

To: planning@cherwell-dc.gov.uk

20 April 2024

Re: Planning Application 24/00539/F – Objection

Dear Madam/Sir

I object to this planning application and the proposals contained within it for a number of reasons.

1. General

As a general comment, Oxford United Football Club (OUFC) is attempting to deflect criticism and objection with slick promises and assurances that are evidently aspirational, disingenuous and/or misleading. Many documents put forward in support of the club's proposal are based on incorrect or misleading data and the proposal is as such incomplete. Our local community is being offered a clear example of cynical corporate spin.

The construction and operation of the proposed stadium would inflict very substantial disruption on the local community, on the City of Oxford, and on travellers on arterial and local roads in the area. There will be a loss of green belt and the environmental destruction of ancient woodland and wildlife habitats. Community identity will be significantly diminished.

2. Destruction of Environment and Biodiversity

This issue should be one of the Council's primary concerns: the proposal will cause immense damage to the local environment and its biodiversity, and it is in clear contravention of Oxfordshire County Council's (OCC) Strategic Priorities 1 and 2. OUFC's approach to this has been and remains nonchalant at best.

An example of OUFC's approach on this issue was already apparent in its original document titled 'Oxford United Football Club New Stadium Development – Overview and Summary of OUFC Documents Submitted to Oxfordshire County Council' which was deficient in many respects. In addressing part of OCC's Strategic Priority 1 ("...protecting and enhancing the surrounding environment including biodiversity, connecting habitats and supporting nature recovery"), after setting out four bullet points that failed completely to address the issues, OUFC offered additional detail:

"The vision is to incorporate flexible multi-functional spaces that can be enjoyed whether or not it's a match day. The spaces will incorporate features such as moveable planters that can be utilised to create areas for fans to congregate pre and post-game, but can also create places of interest and biodiversity on other days in the year."

This is not a vision; it is vapid, meaningless and deceitful marketing jargon. How can biodiversity be 'create[d] on other days of the year' and by 'moveable planters'? Biodiversity of the sort found at the site, which we wish to maintain, is not capable of being switched on and off in large tubs at will. It is extraordinary that OUFC could consider this nonsense to be a plausible response to profound and valid local concerns over environment and biodiversity, and at a time when the UK's threatened environment and the associated destruction of biodiversity is consistently a leading national news theme.

Dr Judith A Webb, BSc, PhD, BEM, an Independent Ecological Consultant has produced a thorough report in March 2024. Dr Webb reports that on the Triangle site there is considerable biodiversity with

at least 314 species detected so far, including a small number of uncommon to rare species. Dr Webb further reports that the Triangle site habitats share an essential relationship with the Ancient Woodland Priority Habitat (Cherwell District Wildlife Site) of Stratfield Brake, the east section of which is contiguous with the southern margin of the Triangle; support for mobile species (by the Triangle site) will disappear as a result of the proposed development.

It follows that the proposed development will destroy a habitat of broad biodiversity containing rare species. It further follows that Stratfield Brake's ancient woodland would be very significantly adversely affected by the proposed development, and in due course destroyed.

For its part, OUFC offers an ecology report that is plainly deficient and insufficiently researched – or that has had inconvenient truths redacted. The report obviously understates the level and abundance of biodiversity on the Triangle and Stratfield Brake. It suggests that notable botanical species will be retained *“wherever possible on Site and safeguarded during the construction phase”*. This is a further instance of OUFC disingenuously offering completely unachievable aspirations that have no basis in achievable reality or intention.

In its submission of Form PP-12677415, OUFC makes a statement that is patently false by answering *“No”* to the following question: *“Does the development site have irreplaceable habitats (corresponding to the descriptions in column 1 of [Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations (2023)]) which are: i. on land to which the application relates; and ii. exist on the date of the application for planning permission, (or an earlier agreed date)?”*. This is plainly untrue.

In the Form PP-12677415 submission, OUFC gives another false response by answering *“Yes”* to the question regarding biodiversity net gain: *“Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) would apply?”*. Given that, first, the Act's condition requires that a development delivers at least a 10% increase (OCC's ambition is 20%) in biodiversity value relative to the pre-development biodiversity value of the onsite habitat and, secondly, the biodiversity of both the Triangle and Stratfield Brake will be, respectively, destroyed and diminished, OUFC's answer is another example of blithe dishonesty.

OUFC proposes a deeply flawed strategy for delivering the 10% increase in biodiversity value. The suggestion that a green area for wildlife to the north of the development site will deliver the gain is, again, disingenuous and laughably unrealistic. The plans show that the area and the northern plaza will be a 'fan-zone'; i.e. up to 19,000 people will be socialising, drinking and polluting (light, noise, litter, refuse, etc) in an area where it is suggested that somehow wildlife, including rare species, will be able to flourish.

It is frankly shameful, though unsurprising in the circumstances, that we are also presented with a Stadium Health Impact Assessment (by a consultancy specialising in business case preparation) that asserts that *“The proposed development will lead to enhancement of biodiversity on site....”*. It is self-evident that a development of this size and use cannot enhance a unique biodiversity by means of its destruction. The Stadium Health Impact Assessment from ekosgen is a straightforward instance of greenwashing.

3. Green Belt

The proposed development is incompatible another primary element of with OCC's Strategic Priority 1 (*“maintaining a green barrier between Oxford and Kidlington ...”*) given that the Triangle is a Green Belt site. A stadium and a hotel, whether built singly or, worse, together, are inappropriate developments for this site (ref. National Planning Policy Framework s.149).

The Cherwell Local Plan does not include a stadium: the site was deliberately retained as Green Belt on the basis that "...the overall sense of separation between Kidlington and Oxford in particular, would not be harmfully reduced."

OUFC acknowledges that the stadium is inappropriate development and that it would cause harm to the Green Belt. Its justification for proceeding is based on self-interest; there are no 'very special circumstances', as defined by the National Planning Policy Framework, contrary to OUFC's suggestion.

Arguments such as needing a new home by 2026 ring hollow when taken with OUFC's apparently unchallenged claim that it is unable to stay at Kassam Stadium. The owner of Kassam Stadium has himself stated that OUFC could remain at the Kassam Stadium. The Alternative Sites Report was prepared after the lease for the Triangle site had been agreed by the County Council cabinet; i.e. its outcome was pre-determined and as such must be counted as invalid: it seeks to justify a foregone conclusion rather than consider the alternatives.

It is not clear that any of Cherwell District Council, Oxfordshire County Council, or Oxford City Council has challenged OUFC as to whether (i) it is true that the licence agreement was terminated by Firoka Ltd and (ii) any attempt has been made by OUFC to negotiate a renewal of the lease at any time and in particular prior to it putting forward the proposal for the Triangle development, and if so what precisely was the outcome of such negotiation.

Further, it seems that none of Cherwell District Council, Oxfordshire County Council, or Oxford City Council have themselves attempted to conduct any discussion with Firoka Ltd or Mr Kassam in relation to the situation so as to assure themselves that Kassam Stadium is no longer available to OUFC. In view of the very material issues involved, the community can have reasonably expected such an initiative to be taken in hand by local government.

OUFC's stated aim of achieving a BREEAM rating of at least 'Very Good' at the Triangle is not good enough. A rating of 'Very Good' is a low bar in these circumstances, and OUFC offers no guarantee, merely an 'aim'. Furthermore, the abandonment of a perfectly functional 23-year-old concrete stadium in order to construct a new one on green belt land is very far from being an example of Sustainability and is directly contrary to all the Oxfordshire Councils' Climate Crisis promises. With the Cowley Branch Line moving through Network Rail's development pipeline, the blindingly obvious sustainable solution is for OUFC to continue at the Kassam Stadium.

4. Foul Sewage

In its Form PP-12677415 submission, OUFC answer to the question "Please state how foul sewage is to be disposed of: Are you proposing to connect to the existing drainage system?" is "Unknown". It is barely credible that the developer of such a huge project should have no plan for foul sewage.

Thames Water, a utility notorious for its failure to deal safely and effectively with sewage, has identified the *"inability of the existing foul water network infrastructure to accommodate the needs of this development proposal"*.

To summarise, neither the developer nor the utility has a plan for dealing with foul sewage and, on current evidence, there is unlikely to be a utility-led solution in the remotely foreseeable future. It is plain that there is no real solution available, and the effects of this will be suffered by the local community, rather than by the visiting crowds.

5. Drainage and Flooding

There are a number of residential developments adjacent or in close proximity to the site, and the latter is already seeing significant surface flooding because it receives run-off from Oxford Road during the increasingly heavy rains being experienced in the UK.

If the proposed development proceeds, rain on Oxford Road will likely result in flooding on the road itself and in adjacent residential areas, and there is likely to be a cumulative effect with such a heavy incidence of building in the area.

The failure of OUFC to consider a workable sewage plan suggests that flooding could also bring material health risks to the area, and contamination to the local aquifer.

6. Scale and Construction

The scale of the proposed venue is disproportionate to the area, which is has a heavy residential component with local amenities that are essential for residents on a daily basis. This is not a brownfield site in a heavily urbanised area.

As noted by the Design & Review Panel, the scale of the proposed venue is also disproportionate to the site on which it will be situated. The proposed stadium will overbear the landscape and the largely residential areas in Oxford and Kidlington that it will set next to. There will be permanent and significant adverse effects on the surrounding landscape.

The site is surrounded by roads that are already extremely busy; the construction itself will exacerbate congestion and create severe disruption to the community and its daily affairs.

7. Transport

OUFC offers an aim that 90% of football supporters will use sustainable forms of transport to travel to the site, but offers no plans for making this aspiration a reality – and how could it? The local transport network is unable to match the needs for achieving this, and OUFC has no control over how its supporters travel, still less over away-team supporters. 83% of supporters currently travel by private car/van, so it is highly likely that, assuming that already full Park & Rides could offer them a solution, they will travel to the area by car to discover how limited available parking really is. In short, local residential roads and amenities such as green space facilities will necessarily become OUFC car parks, significantly disrupting local community life.

The proposal asserts, and overstates, that *“many of our fans live within 20 minutes walk, cycle, or on public transport of the proposed location”*. This is simply not true. There are certainly OUFC supporters in Kidlington, but OUFC knows very well that the great majority of its supporter base is in east and south Oxford and that public transport, cycling or walking to the Triangle site would be a challenge for them: they will be inclined to drive.

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. OUFC will deliver exactly the opposite, with the adverse effects felt for years to come.

8. Traffic Congestion

This should be a material concern for all relevant councils.

The number of events planned on an annual basis (580) for at least 19,000 attendees will cause egregious disruption to the community in terms of: noise pollution; traffic congestion and pollution, which in turn will create safety hazards; overload on an already stretched police force.

Proposed closures of the Oxford Road for at least 30 minutes before and after matches are unrealistic and it is notable that, purely for reasons of optics, OUFC have simply changed the language away from the original proposals of two hours. In other words, “at least 30 minutes” offers no guarantees regarding time limits on road closures on already busy carriageways. The local community – which will be expanded considerably by current and planned residential developments in close proximity to the site at Water Eaton and North Oxford Golf Course – will be forced to plan their lives around events at the site. As well as creating significant traffic congestion for several miles around the site, access to key transport facilities such as Oxford Parkway Station and the Park & Ride will be seriously curtailed.

OCC’s Highways Department should be objecting as this directly conflicts with OCC’s position that there must be no disruption to Oxford Road traffic.

The availability of Park & Ride parking in the area, though limited in the context of stadium capacity, will encourage fans to travel by car which will exacerbate congestion.

Congestion at and around the site will coincide with Park & Ride bus arrivals, which will further increase air and noise pollution, and render the Park & Ride services less attractive to the target users.

The proposed pedestrian crossings on the A4260 dual carriageway and the Oxford Road will also cause further local congestion. Traffic of the sort of level produced by 19,000 seats – in an area which already sees daily congestion, set to increase with the Water Eaton and North Oxford Golf Course residential developments – will very likely have knock-on effects for major arterial roads in the vicinity such as the A40 and A34.

9. Parking

The lack of parking provision in the proposal is remarkable, though hardly surprising given the unsuitability of the site for such a development. 106 car spaces, 78 disability spaces and 2 coach bays amount to an extraordinarily low ratio against the number of seats in the proposed stadium.

Despite its fanciful reliance on public transport and limited on-site parking provision, OUFC already recognises visitors will travel to the site by car, causing enormous disruption for residents through the use of: -

- i) Residential areas within 2km of the site:

In reality, this radius will reach further given the inaccessibility of much of the farmland and the nature of the carriageways near the site. Consequently, Kidlington, Yarnton, North Oxford and Wolvercote will bear the brunt of regular invasion. OUFC’s solution is the proposal of Match Day Controlled Parking Zones (CPZs).

It is clear from this that OUFC fully expects visitors to the stadium to impose their vehicles on the local community. Disingenuously OUFC offers the assurance that CPZs “will discourage supporters travelling to stadium by car and parking on nearby residential streets on match days”, when instead it

should be proposing active measures to deter and prevent car travel and parking in residential areas. Taken as a deterrent, CPZs will have a very limited effect unless the cost of parking (or actively imposed fines) are set at a level that will be meaningful to each of four occupants of a car.

There has been no transparent local consultation regarding the CPZ proposal and it is grossly inappropriate (and undemocratic) that a CPZ should be imposed on residents effectively by decree.

OUGC assures us that *“Match Day CPZs will dovetail with the parking management strategy emerging for the PR Sites around Kidlington and Oxford Parkway.”* The imposition of CPZs is in fact contrary to the intention for the Water Eaton and North Oxford Golf Course developments, which to prevent parking by commuters and other non-residents.

ii) Park & Ride:

Inevitable use of the Park & Ride facilities at Water Eaton/Oxford Parkway by stadium visitors will adversely affect legitimate users of the Park & Ride service who wish to access the city centre and the hospitals. This will lead either to increased congestion closer in to the city centre and around the hospitals or to loss of trade for businesses in the city centre.

The Peartree Park & Ride is also likely to be affected, being within walking distance of the site.

iii) Oxford Parkway rail station car parks:

There will be significant traffic flow into the station car parks that are already difficult to enter and exit at peak periods.

10. Safety

The planning application recites laws and regulations concerning safety, but key safety issues are not addressed. Generally, there are no provisions that will ensure safety for supporters and for members of the public not engaging directly with the site.

11. Sustainability and energy efficiency

OUGC states that *“The stadium will be constructed to achieve the highest economically viable energy efficiency”*. This is another vague aspirational statement that gives no guarantee of measurable achievement.

12. Economic benefits

Much has been made of the economic benefits, which is rather absurd in view of the chaos and disruption this proposal will bring to the area. Given the shortage of available workers locally (i.e. who would not need to drive to the site), it is also unlikely that the stadium operator can be assured of support from a fully staffed police force, safety teams and traffic/parking control operatives.

As a local resident who will be adversely affected, I object to this planning application.

Yours faithfully

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