

Comment for planning application 22/01340/OUT

Application Number	<input type="text" value="22/01340/OUT"/>
Location	<input type="text" value="Os Parcel 6124 East Of Baynards Green Farm Street To Horwell Farm Baynards Green"/>
Proposal	<input type="text" value="Application for outline planning permission (all matters reserved except means of access (not internal roads) from b4100) for the erection of buildings comprising logistics (use class b8) and ancillary offices (use class e(g)(i)) floorspace; energy centre, hgv parking, construction of new site access from the b4100; creation of internal roads and access routes; hard and soft landscaping; the construction of parking and servicing areas; substations and other associated infrastructure."/>
Case Officer	<input type="text" value="David Lowin"/>
Organisation	<input type="text" value=""/>
Name	<input type="text" value="William Jones"/>
Address	<input type="text" value="Tusmore Park Holdings,Estate Office,Tusmore Park,Street Through Tusmore,Tusmore,Bicester,OX27 7SP"/>
Type of Comment	<input type="text" value="Objection"/>
Type	<input type="text" value="neighbour"/>
Comments	<input type="text" value="See attached"/>
Received Date	<input type="text" value="10/06/2022 09:16:31"/>
Attachments	<div>The following files have been uploaded:<ul style="list-style-type: none">20220610101338712.pdf</div>



Tusmore Park

*The Estate Office, Tusmore Park, Bicester, Oxfordshire OX27 7SP
Tel: 01869 346 075*

10th June 2022

By Email Only

Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

Dear Sir/Madam,

Response/Objection to Application 22/01340/OUT

Background Introduction and Site Context

We, the Tusmore Park Estate, object to the proposed development by Tritax Symmetry Ardley Ltd set out in the following outline planning application that were registered by Cherwell District Council (CDC) on 6th May 2022 and is currently undetermined:

- Reference No. 22/01340/OUT – Description of development: *“Application for outline planning permission (all matters reserved except means of access (not internal roads) from B4100) for the erection of buildings comprising logistics (Use Class B8) and ancillary offices (Use Class e(g)(i)) floorspace; energy centre, HGV parking, construction of new site access from the B4100; creation of internal roads and access routes; hard and soft landscaping; the construction of parking and servicing areas; substations and other associated infrastructure.”*

The application site for the proposed development is located to the north-east of Junction 10 of the M40 Motorway, with a smaller proportion of the site located to the south of the B4100 and a larger proportion of the site located to the north of the B4100 and adjoining the eastern side of the A43.

To the west and south-west of the site are the outline planning applications that were submitted by Albion Land (Reference No. 21/03267/OUT and 21/03268/OUT) in September 2021 also for logistics development with ancillary offices and these applications are undetermined by CDC. We, the Tusmore Park Estates, issued a response dated 21st February 2022 objecting to these applications; this response should be read in conjunction with this response to the proposals by Tritax Symmetry Ardley Ltd.

We are also aware of the proposal for the Oxford Strategic Rail Freight Interchange, which was submitted to the Planning Inspectorate (PINS) last year for Environmental Impact Assessment Screening. Whilst no planning application has been submitted to PINS yet for what would be a Nationally Significant Infrastructure Project (NSIP), we raise it in our objection to the proposals by both Albion Land and Tritax Symmetry Ardley Ltd as it is material to the consideration on the current applications.

Principle of Development

Section 70(2) of the Town and Country Planning Act (1990), as amended by section 143 of the Localism Act 2011 states that:

- "(2) In dealing with such an application the authority shall have regard to:*
- (a) the provisions of the development plan, so far as material to the application;*
 - (b) any local finance considerations, so far as material to the application; and*
 - (c) any other material considerations."*

Section 38(6) of the Planning and Compulsory Purchase Act ('PCPA'), 2004 states that: *"if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

The adopted Development Plan comprises the following documents:

- The Cherwell Local Plan 2011–2031, Part 1 Adopted 20th July 2015 (incorporating Policy Bicester 13 re-adopted on 19th December 2016).
- 'Saved' policies of the Adopted Cherwell Local Plan 1996.
- Adopted Cherwell Local 2011 – 2031 (Part 1) Partial Review – Oxford's Unmet Housing Need.

The emerging Development Plan comprises the Cherwell Local Plan Review 2040 that will replace adopted Local Plan policies and look to address the housing and employment needs of Cherwell up to 2040. An initial stage 'Community Involvement Paper Consultation' was undertaken by CDC between 31st July 2020 – 14th September 2020. A further 'Community Involvement Paper 2: Developing our Options Consultation' took place between 29th September 2021 – 10th November 2021. CDC published its most recent Local Development Scheme (LDS) in September 2021 which aims to adopt the Cherwell Local Plan Review 2040 by November 2023.

Running also alongside is the emerging Oxfordshire Spatial Plan 2050, which will provide the overall framework for future growth, identifying the key sites/areas for strategic scale development across Oxfordshire. Subject to the examination process, the latest CDC LDS anticipates adoption of the Spatial Plan by May 2023. However, the timetable expects a draft of the Strategic Plan to be published this summer, which will indicate, based on a proper

assessment of all options, where major housing and employment growth across Oxfordshire should be located.

The adopted 'Interactive' Policies Map, which incorporates the relevant adopted Local Plan policies, shows the application site for the proposed development by Tritax Symmetry Ardley Ltd is not allocated for development. In planning policy terms, the application site is located within open countryside and not within or adjoining any built settlement.

Policy SLE1 'Employment Development' of the Cherwell Local Plan 2011–2031 sets out the policy for the types and distribution of employment development across Cherwell District. The policy states that employment development will be focused on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas, employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations. Unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of those villages in Category A.

The supporting text to policy SLE 1 (paragraphs B.44 to B.47) makes it clear that any development in rural areas is to be limited as it is generally unsustainable. The strategy is to locate employment and housing in the 'same place' so as to avoid issues such as additional traffic of rural roads and unsustainable commuting patterns.

The proposed development site is not located on an existing development site and is situated in an isolated location away from the main settlements of Banbury, Bicester and Kidlington where Policy SLE1 states that employment development should be focused. There are three small villages/hamlets of Ardley, Stoke Lyne and Fritwell located some 1-2km from the proposed development site; however, as explained further below, these settlements fall under Category C 'All other villages' and not Category A 'Service Villages' under Policy Villages 1 – and in any case, as set out above, in our view the policy relates to small scale growth in rural locations, not strategic logistics of the nature proposed.

Notwithstanding this position, Policy SLE1 continues on to say that new employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:

- They will be outside of the Green Belt, unless very special circumstances can be demonstrated (Bullet Point 1).
- Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site (Bullet Point 2).
- They will be designed to very high standards using sustainable construction, be of an appropriate scale and respect the character of villages and the surroundings (Bullet Point 3).

- They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment (Bullet Point 4).
- The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance) (Bullet Point 5).
- The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car (Bullet Point 6).
- There are no suitable available plots or premises within existing nearby employment sites in the rural areas (Bullet Point 7).

At Paragraph 6.2 of the Planning Statement (dated April 2022) submitted with the application, the Applicant accepts that Policy SLE1 is considered to be the most important policy provision for the determination of the application.

We note that the application site is located outside of the Green Belt and, therefore, meets Bullet Point 1 of Policy SLE1 as set out above. However, Policy SLE1 requires new employment proposals within rural areas on non-allocated sites to meet all of the criteria as listed in the policy. For reasons discussed below, we consider that the proposed development fails to accord with Bullet Points 2, 3, 4, 5, 6 and 7 of Policy SLE1 in this regard.

At Paragraph 6.71 of the Planning Statement, the Applicant claims that the site search assessment has demonstrated that there are no available or suitable sites that are committed for employment development in the Cherwell Local Plan, and it is, therefore, necessary to consider a non-allocated site in the rural area. Table 1 provides an assessment of strategic sites, followed by Table 2 which assesses committed sites.

Paragraph 6.65 then states that a further assessment of the urban areas within Banbury, Bicester and Kidlington has been undertaken to establish that there is no urban area of land that lies vacant or awaits redevelopment of a scale to accommodate the proposed development. It is, therefore, concluded that the analysis reveals that allocated employment sites of a strategic scale are too small, not suitable or not available and there are no other sites committed for employment within Banbury, Bicester or Kidlington that can accommodate the proposed development's requirements.

Table 3 then provides an assessment of Category A Villages, concluding at paragraph 6.67 that the analysis robustly demonstrates that there is no suitable land to meet the development requirements within or on the edge of Category A Villages.

We strongly disagree with the Applicant's methodology and conclusion. The nature and scale of the proposal for logistics development is such that it is highly unlikely that any sites within the District at Category A villages would be suitable for a development of this type and size. A logistics development of this nature and scale would be far more suitable and sustainably located adjacent or in close proximity to Banbury, Bicester or Kidlington (for reasons discussed further below). The Applicant has not assessed any unallocated sites on the edge of these settlements. Therefore, the methodology that has been used is completely flawed and does not reflect the purpose Bullet Point 7 which is to consider suitable available plots within existing nearby employment sites in the rural area that are reflective of the type and size of employment development that is being proposed.

At Paragraph 6.72 of the Planning Statement, the Applicant asserts that the highly accessible location to the strategic road network and the buildings serving as national, regional and local need as sufficient justification for the proposal. However, we do not believe that this is a sufficient justification for the development in the rural area on what is a strategic scale, non-allocated site. The proposal for large-scale logistics building, are unsuitable for the rural area (regardless of accessibility to the M40) due its nature and scale. Furthermore, it is claimed by the Applicant there are very few sites nationally that have such favourable road links. We reject this claim as the Applicant has not provided sufficient evidence to prove that this is the case.

In view of the above, the proposed development fails to accord with Bullet Points 2 and 7 of Policy SLE1.

Paragraphs 6.74 to 6.81 of the Planning Statement sets out the Applicant's justification for the proposed development in respect of Bullet Point 3 of Policy SLE1. At this stage, we have not provided comments with regards to design standards using sustainable construction. Paragraph 6.79, however, refers to the submitted Framework Travel Plan which contains details of measures to try to reduce the impact of transport associated with the development. We consider that these measures, including cycle parking and shared pedestrian/cycle routes, are likely to be wholly ineffective due to the isolated location of the development in the rural area and limited access to sustainable public transport options, with employees or visitors accessing the site being very likely to be reliant on the use of the private car.

At paragraph 6.81 of the Planning Statement, the Applicant then tries to justify the proposed development as being an appropriate scale and respects the character of the villages and the surroundings in accordance with Bullet Point 3. Following on from this, paragraphs 6.82 to 6.84 try to justify the proposal in respect of Bullet Point 4. Furthermore, paragraphs 6.96 to 6.100 attempt to address the matter relating to appearance and character of the landscape and the environment generally.

The proposed site area for the application by Tritax Symmetry Ardley Ltd covers an area of 83.28ha. The proposed site area for application 21/03268/OUT by Albion Land on the western side of the A43 covers an area of 43.9 hectares and the application 21/03267/OUT also by Albion Land on the eastern side of the A43 extends over an area of 23.18 hectares. The cumulative impact of the proposed development under these three planning applications would be an area of 150.36 hectares which will dwarf the nearby villages of Ardley, Stoke Lyne and Fritwell. This size of development is not 'small scale' and the applications, either taken in isolation or alongside each other.

The proposals by Tritax Symmetry Ardley Ltd alone and when considered cumulatively with the proposals by Albion Land would not be of an appropriate scale for the area and severely damage the character of the nearby villages and the surrounding countryside.

The application made by Tritax Symmetry Ardley Ltd shows the proposed development is located in close proximity to an existing Public Bridleway that runs along the site's northern boundary. The siting of the proposed logistics buildings would cause significant visual harm to users of this Public Bridleway including rural views to the south of Tusmore Park. In the applications made by Albion Land, it is proposed that a Public Right of Way (PRoW) is diverted in order to accommodate the development; however, our view is that the proposals will cause significant visual intrusion to rural views along this PRoW and into the surrounding countryside. The proposals would also impact on the setting of the Grade II Listed building "Barn at SP 5487 2940" to the north-west of the A43/B4100 roundabout.

In view of the above, the proposed developments, therefore, fails to accord with Bullet Points 3, 4 and 5 of Policy SLE1.

Paragraph 6.107 to 6.112 try to justify the proposal in respect Bullet Point 6 of Policy SLE1 including development not giving rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by car.

As is envisaged by the adopted policies of the Council, a development of this kind is much better suited on the edge of main settlements such as Banbury and Bicester which also have strong links to the M40 and would be located closer to existing workforce with opportunities the use public transport without dependency on the private car.

Policy SLE1 highlights that the Local Plan has an 'urban focus'. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.

The proposed development will result in excessive and inappropriate traffic and this matter is discussed further below in our response. The site is situated in an isolated location in the rural area with no opportunities for employees or visitors to the proposed logistics buildings having access to sustainable means of transport including bus, train or walking/cycling.

Employees or visitors accessing the site are very likely to be reliant on the use of the private car. The application does not sufficiently explain why the proposals should not be located at the towns, close to existing labour supply.

In view of these matters, the proposed development fails to comply with Bullet Point 6 of Policy SLE1 and the general aim of the policy which seeks to direct growth toward urban locations.

The proposed development also fails to accord with Policy BSC2 'The Effective and Efficient Use of Land – Brownfield land and Housing Density' which states that the Council will encourage the re-use of previously developed land in sustainable locations, of which these proposals on greenfield sites in unsustainable rural locations do not.

Policy Villages 1 'Village Categorisation' sets out a settlement hierarchy for the District, with only infilling and conversions identified as suitable types of development at "All other villages". The policy is directed towards proposals for residential development but is useful in understanding the wider context of categorisation of villages and the type of development that may be suitable in these locations.

The proposed development site is located in an isolated rural area, with the nearest villages/hamlets being Ardley, Stoke Lyne and Fritwell. All three of these villages/hamlets are classified as "All other villages" (Category C) in the settlement hierarchy and are only likely to ever take very limited growth in the form of infilling or conversions. The proposed development site is, therefore, geographically unsuitable in the context of the nearby settlements relative to the District's settlement hierarchy.

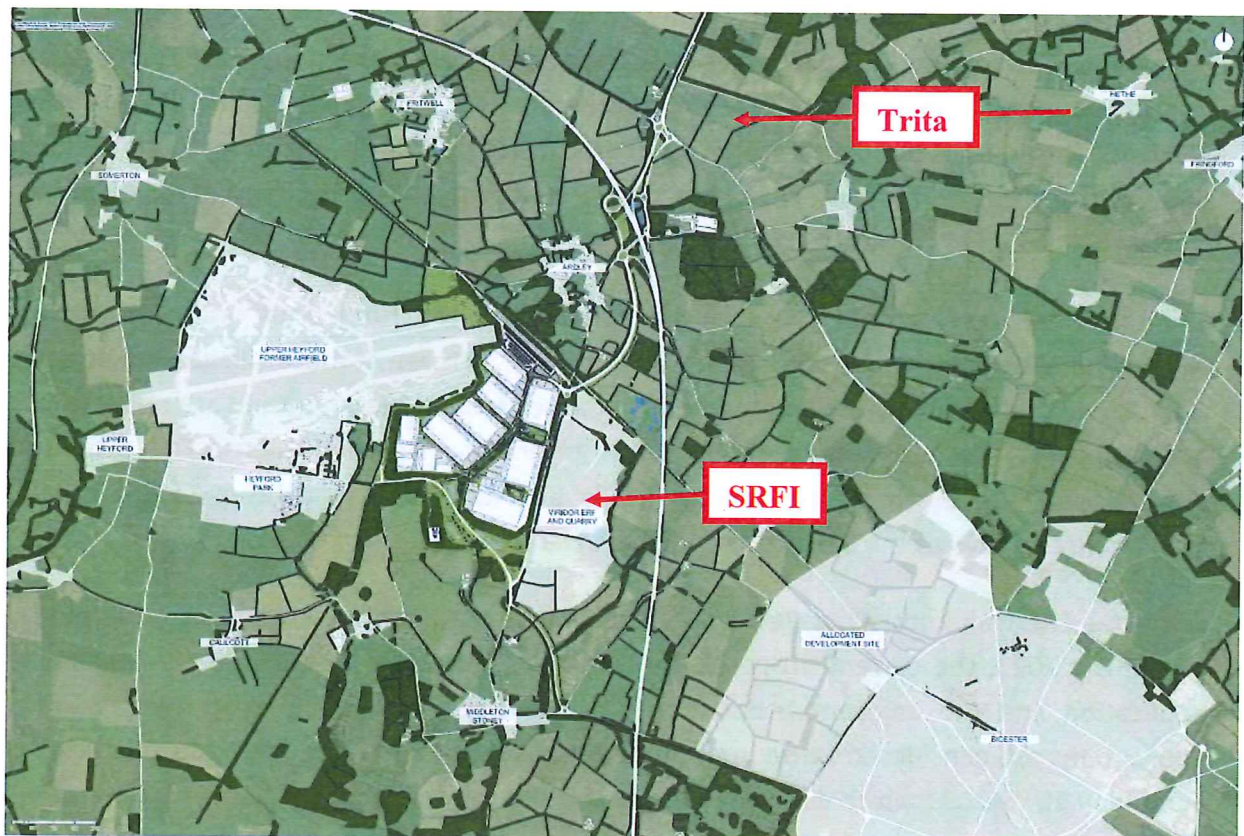
With the Cherwell Local Plan Review 2040 anticipated to come forward for adoption by November 2023, the current proposals by Tritax Symmetry Ardley Ltd under this planning application and the adjacent proposals by Albion Land under the other two planning applications are considered to be premature when viewed alongside the adopted Cherwell Local Plan 2011–2031 which does not allocate the site for development.

The Cherwell Local Plan 2011–2031 runs to a period up to 2031 and is the most current and up-to-date Development Plan policy that the proposed development should accord with. The proposals will significantly undermine both the existing and the emerging strategy and will compromise the associated evidence base that is being prepared by the Council as part of its work to bring forward the new Cherwell Local Plan Review 2040 and identify any need for additional employment development sites in suitable locations for growth.

Conflict with Proposed Strategic Rail Freight Interchange (SRFI)

The proposed development site by Tritax Symmetry Ardley Ltd under this planning application and the adjacent proposals by Albion Land are located approximately 2-3km from an area of land proposed for the Strategic Rail Freight Interchange (SRFI) by Oxfordshire Railfreight Limited. The proposed location of the SRFI is on land east of the former Upper Heyford Air Base, south of the Chiltern railway line and south-west of the village of Ardley and Junction 10 of the M40 motorway. The SRFI responds to an established need to create a network of interchanges throughout the country. The proposals comprise a large multi-purpose freight interchange and distribution centre linked into both the rail and trunk road systems. It has rail-served warehousing and container handling facilities, which enables freight to be transferred between transport modes.

Oxfordshire Railfreight Limited are currently undertaking extensive public consultation with the location community. An extract of the Draft Illustrative Masterplan that forms part of the consultation is provided below.

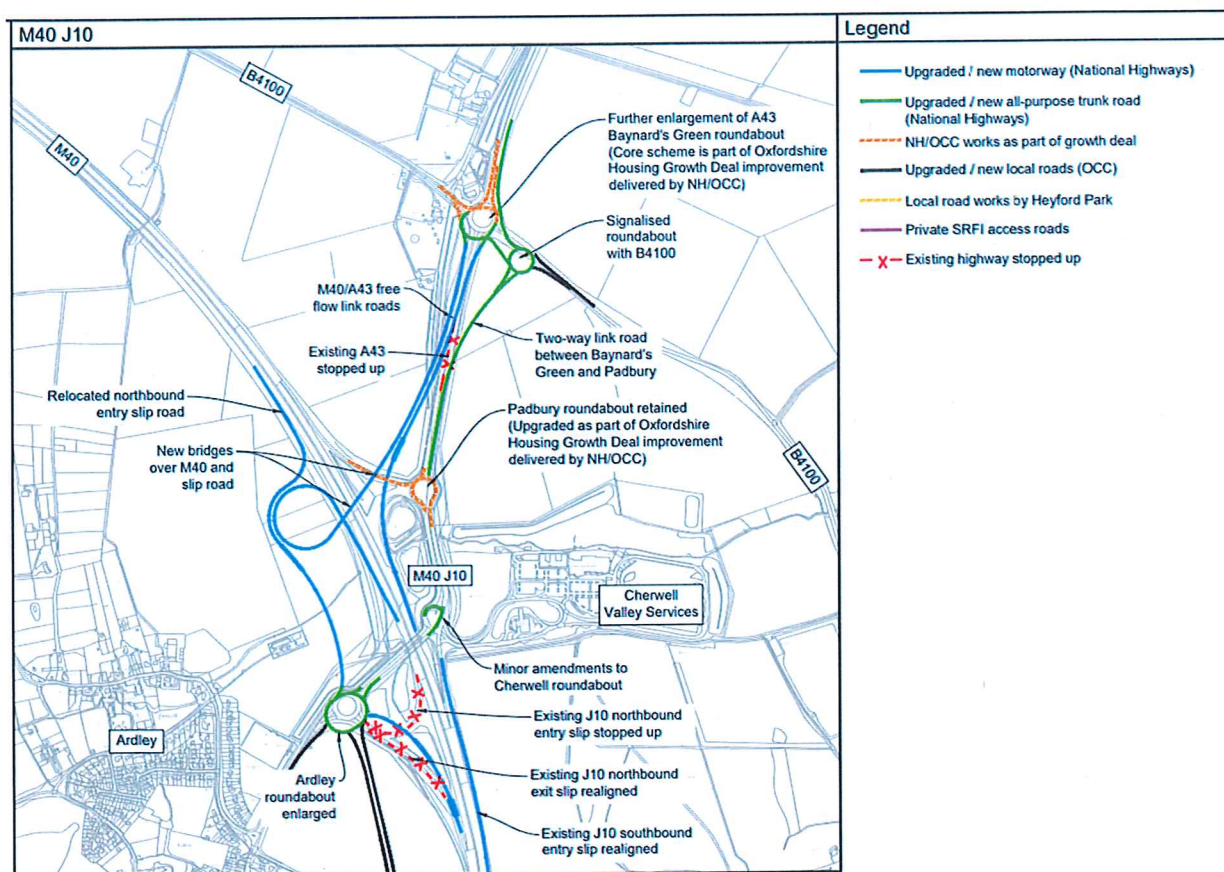


SRFI – Draft Illustrative Masterplan

Given its strategic importance, the proposals meet the criteria to be considered a Nationally Significant Infrastructure Project (NSIP). As such, the proposals will be subject to an application for a Development Consent Order (DCO) which will be submitted for examination by the Planning Inspectorate who will process the application. The Secretary of State for Transport will then consider the Inspector's recommendation and determine the application.

An Environmental Statement ES is being prepared. Preliminary Environmental Information (Work in Progress) Report (PEIR) comprises a collection of draft chapters for the Environmental Statement (ES) that will be submitted with the DCO application in due course.

The proposals for the SRFI comprise highways improvements works in the local area which are included as part of the public consultation. The drawing 'Highway Works Overview' (drawing no. OxSRFI-BWB-GEN-ZZ-SK-CH-SK04_S1_P03) outline the proposed highways improvement work – an extract of the drawing is provided below.



Extract of 'Highway Works Overview' (drawing no. OxSRFI-BWB-GEN-ZZ-SK-CH-SK04_S1_P03)

The 'Highway Works Overview' drawing shows significant upgrades proposed to Junction 10 of the M40 which include provision of M40/A43 free flow link roads, which are facilitated by a further enlargement of the A43 Baynard's Green roundabout, a signalised roundabout with the B4100 and a two-way link road between Baynard's Green and Padbury.

Fundamentally, these proposed highways improvements as specified above are located within the red line boundaries of the planning applications made by Tritax Symmetry Ardley Ltd and Albion Land. Specifically, the further enlargement of the A43 Baynard's Green Roundabout lies within part of the application site made by Tritax Symmetry Ardley Ltd. The remaining improvements work between the B4100 and J10 of the M40 including the

signalised roundabout with the B4100 and the two-way link road between Baynard's Green and Padbury cross the application site by Albion Land.

It is considered that both the Tritax Symmetry Ardley Ltd and Albion Land applications conflict with the delivery of the SRFI. The logistics proposals do not account for SRFI highway improvements works coming forward. If they were to be approved, the Tritax Symmetry Ardley Ltd application alongside the Albion Land applications we have objected to previously, would greatly restrict these highway improvements coming forward to help support the SRFI which is of national and regional importance.

We have raised this as part of our objection as a material consideration and conclude that the conflict the proposals by Tritax Symmetry Ardley Ltd and Albion Land have with the SRFI is a reason for refusing the proposed development.

Impact on Highways

Policy SLE4 'Improved Transport and Connections' states the Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.

The policy sets out that how and where the Council will support key transport proposals. Fundamentally, Policy SLE4 states that all development, where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development, and which have a severe traffic impact, will not be supported.

As discussed above, the proposals by Tritax Symmetry Ardley Ltd under this planning application and the proposals by Albion Land under the two adjacent planning applications are located in unsustainable locations within the rural area that has poor access to sustainable means of transport including bus, train and walking/cycling. The proposal and its employees/visitors will have high dependency on the private car that will not support a modal shift towards more sustainable means of transport. The increased use of the private car to access the development will result an increase in outward commuting from the main settlements (such as Banbury, Bicester and Brackley in Northamptonshire) resulting in increased traffic movements between these settlements along the M40 and around Junction 10.

We note that consultation responses from Highways England and Oxfordshire County Council (OCC) as Highway Authority have not yet been received for the application made by Tritax

Symmetry Ardley Ltd; however, we anticipate that both consultees will respond in due given they have responded to the two applications by Albion Land as discussed below.

It's also relevant to note that the National Highways (formerly known as Highways England) issued a response (dated 25th April 2022) to the two planning applications by Albion Land recommending that planning permission not be granted for a specified period of time of three months. This is due to outstanding concerns relating to traffic and geotechnical matters. There are considered to be inconsistencies in determining trip generation and baseline traffic. Notably, the proposed improvement scheme as part of the Growth deal scheme at J10 of the M40 has not been modelled into the assessments. This should be taken into account.

Similarly, the response received from OCC raises an objection to the applications by Albion Land. With regards to highways, it is noted that the cumulative assessment needs to take into account the scenario including the proposed Oxfordshire SRFI. OCC are of the view that the scheme is at an advanced stage of coming forward and the applications by Albion Land do not currently take this into account in their assessment, as discussed in detail above in respect of the conflict with the SRFI.

As set out previously, our view is that the proposal is likely to generate increased traffic movements between the settlements such as Banbury, Bicester and Brackley and Junction 10 of the M40. The A43 already serves as an important strategic road network between the M40 and the M1 on the edge of Northampton. The creation of more local traffic movements from the proposed development will cause congestion to this road link of regional importance between the two motorways.

We do not believe that the existing Junction 10 of the M40 has sufficient capacity to take additional traffic from the proposed development sites. The junction has already been upgraded within the last 7-8 years and there would be limited opportunity to provide any further mitigation to accommodate the development proposals by Tritax Symmetry Ardley Ltd and Albion Land. This has been demonstrated above due to the conflict these proposals have with the wider highways improvements works to support the SRFI. Both the Ardley Roundabout (off the B430) which serves traffic to and from the northbound carriageway of the M40, and the A43 Roundabout serving southbound traffic, are barely suitable in dimension to accommodate HGV traffic at the current time and additional HGV traffic accessing logistic buildings without the proposed highways improvements work for the SRFI will further exacerbate the problem.

Built Heritage and Below Ground Archaeology

As discussed above, the proposed development site is located in close proximity to a Grade II Listed building. Policy ESD15 'The Character of the Built and Historic Environment' seeks to conserve, sustain and enhance designated heritage assets including buildings, features,

archaeology and their setting. Due to its impact on the nearby Listed Building, the proposals fail to accord with Policy ESD15 in the context of the surrounding built heritage environment.

It is also relevant to note that the Council's Archaeological Officer issued a response to the two applications made by Albion Land stating that this site is located in an area of archaeological interest. The area of the green has been suggested to be either the site of medieval jousting or a camp site for these jousts, horse racing and a rendezvous site during the C17th civil war. A number of possible Bronze or Iron Age banjo enclosures have been recorded in the vicinity of the site from aerial photographs and a ring ditch has been recorded 500m north-east of the site. As such, an archaeological assessment setting out a written scheme of investigation is required, and the Officer has advised that the current information provided is insufficient. A programme of archaeological evaluation would also need to be undertaken on the site ahead of any determination of a planning application.

We note that the submitted Technical Appendix 10.1 Archaeological and Heritage Assessment (April 2022, Report Reference: edp2355_r014b) of the Environmental Statement recognises that the application site by Tritax Symmetry Ardley Ltd also contains important below-ground heritage assets including a possible Iron Age 'banjo enclosure', as well as a possible Iron Age ring ditch within the site. As with the applications made by Albion Land, the current information provided is insufficient. An archaeological assessment setting out a written scheme of investigation is required, and a programme of archaeological evaluation would also need to be undertaken on the site ahead of any determination of a planning application

In view of the above, the proposals fail to accord with Policy ESD15 in the context of below ground archaeology.

Biodiversity

Whilst the site is not designated under any landscape or environmental planning destinations, according to the Policies Map, the proposed development sites are located within close proximity to Conservation Target Areas. Policy ESD11 'Conservation Target Areas' of the adopted Cherwell Local Plan 2011–2031 states that, where development is proposed within or adjacent to a Conservation Target Area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancements. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted.

Policy ESD10 'Protection and Enhancement of Biodiversity and the Natural Environment' states that, in considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources. Furthermore, development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible, enhance existing features of nature conservation value within the site.

The planning application includes a Biodiversity Impact Assessment (December 2021, Report Reference: edp2355_r014b). At paragraph 3.1 of the report, it states that it has been demonstrated that, based on current proposals, the site alone is not capable of delivering biodiversity net gain, as summarised in Table EDP3.1, which identified a Net Balance of -5.39% in Area Habitat Units and a Net Balance of -22.17% in Hedgerow Units.

Paragraph 3.4 of the report recognises, even with some enhancement of the remaining on-site hedgerows, this is not sufficient to offset the loss of 3.04ha of hedgerow much of which comprises species-rich hedgerow of moderate and good condition.

The report attempts to outline potential options for improving the units available on site. However, none of these measures are forthcoming in terms of guaranteeing that any mitigation measures will provide an appropriate solution. It is clear that it is highly unlikely that a Biodiversity Net Gain of any percentage amount can be achieved, and the proposed development is likely to cause an overall loss in biodiversity value including a loss of Area Habitat Units and Hedgerow Units.

In view of the above, the proposals are not in accordance with Policies ESD10 and ESD11 of the Local Plan.

Cumulative Impacts

We have already noted the relationship of the application site by Tritax Symmetry Ardley Ltd to the two applications by Albion Land, which we consider should be factored into the consideration of all three planning applications. However, it also needs to be noted that the SRFI proposed to the west of the M40 which will potentially have an even greater impact on the area and will undoubtedly have a potentially cumulative impacts alongside these current proposals by Tritax Symmetry Ardley Ltd and Albion Land. Whilst each application needs to be considered on its merits, in determining the current three live planning applications, the Council need to be aware of the wider planning context and factor in the wider cumulative impacts of the various proposals. Whether this necessitates delaying the determination of the current applications until the other schemes have progressed is a matter for the Council to be considered, but we would expect to see consideration given to the wider planning context in determining the live applications, not least due to their impact on the existing highway network and their conflict with proposed highways improvements works as part of the SRFI.

Summary

In summary, the proposed developments by Tritax Symmetry Ardley Ltd under this planning application and the adjacent proposals by Albion Land under the other two planning applications do not accord with up-to-date adopted Local Plan policies and we object to any current or future planning applications.

No material considerations have been presented which outweigh the clear conflicts with the Development Plan. Therefore, in the overall planning balance, the applications should be refused.

Yours faithfully



William Jones MRICS
Estate Manager