



## Developments Affecting Trunk Roads and Special Roads

### Highways England Planning Response (HEPR 16-01)

### Formal Recommendation to an Application for Planning Permission

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To: Cherwell District Council

CC: [transportplanning@dft.gsi.gov.uk](mailto:transportplanning@dft.gsi.gov.uk)  
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Council's Reference: 18/00825/HYBRID

Referring to the planning application referenced above, dated 17 May 2018, application for up to 1,175 new dwellings, 60 close care dwellings, 929 m<sup>2</sup> of retail, a new medical centre, 35,175 m<sup>2</sup> of new employment buildings, 2.4 ha site for a new school, 925 m<sup>2</sup> of community use buildings, 515 m<sup>2</sup> of indoor sports, observation tower with ancillary visitor facilities of up to 100 m<sup>2</sup>, 1,000 m<sup>2</sup> energy facility/infrastructure, 2,520 m<sup>2</sup> additional education facilities, creation of areas of Open Space, Sports Facilities, Public Park and other green infrastructure; change of Use of various buildings and areas for employment use, filming and heritage activities, education use, car processing, and associated infrastructure works, Heyford Park, Camp Road Upper Heyford Bicester OX25 5HD, notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);

~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B ~~is~~ is not relevant to this application.<sup>1</sup>

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [transportplanning@dft.gsi.gov.uk](mailto:transportplanning@dft.gsi.gov.uk).

<b>Signature:</b> 	<b>Date:</b> 16 May 2019
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## Annex A    **Highways England recommended further assessment required**

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as 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.

This response represents our formal recommendations with regards to 18/00825/HYBRID and has been prepared by David Abbott.

The proposed next phase of the Heyford Park development comprises 1175 new dwellings along with almost 50,000sqm of commercial, transport and community infrastructure. It forms part of the larger proposals for a new community part of which is already built out. The former military base site is near to the M40, approximately 1 mile west of junction 10. As such it is likely to have a significant impact on the SRN.

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<sup>1</sup> Where relevant, further information will be provided within Annex A.

The promoters of this development, Dorchester Living Ltd, through their transport consultants Peter Brett Associates (PBA), involved us in extensive pre-application discussions alongside Cherwell District Council and Oxfordshire County Council.

PBA have undertaken detailed transport modelling to determine the scale of impacts on both the SRN and local highway network and are continuing to discuss with us various mitigation proposals aimed at addressing those impacts. However, the development of mitigation measures is not yet reached a conclusion satisfactory to all parties.

Since our response dated 20 March 2019, further meetings have taken place with the applicant and OCC regarding mitigation measures. This was to address the outstanding concerns at the A43/B4100 Baynards Green roundabout and at the M40/B430 Ardley roundabout.

The applicant has demonstrated to Highways England's satisfaction that the latest option at Baynards Green can manage the development's impacts on the SRN to within tolerable levels, and also achieve a balance between costs and benefits appropriate to the scale of the development. However, the impacts on the B4100 remain at levels that OCC still consider unacceptable.

The impacts of the development on the SRN at the Ardley roundabout on the western side of J10 appear to be acceptable. However, queues on the B430, part of the local road network, are forecast to reach levels that could cause severe impacts.

It is agreed by all parties that more extensive improvements to junctions at and in the vicinity of M40 J10 are required in the longer term to serve proposed developments across the whole local plan, including Heyford Park. However, we recognise that the cost of such improvements is not reasonable for one or more developers. OCC are therefore currently attempting to secure additional public funding to bridge the gap.

Assuming the above points can successfully be addressed we would then intend to recommend conditions be attached to the planning permission. These would in the first instance relate to delivery of a specific and agreed set of mitigation improvements (currently option DS6 or a further variant) that can manage the development's impacts to within tolerable levels. In proposing these conditions we would, however, be mindful of the need to adopt a flexible approach that would enable the sensible coordination or adaptation of works for the benefit both of users of the road network and the applicant and OCC, and to respond to factors that are currently unknown.

Such an approach would also allow for uncertainties associated with future roads investment strategies (RIS) and equivalent scheme programmes and timetables. As such, our principal aim would be to achieve the required outcomes within an

appropriate and reasonable timetable. But crucially, they would need also to allow the proposals to be superseded by other more extensive measures that also achieve the required outcomes for the development. In that case the applicant would instead make a financial contribution equivalent to the cost of their stand-alone package. The applicant has previously indicated their support for this general approach.

In summary then, as soon as a stand-alone package can be agreed, we anticipate something like the following process as a basis for our recommended conditions:

- a) Either prior to any beneficial occupation, or upon completion of an agreed number of dwellings, the applicant would, in consultation with Highways England and OCC, undertake a review of the agreed mitigation package. This review would consider outturn traffic conditions at that time, any other changes in future predicted traffic conditions and future roads investment strategy (RIS) or other scheme programmes affecting M40 J10 and its associated junctions.
- b) Following that review, unless otherwise agreed with Highways England and OCC, the mitigation package would then be delivered and opened to traffic no later than the beneficial occupation of a second agreed number of dwellings. The 'trigger points' here and in the previous paragraph would be based on ensuring the applicant can reasonably deliver the package before congestion reaches pre-set levels at key locations. (of course, both 'a' and 'b' may be rendered unnecessary by the work currently being undertaken by OCC)
- c) If due to the successful promotion in a future RIS or equivalent programme of a more extensive alternative scheme achieving the required outcomes it is agreed with Highways England and OCC that the applicant's stand-alone package can be superseded, a financial contribution equivalent to the cost of the stand-alone package would instead be made towards the cost of the successor scheme.

Given the above, **we therefore recommend the planning permission not be granted before 12 July 2019.** This will hopefully allow the time to complete the further work.

If a satisfactory conclusion can be reached before then, we will issue a definitive response and at the same time withdraw this recommendation.