



National Highways Planning Response (NHPR 22-12) Formal Recommendation to an Application for Planning Permission

From: South East Divisional Director
Operations Directorate
South East Region
National Highways
PlanningSE@nationalhighways.co.uk

To: Caroline Ford, Cherwell District Council

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

Council's Reference: 21/04275/OUT

Location: Part OS Parcel 8149 Adj Lords Lane and SE Of Hawkwell Farm, Lords Lane, Bicester.

Proposal: OUTLINE - with all matters reserved except for Access - Mixed Use Development of up to 3,100 dwellings (including extra care); residential and care accommodation(C2); mixed use local centre (comprising commercial, business and service uses, residential uses, C2 uses, local community uses (F2(a) and F2(b)), hot food takeaways, public house, wine bar); employment area (B2, B8, E(g)); learning and non-residential institutions (Class F1) including primary school (plus land to allow extension of existing Gagle Brook primary school); green Infrastructure including formal (including playing fields) and informal open space, allotments, landscape, biodiversity and amenity space; burial ground; play space (including Neaps/Leaps/MUGA); changing facilities; ground mounted photovoltaic arrays; sustainable drainage systems; movement network comprising new highway, cycle and pedestrian routes and access from highway network; car parking; infrastructure (including utilities); engineering works (including ground modelling); demolition.

National Highways Ref: (NH/24/04741; prev.ref: 93763)

Referring to the consultation on a planning application dated 25th January 2022 referenced above, in the vicinity of the M40 and A34 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.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningSE@nationalhighways.co.uk.

Signature: 	Date: 14/06/2024
Name: Mrs Beata Ginn	Position: Assistant Spatial Planner National Highways planningSE@nationalhighways.co.uk
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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 National Highways works 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.

National Highways are concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case the M40.

We previously provided detailed comments for this application and issued Holding Recommendations between 7th February 2022, 8 November 2023, 2 January 2024, 29 February 2024 and 23 April 2024.

We initially met with the applicant on 18 October 2023, and following that meeting applicant provided clarifications on 11 December 2023. We reviewed this information and provided response on 21 December 2023, requesting a meeting with the applicant and Oxfordshire County Council to fully resolve matters and avoid any further unnecessary delay.

The meeting was held on 18 January 2024 with the applicant's transport consultant. The traffic modelling results were discussed as well as the National Highways review of the modelling work undertaken to date. The initial review indicated certain data missing and unexpected traffic flows on the local and strategic highway network.

National Highways now awaits updated set of model results. Until these have been received and reviewed our holding recommendation remains, so we can provide local planning authority with the fully informed advice.

Recommendation

National Highways recommends that the Local Planning Authority does not grant planning permission for the application (Ref: P23/V2684/O) until 9 August 2024 to enable further information to be provided by the applicant and to allow us to provide the Local Planning Authority with fully informed advice. This does not prevent the Council, if they so wish, to either refuse the application or agree an extension of time beyond 9 August 2024.

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 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 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.