



National Highways Planning Response (NHPR 22-12) Formal Recommendation to an Application for Planning Permission

From: South East Divisional Director
Operations Directorate
South East Region
National Highways
PlanningSE@nationalhighways.co.uk

To: Cherwell District Council (FAO Andrew Thompson)
andrew.thompson@cherwell-dc.gov.uk

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

Council's Reference: 23/00173/OUT

Location: Land South Of Green Lane Chesterton

Proposal: Outline planning application for up to 147 homes, public open space, flexible recreational playing field area and sports pitches with associated car parking, alongside landscaping, ecological enhancements, SuDs, green/blue and hard infrastructure, with vehicular and pedestrian/cycle accesses, and all associated works (all matters reserved except for means of access).

National Highways Ref: 97431

Referring to the consultation on a planning application dated 25th January 2023 referenced above, in the vicinity of the M40 and A34 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.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningSE@nationalhighways.co.uk.

Signature:

Date: 14/02/2023



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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.

National Highways are concerned with proposals that may have the potential to impact on the safe and efficient operation of the SRN, in this case the M40 and A34. In particular, M40 Junction 9 is located approximately 3 miles from the site and regularly experiences congestion during peak hours.

Given that the application site is not allocated within an adopted local plan, and that it is located close to an SRN junction with existing congestion, we request that the applicant provides AM and PM peak hour distribution flows for all arms of the M40 J9 roundabout. This should show the expected number of development trips leaving/joining the SRN (M40 & A34) at each arm of the roundabout.

Recommendation

National Highways recommends that the Local Planning Authority does not grant planning permission for the application (Ref: 23/00173/OUT) for a period of 56 days (until 11th April 2023) from the date of this recommendation to enable the applicant to respond to the outstanding technical matters and to allow us to provide the Local Planning Authority with fully informed advice.

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.