

Thank you for consulting us on the supplementary environmental information provided by the applicant in relation to the application for outline planning permission for large scale commercial development in the area of Huscote Farm

There is nothing in the supplementary information that changes our belief that the proposal is not appropriate, fails to meet several council and government policies and should be refused. We continue to be of the belief that at a time of climate crisis, when Government is working hard on Nature Recovery Strategies and a climate crisis declared by Cherwell District Council, it seems abhorrent that any consideration would be given to destroy what we already have in this area.

We remain of the strong opinion that the location of the site is unsuitable for development. Developing the area would have a hugely detrimental impact on our countryside and local heritage; increase traffic and place further pressure on the M40 roundabout which is already insufficient for the volume; increase noise from alarms and machinery for nearby homes; remove the natural habitat for wildlife and birds and increase flooding risks by removing permeable surfaces.

We have made comment previously on this application in May 2022 and June 2022 and all of our previous comments are still relevant, not withstanding the additional information.

Cherwell District Council Local Plan

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

We note that the Local Plan is mentioned in the SEI but the applicant still fails to address the fact that the area was specifically rejected from the currently adopted Local Plan at inspection stage

Prematurity

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

Reliance on Frontier Park as Precedence

Within the SEI, there are several references to Frontier Park, suggesting that precedents with this development have been set. It only takes a quick read of objections and local comments to understand that there remains a lot of anger and confusion locally at the approval of this development. Although local opinion may not be a material planning consideration, as time goes on, it becomes clearer that errors were made relating to this application and that there is substantial basis for the frustration expressed locally.



Figure 1 B15: Frontier Park

Here is an aerial photo of Frontier Park, two warehouses that are now constructed but remain empty. This is not sustainable development, it is not accessible by sustainable travel methods yet have no car parking, it has not

brought the proposed benefits to the area and yet permission was granted, on an area of known archaeological interest, without proper evaluation or planning conditions and has blighted the landscape in this area.

Although it could not have been known at the time of the application, it is noted that the decision on the planning application for Frontier Park was made in July 2020, very early in the Covid-19 pandemic when there was a lot of difficulty in normal services being provided across all sectors.

Errors are mistakes that we should strive not to repeat, mistakes should not set precedent.

Some of the reliance on Frontier Park in the SEI is simply disingenuous, taking the Frontier Park information out of context.

Lack of Public Consultation

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

There continues to have been no public engagement relating to this application. The SEI includes information on Biodiversity Net Gain, one of the fundamental principles of the BNG metric is that it's use is inclusive and equitable yet the information has been gathered using only the applicant's own sources.

Detrimental Impact on Countryside

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

Heritage

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

We would additionally like to draw your attention to comments on application 21/02467/F from Archaeological teams within Oxfordshire County Council. 21/02467/F relates to the remaining plot of B15 per the current Local Plan and sits between the two completed warehouse units at Frontier Park and J11 of M40. The site is simply across the A361 from Huscote Farm and the area is considered by OCC to be one of considerable archaeological interest following earlier geophysical surveys and trenched evaluations. The comments explain how, contrary to council and national policies, the OCC advice requiring further evaluation of the site was disregarded, not only this but no planning conditions were even attached to the permission for the event that any finds were discovered. This does lend to speculation that the two warehouses at Frontier Park have been built in an area of archaeological interest, where finds have previously been discovered but not evaluated and therefore it is simply not known what heritage has been built over. This at best should be considered a negligent mistake and we would implore the council that this is not replicated.

Loss of Biodiversity

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

Additionally, with regard to the information on suggested Biodiversity Net Gain from the proposal. Biodiversity Net Gain is a tool that should seek to leave biodiversity in a measurably better state than before any development. It is simply a tool and not intended to override expert opinion and it does not change any species-specific protection

The metric as applied in the SEI does not take account of allowing for the impact of the introduction of people and cars into an area where they were previously restricted and it has not been applied beyond the site to consider surrounding areas, the off-site section of the metric has in fact been left blank in the SEI

The BDN metric does not allow for the avoidance of following the mitigation hierarchy which illustrates the priority is to avoid, minimise and then compensate for loss. Cherwell District Council Local Plan AMR 2021

suggests that there is still sufficient land available for the employment needs of the district which means there is no need to consider this land that is not within the Local Plan. Refusing this application means that biodiversity loss is avoided in its entirety which is preferable.

Many experts consider that BGN is not a useful tool when considering agricultural land, this is because the metric is based on botany, ie plants only, which cannot be accurately assessed on grazing land. At best, when used for agricultural land, the metric fails to make allowance for the loss of farming land. Also previously mentioned is the fact that calculations applied across the whole site which do not take into account the different biodiversity value levels of differing areas of the site, such as averaging will disproportionately reduce the impact of the high value areas within the site.

As previously mentioned, the land at the location of the proposed development is not accessible to the public, and passers-by are likely to be travelling in a vehicle. This means that there will be a lack of records for the area, increasing reliance on what is present at the time of limited surveys, so it is hard to imagine how the biodiversity can be fully assessed in this way, in order to provide measurable gains. Snapshots of data collection by isolated visits can lead to incorrect conclusions, for example the ecology report suggests that there is no evidence to suggest that the gull's overhead are foraging on the land.



Figure 2 Birds Foraging on Land at Huscote Farm

The metric provided in the SEI suggests that there is no local strategy and therefore there is no strategic significance to the habitat assessment. The currently adopted Local Plan provides seventeen policies dedicated to Ensuring Sustainable Development, including ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment. It is therefore simply untrue that there is no local strategy as stated in the metric provided with the SEI. Furthermore, the Local Plan review process is expected to progress to consultation on the draft plan in Dec 2022 and it is likely that the policies and strategies will be further strengthened in this regard.

In the metric data provided as part of the SEI, the suggested action to address habitat loss has simply been copied on all rows, a vague “same distinctiveness or better habitat required” suggesting a lack of consideration in the ethos of the BGN metric.

Noise

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

Adverse Impact on Infrastructure and Traffic

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

It is noted suggestion of S106 agreement towards congestion relief on Hennef Way. It is hard to imagine how congestion relief could be progressed in this area and this doesn't address the infrastructure improvements needed on other roads that would be impacted by the proposal around J11.

Congestion relief for the road network will require a holistic infrastructure strategy and is not a situation that has a simple solution, certainly £1million sounds a lot of money but would go nowhere to making any meaningful impact on the infrastructure problems that are present in the area. The applicant should be expected to fund all required improvements.

It is also noted that the applicant is open to contribute to an A422 to Overthorpe Road link road & suggest that this has been muted by OCC. It should be noted that co-operation would be required with Northamptonshire areas who have indicated a lack of support for any such proposal.

Air Pollution

Hennef Way is known to have levels of Nitrogen Dioxide much above what is considered safe by national standards, in fact, pre pandemic levels were almost double what is considered safe. A Friends Of The Earth survey rated Hennef Way as one of the most polluted in the South East, to put this in some kind of perspective, there are around 18000 roads in Oxfordshire, over 4000 in Cherwell alone.

Because the levels are too high by national standards, the council is required to intervene. The council accept that there is limited scope to bring them down due to it being the main route between the town and the M40. Whilst there may be limited scope to bring the levels down, at best the council should ensure that no further traffic volumes are added to the area as stationary traffic, such as that seen in congestion, will only exasperate the pollution problem.

S106

Any S106 agreement discussions, as well as requiring the applicant to fund necessary infrastructure improvements that their proposal would require, should also seek to benefit the local area. An opportunity for this would be contribution towards the Banbury LCWIP which is currently being drawn up and includes a proposed route from Banbury to Middleton Cheney, via Overthorpe Road.

Accessibility and Highways Safety

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

The insinuation that the site is within walking distance of Banbury is simply not correct. This is a distance of just under 2 miles and there is no safe walking or cycling routes to the site. The suggestion that this be based on Frontier Park is disingenuous as this was based on improved access along the canal path and public transport, no improvements have taken place and this does not in any case alter the fact that it is not practical in either time taken or safety terms, to walk from Banbury to Huscote Farm, regardless as to whether the route is taken under the M40, or across J11.

Lack of Evidence of Economic Benefits

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

In addition to previous comments, we note that the latest AMR report from CDC suggests that there is sufficient employment land available that is already earmarked for development to meet the forthcoming needs of the district.

We also note that the units at Frontier Park remain unoccupied since our previous comments and the companies occupying similar units on Chalker Way continue to struggle to recruit sufficient staff from the local area and are having to recruit from areas further afield. This would support the suggestion in the currently adopted Local Plan that the area should strive to provide a more diverse range of employment opportunities to avoid residents having to travel outside of the area for a higher quality of employment prospects.

Drainage and Flood Risk

Please continue to consider our comments on this subject from May 22 and June 22, there is nothing in the SEI that alters any of our previous objections.

Summary

We would like to believe that Cherwell District Council would not give any consideration to such a proposal. As previously mentioned, we would urge you to reject the application on the basis of prematurity. If that is not considered appropriate, we would urge the Planning Committee to refuse the application as it fails to meet local and national policies. The area is not within the adopted Local Plan and would not bring the suggested levels of employment to Banbury which in any case are not the employment type required locally. Developing the area would have a hugely detrimental impact on our countryside and local heritage; increase traffic and place further pressure on the M40 roundabout which is already insufficient for the volume; increase noise from alarms and machinery for nearby homes; remove the natural habitat for wildlife and birds and increase flooding risks by removing permeable surfaces.

Please continue to keep us fully informed on the progress of the application and any publicly accessible meetings where the application will be discussed.