

Planning and Development

David Peckford, Assistant Director – Planning and Development



Cherwell

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Please ask for: **Laura Bell**

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Your Ref:

29th September 2023

Dear Sir/ Madam

TOWN AND COUNTRY PLANNING ACT 1990

Application No.: 23/02276/SCOP
Applicant's Name: Oxford United Football Club
Proposal: Scoping opinion - new stadium development
Location: Land to the east of Stratfield Brake and west of Oxford Parkway Station, known as The Triangle
Parish(es): Kidlington

I write in response to your Scoping Request submitted to the Local Planning Authority (LPA) accompanied by a Scoping Request report dated August 2023.

The LPA have reviewed the information provided in order to determine the potential of the proposed development to have significant environmental effects and those aspects of the environment likely to be affected. In doing so, the LPA has had regard to the provisions of Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations 2017) (as amended) as well as the criteria for determining the potential for significant environmental effects as set out in Schedules 3 and 4 of those Regulations.

The LPA's full scoping response is provided attached to this response as Appendix 1.

Regulations 4(2) and 18 and Schedule 4 of the Regulations sets out the necessary information required to assess impacts on the environment to be included within an Environmental Statement.

In coming to a view, the LPA has also consulted with the relevant statutory authorities and consultation bodies whose comments, where received, are referred to within this Scoping Opinion and are available in full on the Council's website. Your attention is drawn to their full comments to supplement the report below.

I trust the below report and the comments received to this scoping request are of assistance to you

in the formulation of an Environmental Statement.

This letter should be taken as the formal Scoping Opinion of the LPA under the EIA Regulations 2017, subject to the receipt of additional information from consultees through the course of pre-application discussions or amendments to the scope of information received from the applicant.

Yours faithfully

A handwritten signature in black ink, appearing to be 'D.P.', written in a cursive style.

David Peckford
Assistant Director – Planning and Development

Checked By: Caroline Ford

Appendix 1

1. APPLICATION SITE AND LOCALITY

- 1.1. The Site is approximately 7.3 ha and comprises primarily of inaccessible scrub and commercial willow plantation situated 6 km to the north of Oxford and at the gateway of Kidlington. The site is known locally as 'The Triangle'.
- 1.2. The Site is bound by Kidlington Roundabout to the north, Oxford Road to the north-east, Frieze Way A4260 to the west and a block of woodland to the south, with further agricultural land beyond. To the east of the Site is the A34 and then Oxford Parkway Railway Station and the Park and Ride, and to the west of the Site is Stratfield Brake Sports Ground. The Site is also bound by a number of site allocations within the adopted Local Plan, namely Allocated Site PR6b (residential development of 670 dwellings) to the south-east, Allocated Site PR6c (for the potential construction of a golf course should this be required as a result of site PR6b) to the south-east, and Site Allocation PR7a (for 430 dwellings, an extension to Kidlington Cemetery and 11 hectares of land to provide formal sports/green infrastructure for the development and for the wider community) to the north-east. Allocated site PR6a (allocated for 690 dwellings) lies to the east of the Site. Allocated site PR7b lies to the northwest of the site, north of Stratfield Brake and this is an allocation for 120 homes.
- 1.3. The Site comprises greenfield land with vegetated boundaries and a strip of woodland along the Site's southern boundary. The Site exhibits a varied topography, with a relatively flat gentle gradient of 1:150 –1:200 falling east to west. The Site is located in Flood Zone 1. The north of the Site indicates a risk of surface water flooding due to its topography. There are field ditches found on the western boundary and to the northern edge of the woodland. The north of the Site contains a Gas Main and Overhead Power Cable. Stratfield Brake District Wildlife Site (site code 41V21) lies within the southern portion of the Site, and to the west of Frieze Way. An area of Site (orange area on the map below) in the southern portion of the triangle comprises Lowland Mixed Deciduous Woodland, which is defined as a habitat of principal importance for the conservation of biodiversity in England under section 41 of the NERC (Natural Environment and Rural Communities) Act.



- 1.4. The Site is not in or adjacent to an environmentally sensitive area, as defined by Regulation 2(1) of the EIA Regulations (i.e. sites designated as Sites of Specific Scientific Interest (SSSI), National Parks, World Heritage Sites, Scheduled Ancient Monuments, Area of Outstanding Natural Beauty and sites covered by international conservation designations). However, the Site is located within 2km of the following SSSI sites: Hook Meadow and The Trap Grounds, Pixey and Yarnton Meads, Port Meadow with Wolvercote Common and

Green and Wolvercote Meadows. The site is also within 1km of the Meadows West of Oxford Canal Local Wildlife site and ~1.9km north of the Oxford Meadows Special Area of Conservation (SAC). The Lower Cherwell Valley Conservation Target Area ('CTA') also lies in close proximity to the Site so it is within proximity to sites of ecological importance. The Site lies within the Oxfordshire Green Belt. No Scheduled Monuments, Registered Parks and Gardens or Registered Battlefields are present within or in the vicinity of the Site. Whilst there are no Listed Buildings within the Site, there are a number of Listed Buildings within its proximity.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1. The Scoping Report notes that 'at present' it is anticipated that a full application will be for the following development:

Erection of 16,000 capacity stadium, incorporating flexible commercial and community facilities for conferences, exhibitions, educational spaces or other events (including public restaurant and bar, café, Health and Wellbeing facilities/clinic facility, shop and gym), a 200-bed hotel, and multi-functional plaza, and associated parking, landscaping and other supporting infrastructure

2.2 Key elements of the proposal are likely to include:

- 16,000 capacity stadium (including Sky Boxes and flexible lounge spaces for match and non-match day uses including corporate, community, education and other events)
- 200-bed hotel for visitors
- A variety of commercial spaces opening out onto a new plaza and community park, such as:
 - Public Restaurant & Bar
 - Cafe
 - Health and Wellbeing/Clinic facilities
 - OUFC Shop
 - Gym

2.3 Building height parameters will range from approximately 16m to approximately 25m at its highest point. The main vehicular access to the site will be from Frieze Way (A4260). The existing site access onto Oxford Road would be a secondary or emergency access only.

2.4 Car parking for approximately 175 cars will be provided, alongside cycle parking (amount yet unspecified).

3. RELEVANT PLANNING HISTORY

3.1. There is no planning history directly relevant to the proposal.

4. PRE-APPLICATION DISCUSSIONS

4.1. A pre application for this site (23/02335/PREAPP) was submitted on 30th August 2023 and remains ongoing.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a notification of statutory and key consultees and the documents have been placed on the planning register.

5.2. The overall final date for comments was **27 September 2023**.

5.3. The comments raised by third parties are summarised as follows:

- Net gain of publicly accessible green space
- Opportunity for active traffic management
- Close proximity to public transport links
- Modern architectural techniques make it possible to minimise noise and light overspill
- Opportunity for investment and contribution to local economy
- Enhancement of sport facilities for all ages
- Biodiversity of the site will increase by at least 10%
- Overdevelopment of the site
- Loss of biodiversity
- Unsustainable development
- Site description is misleading
- Site area is contradictory with the Alternative Sites report
- Risk of extensive surface water flooding on the site

5.4. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. KIDLINGTON PARISH COUNCIL – The description of the site is misleading. This should be re-advertised in order that the public is properly informed.

6.3. GOSFORD AND WATER EATON PARISH COUNCIL -

6.4. BEGBROKE PARISH COUNCIL –

6.5. YARNTON PARISH COUNCIL – Objects to the proposal. Concerns regarding the site name. Considers that a full and comprehensive traffic assessment of all roads within a 5 to 10 mile radius of the stadium site should be undertaken and not just a focus on the road network immediately adjacent to the stadium. This report MUST include ALL ongoing PR developments in the area, along with the ongoing expansion of Langford Lane Technology Park, the Campsfield site development, the new airport buildings development and also Oxford North at Peartree. What mechanisms will be put in place to manage events at the site? Concerns with parking; What measures will be put in place to ensure that Yarnton does not become a convenient and free parking area for stadium users? Concerns with natural environment; YPC feel a full, properly independent EIA of the site is needed to clarify the actual state of the site and how this will affect the protected Ancient Woodland nearby. This should be done by a recognised body such as BBOWT. Concerns with noise and light pollution; What measures will be put in place to reduce noise and light pollution?

CONSULTEES

- 6.6. CDC ARBORICULTURE: No response received.
- 6.7. BBO WILDLIFE TRUST: Detailed comments provided, some of which have been incorporated into this report. The full response is available to view in full on the Council's website.
- 6.8. BRITISH HORSE SOCIETY: No response received.
- 6.9. CPRE: We are aware of at least two ecological studies focused upon the site which indicate that this would be extremely harmful to the fauna and flora of the area. We have also been informed that some of the claims within the Scoping document in respect of ecological field tests must be evidently questionable given that testing sites were removed and stacked away.

The site itself does not seem large enough to accommodate a stadium and the required parking facilities which would evidently be required and we are given to understand that the Proposers have plans for further developments, of a non-sporting nature, in surrounding areas.

Overall, CPRE is strongly opposed to this proposal. We do so primarily from a Green Belt and rural protection point of view but there are many other negative aspects to this proposal which we will expand upon in due course and in conjunction with others.

- 6.10. CHILTERN RAILWAYS: No response received.
- 6.11. CIVIL AVIATION AUTHORITY: No response received.
- 6.12. CDC CONSERVATION: It is agreed that the designated heritage assets identified in terms of built heritage should be scoped into the Environmental Statement. It is also agreed that these assets lie within the wider area surrounding the site and there are no Heritage Assets within the site itself.

With regard to non-designated heritage assets, it is also agreed that there are no non-designated heritage assets identified within the site. The approach to identifying non-designated heritage assets through the consultation process is agreed with.

The assessment of archaeology and landscape is deferred to the relevant consultees. Overall, the methodology and approach to assessment is agreed with.

- 6.13. CDC ECOLOGY: I concur with much of the information given within the BBOWT response submission (dated 8th September) which makes many valid points of aspects that should be included (in addition to NE's annex A). In particular:

Cumulative impacts from surrounding agreed and proposed future developments should be considered particularly on the ecological functioning of habitats in the wider landscape.

Assessment of impacts on designated sites to include air pollution, hydrology, recreation and lighting – particularly for the adjacent LWS -should be included.

I would advise a reassessment of the habitats on site, in particular the value of the willow coppice plantation, in light of submitted independent ecological reports. I am in agreement with BBOWT that 'arable' is unlikely to be the best assessment of this habitat in terms of its ecological value within a metric or impact assessment.

Bird surveys of breeding and wintering birds (to best practice in terms of number of visits) should be carried out. CDC holds (albeit relatively old) records of common sandpiper, skylark, reed bunting, field fare, grasshopper warbler, grey partridge, snipe etc.. on site – most of which are amber or red listed.

Invertebrate surveys or full justification for scoping out. There are multiple records of brown hairstreak using hedgerows in the area and an impact assessment for this species (and potentially other invertebrates) will be required with identification of the level of mitigation required.

Botanical surveys or full justification for scoping this out.

Other species fully considered – in addition to those mentioned within the submission there are records of brown hare and red list birds within 100m of the site. The site is within the Amber zone for suitability for Great Crested Newt (denoting suitable habitat from Nature Space our district licence delivery body) which whilst GCN are discussed is not mentioned.

Impacts on priority habitats on and off site both through direct loss and indirect degradation via shading, increased lighting, differing management, decreased buffer vegetation or increased public access.

In addition: At least a 10% net gain for biodiversity should be achieved on site along with an assessment of options for strengthening and retaining green infrastructure at the design stage. The very high level of public use of the site which will occur at certain times will necessitate some areas to be retained and managed solely for biodiversity to ensure habitats can function and this may require consideration of off-site options to mitigate for the loss of this function and the loss of ecological connectivity (e.g. green bridges, nature reserve area etc.. would be valuable here).

6.14. CDC ECONOMIC GROWTH: No response received.

6.15. OCC COMMUNITY SAFETY: No response received.

6.16. ENVIRONMENT AGENCY: We have reviewed the submitted documents and have no comments to make.

6.17. CDC ENVIRONMENTAL HEALTH: Noise and vibration, air quality and light are scoped in and there are no comments on the proposals for these assessments. With regard to land contamination, it mentions in paragraph 16.19 that a Phase 1 study (referenced 57) has been completed, but the document hasn't been listed at the foot of the page. The applicant will need to demonstrate that the site is suitable for the proposed end use and the Phase 1 study will need to be submitted as part of the application.

6.18. FIRE SERVICE (OCC): It is taken that suitable fire service access and water for firefighting will be provided in line with B5 of Building Regulations 2010. It is taken that the works will be subject to a Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations 2010.

6.19. FRIENDS OF STRATFIELD BRAKE (FoSB): Detailed response provided, some of which has been incorporated into this report. The full response is available to view on the Council's website.

6.20. HEALTH AND SAFETY EXECUTIVE: There appears to be no need to consult HSE.

6.21. NATIONAL HIGHWAYS: We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the Strategic Road Network (SRN), in this case the A34 which is located south of the site.

We do not offer a view of the scope of EIA's as this is for the Local Planning Authority to determine. However, we note that the Applicant states in section 8.21 of the scoping report that a Transport Assessment (TA) will be produced to accompany the application. Based on what is known about the development proposals, it is highly likely that the A34 will be impacted by the development, particularly during construction and operational event days. Therefore, we would recommend that the Applicant contacts us to determine any requirements we may have for the scope of the TA. This can be done by contacting us

through our inbox: PlanningSE@nationalhighways.co.uk . It is essential that the views of the Local Highway Authority, in this case Oxfordshire County Council, are also sought.

In addition, section 8.20 of the scoping report states that the Applicant intends to submit a Construction Environmental Management Plan (CTMP), Construction Traffic Management Plan (CTMP) and Construction Travel Plan (CTP). These should properly assess and mitigate the impact of construction traffic on the A34.

We look forward to working with the Applicant and Oxfordshire County Council as Local Highway Authority to develop the scope of the subsequent TA. We would expect the TA to assess any potential impacts to the A34 and take into account any other development in the area.

Due to the above we would strongly recommend early engagement with the Applicant prior to the submission of any future formal application.

- 6.22. CDC LANDSCAPE SERVICES: (via email) I consider the proposed viewpoint assessment locations to be comprehensive and representative and therefore acceptable in respect of:

LVIA FIGURE 1.3 ANTICIPATED REPRESENTATIVE VIEWPOINT LOCATIONS FROM THE LANDSCAPE IMMEDIATELY SURROUNDING THE SITE **DWG. NO.** D3263-FAB-00-XX-DR-L-0003 A

LVIA FIGURE 1.4 ANTICIPATED REPRESENTATIVE VIEWPOINT LOCATIONS FROM THE WIDER STUDY AREA **DWG. NO.** D3263-FAB-00-XX-DR-L-0004 A

- 6.23. LONDON/OXFORD AIRPORT: There is currently insufficient detail for us to fully complete a Physical Safeguarding Study, we therefore request the opportunity to be consulted on future detailed applications. As the applicant develops their proposals, we request early engagement to enable us to fully assess the impact on our operations and complete safeguarding assessments with respect to at least the following areas: • Building heights and operation of cranes during construction in relation to our published Instrument Flight Procedures and Obstacle Limitation Areas; • Wildlife/Bird Hazard Management Plans, including management of sustainable drainage systems, open water and wetland areas; • Lighting schemes, ensuring that they do not introduce confusing patterns for pilots on approach. Oxford Airport is a legally safeguarded aerodrome, as listed in ODPM/DfT Circular 01/2003 'Safeguarding of Aerodromes, Technical Sites & Military Explosives Storage Areas Direction', and as such it is a requirement that developments do not introduce safety hazards to aviation. Further details regarding Aviation Safeguarding can be found on the Civil Aviation Authority's Combined Aerodrome Safeguarding Team Website (<https://www.caa.co.uk/cast>)
- 6.24. NATIONAL GRID: No response received.
- 6.25. NATIONAL PLANNING CASEWORK UNIT (NPCU): No response received.
- 6.26. NATURAL ENGLAND: A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development. Further guidance is set out in Planning Practice Guidance on environmental assessment, natural environment and climate change. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Please note that Natural England must be consulted on Environmental Statements.
- 6.27. OCC SINGLE RESPONSE: Detailed comments provided, which are incorporated into the relevant sections below, where appropriate.
- 6.28. OXFORD CITY COUNCIL: No response received.
- 6.29. CDC PLANNING POLICY: No response received.

- 6.30. CDC PUBLIC ART: No response received.
- 6.31. RAMBLERS ASSOCIATION: No response received.
- 6.32. CDC RECREATION AND LEISURE: No response received.
- 6.33. CDC REGENERATION TEAM: No response received.
- 6.34. SOUTHERN GAS NETWORK: No response received.
- 6.35. SPORT ENGLAND: Sport England has reviewed the submitted document and has no comments to make.
- 6.36. THAMES VALLEY POLICE (DESIGNING OUT CRIME OFFICER): Detailed comments provided, which are incorporated into the relevant sections below, where appropriate.
- 6.37. MILITARY POLICE (DESIGNING OUT CRIME OFFICER FOR OXFORD PARKWAY): No response received.
- 6.38. THAMES WATER: Thames Water consider the following issues should be considered and covered in either the EIA or planning application submission: 1. The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met 2. The surface water drainage requirements and flood risk of the development both on and off site and can it be met. 3. Build - out/ phasing details to ensure infrastructure can be delivered ahead of occupation. 4. Any piling methodology and will it adversely affect neighbouring utility services. Should the developer wish to obtain information on the above issues they should contact our Developer Services department on 0800 0093921. The developer can obtain information to support the EIA by visiting the Thames Water website <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
- 6.39. CDC WASTE AND RECYCLING: No response received.
- 6.40. CDC LAND DRAINAGE: I have no comments on Section 12 (Flood Risk) of the Scoping Document. The applicant acknowledges some risk of surface water flooding on the site which needs to be addressed. I accept there is no material risk from any other source. However, the Scoping Document is silent on surface water management which is a critical consideration. The site slopes and drains generally westwards and towards the A4260. The nature, location and condition of the crossing is unclear and should be proven. The crossing of the outfall system under the Oxford Canal is by means of an inverted siphon about 1 kilometre west of the site. The siphon receives very poor and infrequent maintenance due to its inaccessibility. It is known to pose a hydraulic obstruction in the outfall network. The siphon discharges into the Kingsbridge Brook which is a Main River. The Brook flows into the River Thames a further 3 kilometres downstream. Most of this section of watercourse is in the flood plain of the River Thames. The drainage from the site may also impact on the sensitive wildlife reserve which is upstream of the canal siphon and a little to the north. In summary, the route of the drainage from the development site should be confirmed and modelled to understand what the backwater effects are from the flood plain and the siphon. The Scoping Document should include sections on both the hydraulic and ecological effects of the site drainage.
- 6.41. CDC KIDLINGTON EAST WARD MEMBER COUNCILLOR IAN MIDDLETON: Detailed comments and reports provided, some of which are incorporated into this report. The full response is available to view on the Council's website.
- 6.42. CDC KIDLINGTON EAST WARD MEMBER COUNCILLOR FIONA MAWSON: Comments that: I would expect there to be a full EIA on this development. In view of its location and impact on the environment, the main concerns are the traffic management in this increasingly developed area and also the ongoing information presented about the biodiversity impact on the willow plantation.

I also find the title of this application misleading as it hasn't been a Motorcycle Track for over 23 years.

6.43. CDC KIDLINGTON EAST WARD MEMBER COUNCILLOR MAURICE BILLINGTON: No comments received.

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need was adopted on the 7th September 2020. The provides the strategic planning framework and sets out strategic site allocations to provide Cherwell District's share of the unmet housing needs of Oxford to 2031. The allocated sites within closest proximity to this site are mentioned in paragraph 1.2 above.

7.3. On 22nd September 2023, the Reg 18 consultation draft of the Cherwell Local Plan Review 2040 was published. Paragraph 48 of the NPPF states that:

Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

7.4. The weight afforded to different policies is always a matter for the decision maker, and in the case of the Draft Cherwell Local Plan Review, this weight should be determined in line with NPPF para 48, as set out above. Policies will generally gain weight as they progress through the process of consultation and examination, particularly where they do not attract objections.

7.5. Given the relatively early stage of preparation of the Draft Cherwell Local Plan Review, it is considered that only very limited weight may be given to the policies therein.

7.6. The relevant planning policies of the Reg 18 Consultation Draft of the Cherwell Local Plan Review 2040 are set out below:

CP1: Mitigating and Adapting to Climate Change
CP2: Zero or Low Carbon Energy sources
CP3: The Energy Hierarchy and Efficiency
CP4: Achieving Net Zero Carbon
CP5: Carbon Offsetting
CP6: Renewable Energy
CP7: Sustainable Flood Risk
CP8: Sustainable Drainage Systems (suDs)
CP9: Water Resources
CP10: Protection of the Oxford Meadows SAC
CP11: Protection and Enhancement of Biodiversity
CP12: Biodiversity Net Gain
CP13: Conservation Target Areas
CP14: Natural Capital and Ecosystem Services
CP15: Green and Blue Infrastructure
CP16: Air Quality
CP17: Pollution and Noise

CP18: Light Pollution
CP19: Soils, Contaminated Land and Stability
CP21: Sustainable Transport and Connectivity Improvements
CP22: Assessing Transport Impact/ Decide and Provide
CP25: Meeting Business and Employment Needs
CP27: New Employment Development on Unallocated Sites
CP29: Community Employment Plans
CP32: Town Centre Hierarchy and retail
CP43: Protection and Enhancement of the Landscape
CP44: The Oxford Green Belt
CP45: Settlement Gaps
CP46: Achieving Well Designed Places
CP47: Active Travel – Walking and Cycling
CP48: Public Rights of Way
CP50: Creating Healthy Communities
CP51: Providing Supporting Infrastructure and Services
CP55: Open Space, Sport and recreation
CP57-59: Historic Environment and Archaeology
CP60: The Oxford Canal
CP76: Kidlington Area Strategy
CP79: Safeguarding of Land for Strategic Transport Schemes in the Kidlington Area
CP80: Kidlington Green and Blue Infrastructure
CP81: Kidlington Areas of Change
CP87: Delivery and Contingency

DP1: Waste Collection and Recycling

7.7. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

Policy PSD1: Presumption in Favour of Sustainable Development
Policy SLE1: Employment Development
Policy SLE2: Securing Dynamic Town Centres
Policy SLE3: Supporting Tourism Growth
Policy SLE4: Improved Transport and Connections
Policy BSC1: District Wide Housing Distribution
Policy BSC2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
Policy BSC7: Meeting Education Needs
Policy BSC8: Securing Health and Well-Being
Policy BSC9: Public Services and Utilities
Policy BSC10: Open Space, Outdoor Sport and Recreation Provision
Policy BSC11: Local Standards of Provision - Outdoor Recreation
Policy BSC12: Indoor Sport, Recreation and Community Facilities
Policy ESD1: Mitigating and Adapting to Climate Change
Policy ESD2: Energy Hierarchy and Allowable Solutions
Policy ESD3: Sustainable Construction
Policy ESD4: Decentralised Energy Systems
Policy ESD5: Renewable Energy
Policy ESD6: Sustainable Flood Risk Management
Policy ESD7: Sustainable Drainage Systems (SuDS)
Policy ESD8: Water Resources
Policy ESD9: Protection of the Oxford Meadows SAC
Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
Policy ESD11: Conservation Target Areas
Policy ESD12: Cotswolds Area of Outstanding Natural Beauty (AONB)
Policy ESD13: Local Landscape Protection and Enhancement

Policy ESD14: Oxford Green Belt
Policy ESD15: The Character of the Built and Historic Environment
Policy ESD16: The Oxford Canal
Policy ESD17: Green Infrastructure
Policy Kidlington1: Accommodating High Value Employment Needs
Policy Kidlington2: Strengthening Kidlington Village Centre
Policy INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

Policy GB2 – Outdoor Recreation in the Green Belt
Policy TR1 - Transportation funding
Policy TR7 - Development attracting traffic on minor roads
Policy TR8 - Commercial facilities for the motorist
Policy TR10 - Heavy Goods vehicles
Policy TR11 - Oxford Canal
Policy TR22 - Reservation of land for road schemes in the countryside
Policy T5 - Proposals for new hotels, motels, guesthouses and restaurants in the countryside
Policy C5 - Protection of ecological value and rural character of specified features of value in the District
Policy C8 – Sporadic Development in the open countryside
Policy C15 – Prevention of coalescence of settlements
Policy C28 – Layout, design and external appearance of new development
Policy C30 – Design control
Policy C32 – Provision of facilities for disabled people
Policy C33 – Protection of important gaps of undeveloped land
Policy ENV1 – Development likely to cause detrimental levels of pollution

THE CHERWELL LOCAL PLAN 2011 - 2031 (PART1) PARTIAL REVIEW - OXFORD'S UNMET HOUSING NEED (PR2020)

Policy PR1 - Achieving Sustainable Development for Oxford's Needs
Policy PR3 - The Oxford Green Belt
Policy PR4a - Sustainable Transport
Policy PR4b - Kidlington Centre
Policy PR5 - Green Infrastructure
Policy PR11 - Infrastructure Delivery
Policy PR12b – Sites Not Allocated in the Partial Review
Policy PR13 - Monitoring and Securing Delivery

7.8. Other Material Planning Considerations

- Environmental Impact Assessment (EIA) Regulations 2017 (as amended)
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Model Design Guide
- Cycle Infrastructure Design (LTN 1/20)
- Fields in Trust - Guidance for Outdoor Sport and Play

7.9. Supplementary Planning Documents

- Developer Contributions SPD (Feb 2018)
- Cherwell Residential Design Guide (July 2018)

8. APPRAISAL

8.1. The key issues for consideration align with the chapters submitted with the Scoping Report as follows:

- Site Description
- Proposed Development
- EIA Methodology
- Landscape and Visual Impact (LVIA)
- Ecology and Nature Conservation
- Cultural Heritage and Archaeology
- Highways and Access
- Noise and Vibration
- Air Quality
- Lighting
- Flood Risk
- Socio-Economics
- Climate Change
- Waste
- Topics where significant effects are unlikely
- Structure of the Environmental Statement

Site Description

8.2. The site and its setting are set out at Section 1 above and is broadly accepted.

8.3. The reference to the site being 'Stratfield Brake Motorcycle Track' has been updated on the Council's system and the site shall now be referred to as 'Land to the east of Stratfield Brake and west of Oxford Parkway Station, known as The Triangle'. This better reflects local understanding of where the site is and what it is locally referred to.

Proposed Development

8.4. The proposed development is set out at Section 2 above. It is noted that the proposal is still emerging, pending the conclusion of pre-application discussions and ongoing survey work. It is noted that the masterplan shows the potential distribution of land uses, but this will be developed further, informed by the former work.

8.5. It is noted that the construction phasing and programme assumptions are uncertain at this stage, but the build out period would be over a period of approximately 2 years. At this stage, the start of enabling works is noted as Autumn 2024, which is considered to be ambitious for a proposal of this scale.

8.6. Several consultees have noted that the red line boundary submitted includes the woodland tree line, which appears to contradict OCC's site area under consideration and the data contained within Savills 'Alternative Sites Report' (Oct 2022).

EIA Methodology

8.7. The general approach to and organisation of the EIA appears to be sound, and it is agreed that it will be necessary to consider cumulative effects on the environment resulting from committed developments in the area within each topic area chapter.

- 8.8. In respect of the approach to consideration of alternatives, it is agreed that it will be necessary to consider alternative sites, designs and the 'do nothing' scenario. The alternatives should include a comparison of the environmental effects.
- 8.9. The list of cumulative sites at table 4.4 is noted. However, it is considered that the cumulative list of sites compiled to support the application submitted for PR8 (23/02098/OUT refers), is more comprehensive and should be used for an analysis of cumulative impacts. This list can be found here: <https://planningregister.cherwell.gov.uk/Document/Download?module=PLA&recordNumber=156716&planId=2042083&imageId=72&isPlan=False&fileName=ES%20Vol%203%20-%20Appendix%203.4%20-%20ES%20Cumulative%20Schemes.pdf>

Landscape and Visual Impact

- 8.10. It is agreed that this should be scoped into the ES.

Ecology and Nature Conservation

- 8.11. It is agreed that this should be scoped into the ES.
- 8.12. Your attention is drawn to the comprehensive comments provided by BBOWT. In particular, the EIA should set out the steps that will be taken to "preserve, manage and re-establish habitat that is large and varied enough for wild birds to support their population in the long term" in relation both to "wild birds that are in decline" and to "wild birds with healthy populations".
- 8.13. There are records of the following protected and notable species within or within close proximity to the site: Great Crested Newt, Brown Hairstreak butterfly, Eurasian Badger and West European Hedgehog. Toads are a Priority Species likely to be present, given there are records of other amphibians on/close to the site. The impact on these species and their habitat should be scoped in.
- 8.14. The comments of the Council's Ecology Officer should be noted and addressed.
- 8.15. Your attention is drawn to the comprehensive comments provided by FoSB. In particular, the comments in relation to the ecological survey work they have undertaken should be noted and addressed.
- 8.16. Your attention is drawn to the comments of Councillor Middleton and FoSB, and in particular, the evidence that data gathered from the survey work undertaken by your ecologists may be incomplete due to monitoring equipment being disturbed/removed by the current tenant before the study was complete.

Cultural Heritage and Archaeology

- 8.17. It is agreed that this should be scoped into the ES.
- 8.18. The Environmental Statement should consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.
- 8.19. OCC Archaeology have confirmed that an archaeological desk based assessment has been prepared and approved, and should be submitted as part of the EIA.

Highways and Access

- 8.20. It is agreed that this should be scoped into the ES.

- 8.21. Please refer to and note OCC's Transport Schedule detailed comments, provided as part of OCC's Single Response.
- 8.22. Please also note comments provided by Public Health, as part of OCC's Single Response in relation to public footpath 229/4/30. While not within the site boundary, its proximity to the construction works and subsequent operation of the site gives rise to potential impacts on the users of this PRow. Effort must be made to ensure any impacts are minimised and that users of the PRow are included in assessments of hazards, such as air quality and noise.

Noise and Vibration

- 8.23. It is agreed that this should be scoped into the ES.
- 8.24. The impact on existing residents from construction activity should be accounted for and included.
- 8.25. Noise impacts from non-football events (such as music concerts) is scoped out, though it is not clear why this is the case. It is considered that noise impacts from non-football events should be scoped into the EIA.

Air Quality

- 8.26. It is agreed that this should be scoped into the ES.
- 8.27. Please also note comments provided by Public Health, as part of OCC's Single Response in relation to the assessment of construction dust.

Lighting

- 8.28. It is agreed that this should be scoped into the ES.
- 8.29. The EIA should include a lighting management plan to demonstrate how lighting will be avoided or otherwise minimised during both the construction and operational phases including with respect to ecological impacts.

Flood Risk

- 8.30. It is agreed that surface water, groundwater and artificial sources of flood risk should be scoped into the ES. Comments from CDC Land Drainage in respect of surface water drainage should be noted.
- 8.31. Please also note detailed comments from the Lead Local Flood Authority, as part of OCC's Single Response.

Socio-Economics

- 8.32. It is agreed that this should be scoped into the ES.

Climate Change

- 8.33. It is agreed that this should be scoped into the ES.

Waste

- 8.34. It is agreed that this should be scoped into the ES. However, it is considered that waste generation and management as part of the construction process be scoped into the EIA, given current uncertainty regarding the quantities of waste anticipated and limited design information for assessment. Further investigation is required to confirm the likely significant effects.
- 8.35. Please also note comments provided by Minerals and Waste, as part of OCC's Single Response in relation to the Kidlington rail depot (Hanson's) as this is Mineral Infrastructure

which is safeguarded by policy M9 of the Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy (OMWCS). Any new activity in the area should be designed so as not to adversely affect the operation of the depot.

Topics where significant effects are unlikely

- 8.36. The list of non-significant topics to be scoped out of the ES is agreed, with the exception of where they form part of the consideration of an inter-related matters of significance and appropriate mitigation is necessary (e.g., biodiversity and lighting).
- 8.37. It is considered that given the nature of the proposed development, the impacts associated with terrorism be scoped into the ES. In this regard, your attention is drawn to the comments provided by Thames Valley Police, particularly in respect of Counter Terrorism.

Publication

- 8.38. It is expected that the Environmental Statement will be accompanied by a Non-technical summary.
- 8.39. Digital Copies of the Environmental Statement (e.g. through USB sticks or digital links) should be made available to Parish Councils and Ward Members. Digital copies of the Environmental Statement should be made available free of charge. The applicant should undertake a GDPR check as part of any document submitted.
- 8.40. Any confidential document (e.g. badger survey) should be clearly labelled with a public and redacted version being made available. Unredacted versions should be forwarded to the appropriate body for consideration.
- 8.41. Hard copies of the Environmental Statement should be sent directly to and will be made available at the Council Offices (Bodicote House and County Hall) and at Kidlington Parish Council (Exeter Hall). Additional copies or requests for a hard copy should be charged at reasonable rates in accordance with guidance. The cover letter should state where Members of the public may obtain these copies and the cost.

Case Officer: Laura Bell

DATE: 27/9/23

Checked By: Caroline Ford

DATE: 29 September 2023
