4.	Occupiers	The proposal is speculative and opportunist	<p>A pre-sale agreement has been secured with DHL for a significant quantum of floorspace within the western site. The Applicant is also very close to agreeing further pre-sale agreements with multi-national logistics operators for the remaining floorspace on the western and eastern sites.</p> <p>These pre-sale agreements provide further evidence of the substantial and growing need for logistics floorspace at a national, regional and local level, which is described in the submission documents.</p>
5.	Suitability of other site	There are other more suitable sites in the area, notably Bicester and Banbury, as identified in the Local Plan	<p>The submitted Logistics market assessment and land availability' report demonstrates that there are no other suitable sites that are capable of accommodating the scale of development required and proposed.</p> <p>Development has already commenced or completed at most of the strategic employment sites allocated in the current Local Plan</p>
6.	Local Plan	It's a large site that should be properly planned for in the development plan and subject of a public inquiry to debate the huge number of issues that arise	<p>The Local Plan review will not be adopted until November 2023 at the earliest.</p> <p>The requirement for logistics floorspace is urgent and must be addressed now through the development management process.</p> <p>A masterplan approach has been adopted across the sites to ensure that they are well-planned and the impacts of development on the surrounding area are minimized.</p>

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7.	Traffic Impact	Increased traffic, particularly HGVs through Aynho	<p>The transport impacts of the proposed development have been assessed in the Environmental Statement. The Applicant is undertaking further modelling of the highway network in consultation with Oxfordshire County Council and National Highways. Appropriate mitigation measures (if required) will be determined based on this modelling and further discussions with the local highway authority and National Highways.</p>
8.	Loss of greenfield site	Loss of a green field site when there are available brown field sites which would align more with government policy	<p>The submitted Logistics market assessment and land availability' report demonstrates that there are no other suitable sites within the urban area that are capable of accommodating the scale of development required and proposed.</p> <p>Development has already commenced or completed at most of the strategic employment sites allocated in the current Local Plan.</p> <p>Albion Land's sites are located adjacent to junction 10 of the M40 and will provide fast and direct access to the strategic highway network (a fundamental requirement of logistics operators).</p> <p>The proposed development is consistent with the National Planning Policy Framework, which (paragraph 81) states that significant weight should be placed on supporting economic growth. It also states (para 83) that planning policies and decisions should recognise the specific locational requirements of different sectors and make provision for storage or distribution operations in suitably accessible locations; and (para 84) that Local Planning Authorities should recognise that in rural areas sites to meet local business needs may have to be found adjacent to or beyond existing settlements.</p>
9.	Visual impact	Visual impact in the open countryside	<p>The visual impact of the proposed development has been assessed in the submitted Environmental Statement. On balance, the LVIA chapter of the ES has demonstrated that the Proposed Development would not result in residual, significant adverse effects on either landscape or visual receptors and as such is broadly compatible with the objectives of Policies SLE1 and ESD13 of the Cherwell Local Plan</p>

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10	Pollution	Increased pollution including noise, air quality and light	<p>The impact of the proposed development (during construction and operational phases) is considered in the submitted Environmental Statement. The Environmental Impact Assessment concludes that cumulative effects on air quality would not be significant and identifies potential noise mitigation measures that will be implemented to minimise the noise impacts of the development. Lighting will be sensitively designed to minimise impacts within and outside of the site.</p> <p>A suite of measures will be implemented (secured by condition) to minimise the impact of the proposed development on local amenity.</p>
11	Consultation	The lack of consultation with Aynho has meant that there has not been sufficient time to properly identify all the issues that would arise and what can be done to mitigate those.	<p>There is no requirement for consultation prior to the submission of an application.</p> <p>Full details of the proposals are set out within the submission documents and can be viewed on the council's planning application webpage.</p>
12	Weight restriction	if the Development should go ahead, a weight restriction and routing agreement should be placed on the B4100 towards Aynho.	Mitigation measures (if required) will be determined following further discussions with the local highway authority and National Highways.