



National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Andrew Jinks (Regional Director)
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To: **Cherwell District Council – FAO Chris Wentworth**

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

Council's Reference: 22/01340/OUT

Location: OS Parcel 6124, East of Baynards Green Farm, Street to Horwell Farm, Baynards Green

Proposal: 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

National Highways Ref: 95187

Referring to the consultation on a planning application dated 7 June 2022 referenced above, in the vicinity of the A43 that forms 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.

Date: 05 March 2024	
Signature: <i>M Seldon</i>	
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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 we work 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.

Recommended Non-Approval

It is recommended that the application should not be approved for a period of one month from the date of this response to allow the applicant to provide the additional information required.

Update – March 2024

The Stage 1 RSA has been carried out and the

The Stage 1 Road Safety Audit of the proposals has been carried out and the Audit Report forwarded to the Designers. The Designers Response to the Audit Report is currently being discussed with the applicants, to agree the associated actions and thereby enable the Audit to be finalised.

Updated – December 2023

Since issuing our response of September 2023 we have continued to work with the applicants, the developers for of the adjacent Albion Land applications and OCC, to progress the traffic modelling. As a result, we are now broadly satisfied that this accurately reflects the likely impact on the SRN. In addition, discussions have continued regarding a potential mitigation scheme for the Baynards Green roundabout, which would accommodate the impact of the developments without jeopardising the safe and effective operation of the road network. The current focus is on ensuring that the design satisfies the requirements set out in the Design Manual for Roads and Bridges (DMRB); as part of which two identified Departures from Standard have been granted provisional agreement. Preparations are also in hand for a Stage 1 Road Safety Audit (RSA) to be undertaken.

Update – September 2023

Summary

Since issuing our response of June 2023 we have continued to work with the applicants, the developers for of the adjacent Albion Land applications and OCC, to progress the traffic modelling. In addition, discussions have continued regarding potential mitigation

schemes for the Baynards Green roundabout, as well as M40 J10, which would accommodate the impact of the developments without jeopardising the safe and effective operation of the road network.

Update – June 2023

National Highways has continued to work with the applicants, Tritax Symmetry, as well as Oxfordshire County Council (OCC) to progress the traffic modelling. Following these discussions, we have confirmed our approval of the modelling approach to be undertaken for the assessments at M40 J10 and Baynards Green roundabout. This approach has been developed in collaboration with the developers of the adjacent Albion Land application, utilising flows previously extracted from the BTM, together with those from future assessment scenarios. The scenarios will include the impact of no development, Albion Land only, Tritax Symmetry only and of both developments proceeding; as well as with and without mitigation. The resulting outputs will then be used to conduct VISSIM model runs.

Discussions are also continuing with OCC and the applicants, as well as Albion Land, regarding the proposed mitigation scheme for Baynards Green. Following our earlier concerns regarding the deliverability of what has been put forward, queries have been raised over land ownership and the extent of land designated as highway; these are under investigation. In addition, modelling is in progress to determine the most appropriate operating layout. Improvements have also been proposed to the M40 J10 Cherwell roundabout and are under review.

Update – March 2023

The concerns set out in our response of December 2022 have broadly been satisfied. However, discussions have recently taken place between National Highways, OCC and the applicants, together with the developers of the sites to the south-east and south-west of Baynards Green. Both developments will need to assess their potential impact on a similar extent of the SRN, including the Baynards Green roundabout. They will also need to consider what mitigation would be required at this junction, given that the Growth Fund scheme will not be in place as originally expected. A methodology for this has therefore been proposed, based on the traffic modelling work which has already been carried out using the BTM. We are currently reviewing the information which has been provided regarding this. In addition, discussions are continuing regarding the potential mitigation works.

The closest point of impact from the proposed development on the SRN in the area is at the A43/ B4100 Baynards Green roundabout, located adjacent to the development site. An improvement scheme at this junction had previously been developed and was to be implemented by Oxfordshire County Council (OCC), using Growth Fund financing. This improvement had been taken account of in the traffic modelling for 22/01340/OUT. However, following a reduction in the value of the Growth Fund

settlement, OCC have confirmed that they will no longer be allocating financing to the Baynards Green improvements scheme.

Traffic related matters

Updates as of 22 June 2022

Based on our review of the Transport Assessment (TA dated April 2022), National Highways had the following comments to make.

Trip generation and distribution

The applicant has used the approved trip rates corresponding to the adjacent employment site, land at M40 J10 (planning applications 21/03267/OUT, 21/03268/OUT and 21/03266/F) and we consider this to be acceptable.

We noted that the applicant has interrogated Census 2011 data and trip distribution data from the adjacent employment site to undertake trip distribution and assignment of the development trips. However, it was agreed with the applicant that the trip distribution for the light vehicles will be undertaken using the Bicester Transport Model (BTM) available for the area to ensure a robust assessment. It was also agreed that the applicant would adopt the HGV trip distribution used for adjacent employment development.

It was agreed by all the parties at the meeting in March 2022 that the traffic impacts of the proposed development will be considered cumulatively with the adjacent employment development (21/03267/OUT, 21/03268/OUT and 21/03266/F). We look forward to reviewing the assessment scenarios in due course.

As such, we recommend that the applicant includes a section on this within the TA to reflect the latest updates.

Further to this, we understand from the pre-application discussions that the applicant proposes an employment development on land near M40 J9, in addition to the current development proposal. National Highways recommends that the applicant considers the wider traffic impacts of this development at the M40 J10 and A43 junctions in the area.

Capacity assessments

The applicant has undertaken capacity assessments at four junctions (including A43/ B4100 Baynards Green Roundabout) using ARCADY with outputs presented within the TA. However, there is no reference to the model validation element.

Nonetheless, it was agreed with the applicant that the capacity assessments at M40 J10 and A43/ B4100 Baynards Green Roundabout will be undertaken using National

Highways' VISSIM model developed in the area. As such, we have not currently reviewed the modelling results presented with the TA.

Following the review of the outputs from the BTM runs, we may also require the applicant to undertake capacity assessments at wider SRN junctions in the area.

Committed development

We recommend that the applicant liaises with the relevant LPAs to identify if any additional committed developments are to be considered for the assessments in addition to those available within the BTM.

Merge/ Diverge Assessments

We also recommend that the applicant carries out merge and diverge assessments on the slip roads at M40 J10 and provides the outputs for our review.

Updates as of 22 September 2022

The applicant has now provided the scope of the BTM runs to be undertaken and overall, National Highways is content with the assessment scenarios. However, we have provided a few comments on the data outputs to be extracted from the BTM. We have requested some clarity on the committed developments/ infrastructure schemes considered.

Following the completion of the BTM runs, we recommend that the applicant provides us with the BTM model outputs, and forecast year matrix methodology for our review and agreement, prior to any assessments being carried out.

Further to this, the applicant has shared the updated VISSIM model with National Highways reflecting the latest DS3 Growth Deal scheme drawings. We have completed our review of this and have provided our comments.

As a general note, we recommend that the TA is agreed in a staged approach to avoid any abortive work.

Travel Plan

We acknowledge that the applicant has submitted a Framework Travel Plan considering the sustainable travel options to and from the development site and we welcome this.

Update – December 2022

Oxfordshire County Council (OCC) had previously secured Growth Deal funding towards improvement schemes at the A43/B4100 Baynards Green and A43/M40 Padbury Roundabouts. This had been taken account of in the modelling work already undertaken. However, following a reduction in the funding available it is likely that the scheme will now consist only of the Padbury junction element. Revised assessment will therefore be required excluding the proposed improvements at Baynards Green.

The applicant subsequently developed and submitted new 2026 and 2031 models which only include the scheme at Padbury. We have reviewed this information and note that this uses the DS2 model files that were previously provided by National Highways as a base. Overall, we are content with this approach however, we have the following comments to make:

Model Network

- A slight kink in the connector has been noted between a number of links. We acknowledge that this layout was present in the DS2 model supplied by National Highways; in addition, this is unlikely to affect the model results. However, we consider that this should be corrected for a better representation.
- In the DS2 model, there are a number of desired speed decision markers which are not included and were previously presented within the DS3 model and 2017 base version of the model. This is particularly on the M40 southbound off-slip, southbound link between Padbury junction and Cherwell junction and also to the north of Padbury junction. While we acknowledge that these were not included within the DS2 model version provided by National Highways, we request that these be included these to ensure the robustness of the model
- It has been noticed that some of the journey time markers have altered location slightly when compared to the base model and DS3 model. Although this will not affect the network operation, these have been noted.

Demand Flows

- It is stated in section 5.1 of the VISSIM methodology note that 'A new set of strategic model outputs for 2026 and 2031 have been provided by Tetra Tech using the network with only the Padbury scheme included'. It should be confirmed whether a re-run of the BTM model was undertaken without the Baynards Green scheme?
- If this is the case, we recommend that the BTM model outputs be provided for our review. We would also welcome sharing of the spreadsheets that have been used to create the flows used within the model with National Highways.

Do Minimum – Results Summary

The results show improvements within the DS2 scenarios presented, with the average delay and total travel time decreasing when compared to the Reference Case. It should be noted however that the number of vehicles within the network seemed to have reduced with the revised DS2 traffic flows as has been shown within the "VM210412.Sp006 Result Spreadsheet S2" spreadsheet. These are lower than the Reference case traffic flows which seem counterintuitive considering the improvements made at Padbury roundabout. Clarification should be provided regarding this.

The applicant has recently provided further information, in response to the above comments and this is currently being reviewed.

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.