



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

From: Andrew Jinks (Regional Director),
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To: **Cherwell District Council – FAO: David Lowin**

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: 21/03268/OUT

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

Proposal: Outline planning permission (all matters reserved except for access) for the erection of buildings comprising logistics (Use Class B8) and ancillary Office (Use Class E(g)(i)) floorspace; construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping including noise attenuation measures; and other associated infrastructure

National Highways Ref: 92859

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.

Signature: 

Date: 25 January 2022

Name: Martin Seldon

Position: Assistant Spatial Planner

National Highways

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¹ 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.

Having reviewed the information submitted in support of the planning application, we are content with the anticipated trip generation and growth rates proposed. However, several concerns were noted regarding traffic related matters and geotechnical matters. As such, National Highways issued a holding recommendation response on 26 October 2021 detailing the concerns identified.

Following this, a meeting was arranged by the applicant's consultant with National Highways, the Local Highway Authority (LHA) and the Local Planning Authority (LPA) on 5 November 2021. Since then the consultant has been in continuous engagement with National Highways to resolve the outstanding matters relating to trip distribution, capacity assessments, committed development, etc. The following sections provide an overview of the outstanding concerns from a National Highways perspective.

Traffic related matters

Quantum of development

We noted some inconsistencies between the total floorspace proposed for the Eastern Parcel in the Application Form and that stated within the Transport Assessment (TA). While the floorspace for the Eastern Parcel is stated as 100,000 sq.m within the TA submitted, it is entered as 107,000 sq.m in the application form. Therefore, we require that applicant to use the floorspace stated within the Application Form for all the assessments to ensure that the worst-case scenario is considered.

Trip distribution

The applicant previously undertook the trip distribution for light vehicles based on 2011 Census data and heavy vehicles using the 2006 freight matrices published by DfT. While we acknowledged that the freight data on the DfT website is the latest available information, we noted in our response that this data is quite old and as such, may not capture the development growth that has happened in the area over the last 15 years. Further to this, as the vehicular accesses serving the Western Parcel and Eastern Parcel of the development are different, we required additional insight on how the distributions have been undertaken for the development at each.

In line with the above, National Highways welcomed an alternative methodology to be adopted for determining trip distribution to ensure a robust assessment.

Following further discussions, it was agreed that the trip distribution and assignment would be undertaken using the Bicester Transport Model (BTM) available for the area. A modelling brief was provided in December 2021 which detailed the scope of work to be undertaken. Overall, the scope of model runs to be performed and the outputs to be extracted were agreed with the applicant.

The traffic survey data available with National Highways for the area was supplied to the consultant to help determine the proposed HGV distribution for the development, which will be fed into the BTM model for undertaking the runs. The consultant has now undertaken further assessments and has provided the outputs for our review. We are currently reviewing this information and will respond to the consultant shortly.

Committed development

In our previous response, we welcomed clarification on whether the committed developments considered for the assessments have been finalised following the confirmation from the relevant LPAs.

Discussions are currently being held between the applicant and National Highways and Oxfordshire County Council on the need for sensitivity tests regarding development proposals in the area.

Capacity assessments

Capacity assessments have currently been undertaken for the western and eastern site accesses and A43 Baynards Green roundabout only. We noted that the applicant has referred to the Oxfordshire Housing and Growth Deal scheme which proposes improvements at the A43 Baynards Green roundabout and the Padbury roundabout of M40 J10, amongst other improvements. However, National Highways required that the applicant undertakes junction capacity assessments at M40 J10 and A43 Baynards Green roundabout using the latest available information regarding the proposed improvement schemes.

Following the discussion in November 2021, it was agreed with the applicant that the A43 Growth Deal scheme will be incorporated into the model for assessing the development impacts with the scheme in place.

Baseline traffic – We note from section 8.3.6 of the Environmental Statement (ES) that the baseline data has been collated from a number of sources, including the commissioning of traffic surveys, WebTRIS data, the historic Transport Assessment for North West Bicester Masterplan (2014), freight matrices published by DfT, etc. However, it is not clear how the data has been processed and used for the assessments. As such, it was stated in our previous response that we require the applicant to include a section on this in the TA to understand the suitability of the data used.

We also recommended that the traffic flow diagrams be provided (preferably in the form of spreadsheets) for all the scenarios under consideration.

Modelling software – The applicant has previously undertaken the capacity assessments at the site accesses and A43 Baynards Green roundabout using ARCADY. However, no information was provided regarding the source or validation of the models.

Notwithstanding the above, we required that the applicant model the junctions in the area (including Baynards Green roundabout and M40 J10) using a linked model to capture the likely interactions between these closely placed junctions. Further to the discussion in November 2021, it was agreed that National Highways' VISSIM model developed for M40 J10 in the area will be used for undertaking the capacity assessments. Following the completion of BTM runs, National Highways' VISSIM model can be shared.

Merge/ Diverge Assessments

While the applicant has carried out merge and diverge assessments on the slip roads at M40 J10, we are unable to undertake the checks as the flow data is unavailable. We would therefore welcome a review of this data.

Interim mitigation scheme

The applicant has proposed an interim mitigation scheme at the A43 Baynards Green roundabout which includes widening of the B4100 entries and a standalone signal-controlled toucan (pedestrian and cycle) crossing.

As there remain outstanding concerns, and the proposed improvement scheme as part of the Growth Deal scheme at the A43 Baynards Green roundabout and M40 J10 has not been modelled into the assessments, it was stated in our previous response that National Highways is not in a position to comment on the suitability of the interim mitigation scheme.

In line with the above, a detailed review of the assessments as presented within the TA was not undertaken by National Highways.

The outstanding concerns are likely to be resolved in due course and National Highways will provide comments accordingly.

Geotechnical matters

In addition, the submitted preliminary Ground Investigation report is a geo-environmental Phase 2 investigation for the main developments themselves. It does not include any details of the boundaries with National Highways operations, aside from a comment about excavations in (Part 1(2) (1).pdf):

7.5 Excavations

Excavations up to 3-4m deep are locally envisaged as part of the reprofiling works to create the required development platforms. At these depths excavations are expected to be in a combination of weathered rock strata comprising gravelly clay and clayey gravel and competent rock strength strata (limestone).

The applicant will need to advise / confirm if there will be any earthworks associated with the development(s) in relatively close proximity to National Highways boundaries (e.g. the stability of the balancing ponds, etc). In the first instance, some cross sections (to scale) through the boundaries showing the proposed extent of the development, its features and any proposed changes in elevation (excavations, landscaping) etc should be submitted for further assessment. Once received, we will review to determine the possible extent of any geotechnical reporting under the Design Manual for Roads and Bridges (DMRB) standard CD 622, which may be required to confirm the extent of any geotechnical risk to the SRN.

Once this information has been provided, we can fully assess the potential impact on the drainage of the site and whether this will effectively mitigated.