



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

From: South East Divisional Director
Operations Directorate
Southeast Region
National Highways
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To: David Lowin, Cherwell District Council

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

Council's Reference: 22/01829/OUT

Location: Unit D1 Graven Hill, Circular Road, Ambrosden

Proposal: Outline (fixing 'Access' only) – redevelopment of Graven Hill D1 Site, including demolition of existing buildings, development of B8 'Storage or Distribution' use comprising up to 104,008 sq. m (GIA), creation of open space and associated highway works, etc.

National Highways Ref: 95430


Referring to the consultation on the planning application dated 1st July 2022 referenced above, in the vicinity of the M40 and A34 that form 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.

Signature: 	Date: 22/07/2022
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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 (“we”) has been appointed by the Secretary of State for Transport as 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.

In the case of this development proposal, our interest is in the M40 and A34, specifically M40 Junction 9 Wendlebury Interchange.

Having reviewed the application materials available on Cherwell District Council’s planning portal, we have concerns regarding the Transport Assessment methodology and the expected traffic impact of the proposed development on the SRN – more particularly:

Trip Rates

- The trip rates assumed for the proposed development might be significantly higher than the trip rates assumed for the historic consented use (Council's Reference: 11/01494/OUT), they do not represent the greatest trip generating potential as per the description of the land use (i.e. B8 parcel distribution) actually being applied for, thereby underestimating potential traffic impacts across the broader highway network. Accordingly, the trip generation of the proposed development needs to be re-visited assuming higher agreed trip rates.

Trip Distribution

- The trip distribution assumed for the proposed development is identical to that assumed for the historic consented use (Council's Reference: 11/01494/OUT). Nevertheless, it appears to underestimate the number of trips generated by the proposed development that might use M40 Junction 9 and the M40 and A34 beyond M40 Junction 9. Accordingly, the trip distribution of the proposed development needs to be re-visited to either confirm it is reasonable or amended to reflect more reasonable assumptions that reflect the actual proposed land use. The percentage and absolute numbers of trips passing through M40 Junction 9 in the weekday morning and afternoon highway network peak hours should then be reported on.

Traffic Modelling

- Assuming the current trip rates and distributions in the submitted Transport Assessment, the expected traffic impact at M40 Junction 9 is already of an order that would require traffic modelling of M40 Junction 9. Following agreement on the above (i.e. the trip rates and trip distribution to be assumed), National Highways may require modelling as per DfT Circular 02/13 as a minimum (i.e. the year of

opening, assuming the full delivery of the proposed development, and ten years after the date of application registration, with background traffic growth clearly explained including which committed and allocated development has been included/excluded).

Construction Traffic Impacts

- The Transport Assessment expects *'that a Construction Logistics Plan (CLP) would be conditioned as part of the planning permission', more specifically 'as part of a subsequent Reserved Matters Application ... discharged by the Contractor, based on their preferred construction access arrangements and management procedures'*. A Construction Traffic Management Plan will be a recommended condition by National Highways.

National Highways will liaise with the transport consultants who undertook the Transport Assessment to discuss the proposed development and work undertaken to assess the impact of it on the SRN.

Recommendation

National Highways recommends that the Local Planning Authority does not grant planning permission for this application (Ref: 22/01829/OUT) for a period of 56 days (until 16th September 2022) from the date of this recommendation to enable further assessment to be undertaken.

Reason: To allow National Highways to understand the impact of the development on the safe and efficient operation of the SRN and provide the Local Planning Authority with fully informed advice.