



## Appeal Decision

Inquiry held on 4 to 7, 11 to 13 and 18 to 20 February 2025

Site visits made on 18, 19 and 20 February 2025

by **Patrick Hanna MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2025

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**Appeal Ref: APP/C3105/W/24/3352512**

**Land east of Junction 11 of the M40 and southwest of Huscote Farm, Daventry Road, Banbury, Oxfordshire OX17 2BH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Greystoke CB Ltd against the decision of Cherwell District Council.
  - The application Ref is 23/03428/OUT.
  - The development proposed is 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.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application seeks outline planning permission. Appearance, landscaping, layout, scale and access are reserved matters to be considered in the future.
3. An Environmental Impact Assessment (EIA) was undertaken and reported in an Environmental Statement (ES) in accordance with the requirements of the Town and Country Planning (EIA) Regulations 2017. Following submission of the appeal, the Secretary of State directed that further information was required under Regulation 25. An addendum to the ES was submitted on 14 January 2025 and additional consultation was undertaken. I am satisfied no prejudice arose from the amendments. The revised ES is sufficient to reach a reasoned conclusion on significant effects and has been taken into account in this decision.
4. Although the proposal is in outline only, a parameters plan has been submitted which provides the framework within which development would need to take place for the purposes of EIA. This sets out the maximum extents of various aspects of the development including building footprints, finished floor levels and building heights, amongst other things. I have assessed the proposal on this basis.
5. Two planning obligations pursuant to s106 of the Town and Country Planning Act 1990 were discussed at the inquiry and signed and submitted shortly afterwards. One was an agreement with Cherwell District Council (the Council) and the other a unilateral undertaking dealing with Oxfordshire County Council (the County Council) matters. I return to these below.

6. Rule 6 status was not awarded to National Highways (NH) as its request was made late. Instead, NH appeared at the inquiry as an interested party.
7. I visited the site and surrounding areas on the afternoons of the above dates, following lunchtime adjournments of the inquiry.

### **Main Issues**

8. Reasons for refusal 4, 7, 8, 10, 12, 13 and 14, relating to access roundabout, signalised crossing, air quality, drainage, agricultural land, flora and fauna, and protected species respectively are no longer being defended by the Council, subject to conditions and obligations. Reason 9 relating to economic impacts on the town centre is pursued only in terms of the impacts of congestion. The main parties have also agreed that flooding and the necessary sequential assessment should be included as an additional main issue.
9. On that basis, the main issues are:
  - whether or not the proposed development is in a suitable location with regard to local and national policies for employment sites, need, sustainable transport and accessibility to services and facilities;
  - the effect of the proposal on the character and appearance of the site and surrounding area;
  - the effect of the proposal on the operation, capacity and safety of the highway network, with particular regard to junction 11 of the M40, the A422 and the access roundabout;
  - whether the proposal would comply with national policy which seeks to steer new development away from areas at the highest risk of flooding; and
  - whether the proposal would make suitable provision for infrastructure.

### **Reasons**

10. The appeal site is some 66.15 hectares of agricultural land located to the east of junction 11 of the M40, and on the eastern edge of Banbury. Irregular in shape, the site comprises variously sized and shaped fields defined by hedgerows. The land within the site is largely level to the west and rises steeply to the east, occupying part of the Overthorpe escarpment. The northeast section of the site contains the dilapidated farmhouse of Huscote Farm. The west of the site fronts onto the A361, beyond which is the Frontier Park logistics centre, with other boundaries being open to agricultural land.
11. The proposal is the construction of up to 140,000 square metres of B8 use class storage and distribution floorspace, indicatively shown to be provided in ten buildings of up to between 19 and 23 metres in height. Each building would be erected on elevated individual level plateaux, separated by existing hedgerows and trees which would form landscape and bunding strips, as well as biodiversity corridors. The proposed buildings would be located within the central and western part of the site, with the eastern part being retained as managed woodland with biodiversity enhancement. Two indicative accesses are shown to the site, the principal access being a new roundabout close to Junction 11.
12. The development plan includes the Cherwell Local Plan (2015)(LP) and saved policies from the Cherwell Local Plan (1996)(SLP). The draft Cherwell Local Plan Review (2024)(DLP) is a proposed submission document at Regulation 19 stage which the parties agree should only be afforded limited weight at this stage.

## **Location**

### *The development plan*

13. Banbury is the largest town in the Cherwell district. The LP envisages that Banbury is expected to see continued growth until the end of the plan period in 2031 and to be a focus for proposed employment growth. The LP further identifies that most employment growth will take place on the edge of the town. Policy SLE1 states that employment proposals at Banbury will be supported where they are located within the built-up limits of the settlement, amongst other criteria. Whilst the proposal is agreed to be 'at Banbury', its location fails to comply with the second policy requirement to be within the settlement, notwithstanding the LP's wider acknowledgement of the need for edge of town growth.
14. Since the publication of the LP, the National Planning Policy Framework (the Framework) has since 2019 required development plan policies to address the specific locational requirements of storage and distribution operations. It further acknowledges that sites need to be in suitably accessible locations to allow for the efficient and reliable handling of goods. Although the LP could not have considered that later requirement, the supporting text for policy SLE1 does state that land allocations have been made taking account of the economic evidence base, "*particularly for logistics*", as well as including allocation of the distribution site at Frontier Park amongst others. There is also scope within SLE1 to support unallocated sites, albeit subject to the above identified constraints. Taken together, I find that policy SLE1 is broadly consistent with the Framework in this respect.
15. The appeal site was originally identified by the Council as an employment site for the LP but it was removed by the Inspector following examination of the plan in 2015, with concerns centred around landscape, highways and need.

### *Need*

16. The Planning Practice Guidance (PPG) on housing and economic need confirms that the logistics industry plays a critical role in enabling an efficient, sustainable and effective supply of goods, as well as contributing to local employment opportunities. The guidance further states that in assessing need, a range of up-to-date evidence may have to be considered including the size, type and location of facilities, analysis of market signals, and take-up and availability across relevant market geographies, as well as anticipated changes in the local population and housing stock, and local business base and infrastructure availability.
17. The proposal would provide 81% of its space in units under 20,000 square metres, with these so-called smaller sized units (a definition to which I return shortly) historically representing 67% of Banbury's logistics take-up. Just one large unit (over 20,000 square metres) is proposed. The appellant calculates that, in summary, there is an existing need in Banbury for some 45,000 square metres of B8 use class floor space, with an estimated annual need of between 28,000 square metres and 33,600 square metres. Taken at face value, therefore, the proposed development would provide some four to five years of supply whilst other sites are being brought forward.
18. The Council's key criticisms relate to the extent of the search area and the reliability of the asserted needs evidence.

19. The Council suggests that the search area should be the functional economic market area (FEMA) for Oxfordshire as a minimum, whereas the appellant has looked primarily at the Banbury travel to work area (TTWA), which is considerably smaller. There is no standard approach to defining search areas, however the PPG on plan-making identifies a number of factors to take into account when identifying FEMAs, including:

- *The extent of any Local Enterprise Partnership, Housing Market Area and administrative area:* Whilst these are clearly relevant factors for general business purposes, the logistics sector is recognised by the Framework as having distinct locational requirements separate from general industrial land. Even though the LP was examined with reference to economic needs at county level, these demographic areas are less relevant factors to this proposal than the industry-specific market analysis carried out by the appellant.
- *TTWAs:* Being the largest town in the district, Banbury is highlighted in the LP as having its own sub-region and, consequently, it has its own TTWA. The extent of the Banbury TTWA for lower skilled workers, of which much of the logistics sector is comprised, is relatively contained, reaching just to the rural edge of Bicester, but not the settlement itself. Some three quarters of Banbury's workforce live within the TTWA, which demonstrates that levels of out-commuting are low. Indeed, the lengthy travel time and/or inconvenience of multiple modes and transfers from Banbury to Bicester makes sustainable transport options between the two settlements particularly unattractive.<sup>1</sup> Although the TTWA dates from 2011, there is no substantive evidence that these influencing travel factors have significantly changed, despite more recent employment development opportunities in Bicester. Whilst the logistics sector serves national, regional and local markets, that does not mean that every logistics proposal must only be considered on a national or regional basis, notwithstanding PPG advice regarding collaboration between strategic policy-making authorities. Whilst the proposed units are large in standard industrial unit metrics, in logistics sector terms they are comparatively smaller units (being medium to large). The sizes of the warehouses are proposed to meet the specific requirements of the local logistics sector in Banbury. None of the very large units (over 30,000 square metres), which tend to be the units sought by longer distance operators, are proposed, such as the DHL pre-let of 83,000 square metres at junction 10 on the M40.
- *Transport network:* The M40 corridor is clearly an important factor in the location of logistics centres, and the Economic Needs Assessment (ENA)(2021) highlights that, geographically, the location of Banbury is "*perfectly situated to serve the East and West Midlands, London and the home counties*", thereby emphasising the wider logistics opportunities. The proposed needs case does rather overlook that regional context, and the identification of Banbury as a separate entity from that wider M40 corridor in the appellant's search area does weaken its case to a limited extent. Nonetheless, the need case argued by the appellant is relatively discreet, focusing as it does on a particular aspect of need, that being the local need to Banbury.

Taken together, these factors indicate that the use of the relatively narrow TTWA as a search area is appropriate to the appellant's specific needs case, as opposed to the more general approach promoted by the Council.

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<sup>1</sup> The bus via Brackley takes approximately 1.5 hours; the train journey would typically involve bus journeys before and after; whereas driving by private car takes just some 20-30 minutes.

20. Turning to the needs evidence, the PPG on assessing housing and economic needs refers to identifying need across relevant market areas, using a range of up-to-date evidence. The extent of this can be informed by engagement with logistics developers and occupiers, analysis of market signals and economic forecasts, and engagement with local enterprise partnerships. In undertaking sector specific analysis, the appellant has drawn on local market expertise from CoStar and White Commercial and identified increased demand. Factors contributing to this include increased rents on new properties, reduced yields, and the identification of existing businesses in Banbury with a need for appropriate and modern logistics space.
21. This analysis has limitations in its scope, as it relies partially on sensitive business information unavailable to the inquiry, but it is unsurprising in that it reflects the broader ENA assessments that Banbury is a good location for logistics. In the more recent 2024 ENA, the demand for logistics units in Cherwell “*remains high and is expected to remain so for the foreseeable future*” notwithstanding that the document did not refresh its assessment of Banbury specifically.
22. The appellant’s market analysis is therefore helpful in corroborating the broader policy position. The analysis has also identified that the need is for new, not second hand, spaces which are readily adaptable to the specific needs of individual businesses, particularly in the form of pre-lets which can be configured to individual occupier requirements, unlike the remaining vacant units at Frontier Park. The Council criticises the appellant’s use of CoStar data in reaching this conclusion, but it is noteworthy that the Council’s own 2024 ENA uses the same.
23. Demand for logistics services increased during the Covid pandemic. Whilst that level of demand may or may not substantially decrease in the long term, the proposal seeks to meet a need in the shorter term. That is, to address the existing need and meet the need over the next few years whilst other allocated or proposed sites come online. The suggestion that the need for logistics was a primarily Covid 19 driven spike that will reduce substantially over time is not reflected in the 2024 ENA which advises in general terms that more provision should be made, not less.
24. The Council claim to have 8.3, 5.9, and 7.5 years’ remaining supply of B8 land over 5, 10 and 15 year trends respectively across the district. Regardless of the accuracy of these figures, which have been recalculated twice by the Council since exchange of proofs, these sites relate mainly to Bicester, and other sites currently being brought forward amount to just some 1.4 to 1.7 years supply. The proposed development could contribute to addressing need in the shorter term. Although the local authority’s monitoring data shows a decrease in B8 use class completions, past delivery does not necessary indicate current or future demands. In any case, there is no set numerical limit on the provision of employment land set out in the LP or the Framework, and the proposal would contribute to economic growth.
25. Emerging policy seeks to increase provision of logistics sites in Cherwell, with all new sites proposed to be in Bicester. The forthcoming examination of the local plan is the appropriate way to consider such long-term needs fully and holistically. Nonetheless, that process need not be affected by the additional provision to meet the shorter-term needs identified by the appeal proposal. Indeed, it is a matter of agreement between the parties that the proposal would not prejudice the emerging plan. Consequently, the frontloading of supply would increase choice and provide flexibility to help achieve economic growth. That the DLP proposes some 6,500

new homes for Banbury yet does not provide new employment sites is seemingly anomalous but, ultimately, that is a matter for the examination of the plan.

26. The Inspector examining the LP concluded that the appeal site could be a threat to the more sustainably located Daventry International Rail Freight Terminal (DIRFT). However, that site is primarily focused on large units and national distributors unlike the appeal site and DIRFT is considerably beyond the Banbury TTWA. That report was published in 2015, and the sector has changed considerably since then, with substantial growth in demand for distribution services. At the round table session on conditions, the appellant's planning witness requested a five year period for submission of reserved matters. That runs contrary to the economic needs evidence before me and this seemingly impromptu request does not weigh significantly against my overall conclusions on need.
27. Drawing the above matters together, whereas the PPG advice on defining economic market search areas is set within the context of plan-making, I am required to determine this s78 appeal on the basis of the facts presented to me. There would be benefits to be had from extending the economic search area wider. However, this does not obviate the market analysis demonstrating a localised need for smaller scale units in the shorter term, given that patterns of economic activity vary from place to place and given the distinct locational requirements of the sector. Accordingly, I give greater weight to the appellant's arguments in respect of the search area and identified need.

#### *Accessibility*

28. Whilst development should be focused on locations that can be made sustainable and prioritise sustainable transport modes, the Framework also makes it clear that planning decisions should recognise and address the specific locational requirements of different sectors. In particular, this includes making specific provision for storage and distribution operations that allow for the efficient and reliable handling of goods.
29. In this respect, the proposal closely mirrors the LP allocation of Frontier Park. Firstly, the strategic road network is identified as being readily accessible to Frontier Park, whilst also avoiding lorry movements through more sensitive residential areas. Secondly, the site is within walking distance of the town centre and bus and railway stations. In examining the LP, the Inspector found that the Frontier Park site would be the most sustainable means of providing the necessary employment land supply, with "*reasonably good*" transport links. The LP concludes that the Frontier Park site is in a "*highly sustainable location*".
30. Although the appeal site is located in an edge of town location, it nevertheless lies adjacent to Frontier Park on the opposite side of the A361. Despite the above development plan reasoning, for the purposes of this appeal the Council assert that the site is not sustainably located, primarily as a result of walking and cycling distances and the unsuitability of available routes.
31. The route to Frontier Park from the nearest residential area at Grimsbury, and the town centre beyond, involves using a pedestrian/cycle crossing to cross the A422 Hennef Way, and taking a dedicated path through the industrial estate, retail park and the M40 underpass. To reach the appeal site from here, the route switches

back through Frontier Park and would then cross the A361 using a proposed new crossing point.

32. The access to Frontier Park from the underpass was fenced off at the time of my site visit, preventing use by pedestrians and cyclists of the dedicated route through the site. However, there are enforceable obligations on the Frontier Park development to facilitate use of that access route to reach the A361. I am therefore satisfied that I can take the use of this route into account. The Frontier Park obligation has also secured upgrades to the underpass including railings, lighting, painting and CCTV provision.
33. This route exceeds suggested maximum walking distances, and other residential areas would be further still. Nonetheless, the route largely comprises paths for walking and/or cycling that are segregated from traffic, along suitably quiet local residential roads. Consequently, whilst the distances are such that walking would not be likely to be an attractive option to many other than the most dedicated walkers, the appeal site would be within comfortable cycling range.
34. In terms of the character of the route, this provides a baseline which was considered acceptable to the Council at the time of the Frontier Park approval, albeit that the route is not without its flaws. As a result of the motorway traffic above, the underpass is a noisy environment and is isolated from passive overlooking, such that it is not an appealing route for lone pedestrians. The underpass is also low in height, such that cyclists need to dismount to travel through. Whilst this section of the route is not particularly welcoming it is very short in duration and, given the context of the previous approval, the overall route continues to represent a reasonable option for walkers and cyclists. The alternative of walking via junction 11 would involve many hazards, including uncontrolled crossing of the M40 slip roads. This would not represent a practical or safe short cut for any reasonable pedestrian.
35. As part of the overall package of mitigation measures, contributions would support bus services to the appeal site. The contribution would be used towards providing or improving a bus service serving the development. It is intended that the framework and individual travel plans would include provision towards implementation of a car share scheme for the site, although this is not defined in the proposed conditions so attracts very limited weight for the purposes of this decision. Overall, the proposed development would provide an adequate range of sustainable transport modes which have been sufficiently prioritised when taking into account the site, the type of development, and its location.

#### *Conclusion on location*

36. There would be benefits to be had from extending the economic search area wider than that carried out by the appellant, however, patterns of economic activity vary from place to place and the logistics sector has distinct locational requirements that justify a more bespoke approach. As such, this does not significantly detract from the appellant's localised market research analysis which adequately demonstrates a need for smaller scale units to address shorter term requirements.
37. It is unsurprising that the siting of storage and distribution facilities causes a degree of policy conflict in so far as accessibility is concerned. The proposed facility requires to be close to the strategic road network which is, in this instance

and many other such scenarios, an inherently less accessible location for many of the staff required at such premises. A balanced judgement is therefore required. Accordingly, I find that the operational need for the development to be close to the motorway, and the previous support that led to the development of Frontier Park, outweighs the disadvantages of the site's accessibility.

38. I conclude that the proposed development does not fully comply with the locational requirements of policy SLE1 of the LP, despite the demonstrable need for the proposal. Even so, the appeal site is in a suitably accessible location for the type of development proposed, in accordance with the relevant aspects of policies SLE1, SLE4 and ESD1 of the LP, which require development to have good access to sustainable transport.

### **Character and appearance**

#### *Landscape impacts*

39. The appeal site is characterised as open agricultural land. The eastern extents occupy the lower slopes of the Overthorpe escarpment, a prominent and partially tree-topped landform which contributes positively to the setting of the town. The flatter western parts of the site bound the A361. Although the site may be valued by the local community, it is not a designated or valued landscape in the development plan or as described in the Framework.
40. The Inspectors report on the examination into the LP found that development of the appeal site would result in “*very harmful landscape effects*”, despite the proposed allocation of the site by the Council for use as employment land at that time. This conclusion was based in summary on two key interrelated landscape points. First, the intrusion of large industrial and warehouse buildings into open countryside with significant detrimental impact on the local landscape and rural setting of Banbury and, second, the higher sensitivity of the rising ground to the east. This increased sensitivity is addressed in several landscape assessments for the Council, where there is general acknowledgement that development on the higher slopes would mark a significant change to the town's setting.
41. I agree that the slopes of the escarpment are of higher sensitivity, providing as it does a strong setting for this part of the townscape edge, but the countryside comprising the flatter western part of the appeal site is rather ordinary in character, as reflected by its lack of any designation. The key question is whether the proposed development would extend up the slope to such an extent that it would cause harm.
42. The 2013 Landscape Sensitivity and Capacity Assessment (LSCA) considered that development beyond the A361 may become fragmented and lead to urban sprawl. It is this reasoning that the Inspector for the LP gave weight to. However, the baseline under which this conclusion changed with the allocation of Frontier Park. That change is acknowledged in the 2014 LSCA which goes on to identify potential for limited employment development on the lower lying land. Indeed, rather than being fragmented, buildings within the western part of the site would be consistent with the Frontier Park development, and the risk of urban sprawl would be effectively contained by the higher sensitivity uphill slopes.
43. Furthermore, the more recent Landscape Evidence Base Site Landscape Assessments (2024)(LEBSLA) concludes that large scale development within the

lower sensitivity area would be consistent with the existing Frontier Park development, despite the site as a whole being described as typically high sensitivity. The LEBSLA also acknowledges scope for development by identifying that any future employment development should provide a sense of transition from the larger scale development of Frontier Park to the uphill sections of the valley side. I return to this latter point in assessing visual impacts.

44. The more easterly elements of the proposed development would extend into, and overlap, the LEBSLA higher sensitivity designation. However, the appellant's Landscape and Visual Impact Assessment explores this transition in finer grain, concluding that the steeper slopes are in fact located further to the east than shown in the LEBSLA higher sensitivity designation. This is demonstrated by the contouring and LIDAR mapping which shows that the steeper sections of the escarpment are located to the far east of the appeal site, within the areas of the site that would be undeveloped and subject to enhanced landscaping.
45. The proposed buildings would not materially intrude upon the higher sensitivity upper slopes or the wider landscape setting of the town. In other words, the built forms would be largely contained within the lower area, which is of more moderate sensitivity. Accordingly, even though the dominance of the escarpment would be reduced, it would overall remain a significant and prominent skyline feature in mid and longer range views.
46. The LEBSLA goes on to recommend that any development at the appeal site should fit within the small scale field network without dominating it. Whilst the layout of the proposal does retain the field boundaries, with hedgerows being retained or replaced, the height and proximity of the buildings are such that there would be an inescapably dominant relationship between them and the much more modest hedge boundaries.
47. The valley floor runs north-south alongside the A361 at this point, with the countryside here contained by the settlement to the west and escarpment to the east. Development within the valley floor would have the effect of reducing landscape connectivity between north and south to a degree, but nonetheless the open upper slopes of the escarpment would remain visible from less localised locations, which would ensure continued legibility of this north-south connection.
48. Overall, the proposed development would cause some landscape harm, as considered further below in the planning balance.

#### *Visual impacts*

49. From the A361 in the immediate vicinity of the site the existing buildings at Frontier Park are already dominant features, being substantial, box-style buildings of considerable height. The proposed buildings would be in the same order of magnitude, being between 19 and 23 metres high. Plateau zones of various heights would be created, on which would be located the buildings along with parking zones and landscaping. Although the proposed finished floor levels have been reduced since the Council's refusal (to be secured by condition), the proposed plateaux and buildings would be dominant features from these viewpoints, as well as from the eastern sections of junction 11. Given the indicative building heights, there would be little sense of a transition towards the escarpment. However, these impacts would be very much seen in the context of the existing

buildings at Frontier Park and, ultimately, as part of the same grouping of buildings. Landscaping strips are proposed as mitigation, alongside attenuation basins, which together would provide effective screening of the building by year 15 when seen from close range.

50. From Banbury Road to the north, and from its junction with the A361, a significant amount of the escarpment slope which is currently visible would be blocked by the development in the foreground. However, the trees on top of the escarpment would still be visible above the buildings, and the more easterly slopes would remain unaffected when glimpsed through existing trees and shrubbery, such that this landscape feature and the wider setting of the town could still be adequately perceived and understood.
51. A public footpath leads to Seales Farm atop the escarpment. From here, the buildings would be a significant intrusion in lower foreground views, but clear views over the roofscape of the development towards Frontier Park, the retail park, industrial estate, and the settlement beyond would be maintained. It would be evident that the development would have been designed to sit at the lower ground levels in order to avoid rising up the slopes of the escarpment. As such, the new development would appear as a logical, albeit large, extension to the settlement.
52. On the A422 approach road to the town from the east, the impact would initially be substantial, with the full extent of development being visible, but typically only for fast moving traffic along a relatively short stretch of road. At year 15 the proposed landscaping would be successful at screening much of the development, when seen from the A422.
53. Further south, from Nethercote, the buildings would be clearly visible, their height and relative proximity emphasising the large-scale nature of the development. The distant hills would be partially, or potentially even wholly, blocked out. From Overthorpe, there is an elevated view down to the site, where western sections of the development would be seen alongside the existing buildings. The escarpment would screen the more northerly buildings, providing a form of visual containment of the extended settlement. However, from both of these settlements, the proposal would read as a logical extension to Frontier Park and as a form of level infill development between Frontier Park and the escarpment.
54. The approach to the town along the M40 southbound and its slip road is already dominated by the presence of Frontier Park and the retail buildings to the west. Where the proposed development would be seen, it would be to less sensitive and fast moving road users, and as part of the wider urban context of Banbury.
55. Alongside the M40 is Banbury Country Park which operates as flood management for the River Cherwell. Although a pleasant recreational area, its sensitivity is reduced by traffic noise and its necessarily engineered landscape. Although the vista of development would be extended further towards the escarpment, the upper treeline which provides a backcloth would remain visible.
56. From longer distance viewpoints, such as Dukes Meadow and Little Bourton, the proposed development would read as part of the settlement, with the escarpment continuing to provide a setting for the development and for the town. Consequently, whilst little sense of a transition is provided in terms of proposed building heights, the visual impacts of the proposal would be highly localised.

### *Landscape conclusion*

57. The landscape and visual impact methodology has been agreed between the main parties, and it is the judgements on landscape character and visual effects that are in dispute. I find that, overall, although the development would inevitably result in some landscape harm and would also have an adverse effect on some viewpoints, the impacts would be localised. Nonetheless, the proposal would result in conflict with policies ESD13 and ESD15 of the LP, which seek to respect and enhance local landscape character and reinforce local distinctiveness. ESD10 relates primarily to the protection and enhancement of biodiversity rather than landscape matters. I return to the harm caused in the planning balance and conclusion below.

### **Transport**

#### *Modelling*

58. VISSIM microsimulation modelling has been developed by the appellant, in relation to which the Council maintain four key criticisms; the omission of Banbury Cross Retail Park (BCRP) roundabout from the model; incorrect coding of PC MOVA to reflect current operations; traffic flows on Hennef Way since 2012; and the use of the TEMPro High Growth factor scenario, which are assessed in turn.
59. The BCRP roundabout serves a Tesco Extra, petrol station, food outlets, and a number of other retail stores. It is located on Ruscote Avenue, some 1.6km from junction 11 of the M40. Between it and the appeal site are junction 11 and three major roundabouts on the A422 Hennef Way, which have all been included in the model. Although the BCRP roundabout has not been included, compensation for its omission has been provided through input of slow traffic movements in this area of the model, in order to reflect congestion in the network beyond the model's extents. Just some 50 development-related vehicular movements would approach the Southam Road/Hennef Way roundabout during the PM peak. Whilst small additions to a congested network can have an effect, in these circumstances, the addition of less than one vehicle per minute is not likely in itself to have a significant impact on the model's predicted outcomes.
60. Furthermore, there are many other sources of congestion across the network, not all of which can be included within the model's extents. Omission of the BCRP roundabout is reflective of that fact, and an element of pragmatism and proportionality is not inappropriate in this context.
61. The VISSIM model originally operated on the basis of fixed time signals, and no significant issues in this approach were initially identified by NH and OCC. In December 2024 the signals engineer confirmed that as PC-MOVA was in operation at this location, reverting to fixed signal times was not recommended and, accordingly, the model was subsequently updated. However, the coding is asserted to be incorrect for technical reasons relating to queue detection, inconsistent time delays, and incorrect datasets for the west controller.
62. Department for Transport (DfT) guidance advises that, as a general rule, traffic should be modelled as accurately as possible including using elements such as green time optimisation. Transport for London (TfL) on the other hand acknowledge that simplifications may be necessary to achieve appropriate quality, complexity and delivery. Indeed, TfL go on to identify that many models cannot capture the detailed effects of optimisable traffic signal operation and therefore

models typically simulate fixed cycle times. On this basis, whilst the doubt raised regarding the coding does weaken the appellant's case, it is far from being fatal to the model given that proportionality remains a relevant factor. Indeed, to that end, reverting to fixed signals finds no instances of queues exceeding slip road lengths and, moreover, the use of PC-MOVA should represent an improvement on fixed time signals given its demand response controls.

63. Traffic flows on the A422 Hennef Way have increased since 2012, but even on the adjusted flows provided by the Council the change over the past 10 years has not been significant. For example, flows in 2023 (47,973) were comparable to those in 2016 (47,414), and the figures for 2022 (46,406) were actually slightly less than 2017 (46,943). Flows in 2020 represent reduced traffic levels during the Covid-19 pandemic. Overall, this suggests a relatively level historical trend that does not materially diminish the outcomes of the model.
64. The model omits shoulder hours demand for both Frontier Park and the proposed development. This results in the model indicating potentially lower congestion at the beginning and end of each peak. The model outputs are therefore less pronounced than if they had been included. However, even NH accept that this only slightly underestimates traffic impacts and additional queueing. Indeed, the appellant has revised peak hour committed development traffic proportions and concludes that this would result in approximately just an additional 13 vehicles on the network.
65. These outcomes would also be at least partially offset as the model utilises High Growth TEMPro forecasts when assessing future growth, instead of the recommended Core scenario. The modelled approach therefore represents the worst-case scenario in terms of traffic growth and network conditions which broadly balances out the underestimate arising from omission of the warmup and cool down periods. In any case, by 2032, the difference is agreed to be negligible notwithstanding the Council's argument that, in 2026, it is possible there may be a greater concentration of traffic at junction 11.
66. A number of aspects of the modelling suggest that it is not as robust as it could potentially be. However, it is also the case that modelling is not a precise science and that the amount of modelling necessary should be proportionate and pragmatic. In that context, even when the above points are taken together, they do not significantly undermine the robustness of the model for the purposes of assessing the appeal proposal.

#### *Junction 11 slip road queuing*

67. Queue lengths on the slip roads at junction 11 have been modelled. During the AM peak, queues on the southbound off-slip are predicted to exceed the length of the slip road in two of the ten simulation runs, with a further run exceeding the length at which vehicles start slowing down on the mainline carriageway due to the proximity of the diverge. During the PM peak, queues on the northbound off-slip exceed the length in five of the ten runs, with a further two runs exceeding the slow-down distance. Both NH and OCC object to the proposals on this basis, asserting that the safety issue arising is especially serious as it relates to vehicles queueing in the main carriageway of the motorway when leaving via the slip road.

68. However, when examined in greater detail, it can be seen that the datasets are produced for 5 minute intervals and that the identified exceedances do not occur for the whole of the peak hour. In the AM peak, maximum queue lengths would exceed the slip road length during, but not necessarily throughout, a ten to 15 minute period on the two identified runs, with the slow-down distance being exceeded during a 15 to 20 minute period on the three simulations. For the PM peak, the maximum queue length would clear quickly, within five minutes on four of the runs, and ten minutes on one. NH indicate that the slow-down distance would also clear quickly in the further two runs. This corresponds to between just 3% (in the PM peak hour) and 4.6% (AM peak) of all the five minute intervals assessed across all seeds.
69. In addition, it is necessary to consider the nature of the simulation runs. Rather than being precise calculations, the runs are random probabilistic representations of different variables in the predicted traffic. This is because VISSIM is a stochastic microsimulation model that attempts to replicate the random variability of day-to-day experience on the road network. To do this a single random seed is generated for each simulation run, thereby creating inherent variability. The VISSIM manual emphasises that random fluctuations can therefore occur in the individual simulation runs and that *“a more reliable assertion is only reached through averaging the results of a sufficient number of simulation runs with different random seeds”*.
70. TfL guidance also explains that individual seeds have no value and that *“basing results on a single seed value has the potential to randomly bias the overall result”*. To reduce this potential bias, TfL also recommend running several simulations using a range of seeds to present mean average results, notwithstanding the Council’s assertion that the average of maximums should not be used. To the same end, DfT’s Transport Analysis Guidance states that *“cherry-picking’ or selective use of model seed values is not an acceptable approach and is strongly discouraged”*.
71. The consequence of averaging results is the removal of maxima. This is necessary for the above reasons. Although TfL also states that individual runs can be *“studied”*, suggesting that maximum queues are matters for consideration, to my mind conducting *study* is a considerably less exacting analysis framework than the approach suggested by VISSIM to achieve *reliability*, notwithstanding whether or not each seed represents a particular day.
72. The appellant has accordingly produced ten simulation runs and averaged the results. Given the above, and with greater weight being given to the VISSIM manual, I find that this is a logical and statistically reliable approach. As such, the slip road queue lengths are predicted to be within suitable limits and are not anticipated to cause an unacceptable safety issue.

#### *Congestion within Banbury*

73. It is agreed that there would be additional congestion within Banbury as a result of the proposal. In both the AM and PM peaks, the queues and congestion along the A422 Hennef Way and Southam Road would be worsened by the development, with the level of service indicating that some arms of some junctions would deteriorate from approaching operational capacity to operating over capacity. Furthermore, it is this congestion on the local road network that NH consider is the

source of its concerns regarding traffic exiting from the M40 off-slips and capacity on the strategic road network.

74. The impact of queuing and congestion on the local road network would be experienced principally by road users as delay in journey time. Whilst queues and congestion may cause driver frustration, to my mind it is this measure that is the principal concern of many drivers. Taken as an aggregate, the total resultant additional delay in the AM and PM peak together in 2026, with the addition of latent delay, would be some 303 hours. Whilst this value seems significant in itself, the average delay would be just some 43 seconds, even if an adjustment is made for motorway traffic not leaving the M40. Most drivers would barely register a delay of this magnitude, even for relatively short journeys, notwithstanding that throughput may reduce as a result of capacity. Before reaching a conclusion on this averaged figure, however, particular junctions require to be considered in more detail.
75. At the Ermont Way junction with the A422 Hennef Way, queues would increase by 239 metres in 2026 and 192 metres in 2032 in the PM peak. However, the baseline would already be high; in 2026 the queue of 653 metres increases to 892 metres, and in 2032 from 1516 to 1708. In this context the impact is cumulatively significant but not severe. Whilst the level of service at this junction would also worsen, it is not predicted to exceed capacity of the junction. Turning the delay into journey time as experienced by road users, this would increase from some 318 to 357 seconds in 2026 (39 seconds) and some 370 to 386 (16 seconds) in 2032. Even if this is an underestimate due to omitted latent delay and inconsistent assessment distances, in the absence of what the Council call the true increase, I find this would not be severe, for either private vehicles or buses.
76. At the Southam Road junction with the A422 Hennef Way, movements from Southam Road North to the three other arms would reduce in the AM peak. For example, the turn to the A422 Hennef Way east would drop from some 455 to 356 vehicles in 2032 (99 vehicles). This is a significant reduction. The level of service at two arms would also deteriorate from operating within capacity to being over capacity in 2026, although by 2032 the development scenario is no worse than the reference scenario, both being over capacity.
77. Further north on Southam Road, at the junction with Beaumont Road, the queue for Southam Road North would increase substantially in 2026 from 114 to 594 metres (481 metres) in 2026, which is substantial, but by 2032 the difference has become minimal, with the reference scenario queue of 1337 metres increasing to 1441 metres (105 metres), albeit that this is cumulatively significant. Turning to journey time, over a southbound distance of some 1.4km along Southam Road, the journey in the AM peak would increase from the reference scenario of some 3 minutes 5 seconds to 5 minutes 36 seconds in 2026, an increase of some 2.5 minutes. This figure is asserted by the Council to be an underestimate, but no alternative figures have been provided as an adjustment. The delay must also be taken in context of overall journeys. Most road users' overall journeys would be longer than the 1.4km stretch of road to which this applies, and therefore the effect on that overall longer journey would be less.
78. Overall, I find that these impacts of the proposal are not severe. They are nonetheless significant and, to accord with paragraph 115(d) of the Framework, mitigation is therefore required. This is proposed in the form of a strategic transport

contribution of £907,709, calculated on the traffic movements on the A422 Hennef Way generated by the development. The figure is not disputed, but the Council do raise an objection regarding deliverability, as follows.

79. The parties agree that there will be additional congestion within Banbury as a result of the development and that, even without the development, Hennef Way is anticipated to be operating beyond capacity. As such, it is necessary that the development mitigates against the traffic that is predicted to be generated from it. However, no specific scheme of mitigation works has been proposed and, consequently, it is not clear if any provided mitigation would be effective.
80. Both the LP and the DLP offer broad support for schemes to manage traffic congestion and provide more opportunities to travel using more sustainable modes, amongst other things. However, no specific schemes are identified in either policy document, even though Hennef Way is identified in the DLP as being in particular need. The Infrastructure Delivery Plan produced in support of the DLP, which only attracts limited weight, identifies an essential need for reducing congestion at this location. However, the scheme status is only at options appraisal stage, and even this is only for the Southam Road junction. In short, there is recognition that improvement schemes are required, but no current consensus or agreement on what is to be done about it.
81. Whilst the appellant's proposed approach in the UU aligns with that secured as part of the Frontier Park development, there is nothing before me to demonstrate that the additional, and indeed potentially more substantial, mitigation required as part of the proposed development could be provided over and above that for Frontier Park. In this respect, my conclusions align with the Inspector for the LP, who at that time expressed that some doubt remained regarding the delivery of services and infrastructure requirements in connection with the then proposed allocation of the current appeal site.
82. Negotiations between the main parties on the UU were not concluded until very shortly before the obligations round table. The Council's concerns on this matter were therefore only indicated to the inquiry during the obligations round table and, furthermore, its current position conflicts with the advice previously provided by the County Council in its highways consultation response. Nonetheless, the appellant was given adequate opportunity to respond to this, as set out in closings.
83. In the absence of adequate details of the services or infrastructure on which the financial contribution would be spent, and up-to-date quantified evidence of the extent to which they are able to mitigate impacts, it has not been demonstrated that the proposed contribution is effective mitigation for the harm that would be caused as a result of the development.

*Access design and layout*

84. The parameters plan indicates provision of a new access via a new roundabout on the A361 and alteration to the road alignment and design to create a link road comprising a dual carriageway arrangement to junction 11. The dispute revolves around the speed of traffic on the upgraded link road and whether or not the Design Manual for Roads and Bridges (DMRB) applies to the design and layout of this section of road. The parties have now agreed that relocating the 40mph speed limit to apply to the full length of the upgraded link road would resolve any design

speed concerns. This would also ensure compliance with the DMRB. Therefore, the matter can be resolved and, accordingly, the precise requirements would be a matter for the detailed design at reserved matters stage.

#### *Other highways matters*

85. Most traffic leaving the site is anticipated to use the motorway. The increase in traffic using the A361 to the north, and to the east onto the A422, is not significant. Although interested parties refer to potential need for a southeast relief route, there are no current proposals for this as part of the appeal, or in the LP or DLP. In light of my overall conclusion on the lack of severity of impact of the proposal on highways congestion, there is no substantial evidence before me to indicate that any consequential economic impact would be significant.

#### *Conclusion on transport*

86. Traffic queues on the M40 slip road are predicted to be within acceptable limits when guidance on average seed runs is adopted, notwithstanding the outcomes of individual seed runs. The proposal is therefore not predicted to have a significant adverse impact on this part of the strategic road network. The design of the new accesses and link road are matters that could be satisfactorily addressed at reserved matters stage, such that the safety of road users using the A361 would not be affected. Whilst the residual cumulative impact of the proposal on parts of the local road network would not be severe, it would result in some significant additional congestion within Banbury, notably at particular junctions on Southam Road and Hennef Way, which are agreed to require mitigation. However, I have found that there is insufficient certainty that that adequate mitigation could be provided and be sufficiently effective.
87. Taken together, the proposal would have an adverse effect on the operation and capacity of the highway network, with particular regard to the A422 Hennef Way and Southam Road. The proposal would therefore not accord with policies SLE1 and SLE4 of the LP, TR1 of the SLP and the Framework. Together, these policies require proposals to ensure that any significant impact on the road network in terms of capacity and congestion can be mitigated to an acceptable degree.

#### ***Flooding***

88. The majority of the site is at very low risk of surface water flooding, albeit that aerial photographs show flooding of fields and the A361 to the north of Frontier Park and the appeal site, and an area to the southwest corner of the site is identified by the Environment Agency (EA) as being at high risk. This relates to surface water pooling at the topographical low point at the embankment of the M40/A361. To manage runoff from the proposed development, flow control and attenuation would be provided on site up to a 1 in 100 year event plus 40% for climate change. The Framework identifies that buildings for storage and distribution use are less vulnerable to flood risk, the Flood Risk Assessment concludes that flood risk to the site is low and acceptable, and no objection to the proposal was raised by the EA or the lead local flood authority.
89. A sequential assessment has been carried out, using a catchment area covering Cherwell District and the Banbury TTWA, which appropriately corresponds with that carried out for the DLP. The Framework states that development should not be allocated or permitted if there are reasonably available sites appropriate for the

proposed development in areas with a lower risk of flooding. There are three sites that the Council consider would be sequentially preferable.

90. The former Douwe Egberts site is located in Banbury and is some 9 hectares in size. Whilst this is a previously developed site that has permitted use for mixed B2/B8 uses, it is located within the existing settlement. Access to the motorway network would need to be taken via the A422 Hennef Way, which would result in greater impacts from HGV movements than the current proposal. Accordingly, I find that this site does not represent a reasonable appropriate alternative.
91. The second site, Bicester 12, is an allocated site to the southeast of Bicester. Although the wider site has areas within flood zone three and is subject to high risk of surface water flooding, the approved masterplan of for some 6.66 hectares for mixed uses including B2 and B8 has no drainage constraint. However, junction 9 of the M40 is some 2.5 miles distant from Bicester 12 via the A41. The final site is the 3.7 hectare former RAF Upper Heyford Creative City near Bicester, which has outline permission for mixed employment use. Again, this site is some 2.5 miles from junction 10 of the M40 via the B430, and the connecting road network is not due to be upgraded for some two and a half years. Neither of these sites are as conveniently located as the appeal site in terms of direct access to the strategic road network, nor in terms of accessibility for the workforce, particularly given the demonstrated localised need in Banbury for smaller scale units in the shorter term.
92. In light of this and taking a pragmatic approach to the availability of alternatives, there are no reasonable available sites appropriate for the proposed development in areas with a lower risk of flooding even if the sites are taken to be a series to create a dispersed single site, which would in any case amount to just some 19.36 hectares. It is common ground that the exception test is met.
93. Overall, I am satisfied that the proposed development would be safe throughout its lifetime and not lead to increased flood risk elsewhere. Even if I had agreed with the Council's position on the reasonable availability of appropriate alternative sites, that would only attract moderate weight at most in the planning balance and would not affect my below overall conclusion.

### ***Infrastructure and services***

94. The provision of infrastructure and services necessary in order to make the impacts of the development acceptable are proposed to be addressed by two planning obligations, one being a deed of agreement with the Council, the other a unilateral undertaking dealing with County Council matters.
95. The deed of agreement with the Council requires the open space and SUDS schemes to be provided prior to the occupation of the commercial units, and for maintenance and management schemes to be submitted and agreed, including arrangements for potential default by the approved management company, to ensure appropriate provision of shared space for employees of the development. A financial contribution would be secured towards bin collection from the commercial units, to ensure appropriate servicing of the site. Biodiversity net gain of at least 10% would also be secured, along with a contribution to monitoring, in order to deliver ecological enhancement of the site.
96. An air quality contribution would be secured as mitigation for predicted impacts at the Hennef Way air quality management area, which has been properly calculated

according to DEFRA damage cost analysis methodology. This would be reduced commensurately by the costs of providing sustainable transport mitigation measures, including for bus service improvements and the pedestrian crossing, as set out in the below unilateral undertaking. Any residual amount remaining is anticipated to be between £0 and £100,000. The Council assert that there are no further mitigation measures known or proposed in the Air Quality Action Plan or the Local Transport Plan that could address the impacts arising, such that the CIL tests are not met.

97. The appellant is content that this could be spent on suitable local measures such as signage and bus services. The Developer Contributions DPD (2018) further indicates that such monies can be used towards air quality monitoring as well as improvement measures. It is also not inconceivable that the costs of the measures already identified may be such that the residual contribution could be reduced to nothing in any case. In this context, the Council's stance strikes me as somewhat obdurate. Overall, I am satisfied that appropriate and necessary mitigation measures could be secured by agreement at a future stage and therefore conclude that the air quality contribution can be taken into account.
98. The unilateral undertaking deals with the requirements of the County Council. Contributions would be secured to improve the bus service serving the development, and to monitor the framework and user travel plans. Highways improvement works would secure a ghost island priority junction from the secondary site access to the A361; signal crossing for the A361; realignment of the A361 between Frontier Park and the M40 to provide a roundabout main entrance to the site and signalisation of the A361 arm of junction 11; and cycleway and footway between the site accesses. These obligations would comply with the tests and have been taken into consideration.
99. The undertaking also seeks to secure a strategic transport contribution of some £970,709 to relieve congestion on Hennem Way. For the reasons set out earlier, I am not satisfied that there is sufficient certainty as to what the contribution would be spent on and its effectiveness. The proposal would therefore not make suitable provision for infrastructure in terms of mitigation for significant impacts on the highway network, such that the proposed obligation would not be necessary, directly related to the development, and fairly related in scale and kind. This obligation would fail to comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and paragraph 58 of the Framework and cannot be taken into account.

## **Other matters**

### *Heritage*

100. The countryside around Banbury has a long tradition of agricultural use, with evidence of ridge and furrow earthworks on part of the appeal site. However, these represent just a small part of this widespread non-designated heritage asset, which is found in field systems throughout the locality. Whereas the LIDAR imagery shows clear ridge and furrow patterns at the site, these images have been adjusted to emphasise the earthworks, such that they cannot be taken to be representative of quality in themselves. The value of these earthworks is derived from its contribution to landscape character rather than for its archaeological value and its significance is low. This is reflected in the Council archaeologist's

comments, which raise no objection to the proposed development subject to a written scheme of investigation and staged programme of archaeological evaluation and mitigation. Nonetheless, some limited harm would occur as a result of its loss, and this is weighed as a balanced judgement in the planning balance.

101. Huscote Farm is a historic farmstead dating from the Victorian period, but it is not identified as a heritage asset. The farmhouse is proposed for demolition, and the steadings are excluded from the application site. The farmhouse is significantly altered and dilapidated, such that the significance it derives from its age, form and historic fabric is very limited. The immediate agricultural fields surrounding the complex also make a very minor contribution to the significance of the farmstead. Some harm would be caused by the loss of the farmhouse and the siting of new structures within the setting of the steadings but, given the low heritage significance, such harm would be very limited.
102. The Grade II Seales Farm and curtilage structures derive significance principally from their historic fabric, and the immediate agricultural setting contributes to that. However, the intervening topography and landscaping between the listed building and the site of the proposed development are such that the appeal site makes no contribution to significance through setting. Other heritage assets include the Grade II listed Home Farm at Nethercote and a number of conservation areas and their associated heritage assets. I am satisfied that the appeal site makes no contribution to the settings of these assets, including for reasons of association, distance and intervening landscape features, and any significant views from the assets would not be adversely affected, such that no harm would be caused. The Council raises no objection on heritage grounds.

#### *Ecology*

103. Ecological survey work has been carried out in respect of flora and habitats, reptiles, breeding birds, bat roosting and activity, great crested newts and badgers. Opportunities for badger foraging would be maintained. New bat roosting opportunities are to be provided. Enhancement of retained habitats would benefit bat foraging and bird nesting and foraging. Retention and restoration of ponds, along with new attenuation ponds, would be beneficial for great crested newts. The loss of 1.77km of hedgerows would be compensated by creation of 2.44km of new native hedgerows. Biodiversity net gain of 23% for habitats and 10% for hedgerows and tree lines would be achieved. Overall, there are no statutory or non-statutory ecological designations on the site or nearby that would be adversely affected by the proposal. The Council raises no objection in these respects, and I see no evidence to persuade me otherwise.

#### **Planning balance and conclusion**

104. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is a material consideration. In assessing harms and benefits, the following scale is used; substantial, significant, moderate, limited.
105. In terms of harms, in the absence of an identified suitable mitigation scheme, the impacts on the highway network in terms of capacity and congestion, with particular regard to Hennef Way and Southam Road, cannot be satisfactorily

addressed. This matter attracts substantial weight. The conflict with the locational aspects of policy SLE1 as a result of the site not being within the built-up limits of Banbury attracts significant weight. Landscape and visual harm would be caused, albeit that this would be highly localised, such that I afford this moderate weight. Heritage harm, caused principally by the loss of ridge and furrow, is limited.

106. Turning to the benefits, the proposal would meet the distinct locational need for smaller sized units in the shorter term, generating some 1,838 full time equivalent permanent direct jobs and contributing to the local economy both directly and indirectly. The combined economic benefits would be substantial. In terms of accessibility, the site is in a suitable location for the reasons given above, and there are no reasonably appropriate alternative sites, such that this attracts limited weight in support of the proposal. The contribution towards improved bus services would potentially benefit the wider public, attracting limited weight, but other infrastructure and service obligations are necessary to mitigate adverse impacts from the development and attract no weight.
107. Drawing together the harms and the benefits, the adverse impacts of the proposal are not outweighed by the benefits. The proposal would conflict with the identified development plan policies and with the plan as a whole, and there are no material considerations to indicate a decision other than in accordance with it. Even if the locational policies of the LP were deemed out of date such that the tilted balance were to be engaged, my conclusion would remain unaltered.
108. For the reasons given above the appeal is dismissed.

*Patrick Hanna*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT

David Elvin KC, instructed by.

He called:

Keith Fenwick BA(Hons) MRTPI

Paul Harris CMLI

Simon Tucker BSc(Hons) MCIHT

James Edwards BSc

John Neale MSc

Morgan Reece BA(Hons) MA MRICS

Phillip Smith

John Gregory (for the obligations round table)

Pegasus

MHP Design

DTA Transportation

SLR Consulting

Montagu Evans

Montagu Evans

Pegasus

Wakemans

### FOR THE DISTRICT AND COUNTY COUNCILS

Richard Humphreys KC, instructed by the District and County solicitors.

He called:

Adam Barrett MSc MIHE

Matt Hall BSc(Hons) MSocSC MIGHT

Joy White BA PGCert MIHE

Mark Cooper BA(Hons) DipLA CMLI

Alex Roberts BSc(Joint Hons) MPhil MIED Assoc. RTPI

Nicholas Wyke BA(Hons) MSc MRTPI

Andy Bateson BSc(Hons) MRTPI

Karen Jordan (for the obligations round table)

Rebecca Wise (for the obligations round table)

Lead Engineer

Pell Frishman

Team Leader

MCA

Lambert Smith Hampton

Principal Planning Officer

Team Leader

County Council Solicitor

District Council Solicitor

### INTERESTED PARTY

Jen Searle

National Highways

## **INQUIRY DOCUMENTS**

- IN1 Publicity for Reg 25 further information
- IN2 Council appearances
- IN3 Appellant opening statement
- IN4 Council opening statement
- IN5 ES Chapter 16 (CD A26Q) amendment
- IN6 Correction to Table 5.10 of Mr Hall proof of evidence
- IN7 Extract from AECOM technical note 5
- IN8 Extract from TAG guidance 3.9.2
- IN9 Table of average flows extracted from Mr Hall proof evidence
- IN10 Comparison of monthly average flows
- IN11 Standard and Alternative Travel to Work Areas
- IN12 Map identifying more and less sensitive areas
- IN13 Appellant response to Ms White Reg 25 rebuttal
- IN14 Draft s106 unilateral undertaking
- IN15 Bond attached to unilateral undertaking
- IN16 Monitoring fee attached to unilateral undertaking
- IN17 Draft s106 agreement
- IN18 Location plan
- IN19 Ms White email regarding public access through Frontier Park
- IN20 Updated County Council CIL compliance statement
- IN21 District Council CIL compliance statement
- IN22 Council closing statement
- IN23 Appellant closing statement
- IN24 Updated agreed planning conditions
- IN25 Signed s106 unilateral undertaking
- IN26 Signed s106 agreement