

# Planning and Development

David Peckford, Assistant Director – Planning and Development



**Cherwell**

DISTRICT COUNCIL  
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Case Officer: **Samantha Taylor**

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3 March 2022

Dear Hannah Tidd

## **TOWN AND COUNTRY PLANNING ACT 1990**

**Application No.:** 22/00385/SO

**Applicant's Name:** Greystoke CB

**Proposal:** Screening opinion - proposed construction of a commercial development of between 1.2 million and 1.5 million square feet of logistics/warehousing and associated infrastructure and landscaping on land at Junction 11 M40, Banbury, OX17 2BH

**Location:** Os Parcel 7921 South Of Huscote Farm And North West Of County Boundary  
Daventry Road  
Banbury

I write with regard to the above application, registered on 10 February 2022, which represents a formal request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as to whether the proposal set out in your submission requires an Environmental Impact Assessment (EIA). This letter constitutes the Local Planning Authority's Screening Opinion of the proposal.

### **Summary of Determination**

The Local Planning Authority considers that the proposal represents an 'Industrial Estate Development Project' that falls within Schedule 2, section 10(a) of the Regulations. The site area would exceed the applicable threshold in column 2 of Schedule 2. In determining whether the proposals are likely to constitute EIA development, regard has been had to the criteria set out in Schedule 3 of the EIA Regulations 2017. Government guidance relating to EIA as set out in the Planning Practice Guidance (PPG) is also material and has also been taken into account.

Given the scale of the site proposed to be developed and that significant environmental effects are likely to result when considered against the EIA Regulations, the Local Planning Authority considered **that this proposal does constitute EIA Development.**

## Reasons for Determination

Consideration of the proposal has been given to the selection criteria for screening Schedule 2 developments in Schedule 3 of the Regulations and the Planning Practice Guidance and its Annex: Indicative screening thresholds.

The guidance advises that an EIA is unlikely to be required unless the new development is on a significantly greater scale than the previous use, or the types of impact are markedly different in nature or there is likely to be a very high level of contamination, or are likely to have a significant urbanising effect. The guidance also indicates that in addition to the physical scale of such developments, key issues to consider include potential increase in traffic, emissions, noise and other issues which will be specific to the nature of the environmental receptor. However, in determining whether significant effects are likely, the location of a development is of crucial importance. Furthermore the thresholds should only be used in conjunction with the general guidance on determining whether an Environmental Impact Assessment is required and, in particular, the guidance on environmentally sensitive areas.

The site is approximately 75ha of greenfield land, consisting of a number of field parcels bounded with established hedgerows and trees. The site is located across two administrative boundaries with approximately 67ha falling within Cherwell District Council and 8ha within West Northamptonshire District. The site is located beyond the existing built limits of Banbury and is in agricultural use. The site is bounded by the A361 to the west and the A422 to the south. The M40 and Junction 11 are located in close proximity. The site is not an allocated site within the Cherwell Local Plan, although it was previously considered during the Local Plan process.

An assessment of the site has identified that the site contains a number of small ponds, but also 2 priority species habitat areas with the Banbury Conservation Target Area situated adjacent to site boundary. In addition the site lies in close proximity to a site of known archaeological potential. The site is bounded by the A361 and is in proximity to the M40 and Junction 11.

The proposed development is a large-scale proposal for employment purposes that would lead to a significant urbanising effect given the site context with associated highway works and infrastructure necessary to serve the development. The proposal is considered to have likely significant issues on environmental receptors including but not limited to traffic, emissions, noise, ecology, archaeology and local and longer distance viewpoints onto and around the site. Having regard to the above, it is considered therefore that this is a sensitive site and the proposal **is EIA development**.

The Local Planning Authority has considered the factors above, the criteria in Schedule 3 to the EIA Regulations 2017 and Planning Practice Guidance and thresholds and criteria set out in the Annex, the particular aspects of the proposal, characteristics of the potential impact, the sensitivity of this particular location and potential cumulative impacts with other developments. In making the determination, the Local Planning Authority has judged whether the likely effects on the environment of that particular development will be significant in that particular location. It is considered that the development proposed is on a sensitive site, is significant, and, will have a significant urbanising effect on the environment by virtue of its scale, nature and location, the impact of which can only be properly assessed by the submission of an Environmental Statement.

This opinion has been made by an appropriately authorised officer at the Local Planning Authority. In accordance with the 2017 Regulations, a copy of this screening opinion has been placed on the Planning Register.

It is acknowledged that several objection letters to the application have been received. However, these relate to planning matters which cannot be considered as part of this screening opinion. The objection letters received are available on the Council's Planning Register.

Yours faithfully



David Peckford  
**Assistant Director – Planning and Development**

**Checked By: Alex Chrusciak - Senior Manager, Development Management**