

Whilst acknowledging that the area is allocated in the currently adopted Cherwell Local Plan and that outline planning consent is in place, therefore agreeing to the principle of development, it is hard to understand why this is the case. We moved during the consultation stage of 19/00128/HYBRID and it was not disclosed to us on CDC searches, therefore the first we were aware of this application was when construction commenced. As we did not have the opportunity to comment on that application, we understand that some of our comments may be outside the scope of a matters arising application however we would still like to make them

It only takes a quick read of objections and local comments made on other applications in the area 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, 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.

Lack of Evidence of Economic Benefits

The Cherwell Local Plan refers to the need for Banbury to provide more diverse employment opportunities, to increase the skill level of the population and reduce the volume of residents commuting out of the district for better employment prospects

There are many warehouses nearby that are unable to recruit and/or retain sufficient labour for their operations from the local area. This would suggest that whilst there are people in the area seeking employment, employment created by B8 units is not the kind of work that is required to meet that need. In contrast, those small businesses and start-ups requiring small, light units are having to travel out of the area to find appropriate availability and this is something for the Local Plan to balance out.

It is noted that the two constructed warehouse units, advertised as FP217 and FP133. Despite being advertised for rent since early 2021, and despite FP133 being advertised as available from April 2022, these units both remain empty. This is in addition to several empty units on Chalker Way and the companies' occupying units on Chalker Way, similar to those proposed, 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.

It is therefore difficult to understand why the applicant feels a third warehouse is appropriate and it seems that having failed to receive permission for alternatives, this is a last attempt to secure permission before the outline planning permission expires. If a third warehouse is built and also stands empty along with the existing two, or are occupied but not profitable, then it is likely that the buildings will run into disrepair and become even more unsightly.

Although not a material planning consideration, it could also be noted that the brochures advertising the units at Frontier Park quote "affordable labour supply" and state that the average weekly wage (for Cherwell) is 5% lower than the wider South East, this certainly fails to comply with the Cherwell Local Plan which seeks to uplift employment opportunities and average wages. It should be the local skill set that we seek to encourage new industry to the area, not cheap labour.

Policy Banbury 15: Employment Land North East of Junction 11 lays out the basis that this site was included for development in the currently adopted Cherwell District Council Local Plan

The policy lends to the expectation that eventual development will respect the local landscape setting; support enhancement of biodiversity and create enhanced sustainable travel options to the area. It does not appear that this application achieves this.

Sustainability and Highways Safety

This location quite simply cannot be considered sustainable, it is not in a sustainable location and it does not facilitate sustainable modes of transport

The 2011 census contains relevant information relating to cycling and walking commuter trips amongst Banbury residents. The 2021 census data, whilst more recent was impacted by the national lockdown in place at that time. Relating to Banbury residents and travel to work journeys, the 2011 census showed that 66% of journeys were undertaken by car as a driver or passenger and this compared to 54% nationally and 35% in Oxford. 15% of households across Cherwell District and notably 29% in Grimsbury, the closest Banbury area to the site, are no car households. Therefore in order to provide employment for Banbury residents and reduce work journeys undertaken by car, employment must be provided in sustainable locations, which this site is not.

All workers of this unit will be accessing the site by vehicle, further increasing traffic volumes in the area and in contrast to environmental policies.

Banbury town is a distance of just under 2 miles and there is no safe walking or cycling routes to the site. The shortest option requires navigating junction 11 on foot or cycle, avoiding this means walking almost half a mile in the other direction and then across secluded wasteland. It is not practical in either time taken or safety terms, to walk from Banbury to this location, regardless as to whether the route is taken under the M40, or across J11. Furthermore, although the applicant disingenuously suggests that this is a sustainable location, there are no cycle parking facilities.

Adverse Impact On Infrastructure and Traffic

The current infrastructure capacity is insufficient at the M40 roundabout and further development would have an unacceptable impact on local roads. Since the building of the M40, J11 is a bottle neck for traffic trying to reach Banbury from areas of Northamptonshire such as Middleton Cheney & other numerous villages, Brackley, Towcester, Daventry, Northampton as well as anyone travelling South or North on the M40. All of this traffic must come across J11 roundabout and this is already incredibly problematic.

The two constructed warehouses only exasperated the problems with congestion during its build phase and as they are still standing empty, it is not possible for their operational impact to be known yet.



Figure 2 Traffic In Area A422



Figure 3 Traffic In Area Crossing J11 and onto Hennef Way

Noise

The approval of outline planning permission gave no consideration for residents in nearby areas of unreasonable disturbances from units such as alarms, machinery and HGVs. Regularly, alarms can be heard sounding at Central M40 site on the other side of M40, these are distant enough, masked by traffic hum to remain inconspicuous to residential homes in the area, but it is noted that caretakers of the units rarely attend to address the noise, with alarms regularly left ringing for whole weekends and holiday periods such as Christmas. Noise of this nature in such close proximity to residential properties should be reflected in planning conditions to acknowledge and reduce the impact on the nearby residential properties. We would like to see conditions attached to any permission requiring caretakers to address alarms to reduce disturbance on local residential properties

We would like to raise the issue, that during construction of the first two units, overnight construction meant that on a regular basis we were woken during the night by noise and flashing lights, we would like to see construction prohibited during night time hours and weekends

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.

This third warehouse, assuming it does not simply stand empty with the other two, will be increasing the air pollution of the area, there is no air pollution monitoring by Cherwell District Council East of the M40 and with these new warehouses, it seems that there should be.

Heritage

We would like to draw your attention to comments on the previous application for this site, 21/02467/F from Archaeological teams within Oxfordshire County Council. The comments explain that 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 already constructed 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 planning conditions are attached to any permission, relating to any archaeological finds.

Site Plans and Elevations

The elevations do not appear to show that the warehouses will be in keeping with the two already constructed, particularly the windows on the west elevation

The landscape layout is at odds with the site plan. The planting schedule within the landscape layout shows planting all along the West side, running alongside the A361 and Junction 11, however the site plan does not show the planting alongside the A361. We would also like to see conditions attached to any permission require the ongoing care of these plants.

We would also like to see conditions attached to any permission requiring that the plants and general area are kept litter free. Similar units at Chalker Way see an abhorrent level of littering in the local area which is left to local authority and local residents to pick up.

There are no solar panels, this is something that should be ensured, given the amount of Cherwell countryside being considered for solar parks, it seems reasonable that CDC would expect solar panels to be installed on warehouse roofing to reduce the amount of countryside used

In 2016 Prodrive chairman, David Richards CBE, switched on the biggest community-owned roof top solar installation in the UK, that was on Prodrive's headquarters in Chalker Way, not far from this location <https://youtu.be/3Ya-RgH3bMA>

Two electric car charging points available at the unit for 78 spaces seems poor.

We would also like to see conditions attached to any permission that requires restrictions on outside lighting, nearby residential properties at Nethercote are affected by the light from the existing two units and this one will be closer and on slightly higher ground.

As an aside, we are interested to note that the location has been named Kalabergo Close. 22 year old Giovanni Kalerbergo was the last man to be publicly hanged in Oxfordshire after being convicted, in 1852, of murdering his uncle, John Giovanni in Williamscot.

Summary

In summary, we are concerned about the impact on the infrastructure that will arise from this development which will not contribute good quality employment to the local area and is not sustainable development.

We acknowledge that the principle of development has been established and therefore, if permission is granted, we would like to see the following inclusions/conditions to mitigate the impact on the local area and residents:

- Noise restrictions, particularly with regard to alarms and other out of hours noise
- Restrictions on lighting, particularly on south & west elevations
- Archaeological conditions relating to any potential finds during construction
- Air pollution monitoring in this area
- Solar panels on all available roof space
- Increase EV points
- Cycle parking provisions
- Planting per the planting schedule and maintenance of the flora
- Conditions preventing construction during night hours and weekends.
- Conditions relating to the exterior presentation of the unit once operational, including to keep litter free

We would also express concern that each application on this site has a different location name, meaning that there is no clear transparency in the site history section of the planning portal