

From: Mike Murray

Sent: 02 March 2022 15:26

To: Planning

Subject: Fw: Planning Application - 22/00385/SO - Screening Application regarding an EIA for development adjacent to J11 of the M40

To whom it may concern

Please find attached a detailed response to the above application which I send on behalf of The Cherwell District Committee of CPRE. We vehemently oppose any development of this site and stated this in our response to the *Community Involvement Paper 2: Developing our Options* consultation last year.

This application is premature as it is yet to form part of any Local Plan and should not even be subject to application at this stage.

Without prejudice to the above objections, we ask that any application regarding this site should be subject to a full EIA.

Yours faithfully

Mike Murray

Member, Cherwell District Committee, CPRE

I write in my capacity as a member of the Cherwell District Committee of the CPRE

We have read with interest the application 22/00385/SO by Greystoke CB regarding the possible requirement for a full Environmental Impact Assessment (EIA) for this proposed development.

First and foremost, we believe this application is premature in that the site in question has yet to be included as part of any update of the Cherwell Plan Local Plan 2011-2031. We restate our vehement objection to any development of this site which we expressed in our response to the consultation document *Community Involvement Paper 2: Developing our Options* which sought views on updating of the current Cherwell Local Plan. We are still strongly of this opinion.

Without prejudice to the above strong objection to any development of this site, in relation to the current application we strongly recommend that any proposal to develop this site must be the subject of a full EIA.

Development of this site was previously the subject of a proposal during the development of the current Cherwell District 2011-2031 Local Plan. In his report in 2015 on the draft Local Plan, Mr Nigel Payne, an Inspector appointed by the Secretary of State for Communities and Local Government, gave a number of cogent reasons why the Banbury 15 site should be restricted to the site currently under development between the West side of the A361 and the M40 and, we believe, showed why any proposals for development of the site that is the subject of this application should continue to be rejected. He reduced the amount of developable land allowed from 49 hectares proposed to the 13 hectares now forming Banbury 15 that is currently under development.

His report can be found at https://www.cpreoxon.org.uk/wp-content/uploads/2015/06/Cherwell_Local_Plan_Inspectors_Report_with_Main_Modifications_2015.pdf

The relevant paragraphs are 199-211, pp 41-43

Among the reasons he gave for refusal were the following:

“201. Development of the land east of the A361, as noted in earlier landscape assessment work for the Council (2013), would have a significantly detrimental impact on the local landscape, intruding as it would into presently open countryside currently in agricultural use with inevitably large industrial and warehouse buildings. In particular, it would materially extend the built up area of Banbury to the east and lead to a significantly harmful erosion of its rural setting on this side of the town.”

“202. Moreover, there are acknowledged barriers to delivery of the whole Ban 15 site at J11, including that the traffic movements likely to be generated would trigger the need for the new South East relief road through the town.

“203. In addition, for the whole site to be developed as a mainly road based B2/B8 employment scheme, major contributions are likely to be necessary to other transport and highway improvements, especially to the motorway junction itself. There is no clear evidence that an acceptable programme of works could viably and practically be delivered, taking into account the impacts of other developments committed in the plan.”

“205. Moreover, development of the whole 49 ha site, especially for very large B8 uses, might well provide direct competition to DIRFT to the detriment of the delivery of both, potentially also discouraging the increased transfer of freight to rail.”

“206. In the light of the above, only the land west of the A361 should be allocated for new employment development in the modified plan and none of that to the east of the road, even as a strategic reserve site. This would have the considerable benefit of reducing the very harmful landscape and potential environmental effects of the wider scheme on a

main entrance to the town from the north, south east and east, as well as that on the largely rural landscape of the locality.”

“210 Moreover, there are reasonable prospects that the new jobs total in the modified plan, related to the revised housing needs, can be achieved without the allocation of the larger site being required. Firstly, the existing land supply will be significantly augmented by the other allocations in the plan, with most likely to be available in the short to medium term at least. In addition, there are other deliverable opportunities for some smaller, non-strategic scale, sites to come forward in sustainable locations within or adjacent to the present built up areas of the towns in the LP Part 2. Finally, there are job opportunities likely to come forward in the non B class uses, such as retail and in the public and service sectors associated with the new housing growth.

In summary, nothing has changed since the publication of the report from Her Majesty’s Government’s Inspector in 2015 that would make this application any more acceptable than it was the first time and the reasons relating to:

- Visual impact
- Traffic impact
- Sustainability

that Mr Payne cited in 2015 to restrict the size of the Banbury 15 site are just as valid and applicable to this proposal today as they were seven years ago. In particular we would highlight Mr Payne’s reference in para 206 above regarding potential environmental impact as follows ***“This would have the considerable benefit of reducing the very harmful landscape and potential environmental effects of the wider scheme on a main entrance to the town from the north, south east and east, as well as that on the largely rural landscape of the locality.”*** (our underlining)

The horrendous visual impact of the current development of the Banbury 15 site is already self-evident and the potential impacts on traffic on and around the M40 junction from that site alone are already of significant concern even on a site one quarter the size of the proposed development. The potential visual and traffic implications of a site 4 times the size of the one currently being developed on Banbury 15 are too awful to contemplate.

On basis of the above, CPRE reiterates that CDC should not allocate this site for any kind of development in any updated Local Plan. As regards the current screening application, if, for the purposes of the current consultation, CDC has to adjudicate on the necessity for an EIA for any application for development of the site, it should require a full EIA.

There is a similar proposal for a further warehouse site development adjacent to the A422 at Nethercote and the reasons for non-inclusion of this proposal in any update of the Local Plan and requirement for a full EIA of any development proposals are of a similar nature and are the subject of separate submissions.