

David Lowin, Principal Planning Officer
Cherwell District Council
Bodicote House, Bodicote
Banbury
Oxon
OX15 4AA

11 June 2022

Dear Mr Lowin

Ref : 22/01340/OUT buildings erected on land east of Baynards Green Farm Street

CPRE strongly objects to the above proposal for this industrial development on land that has not been allocated in the adopted Cherwell Local Plan. This development will be set in countryside which has limited built form, that also includes a small number of private residences. A small development of unobtrusive mixed units lie adjacent to the proposed development.

The exceptional circumstances put forward for this development by the applicant is the current lack of availability of suitable logistic sites nationally. CPRE cannot ascertain from the application, any substantive reasons which support the applicant's argument that the development needs to be on the scale that is being currently suggested. CPRE would therefore question why alternative sites were discounted as potential viable sites in the applicant's site search analysis.

The applicant has sought to justify the development on the national need for logistic sites, but there is also an increasing national requirement to retain arable land of an acceptable quality to meet the challenge of maintaining food supply. The developer's application will need to demonstrate how it addresses relevant economic, social and environmental considerations as required by the National Planning Policy Framework (NPPF). CPRE believes that the economic merits for this development, as put forward by the applicant, have not properly factored in the merits of retaining the land for its existing use which will continue to provide economic benefit to the local area including employment opportunities to those living locally.

The applicant contends that the current local plan has not properly considered the needs for warehousing to meet the growing demand. CPRE argues that this view is not well founded and is unlikely to be shared by those who live in Bicester which has seen an exponential growth in warehouse development in recent years. A local plan is more than just an economic plan and cannot be flexed to meet changes in economic conditions which are often of a transient nature. Whilst employment and economic considerations are key components of any local plans, these factors should be weighed against other factors, which include housing and the environment. The other important consideration is, of course, the impact of any given development on future climate change.

CPRE believes that the proposed development needs to be assessed against the criteria outlined in SLE1 of the current adopted local plan. These criteria must be met if employment proposals in rural areas are to be supported.

CPRE questions whether the developer has provided sufficient justification as to why this development should be located in a rural area, on a non-allocated site, and why the development needs to be of this scale.

SLE1 requires that new employment development in rural areas should be restricted to villages within Category A, must be of an appropriate scale and should respect the character of the village and surroundings. Baynards Green is not a Category A village, and this development neither respects, nor reflects, the other small-scale buildings and their surroundings.

SLE1 requires that the development should be of small scale, unless it can be demonstrated that there will be no impacts of the character of the village or surrounding environment. Since this is not a small-scale development, CPRE have concerns that it will intrinsically harm the character and appearance of this area. CPRE believes that the proposal runs counter to policy ESD13 which states that a development should not cause undue visual intrusion into the open countryside. The biodiversity net gain (bng) calculation has not met the 10% gain required by Cherwell District Council (CDC) and the proposal does not provide any off-site gain that will meet the shortfall. The Planning Inspector, in his response to the Local Plan, commented that 'such a development will prove visually intrusive into the open countryside due to the size of its buildings'.

Policy SLE1 requires that development must be carried out without undue detriment to residential amenity, village character and setting and character of the landscape and the environment generally. It is inevitable that residential amenity, for the albeit small number of residents that continue to inhabit the site, will be adversely impacted. Whilst the development is under construction, there will be inevitable adverse impacts on air quality, noise and light, dark skies, emissions locally from vehicles, landscape views, congestion and the tranquillity of the current site. After construction these issues will continue.

SLE1 states that a development should not give rise to excessive or inappropriate traffic and wherever possible contribute to the general aim of reducing the need to travel by private car. As a new development CPRE contends that this development will actually contribute to increasing private car travel. The proposal also includes provision of a general lorry park. CPRE would question the reasoning behind its provision, and whether this will generate further inappropriate traffic contrary to SLE1.

Whilst the travel plan indicates the development of a walk and cycle way between Bicester and Ardley, there is no agreement on if, how, and when this be developed? Furthermore, a walk and cycle way will of course have its own impact. For example, the route will need to be appropriately lit so that the safety of pedestrians and cyclists are not compromised and there would be ongoing potential for noise and litter in the open countryside that separates Baynards Green and Bicester. All of which will have a knock effect on the character of the landscape.

All of this of course presupposes that a sizeable proportion of the potential workforce will come from Bicester and not from further afield. The applicant's own labour market analysis report appeared to concede that the availability of labour needs to include the catchment areas of Aylesbury, Oxford, South Northamptonshire and even Stratford-upon-Avon. The applicant's travel plan appears to ignore the potential for incoming daily commutes from these areas. Whilst the proportion of employees in the transport and storage sector is commensurately higher than the rest of the South East; this merely confirms that the employment land allocations within the existing local plan have provided significant employment opportunities for the logistics section in the local Bicester Area. The applicant readily concedes in para 4.4.4 of its labour market analysis report that unemployment rates locally are very low and the market is very tight. CPRE does not therefore believe that there is the supply of labour locally to meet fully meet the requirements of either this or the neighbouring Albion Land development, and that in consequence the potential employees will be drawn from further afield. CPRE concludes that this development will not therefore be able to contribute to the general aim of reducing the need to travel by private car contrary to SLE1.

The Planning Inspector concluded that it was difficult for the development to be catered for satisfactorily at the M40 junction in highway capacity terms. As it is currently configured, CPRE is of the view that junction 10 is not fit for purpose. The design of junction 10 proved to be inadequate almost immediately, a situation which was significantly aggravated once the unplanned service area was added. The A43 is an important strategic route and needs capacity to enable it to function efficiently. This development will potentially compound these pressures.

CPRE has several concerns with the impact that this development will have on the local environment and specifically around the loss of local biodiversity. The biodiversity net gain (bng) calculation for non - linear habitat of 3.39% is below the required 10% gain required by CDC. The applicant's proposal should not therefore be allowed to proceed in its current form.

CPRE is further concerned that consultees have not been provided with an adequate land management plan so that a proper assessment can be undertaken as to whether the applicant's stated gains in biodiversity are achievable. The applicant states in para 3.7 of Appendix 8.2 of the Environmental Statement that a detailed habitat management and monitoring plan will be produced to detail how the habitat required for the applicant's bng will be achieved. This should be produced as part of the application so that consultees can properly assess whether scores that have been allocated in the bng assessment are realistic. For example the development of good condition grassland from arable land is challenging and cannot be assumed unless it is underpinned by a clear methodology as to how it will be achieved as part of a land management plan.

CPRE agrees with the response to this application from Berks Bucks and Oxon Wildlife Trust (BBOWT) that a measured environmental gain should be for in perpetuity and not for a short timeline. In getting to a required gain there is likely to be several years where bng is negative as new habitat is enhanced and created.

CPRE is also concerned at both the scale of the proposed loss of trees and hedgerow from this development and the potential damage to habitat that is near the construction site. The current site is home to a number of threatened species and CPRE do not have confidence that the future environmental solution, as proposed by the applicant, will abate this threat.

CPRE believes that a development of this scale, visibly intruding into the countryside, should only be considered in the context of a district-wide Local Plan. When the development is evaluated against the relevant policy in the Local Plan (SLE1), it does not meet the required criteria for approval. There is no mandate anywhere in the local plan for 'concreting over' Baynards Green and CPRE believes that this greenfield site should not be sacrificed for a scale of build which is not meeting a pressing local need and will undermine Cherwell's stated aims of nature recovery and net zero carbon by 2030.

This is one of three major warehouse development applications within close vicinity to each other, including the proposed Strategic Rail Freight Interchange (SRFI). CPRE believes that the cumulative impact of all proposed developments around junction 10 must be considered. CPRE is concerned that if this development is accepted, then there is the risk that other applications within the vicinity of Baynards Green will follow with an inevitable industrialising of the Baynards Green settlement.

Yours Sincerely

Nick Dolden



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CPRE, Cherwell District

Copies to: Robin Oliver, Chairman Cherwell District CPRE
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