



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

From: Martin Fellows (Regional Director)
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To: Cherwell District Council

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

Council's Reference: 23/03428/OUT **National Highways Ref:** NH/23/04172

Location: OS Parcel 7921 South Of Huscote Farm And North West Of County Boundary Daventry Road Banbury

Proposal: Outline planning application for the construction of up to 140,000 sqm of employment floorspace (use class B8) with ancillary offices and facilities and servicing and infrastructure including new site accesses. Internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associated works including demolition of the existing farmhouse.

Referring to the consultation on a planning application dated 5 December 2023, referenced above, in the vicinity of the M40, 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/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: S. Gogna

Date: 15/03/2024

Name: Sunil Gogna

Position: Spatial Planner

National Highways

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¹ Where relevant, further information will be provided within Annex A.

Annex A National Highway's 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.

23/03428/OUT appears to be a resubmission of 23/01488/OUT.

The Applicant's transport consultant, DTA Transport Planning Consultants, provided further information on a LinSig on 8th March 2023 and AECOM, on behalf of National Highways, reviewed this submission.

National Highways considered that LinSig has significant limitations in terms providing a reliable assessment of the traffic impact of the development at this location. National Highways considered that a VISSIM model is essential to assess the impact of the proposed development for the following two reasons:

- **Junction Interaction:** The impact of queues formed at a junction extending into the adjoining (upstream) junction is not modelled by LinSig. This is because LinSig can only model individual junctions and not interactions between multiple proximate junctions. VISSIM models the impact of traffic queues that block back into an adjoining junction that would result in a reduction of junction capacity.

National Highways has a particular concern that the proposed location of the site access roundabout on the A361, could result in peak hour traffic queuing back onto M40 Junction 11. The LinSig modelling is unable to assess this potential impact and therefore National Highways requires a VISSIM model to determine whether this is likely to be a cause for concern.

- **Taking account of peak traffic profiles:** LinSig uses average hourly flows that do not take account of the changes in demand within the peak period. By contrast, VISSIM time periods are user defined from local survey data, typically in 15-minute intervals. This means that VISSIM reflects the flow variations within a peak period that are important in determining the formation and duration of queues. Therefore, VISSIM provides a more reliable prediction of delays and queues at junctions compared to LinSig.

AECOM has previously reviewed proposed mitigation at M40 Junction 11. The results of this review are set out in section 10 of AECOM's TN02. A number of critical and non-critical recommendations were made in TN02. This included one critical

recommendation in respect of the proposal to locally widen the circulatory carriageway.

AECOM reviewed both the 23457-07c NH Response.pdf & 23457-07a.dwg to determine the acceptability of the revised mitigation proposals with regard to the requirements of the DMRB. The outcome of this review was reported in section 7 of AECOM's Technical Note 04, which notes details that remain outstanding.

The Applicant's transport consultant, DTA Transport Planning Consultants, submitted a VISSIM model in November 2023 to assess the traffic impact of the development. AECOM reviewed the model and raised queries with DTA related to coding issues in the base year model, and that the updated model be submitted to AECOM for review. AECOM also recommended that forecast models be revised and the updated results presented to AECOM so the impacts of the proposed development can be assessed and understood more accurately.

DTA provided the updated VISSIM base models in February 2024 these are now undergoing review.

In light of the above, National Highways recommends that planning permission not be granted for a period of three months from the date of this response to allow time to review the additional supporting information.