



SCOPING OPINION:

Proposed Oxfordshire Strategic Rail Freight Interchange

Case Reference: TR050008

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

July 2021

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1. INTRODUCTION

1.1 Background

- 1.1.1 On 04 June 2021, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from Oxfordshire Railfreight Interchange Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Oxfordshire Strategic Rail freight Interchange (the Proposed Development).
- 1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion *'as to the scope, and level of detail, of the information to be provided in the environmental statement'*.
- 1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled Proposed Oxfordshire Strategic Rail Freight Interchange Environmental Statement Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.
- 1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:
- (a) *any information provided about the proposed development;*
 - (b) *the specific characteristics of the development;*
 - (c) *the likely significant effects of the development on the environment; and*
 - (d) *in the case of a subsequent application, the environmental statement submitted with the original application.*
- 1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.
- 1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).
- 1.1.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it

is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

- 1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.
- 1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) *a plan sufficient to identify the land;*
 - (b) *a description of the proposed development, including its location and technical capacity;*
 - (c) *an explanation of the likely significant effects of the development on the environment; and*
 - (d) *such other information or representations as the person making the request may wish to provide or make.*
- 1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.
- 1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on *'the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)'*.
- 1.1.13 The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'), as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations.

1.2 The Planning Inspectorate's Consultation

- 1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

- 1.2.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.
- 1.2.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.2.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

2. THE PROPOSED DEVELOPMENT

2.1 Introduction

2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/ resources.

2.2 Description of the Proposed Development

2.2.1 The Applicant's description of the Proposed Development and its location is provided in Section 3.0 of the Scoping Report (Description of the Proposed Development).

2.2.2 The context for the proposed application site and its surroundings is shown on Figure 8308-L-10 rev A ('Features Plan') of the Applicant's Scoping Report. It is crossed by public rights of way and bordered in part by the M40 motorway to the east, the disused Upper Heyford airfield to the west, Ardley village to the north and the village of Middleton Stoney to the south. The application site currently is predominantly under arable and grazing land use with scattered buildings that include: Ashgrove farm, which contains a Grade II Listed Building; an existing composting plant facility (known as Severn Trent Green Power 'In Vessel Composting' (IVC) facility); and an underground reservoir operated by Thames Water. There are also two Sites of Special Scientific Interest (SSSIs) within the redline boundary (Ardley Trackways SSSI and Ardley Cutting and Quarry SSSI).

2.2.3 The Proposed Development comprises a new rail freight facility on the Chiltern Railway Line near Ardley, Oxfordshire. The facility would involve a new rail terminal and its associated infrastructure, which would include large warehouses (providing a maximum of 675,000 square metres), management building, rail reception sidings, container storage area and associated container transfer equipment, and refuelling facility. The Proposed Development would also include the following highway works:

- a new access road to serve the rail freight site;
- junction improvements at Junction 10 of the M40;
- a bypass around the village of Ardley;
- a relief road serving the village of Middleton Stoney;
- a link road between Middleton Stoney and Heyford Park; and
- a secondary access road for the Proposed Development to the south of the application site for public transport, pedestrian and cycle access.

2.2.4 The Proposed Development is shown on drawing OxSRFI-BWB-GEN-ZZ-SK-C-SK015 Rev P04 ('Components of Proposed Development') of the Applicant's Scoping Report.

- 2.2.5 Table 2 of the Scoping Report describes the area within the redline boundary for the Proposed Development as the 'Application Site'. Table 2 also defines the area of the redline boundary where the rail terminal and freight facilities will be located as the 'Main Site'.
- 2.2.6 Within the Proposed Development footprint, there would need to be demolition of some existing farm buildings and structures. The Severn Trent Green Power IVC facility, south of Ardley village, also lies within the footprint of the Proposed Development and would be relocated to an alternative location within the redline boundary (shown in Figure 8308-L-23 'Illustrative Landscape Masterplan'). The Proposed Development also incorporates green infrastructure including landscaping bunds which make use of some of the excavated materials from construction.
- 2.2.7 For the highway elements of the proposed scheme, the Applicant notes that there are still a number of options under consideration for the alignment of the Middleton Stoney Relief Road and highway improvements to Junction 10 of the M40. The current proposed options under consideration for these elements are shown in Appendix 5 and Appendix 6 of the Scoping Report.
- 2.2.8 Limited information is provided about the technical capacity or operation of the Proposed Development. Figure 8308-L-12 (Development Parameters Plan: Main Site) illustrates the main commercial zones for the Main Site where the interchange itself would be located. This plan provides a table of the development floor space and maximum building heights for the interchange and an indication of the different zones for development.

2.3 The Planning Inspectorate's Comments

Description of the Proposed Development

- 2.3.1 The ES should include the following:
- a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development;
 - a description of the location of the development and description of the physical characteristics of the whole development, including any requisite demolition works and the land-use requirements during construction and operation phases; and
 - a glossary to explain the technical terms used within the assessment and a list of abbreviations.
- 2.3.2 The Scoping Report (section 3.12 to 3.30) provides only a very brief description of the Proposed Development, which limits the Inspectorate's ability to comment on the scope of the ES. For example:
- it contains no information about anticipated rail freight and lorry freight operations, beyond that the RFI would be capable of handling over four trains per day (paragraph 1.4);

- apart from the maximum floor space and height of the proposed buildings, there are no other design details provided for the distribution and logistics buildings;
- the precise location of the Seven Trent Green Power IVC Composting facility within the Main Site is still to be determined (3.24) and no information is provided regarding the building(s) parameters and design;
- the nature of the green infrastructure is not detailed beyond an indicative landscape masterplan provided for the Main Site (Appendix 4);
- there is almost no information provided about the nature and scale of the proposed highways works as route options are still under consideration; and
- Construction activities, programming and phasing are not described.

2.3.3 The Inspectorate notes the intention to provide a full description of the Proposed Development in the ES (paragraph 4.2). The description of the Proposed Development should be sufficiently detailed to provide certainty regarding likely effects and mitigation requirements. The ES should apply consistent terminology for the various elements of the Proposed Development (e.g. Application site, Main Site, highways works, etc).

2.3.4 The ES should clearly define what elements of the proposed development are integral to the NSIP and which is 'associated development' under the Planning Act 2008 (PA 2008) or is an ancillary matter. Associated development is defined in the PA 2008 as development which is associated with the principal development. Guidance on associated development can be found in the DCLG publication 'Planning Act 2013: Guidance on associated development applications for major infrastructure projects'. Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be assessed as part of an integrated approach to environmental assessment.

2.3.5 The ES should include a clear description of all aspects of the proposed development, including:

- a description and layout of the land use proposed for each area within the redline boundary, with supporting figures;
- site preparation including demolition/ relocation requirements, the movement of spoil and the need to import or export material;
- traffic movements; transport and access routes; temporary/permanent road closures; a description of any exceptional deliveries or abnormal loads;
- construction processes and methods including phasing, hours of work, the number of workers and the number and type of vehicles, plant and equipment;
- operational requirements including the main characteristics of the rail freight processes, both on and off-site, including the wider network of freight movements; operational phasing, if relevant; working hours; employment; energy use and consumption; and

- a description of works to utilities, including the water main diversion linked to the Thames Water underground reservoir.

2.3.6 The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.

Alternatives

2.3.7 The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.

2.3.8 The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES in a 'Project evolution and alternatives' chapter (Table in paragraph 4.35 of the Scoping Report). The Inspectorate considers that this should clearly set out the consideration given to alternative locations.

Flexibility

2.3.9 The Inspectorate notes the Applicant's desire to incorporate flexibility into their draft DCO (dDCO) and its intention to apply a Rochdale Envelope approach for this purpose. Where the details of the Proposed Development cannot be defined precisely, the Applicant should apply a worst-case scenario. The Inspectorate welcomes the reference in paragraph 4.3 to Planning Inspectorate Advice Note nine 'Using the 'Rochdale Envelope'¹ in this regard.

2.3.10 The Secretary of State notes that aspects of the project description are not clearly defined at this stage and this presents difficulties to defining the scope for the assessment. The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters should be clearly defined in the dDCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.

2.3.11 The Inspectorate notes, in section 3.22 of the Scoping Report, that the Applicant proposes to submit an 'illustrative' layout supported by parameters set out on the Parameters Plan to be secured through the DCO, and that the precise details of the buildings on site will not be known prior to consent. As well as providing

¹ Advice Note nine: Using the Rochdale Envelope. Available at:
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

an indicative layout of the maximum massing of proposed buildings and limits of deviation, the Inspectorate would expect the ES to define a worst case in other terms (e.g. construction programming, vehicle movements to and from the site (both road and rail), lighting and energy requirements). The Inspectorate also notes the level of detail in the proposed methodologies for the aspect assessments presented in the Scoping Report. Each aspect chapter of the ES should include a section define and justify the Rochdale envelope parameters for that particular aspect.

- 2.3.12 It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion. This is particularly relevant to the highways strategy which the Inspectorate notes is still under consideration (Scoping Report paragraph 3.20).

3. ES APPROACH

3.1 Introduction

- 3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'² and associated appendices.
- 3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.
- 3.1.3 The Inspectorate has set out in this Opinion where it has not agreed to scope out aspects or matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects or matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 3.1.4 The Inspectorate has made effort to ensure that this Scoping Opinion is informed through effective consultation with the relevant consultation bodies. Unfortunately, at this time the Inspectorate is unable to receive hard copy consultation responses, and this may affect a consultation body's ability to engage with the scoping process. The Inspectorate also appreciates that strict compliance with COVID-19 advice may affect a consultation body's ability to provide their consultation response. The Inspectorate considers that Applicants should make effort to ensure that they engage effectively with consultation bodies and where necessary further develop the scope of the ES to address their concerns and advice. The ES should include information to demonstrate how such further engagement has been undertaken and how it has influenced the scope of the assessments reported in the ES.
- 3.1.5 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent or minimise adverse effects is secured through dDCO requirements (or other suitably robust methods) and whether relevant consultation bodies agree on the adequacy of the measures proposed.

3.2 Relevant National Policy Statements (NPSs)

- 3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which

² Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.

3.2.2 The designated NPS(s) relevant to the Proposed Development is the NPS for National Networks (NPSNN).

3.3 Scope of Assessment

General

3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:

- to demonstrate how the assessment has taken account of this Opinion;
- to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
- to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement);
- to describe any remedial measures that are identified as being necessary following monitoring; and
- to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of National Site Network sites and their locations, together with any mitigation or compensation measures, that inform the findings of the ES.

3.3.2 The Inspectorate notes at paragraph 1.8 that the Proposed Development is anticipated to comprise two NSIPs, the RFI and a highway NSIP, but this is dependent on the nature and extent of the highway options. Should the DCO application include works described as 'Associated Development', that could themselves be defined as an improvement of a highway, the Applicant should ensure that the ES accompanying that application distinguishes between; effects that primarily derive from the integral works which form the proposed (or part of the proposed) NSIP and those that primarily derive from the works described as Associated Development. This could be presented in a suitably compiled summary table. This will have the benefit of giving greater confidence to the Inspectorate that what is proposed is not in fact an additional NSIP defined in accordance with s22 of the PA2008.

Decommissioning

3.3.3 Table 3 of the Scoping Report also proposes to scope out effects from decommissioning. The Scoping Report states that this is because the facility will not be decommissioned at a specific point and is unlikely to be decommissioned at all. The Inspectorate agrees that decommissioning can be scoped out of the assessment on these grounds.

Accessibility

- 3.3.4 Some of the figures within the Scoping Report and notably the background mapping for the Ecology and Biodiversity chapter, are small scale or difficult to read. There is also a lack of a consistent numbering convention for the figures. The Applicant is reminded that the ES should be clear and accessible to readers.
- 3.3.5 The Inspectorate also noted discrepancies between the effects described as scoped into the assessment in Table 3, and the lists of potentially significant effects described within the aspect sections of the Scoping Report. The ES should present consistent details between the introductory chapters, project description and the aspect chapters.

Baseline Scenario

- 3.3.6 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
- 3.3.7 In light of a number of ongoing developments within the vicinity of the Proposed Development application site, the Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline.
- 3.3.8 The Scoping Report provides limited information regarding the characteristics of the application site and surrounding area. This makes it difficult for consultees to understand the nature and extent of any existing constraints which can then be used to inform the scope of the ES.
- 3.3.9 In addition to detailed baseline information to be provided within aspect specific chapters of the ES, the Inspectorate expects the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off-site mitigation or compensation schemes.

Forecasting Methods or Evidence

- 3.3.10 The Inspectorate draws the Applicant's attention to the advice provided on the presentation of the ES in the Annex to Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements.
- 3.3.11 The ES should contain consistent information about the timescales upon which the surveys which underpin the technical assessments have been based.
- 3.3.12 The Applicant does not propose to include an overarching chapter on methodology in the ES. Nevertheless, the Applicant should ensure that there is consistency in the approaches in the individual aspect chapters and that the resulting conclusions of significance are clearly presented using a common

format. Definitions should therefore be provided for each of the steps used in establishing significance and a common approach taken to conclude mitigation and residual effects across all aspect chapters.

- 3.3.13 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

Residues and Emissions

- 3.3.14 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.

Mitigation and Monitoring

- 3.3.15 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific dDCO requirements or other legally binding agreements.
- 3.3.16 Paragraph 4.31 and Table 1 of the Scoping Report presents the Applicant's approach to mitigation. The Applicant's intention is to submit a mitigation strategy within the ES and prepare a Mitigation Tracker within the DCO application, setting out the means by which mitigation measures will be secured. The mitigation strategy should provide a sufficient level of detail to demonstrate that mitigation measures are comprehensive and effective in mitigating the effects identified.
- 3.3.17 The ES should identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.

Human Health

- 3.3.18 Table 3 of the Scoping Report sets out the aspects proposed to be scoped in and scoped out of the assessment. The table indirectly refers to human health matters being scoped into the assessments for the noise and vibration, ground conditions and lighting aspect assessments. Human health is also identified as being linked to access to existing and new Public Rights of Way (PRoW). The Inspectorate considers that a separate aspect chapter on human health is not necessary, however the ES should signpost to the matters of relevance to health and wellbeing and the intra project effects on health should be assessed in the cumulative effects chapter.

Risks of Major Accidents and/or Disasters

- 3.3.19 The Scoping Report proposes to scope out major accidents and disasters, as the Applicant considers the risk of such events occurring to be low and covered by the inherent approach to the design of the proposals and general health and safety procedures (4.32 – 4.34). The Inspectorate does not consider that sufficient evidence has been provided to demonstrate that significant effects will not occur, however, particularly given the limited information provided on the nature of the Proposed Development and scale of operations. Major accidents and disasters should be scoped into the assessment, therefore, where significant effects are likely to occur. The Applicant's attention is drawn to the consultation responses from the Health and Safety Executive (HSE), the Environment Agency and Oxfordshire County Council Emergency Planning, regarding risks such as those associated with the Ardley tunnel and sections of the Chiltern main line, as well as the Upper Heyford Southern Bomb Store Upper Tier COMAH site. The Applicant should also liaise with Network Rail concerning rail related risks.
- 3.3.20 The ES should therefore include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development, for example, risks to road and rail infrastructure operations, walkers, cyclists and horse riders and the hazardous sites in the vicinity. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to the Inspectorate's Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.
- 3.3.21 Relevant information available and obtained through risk assessments pursuant to national legislation may be used for this purpose. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

Climate and Climate Change

- 3.3.22 The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change. Refer to Table 4.13 in this Opinion for further detailed comments on the climate change assessment.

Transboundary Effects

- 3.3.23 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES.
- 3.3.24 The Scoping Report concludes that the Proposed Development is not likely to have significant effects on a European Economic Area (EEA) State and proposes that transboundary effects do not need to be considered within the ES (4.25 – 4.260).
- 3.3.25 Having considered the nature and location of the Proposed Development, the Inspectorate considers that significant transboundary effects are unlikely.

A Reference List

- 3.3.26 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

3.4 Coronavirus (COVID-19) Environmental Information and Data Collection

- 3.4.1 The Inspectorate understands government enforced measures in response to COVID-19 may have consequences for an Applicant's ability to obtain relevant environmental information for the purposes of their ES. The Inspectorate understands that conducting specific surveys and obtaining representative data may be difficult in the current circumstance.
- 3.4.2 The Inspectorate has a duty to ensure that the environmental assessments necessary to inform a robust DCO application are supported by relevant and up to date information. Working closely with consultation bodies, the Inspectorate will seek to adopt a flexible approach, balancing the requirement for suitable rigour and scientific certainty in assessments with pragmatism in order to support the preparation and determination of applications in a timely fashion.
- 3.4.3 Applicants should make effort to agree their approach to the collection and presentation of information with relevant consultation bodies. In turn the Inspectorate expects that consultation bodies will work with Applicants to find suitable approaches and points of reference to allow preparation of applications at this time. The Inspectorate is required to take into account the advice it receives from the consultation bodies and will continue to do so in this regard.

3.5 Confidential and Sensitive Information

- 3.5.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to personal information specifying the names and qualifications of those undertaking the assessments and / or the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information.

- 3.5.2 Where documents are intended to remain confidential the Applicant should provide these as separate documents with their confidential nature clearly indicated in the title and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2004.
- 3.5.3 The Inspectorate adheres to the data protection protocols set down by the Information Commissioners Office³ . Please refer to the Inspectorate's National Infrastructure privacy notice⁴ for further information on how personal data is managed during the Planning Act 2008 process.

³ <https://ico.org.uk>

⁴ <https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

4. ASPECT BASED SCOPING TABLES

4.1 Transport and Access

(Scoping Report Section 5.5 – 5.57)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	5.53	Hazardous loads	The Scoping Report states that the development would not give rise to hazardous loads and is therefore seeking to scope this out of the assessment. However, no details are provided regarding the type of load which will arrive or depart from the rail freight terminal. In the absence of this information, the Inspectorate is not able to agree to scope out this matter. Accordingly, the ES should include an assessment of this matter or demonstrate that such loads would not be handled at the facility.

ID	Ref	Other points	Inspectorate's comments
4.1.2	5.6 – 5.7	Baseline	The Scoping Report identifies that a number of significant changes to the highways network will be required in order to facilitate the construction and operation of the rail freight facility. The final details of the new roads will be included within a Transport Assessment (TA). The datasets used to inform the TA should be consistently reflected in the ES, particularly with regards to air quality, noise and vibration, socio- economics issues, cumulative impacts and severance issues.
4.1.3	5.30	Receptors	The scoping report identifies key receptors as the nearby road network and a number of nearby Public Rights of Way (PRoW). This list should be expanded to include other sensitive receptors such as residents, community uses, schools and their catchment areas,

ID	Ref	Other points	Inspectorate's comments
			business and ecological receptors. The assessment should extend to the affected road network and not be limited to the 'nearby road network'.
4.1.4	5.9, 5.37 and 5.45	Methodology	<p>The ES should include details of the methodology and guidance which has been followed in undertaking the transport and access assessment.</p> <p>The Environmental Statement should provide details regarding the annual number of trips anticipated to be made by rail to the rail terminal.</p>
4.1.5	5.39	Transport Working Group (TWG)	A record of the meetings and outcomes of the Transport Working Group should be appended to the ES. Details of the technical notes, reports and drawings agreed by the TWG should be included in the ES.
4.1.6	5.40 – 5.41	Modelling	The traffic modelling should be appended to the ES. Details should include locations of traffic monitoring and justification of locations chosen. The ES should provide details of the anticipated number of HGVs which will be required during construction and operation.
4.1.7	5.42	Study Area	The study areas area/s (which should include the affected road network and the area covered by any traffic modelling) utilised in the Transport and Access aspect assessment should be discussed and agreed with relevant consultees, where possible.
4.1.8	5.51	Impacts	The ES should assess impacts that may result in likely significant effects on the safety, reliability and operation of the Strategic Road Network, and of the transport network for Non-Motorised Users (NMUs). The assessment methodology and any necessary mitigation measures should be discussed and agreed with relevant consultees including Highways England, where possible.

ID	Ref	Other points	Inspectorate's comments
4.1.9	N/A	Construction Traffic Management Plan (CTMP)	The Applicant should append a draft/outline CTMP to the ES and demonstrate how this document will be secured. The CTMP should set out any proposals for monitoring HGV movements e.g. to/from the application site.

4.2 Air Quality

(Scoping Report Section 5.58 – 5.102)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	5.59	Odour	The Scoping Report indicates that discussions on whether to scope odour into the ES are ongoing. This relates to the relocation of the Severn Trent Green Power 'In Vessel Composting' facility. In the absence of information regarding the new location of the facility, the Inspectorate is not able to agree to scope out this matter. The ES should include an assessment of odour effects from the facility.

ID	Ref	Other points	Inspectorate's comments
4.2.2	5.63	Air Quality Management Areas (AQMA)	The Scoping Report refers to four AQMAs which are located within 'the Borough'. The ES should clearly set out and justify the choice of selected AQMAs included for assessment and should consider impacts on any AQMAs which are located in different local authority areas where relevant (with reference to the affected road network). The ES should include a map depicting the location of these AQMAs with respect to the boundary of the Proposed Development.
4.2.3	5.64	Baseline diffusion tube monitoring	The Scoping Report refers to three NO ₂ diffusion tube modelling sites which are located 2km from the Proposed Development. The ES should explain why these locations are representative of air quality conditions at the site. Details of any additional monitoring data from local authority should be included with the ES. The data should be as up to date as possible and represent the area contained within the red line boundary and surrounding the affected road network.

ID	Ref	Other points	Inspectorate's comments
4.2.4	5.70	Likely Significant Effects	The ES should assess the impacts to designated sites identified within proximity to the affected road network from the Proposed Development, alone and cumulatively with other developments. Specific mitigation measures required to address the effects on these sites from air pollutants should be identified and secured.
4.2.5	5.73	Guidance and methodology	The ES should refer to the following guidance by Natural England when screening for potential impacts on designated sites: 'Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations (NEA001)'. Cross references should be made between the Transport and Access chapter regarding the identification of the affected road network and the designated sites where impacts may be experienced as a result of the Proposed Development.
4.2.6	5.81	Sensitive Receptors	The ES should detail of all of the sensitive receptors identified for inclusion within the assessment and depict these on a plan. The ES should make specific reference to fish and other aquatic organisms as sensitive receptors due to the potential for adverse effects on these species from construction dust entering watercourses. All receptors included within the assessment should be agreed with relevant consultees, where possible.
4.2.7	5.83	Study Area	The extent of the study area has not yet been defined. The ES should include a figure depicting the affected road network and the air quality study area for construction and operation. The extent of the study area should be agreed with relevant consultation bodies, where possible.
4.2.8	5.88	Construction Environmental Management Plan (CEMP)	The Scoping Report indicates that construction vehicle and plant emissions will be controlled through the CEMP. The Scoping Report

ID	Ref	Other points	Inspectorate's comments
			does not contain any data regarding quantities of emissions. The ES should account for all emissions (including dust) within the assessment and fully describe all envisaged mitigation measures for the construction phase in the CEMP. The ES should explain how the CEMP will be secured through the DCO.
4.2.9	5.92	Methodology	Table A4 of the Scoping Report shows the assessment of impacts and significance for individual receptors. The ES should explain how the receptors were identified and whether they have been treated as individuals as indicated in the Scoping Report, or if certain receptors were grouped together. It should be clear how the worst case scenario has been assessed.

4.3 Noise and Vibration

(Scoping Report Section 5.103-5.172)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	5.129	Vibration arising from Heavy Goods Vehicles (HGVs) on access roads	<p>The Scoping Report seeks to scope out vibration arising from HGVs on access roads on the grounds that the access roads would be newly surfaced and smooth, limiting the potential for any significant vibration effects. The Inspectorate agrees that this matter can be scoped out during operation. The ES and mitigation documents should explain how roads will be maintained to avoid vibration issues during operation.</p> <p>An assessment of vibration arising from construction traffic should be included in the ES, where significant effects are likely to occur.</p>

ID	Ref	Other points	Inspectorate's comments
4.3.2	5.114	Sensitive receptors	The ES should explain the criteria used to define sensitive receptors. Public buildings and spaces should be considered in addition to residential properties.
4.3.3	5.121	Ecological receptors	Paragraph 5.121 states that "for ecological receptors suitable information will be provided to the project ecologist to inform their assessment". The project ecologist should also be involved in designing the methodology to ensure that the baseline is properly established.
4.3.4	5.127	Impacts	Paragraph 5.127 lists potential noise sources. For clarity, in the ES noise impacts should be classed as construction or operation impacts (or both).

ID	Ref	Other points	Inspectorate's comments
4.3.5	5.134	Time periods	Table N2 describes the day time period 07:00 – 23:00. It is assumed that this is an error and should read 07:00-19:00, since the evening period is defined as 19:00-23:00.

4.4 Ecology and Biodiversity

(Scoping Report Section 5.173 – 5.222)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	5.189	Reptiles	The Applicant proposes to scope out effects on reptiles for the Main Site on the basis that potential habitats for reptiles are restricted to hedgerows and field margins. Reptile surveys are therefore not considered necessary and have not been completed to date for this area of the redline boundary. The Inspectorate notes that further habitat surveys are being completed on other areas within the redline boundary in 2021 and that other habitats have been identified (paragraph 5.180 of the Scoping Report) on the Main Site and further faunal surveys are ongoing. Given the scale of the Proposed Development, the limited evidence supplied in the Scoping Report on the outcome of surveys completed to date and the area of hedgerows and field margins that could be affected, the Inspectorate does not consider that sufficient information has been provided to demonstrate that significant effects on reptiles within the Main Site will not occur. The ES should be supported by a sufficient level of survey effort for reptiles.

ID	Ref	Other points	Inspectorate's comments
4.4.2	NA	Aquatic ecology	The layout of the Proposed Development indicates that there will be direct effects on watercourses during construction and operation. The ES should include an assessment of effects on aquatic ecological receptors where significant effects are likely to occur.

ID	Ref	Other points	Inspectorate's comments
4.4.3	5.175 5.178	Study area	<p>The Scoping Report refers to a 15km search area, a 2km study area and Figure 1a also provides a 1km buffer area not discussed in the text.</p> <p>The ES should justify any study areas used for the assessment and ensure that they are appropriate for identifying the likely significant effects of the Proposed Development, with support of appropriate figures in the ES. Study areas should be established in conjunction with other relevant aspect assessments, such as air quality.</p> <p>The ES should also make use of Natural England SSSI impact risk zones and consider impact pathways to determine the likely indirect effects on designated sites, rather than focus on a defined study area to determine likely significant effects.</p>
4.4.4	5.179 5.203 5.191	Field surveys	<p>The Inspectorate notes that field surveys are ongoing outside of the 'Main Site' and further habitats and species could be identified through this process. At this stage, there is limited information to support the rationale for determining which surveys are required, particularly outside of the 'Main Site'. The ES should set out the methods and guidance employed for field surveys, in addition to CIEEM guidance⁵, the results of these baseline surveys and discuss the methodologies with the relevant conservation bodies. In addition, any limitations or difficulties encountered during the survey should be fully described.</p> <p>The temporal and spatial extent of field surveys should also be described and be sufficient to provide a baseline for the assessment of all the land affected within the redline boundary.</p>

⁵ Guidelines for Ecological Impact Assessment in the UK and Ireland, Chartered Institute of Ecology and Environmental Management, Version 1.1, 2019

ID	Ref	Other points	Inspectorate's comments
4.4.5	5.179	Ancient Woodland and Veteran Trees	<p>The Inspectorate notes that on Figure 8308-L-10 of the Scoping Report, there is Ancient Woodland present in close proximity to the corridor identified for the Middleton Stoney relief road. Given the location of the Proposed Development and potential for effects on this habitat, the Applicant should scope in potential effects on Ancient Woodland.</p> <p>The Scoping Report also makes reference to 'mature trees' being identified during surveys of the main site and effects on mature trees are scoped into the assessment. ES should confirm whether any mature trees are considered to be veteran trees, and address these as specific receptors where significant effects are likely to occur.</p>
4.4.6	5.182	Effects on designated sites	<p>The Scoping Report indicates there is potential for the Proposed Development to have direct effects on Sites of Special Scientific Interest (SSSIs) that lie within the redline boundary. The Inspectorate notes that consultation has begun with Natural England on potential impacts, mitigation and enhancement.</p> <p>The Inspectorate considers that in line with the key principles from CIEEM guidance⁵, the ES should also detail the steps taken to avoid impacts on protected sites before mitigation and compensation are considered.</p>
4.4.7	5.188	Desktop study and baseline	<p>The ES should describe the sources and dates of data used to inform the baseline desktop study.</p>
4.4.8	5.192	Future baseline	<p>The Scoping Report notes (paragraph 5.176) that the application site falls entirely within the Ardley and Heyford Conservation Target Area (CTA), and is close to the Tuswell and Shelsmore CTA. These sites aim to identify areas for potential biodiversity gains through habitat</p>

ID	Ref	Other points	Inspectorate's comments
			<p>management, creation and restoration⁶. The ES should consider the objectives of the relevant Oxfordshire CTAs regarding land use, management and biodiversity enhancements to inform the future baseline evaluation.</p> <p>The Proposed Development footprint also contains areas under quarrying or proposed for mineral extraction (referenced in the Ground Conditions chapter of the Scoping Report). The future baseline should also therefore consider the changes this could present.</p>
4.4.9	5.197	Loss of habitat, fragmentation and indirect effects	In addition to direct loss, the ES should also consider the indirect effects on habitats due to fragmentation.
4.4.10	5.197	Disturbance to protected species	The Scoping Report indicates that potentially significant effects could arise from disturbance to legally protected or priority species. The Inspectorate considers that the ES should address the potential for disturbance effects on legally protected species due to noise, emissions, pollution, loss or fragmentation of habitats, lighting and effects on foraging or commuting behaviour.
4.4.11	5.197 Table 3	Habitats of principal importance	Effects on broadleaved woodland and hedgerow Habitats of Principal Importance (HPI) are scoped into the assessment. The Inspectorate agrees that HPIs should be considered in the ES, with reference specifically to the UK List of Priority Habitats and Species. The Inspectorate considers that there is potential for other HPIs, such as ponds, lowland grassland and arable field margins to also be present within the redline boundary and that this should be taken into account in the ES. The Inspectorate also requests that the Applicant

⁶ Wildoxfordshire <https://www.wildoxfordshire.org.uk/biodiversity/conservation-target-areas/> Accessed 22/6/21

ID	Ref	Other points	Inspectorate's comments
			<p>ensures it is clear which broadleaved woodland habitat the effects relate to, with reference to the published list of HPis.</p>
4.4.12	<p>Figures 1a and 1b 5.203 and 5.204</p>	<p>Direct and indirect effects on statutory designated sites</p>	<p>The Inspectorate notes that the Proposed Development would result in loss of habitat and direct effects on Ardley Cutting and Quarry SSSI and Ardley Trackway SSSI. The Inspectorate notes that these sites appear in the list of ecological receptors that will be assessed, but not in Table 3 of the Scoping Report.</p> <p>The ES should set out what effects on statutory designated sites have been assessed, including both direct and indirect, secondary, cumulative, and temporary and permanent effects from both construction and operation of the Proposed Development. The ES should also consider the potential for indirect effects on other statutory designated sites outside of the redline boundary where a receptor pathway exists. The consideration of effects on statutory designated sites should also be carried out in conjunction with other relevant aspect assessments such as noise or air quality.</p> <p>Consideration of effects on statutory designated sites should also consider the potential for effects on Local Nature Reserves.</p>
4.4.13	5.203	<p>Effects on areas outside of the Main Site</p>	<p>Paragraph 5.203 lists the receptors that will be considered in the assessments for the 'Main Site' but does not list the likely receptors for works affecting the other elements of the development within the redline boundary, nor those potentially indirectly affected but outside the redline boundary. This should be detailed within the ES.</p> <p>The Inspectorate draws the Applicant's attention in particular to the consultation response from Natural England, for the need to consider the effects of changes in air quality on designated sites.</p>

4.5 Landscape and Visual Impacts

(Scoping Report Section 5.223 – 5.267)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.5.2	5.239	Future baseline	Please refer to the Inspectorate's comments on the implications of Conservation Target Areas on the future baseline (ID 4.4.8).
4.5.3	n/a	Temporal scope of the assessment	<p>The ES should include consideration of the potential for night-time effects and include night-time field surveys where relevant to the assessment of effects. Any night-time effects should be considered in liaison with the assessment of effects on lighting. The Inspectorate notes that the scope of the cumulative effects assessment for the lighting assessment includes consideration of night-time lighting on landscape character.</p> <p>The baseline should include consideration of seasonal changes through the year.</p>

4.6 Lighting

(Scoping Report Section 5.266 – 5.290)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.6.2	5.276	Scope of the assessment	The Inspectorate considers that the scope of the assessment should consider effects of lighting both during construction and during operation, and both temporary and permanent effects of lighting during all phases of the Proposed Development. The baseline should also therefore consider night-time conditions.
4.6.3	5.276	Scope of the assessment – choice of receptors	The Scoping Report notes that both human and ecological receptors will be considered in the assessment. Given the rural character of the location, The Inspectorate considers that potential effects of lighting on landscape and visual receptors and the setting of heritage assets should also be scoped into the assessment where significant effects are likely to occur. The lighting assessment should therefore make reference to the Zone of Theoretical Visibility and the choice of viewpoints for the landscape and visual assessment. The Applicant should therefore ensure adequate liaison between the relevant chapters of the ES to confirm the choice of receptors, and should also discuss the locations for baseline lighting measurements with appropriate consultation bodies.
4.6.4	n/a	Lighting policy and guidance	The ES should consider other relevant policy and guidance in relation to lighting effects, including, but not limited to:

ID	Ref	Other points	Inspectorate's comments
			<ul style="list-style-type: none">• Planning Practice Guidance, 2019• Bats and Artificial Lighting in the UK. Bat Conservation Trust and Institute of Lighting Professionals, 2018

4.7 Water Environment (Flood Risk, Drainage and Water Quality)

(Scoping Report Section 5.291 – 5.327)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.7.2	n/a	Spatial scope	The Scoping Report focuses largely on the 'Main Site'. The scope of the assessment should consider the potential for significant effects to occur from all areas of the redline boundary for the Proposed Development. This is the area the Applicant refers to as 'the Application site'.
4.7.3	n/a	Direct effects on watercourses	The description of the development does not mention how the existing watercourses present within the redline boundary will be affected by construction or operation of the Proposed Development. The layout presented in drawing 8308-L-23 in the Scoping Report indicates that infrastructure would be built directly over sections of the Gagle, Ashgrove and Padbury Brooks and shows the Middleton Stoney relief road corridor bisecting the Gagle Brook. The ES should therefore scope in the potential for significant effects on the flow, water quality and morphology of these watercourses in addition to consideration of surface water quality effects during demolition, construction and operational phases of the Proposed Development. Where culverting is proposed to a main river or ordinary watercourse, this should be discussed with the Lead Local Flood Authority and / or the Environment Agency. The potential for significant effects from

ID	Ref	Other points	Inspectorate's comments
			shading where culverting is proposed should also be scoped into the assessment.
4.7.4	5.293	Temporal scope of the assessment	The Scoping Report has not defined the temporal scope of the assessment. The Inspectorate considers that effects on the water environment should be considered for both construction and operation of the Proposed Development.
4.7.5	5.305	Water dependent ecological sites and SSSIs	The Scoping Report correctly notes there are two SSSIs situated within the redline boundary of the Proposed Development. The Inspectorate considers that the ES should also determine whether pathways exist for potential effects to occur on protected or water dependent ecological sites outside of the redline boundary.
4.7.6	5.322 Table WT3	Significance of effects	The ES should clearly set out which effects, determined through the use of the matrix provided, are considered to be 'significant' and 'not significant'.
4.7.7	n/a Table W1	Sensitivity and magnitude of effect criteria	The sensitivity and magnitude of effect criteria should be reviewed to ensure they consider the potential additional effects on watercourses referred to in the Inspectorates comments (ID 4.7.3 and 4.7.5).
4.7.8	5.316	Study area	The ES should review and update the study area proposed for the water assessment in light of the Inspectorate's comments in ID 4.7.3 and 4.7.5. The study area for the assessment should be supported in the ES by appropriately scaled, clearly legible figures.

4.8 Cultural Heritage

(Scoping Report Section 5.328 – 5.349)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.8.2	5.238	Study area	The Scoping Report notes that desk and field-based studies are yet to be commenced for the Proposed Development. The Inspectorate considers that the ES should establish a study area for the assessment and to inform the baseline in discussion with the relevant consultation bodies. This study area should take account of the potential for effects both within and outside of the redline boundary and be co-ordinated with the baseline produced for the landscape and visual and lighting assessments.
4.8.3	5.333	Baseline studies	The Inspectorate considers that given the nature of the application site and its surroundings and the limited information available at this stage about the Proposed Development, an assessment of effects on historic landscape character should also be scoped into the assessment where significant effects are likely to occur.
4.8.4	5.343	Significance of effect	The ES should describe the good practice that is proposed to be used to define significance.
4.8.5	5.344	Effects scoped into the assessment	The Inspectorate considers that impacts from changes to surface or groundwater flows on heritage assets as a result of the Proposed

ID	Ref	Other points	Inspectorate's comments
			Development should also be scoped into the assessment where significant effects are likely to occur.
4.8.6	5.347	Sensitivity	The Scoping Report sets out a table showing the different levels of magnitude that will be applied to determine whether effects are significant or not significant. The Inspectorate considers that the ES should provide a similar table for definitions of sensitivity, to enable a clear understanding of the criteria used to determine significance of effect.

4.9 Ground Conditions

(Scoping Report Section 5.350 – 5.420)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	5.370	Ground conditions for highways works	The Scoping Report indicates that ground investigations will not be carried out for the highway works as part of the ES. Given that the highways routes are yet to be confirmed for the Proposed Development and given there is limited information in the Scoping Report to understand the nature of the Proposed Development outside of the 'Main Site', the Inspectorate does not agree that this matter can be scoped out of assessment in the ES for highways works.
4.9.2	5.408	Cumulative effects	The Applicant proposes to scope out cumulative effects on ground conditions on the basis that the Scoping Report considers any effects would be localised. Given the stage of the project and the scale of the Proposed Development, however, the Inspectorate believes that there is insufficient evidence that cumulative effects on ground conditions will not occur. Potential cumulative effects on ground conditions should therefore be scoped into the assessment

ID	Ref	Other points	Inspectorate's comments
4.9.3	n/a	Effects of the whole Proposed Development	The Scoping Report refers throughout the chapter to the scope of the assessment for the 'Main Site' and largely omits consideration of other elements of the Proposed Development. The Inspectorate considers that there is also potential for other significant effects to occur in these areas. The ES should therefore scope in effects relating to all of the areas of the Proposed Development.

ID	Ref	Other points	Inspectorate's comments
4.9.4	5.352 5.253	Study area	<p>The Scoping Report defines the study area for the ground conditions assessment as the application site and immediate surrounding area (within 250m of the boundary). Environment Agency guidance on the safe development of housing has been cited as the basis for the selection of the study area.</p> <p>The ES should justify any study areas used for the assessment and ensure that they are based on relevant and appropriate guidance for identifying the likely significant effects of all elements of the Proposed Development. Study areas should be established in conjunction with other relevant aspect assessments.</p>
	5.361 5.369 5.393	Statutory and non-statutory protected geodiversity sites	<p>The Thames Valley Environmental Records Centre should be used as a source of data for local sites of geodiversity interest. The Ground Conditions assessment should scope in potential effects on any non-statutory protected geological sites (Local Geological Sites) where these are present and there is potential for significant effects to occur. The scope of the assessment should consider both direct and indirect effects on designated geodiversity sites and consult with the relevant local conservation groups and Natural England regarding any effects on such sites.</p>
4.9.5	5.374	Assessment and receptors	<p>The Scoping Report considers workers on, and end-users of, the Proposed Development as the potential receptors for the assessment. The Inspectorate considers that the Ground Conditions assessment needs to include a wider scope of receptors than those related to risks to health. This should include for example, risks to controlled waters, surface waters and commercial or residential property.</p>
4.9.6	n/a	Guidance documents	<p>The ES should also consider guidance in relation to highways works and contamination, such as the Design Manual for Roads and Bridges (2019) Geology and Soils.</p>

4.10 Socio-Economic Impacts

(Scoping Report Section 5.421 – 5.439)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.10.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.10.2	5.424	Methodology	The Scoping Report states that any impacts on local housing demand because of jobs created by the Proposed Development will be considered, but no methodology is provided for this assessment. A methodology for the assessment of impacts on local housing demand must be provided within the ES.
4.10.3	5.425	Study area	The Scoping Report suggests that two study areas will be set, one based on regional boundaries and another defined by functional economic areas such as travel to work areas. The ES should clearly establish what the study areas are, justifying their extent and explaining how they have been established. The ES should make clear which study area is relevant to which assessment (i.e. the study area for the assessment of impacts to the economy, versus the study area for impacts to housing demand, etc).
4.10.4	5.426 - 30	Potential for 'Likely Significant Effects'	The Scoping Report describes the potential for significant positive economic impacts in terms of employment and economic contribution. The ES should consider both positive and negative impacts. This should include impacts on agricultural land holdings (please also see the Inspectorate's comments in ID 4.12.5) development land, local

ID	Ref	Other points	Inspectorate's comments
			businesses, and community land and facilities, where significant effects are likely to occur.
4.10.5	5.437	Cumulative assessment	The Scoping Report states that a qualitative assessment will be carried out to consider the cumulative socioeconomic impacts of the Proposed Development in conjunction with any committed developments. Where suitable data is available, a quantitative assessment should be undertaken.
4.10.6	5.437 - 8	Defining significance	The Scoping Report proposes that significance is defined as a combination of the scale of the receptor and the magnitude of the impact. The ES should establish the criteria applied for assigning scale to receptors and magnitude to the impacts. The ES should explain the threshold for a significant effect when applying these criteria.

4.11 Waste

(Scoping Report Section 5.440 – 5.482)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.11.1	5.441	Use of materials during construction	The Scoping Report proposes that the likely significant environmental effects from the use of materials (e.g. aggregate, concrete, brick and steel) for the construction of the Development will not be addressed in the ES as there is no fixed design to assess against or end-user to define requirements. Despite the indicative nature of the proposal, the Inspectorate considers that an approximate estimate of materials used in the construction of the development, based on worst case parameters, should be included in the ES and the impacts of this matter should be assessed where significant effects are likely to occur.
4.11.2	5.456	Use of excavated materials during construction	The Scoping Report seeks to scope out " <i>excavated material that can be used, in its natural state, for site engineering and restoration purposes</i> " from the assessment of likely significant environmental effects of construction. At this stage, the volumes of material to be excavated and then used on-site is not yet known. No information has been provided regarding the storage locations for excavated materials and additional details such as dimensions of any stockpiles and the length of time they would be in situ for. Therefore, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Other points	Inspectorate's comments
4.11.3	5.450	Types, quantities and removal of onsite waste	It is noted that the types, quantities, and destinations of waste produced as a result of the Proposed Development have not yet been determined. This information should be provided within the ES and the data regarding trip numbers should be included within the Transport Assessment and other relevant chapters such as Air Quality and Noise and Vibration. Appropriate cross-referencing to the Ground Conditions aspect chapter should be included, noting the potential for contaminated land within the vicinity of the Proposed Development.
4.11.4	n/a	Mitigation	The ES should contain details of any mitigation measures which may be required for the removal of waste off-site, or the use of materials on site, i.e. for noise bunds, landscaping etc. Any areas which will be used to stockpile materials on site should be shown on a plan and details be provided as to the dimensions of stockpiles and how long they would be in situ for.
4.11.5	n/a	Severn Trent Green Power composting facility	The Proposed Development includes the relocation of Severn Trent Green Power composting facility. The ES should consider indirect effects on the waste hierarchy should the proposed works significantly impact the operation of this facility.

4.12 Agricultural Land

(Scoping Report Section 5.483 – 5.498)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.12.1	5.498	Cumulative effects	<p>The Applicant proposes to scope out potential cumulative effects of loss of agricultural land. The Scoping Report explains that this is due to the impacts of the loss being relevant only to the application site.</p> <p>Given the scale of the project, its rural setting, and the presence of other large infrastructure developments in the region (see Table 4.14), the Inspectorate believes that there is insufficient evidence that cumulative effects on agricultural land (or soils) will not be significant. Potential cumulative effects on agricultural land and soils should therefore be scoped into the assessment.</p>

ID	Ref	Other points	Inspectorate's comments
4.12.2	5.485 5.486	Embedded measures	The ES should explain where protection of soils and measures to reuse soils have been embedded within the project design to avoid significant environmental effects.
4.12.3	5.492 Tables A1 and A2	Magnitude of impact and sensitivity of receptor	The Scoping Report sets out the levels of magnitude of impact and sensitivity of receptors that will define the significance of effect or how these will be combined to inform the assessment of significance. The ES should provide an explanation of how the particular levels of magnitude or sensitivity have been chosen, with reference to either published guidance, professional judgement or liaison with consultation bodies.

ID	Ref	Other points	Inspectorate's comments
4.12.4	5.494	Effects on soils	The ES should also scope in the effects of soil compaction in addition to direct loss or damage to soils.
4.12.5	n/a	Effects on agricultural land holdings	The ES should assess the effects of the Proposed Development on agricultural land holdings, such as changes to agricultural practices as a result of the Proposed Development, fragmentation of agricultural practices, and viability.

4.13 Climate Change

(Scoping Report Section 5.499 – 5.512)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.13.1	5.499	Climate Change Resilience	The Scoping Report states that beyond an assessment of greenhouse gas (GHG) emissions, the ES "will draw together aspects of the other topic specific assessments relevant to climate change". The Report does not specify which other topic assessments it is referring to. The Inspectorate considers that the ES should include an assessment of the resilience of the Scheme to climate change, including how the Scheme design would be adapted to take account of the projected impacts of climate change (for both construction and operation). This should draw on the Water Environment topic chapter and Flood Risk Assessment.
4.13.2	5.506	GHG emissions from construction	The Scoping Report is not clear what the assessment of construction GHG emissions will consist of, beyond an assessment of construction traffic emissions. Despite the indicative nature of the Proposed Development, the ES should nevertheless provide an approximate worst-case estimate of the GHGs arising from the construction of the scheme (materials quantity, energy and water demand, waste generation) and assess the significance.
4.13.3	5.510	Operational GHG emissions	The Scoping Report seeks to limit the assessment of operational GHG emissions to vehicular emissions and the modal shift from road to rail freight, and "indirect emissions and proposed measures to reduce energy use will be addressed in the Energy Statement". It is recognised that without knowing end-user requirements, operational emissions from on-site activities are difficult to predict with accuracy.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Nevertheless, the ES should provide an assessment of GHG emissions arising from operational energy and water use and waste generation.

ID	Ref	Other points	Inspectorate's comments
4.13.4	5.503	Guidance	Reference is made to IEMA guidance, but no specific citation is given. The ES should provide full reference to any guidance documents followed and ensure that they are the most up to date versions.
4.13.5	5.510	Modal shift - construction	It is unclear from paragraph 5.510 whether the modal shift from road to rail freight transport will be considered for the construction as well as operation phases of the development. This should be clarified in the ES and assessed where relevant.
4.13.6	5.511	Cumulative effects	The Scoping Report states that "consideration will be given to the cumulative effects on the local climate of the Proposed Development with that of other committed developments". The ES should define what is meant by 'local climate'.
4.13.7	n/a	Methodology and significance	The Scoping Report does not present a methodology for calculating GHG emissions or evaluating/ contextualising significance. This should be provided in the ES.

4.14 Cumulative effects

(Scoping Report Section 5.513 – 5.518)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.14.1	5.515 – 5.516	Committed developments	<p>The Scoping Report seeks the views of the LPAs on the relevant committed developments for inclusion in the cumulative effects assessment (CEA). Consultation bodies have suggested the following developments for inclusion: HS2; East-West Rail; the Great Wolf Development at Chesterton; residential and commercial development at Upper Heyford; M40 J10 Baynards Green Distribution centre; Ardley Landfill Energy Recovery Centre. The Inspectorate considers that insufficient information has been provided (e.g. on project timing and phasing, and zone of influence such as affected road and rail networks) for LPAs to provide a full and definitive view of relevant developments. Further consultation with LPAs is required to determine the list of other plans and projects when more information becomes available.</p> <p>The Scoping Report proposes three developments for inclusion in the ES, however the rationale for this list is not provided. The Inspectorate draws the Applicant's attention to Advice Note Seventeen: Cumulative effects assessment⁷ for the recommended approach to the process for establishing the scope and scale of a CEA for Nationally Significant Infrastructure Projects. The ES should provide justification for the short list of developments included in the assessment in terms of spatial and temporal overlap. Consultation with LPAs should be documented.</p>

⁷ Advice Note seventeen: Cumulative Effects Assessment. Available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

ID	Ref	Other points	Inspectorate's comments
4.14.2	5.518	Intra-project effects	The Scoping Report states that intra-project effects will be considered, using representative receptors to make judgements. The ES should describe the methodology for the assessment of intra-project effects, including justification for the relevance of the representative receptors.

5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus⁸
- Planning Inspectorate advice notes⁹:
 - Advice Note Three: EIA Notification and Consultation;
 - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
 - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
 - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
 - Advice Note Nine: Using the 'Rochdale Envelope';
 - Advice Note Ten: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
 - Advice Note Twelve: Transboundary Impacts;
 - Advice Note Seventeen: Cumulative Effects Assessment; and
 - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

⁸ The Planning Inspectorate's pre-application services for applicants. Available from: <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

⁹ The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES¹⁰

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Oxfordshire Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Oxfordshire Fire and Rescue Service
The relevant police and crime commissioner	Thames Valley Police and Crime Commissioner
The relevant parish council(s)	Heyford Park Parish Council
The relevant parish council(s)	Ardley with Fewcott Parish Council
The relevant parish council(s)	Stoke Lyne Parish Council
The relevant parish council(s)	Bucknell Parish Council
The relevant parish council(s)	Middleton Stoney Parish Council
The relevant parish council(s)	Chesterton Parish Council
[The relevant] AONB Conservation Boards	Chilterns Conservation Board
[The relevant] AONB Conservation Boards	Cotswolds Conservation Board
The Relevant Highways Authority	Oxfordshire County Council

¹⁰ Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The relevant strategic highways company	Highways England
The relevant internal drainage board	Buckingham and River Ouzel Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	The Forestry Commission

TABLE A2: RELEVANT STATUTORY UNDERTAKERS¹¹

STATUTORY UNDERTAKER	ORGANISATION
The relevant Clinical Commissioning Group	NHS Oxfordshire Clinical Commissioning Group
The relevant NHS Foundation Trust	South Central Ambulance Service NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
Railways	Highways England Historical Railways Estate
Universal Service Provider	Royal Mail Group
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Thames Water
The relevant water and sewage undertaker	Thames Water Commercial Services
The relevant public gas transporter	Cadent Gas Limited
The relevant public gas transporter	Last Mile Gas Ltd
The relevant public gas transporter	Energy Assets Pipelines Limited

¹¹ 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant public gas transporter	ES Pipelines Ltd
The relevant public gas transporter	ESP Networks Ltd
The relevant public gas transporter	ESP Pipelines Ltd
The relevant public gas transporter	ESP Connections Ltd
The relevant public gas transporter	Fulcrum Pipelines Limited
The relevant public gas transporter	Harlaxton Gas Networks Limited
The relevant public gas transporter	GTC Pipelines Limited
The relevant public gas transporter	Independent Pipelines Limited
The relevant public gas transporter	Indigo Pipelines Limited
The relevant public gas transporter	Leep Gas Networks Limited
The relevant public gas transporter	Murphy Gas Networks limited
The relevant public gas transporter	Quadrant Pipelines Limited
The relevant public gas transporter	National Grid Gas Plc
The relevant public gas transporter	Scotland Gas Networks Plc
The relevant public gas transporter	Southern Gas Networks Plc
The relevant electricity generator with CPO Powers	Viridor
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
The relevant electricity distributor with CPO Powers	Last Mile Electricity Ltd
The relevant electricity distributor with CPO Powers	Energy Assets Networks Limited
The relevant electricity distributor with CPO Powers	ESP Electricity Limited
The relevant electricity distributor with CPO Powers	Forbury Assets Limited

STATUTORY UNDERTAKER	ORGANISATION
The relevant electricity distributor with CPO Powers	Fulcrum Electricity Assets Limited
The relevant electricity distributor with CPO Powers	Harlaxton Energy Networks Limited
The relevant electricity distributor with CPO Powers	Independent Power Networks Limited
The relevant electricity distributor with CPO Powers	Indigo Power Limited
The relevant electricity distributor with CPO Powers	Leep Electricity Networks Limited
The relevant electricity distributor with CPO Powers	Murphy Power Distribution Limited
The relevant electricity distributor with CPO Powers	The Electricity Network Company Limited
The relevant electricity distributor with CPO Powers	UK Power Distribution Limited
The relevant electricity distributor with CPO Powers	Utility Assets Limited
The relevant electricity distributor with CPO Powers	Vattenfall Networks Limited
The relevant electricity distributor with CPO Powers	Southern Electric Power Distribution Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))¹²

LOCAL AUTHORITY ¹³
Cherwell District Council
Oxfordshire County Council
Stratford on Avon District Council
West Oxfordshire District Council
West Northamptonshire Council South Northamptonshire Area
South Oxfordshire District Council
Buckinghamshire Unitary Authority
Oxford City Council
Vale of White Horse District Council
Northamptonshire County Council
Warwickshire County Council
Gloucestershire County Council
Swindon Borough Council
Wiltshire County Council
Reading Borough Council
West Berkshire Council
Wokingham Borough Council

¹² Sections 43 and 42(B) of the PA2008

¹³ As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Ardley with Fewcott Parish Council
Cadent Gas
Canal and River Trust
Cherwell District Council
Environment Agency
ESP Utilities
Health and Safety Executive
Historic England
Middleton Stoney Parish Council
Natural England
Oxfordshire County Council
Royal Mail
Thames Water Utilities Ltd
West Berkshire Council
West Northamptonshire District Council
Wokingham District Council

Ardley with Fewcott Parish Council

Comments on the Environmental Statement Scoping Report submitted by OxSRFI for the proposed NSIP Strategic Railfreight Interchange (SFRI) at Ardley, and suggestions for areas to be covered by the Environmental Statement.

Explanation of Acronyms <p>The Parish Council believes that it is crucial that the Environmental Statement (ES) should include a comprehensive glossary including an explanation of every acronym used in the text.</p>
Alternative sites and site choice <p>The ES should elaborate in detail what alternative sites have been considered, explain the advantages/disadvantages over the application site.</p> <p>The proposed site is within 40 miles of a similar development at Daventry. The ES should explain why there is a perceived need to develop a similar site so close to an existing facility.</p>
Effect on Climate change <p>The ES should provide detail as to how the freight transfer process works. The ES should also explain why a greenfield site in open countryside far from a major conurbation has been chosen.</p>
Traffic movements <p>An approximate number of daily HGV movements for the facility should be given at this stage and the ES should contain a consideration of the effect of any increase of traffic on the villages of Ardley and Fewcott including considering the effect of both the proposed changes to the M40 and any proposed bypass of the villages. It should also indicate an approximation of how many employees there are likely to be, and the environmental effects of these traffic movements on all local roads.</p> <p>It is understood that skilled workers are required for many aspects of the operation of an SRFI. The ES should provide an assessment of the availability and proximity of such skilled workers and the effect on the local area of anticipated commuting traffic.</p>
Cumulative effect <p>The cumulative effect of developments in this area, including (but not limited to) HS2, EW Rail, The Great Wolf Development at Chesterton, the proposed large housing development at Upper Heyford and a major proposal for a Distribution and Manufacturing Park of 278,000 sq.m. at J10 Baynards Green being prepared by Albion Land for submission to Cherwell District Council should be analysed in detail so far as they are likely to affect Ardley and Fewcott villages.</p>
Archaeology <p>The ES should address concerns regarding the management of all local finds of archaeological interest, including pre historic sites and ancient burials.</p>
Lighting/Noise <p>The ES should consider in detail the effect of light pollution specifically on the villages of Ardley and Fewcott and the surrounding area, including (but not limited to) the effect on residents and wildlife.</p> <p>The ES should also consider the effect of additional noise sources on the parish area, both in so far as they will affect residents and wildlife.</p>
Coalescence <p>The ES should recognise the need to maintain the separation of local villages, including Ardley, Fewcott and Heyford Park.</p>

Loss of agricultural land

The ES should include an assessment of the quality of the agricultural land around the Ardley with Fewcott area and its loss caused by the proposed development, the current rural feel of the area of Ardley with Fewcott and its surrounds and the effect of any further development on the current rural landscape of the area (both visually and environmentally).

Sites of special scientific interest

The ES needs to consider the implications of the proposed development on sites of Special Scientific interest local to the Parish area.

General

The ES should consider in depth the effect such a major development will have on indigenous flora and fauna (including, but not limited to bats, hedgehogs, newts, badgers, owls and other threatened species) in the Parish area.

Deery, Claire

From: Cashman, Vicky [REDACTED]@cadentgas.com>
Sent: 02 July 2021 11:31
To: OxfordshireSRFI
Cc: Deery, Claire
Subject: RE: [EXT] ORFI - Oxfordshire Strategic Railfreight Interchange - EIA Scoping Notification

Dear Claire

Thank you for consulting Cadent in relation to the above proposed DCO. I can confirm that this project falls outside of Cadent's network area and therefore we have no comments to make.

Kind Regards
Vicky

Vicky Cashman
Senior Land & Consents Officer
Capital Delivery

Cadent
Windsor Street, Birmingham, B7 4DN
[REDACTED]
cadentgas.com

** Please note Thursdays are my non-working day **

From: OxfordshireSRFI <OxfordshireSRFI@planninginspectorate.gov.uk>
Sent: 07 June 2021 15:22
Cc: Deery, Claire <[REDACTED]@planninginspectorate.gov.uk>
Subject: [EXT] ORFI - Oxfordshire Strategic Railfreight Interchange - EIA Scoping Notification

Dear Sir/Madam,

Please see attached correspondence on the proposed Oxfordshire Strategic Railfreight Interchange.

Please note the deadline for consultation responses is 05 July 2021 and is a statutory requirement that cannot be extended.

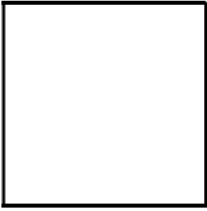
Kind regards,
Claire Deery
EIA Advisor
Major Casework Directorate
The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Twitter: @PINSgov
Helpline: [REDACTED]
Email: oxfordshiresrfi@planninginspectorate.gov.uk

Web: <http://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning website)

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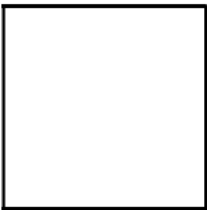


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Canal & River Trust

Making life better by water

OxfordshireSRFI@planninginspectorate.gov.uk

Your Ref

Our Ref IPP - 136

Friday 11 June 2021

Dear Sir

NSIP: Oxfordshire SRFI

Waterway: Oxford canal

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a prescribed consultee in the Nationally Significant Infrastructure Projects (NSIPs) process.

The Trust has reviewed your proposals and on the basis that they appear unlikely to have any impact on our waterway we have **no** comment to make at this time.

If your proposals become significantly altered, or if it becomes clear that the Oxford canal will be affected during the construction phase, for example if a haul route is likely to cross the canal, then we ask that you re-consult us in order that we can re-consider this position.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Jane Hennell MRTPI
Area Planner

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T [REDACTED] E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

Planning and Development

David Peckford, Assistant Director – Planning and Development



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Planning Inspectorate
Wytham Court
11 West Way
Oxford
OX2 0QL

Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

www.cherwell.gov.uk

Please ask for: **Clare Whitehead**

Direct Dial: [REDACTED]

Email: [REDACTED] [@cherwell-dc.gov.uk](mailto:[REDACTED]@cherwell-dc.gov.uk)

Your Ref: **TR050008**

5th July 2021

Dear Sir/ Madam

TOWN AND COUNTRY PLANNING ACT 1990

Application No.: 21/02008/SCOP

Applicant's Name: Oxfordshire Railfreight Limited

Proposal: Consultation on Environmental Statement Scoping Opinion request for nationally significant infrastructure proposal - Oxfordshire Strategic Rail Freight Interchange

Location: Land at Junction of B430 And Camp Road, Heyford Park

Parish(es): Ardley With Fewcott

I refer to your consultation on the above request for a scoping opinion, dated 07 June 2021, further to the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Cherwell District Council offers the following comments in the response.

The applicant's submission identifies they propose to assess the following matters in the Environmental Statement (ES):

- Agricultural Land
- Air Quality
- Climate Change
- Cultural Heritage
- Ecology and Biodiversity
- Ground Conditions
- Landscape and Visual
- Lighting
- Noise and Vibration
- Socio-Economic Impacts
- Transport and Access

- Waste
- Water Environment
- Cumulative Impacts

Cherwell District Council considers the Environmental Statement should also address in greater detail the “reasonable alternatives” in respect of the development in the currently proposed location as opposed to another part of the rail network. It is stated at paragraph 4.12 of the Scoping Report that there are limited alternative locations for an SRFI given the site size and accessibility criteria. The Environmental Statement should include details of the alternative sites that have been identified, assessed and then reasons for discounting development at those sites.

The comments below relate to topics as set out in the submitted Environmental Statement Scoping Report at Section 5:

Air Quality, Noise and Vibration, Lighting, Ground Conditions

See Appendix 1 for comments from the Environmental Protection Officer.

Landscaping and Visual Impacts

The commitment to consult with Local Authorities and other bodies is welcomed. With respect to visual impact assessment the selection of viewpoints is critical. In this context local knowledge can be invaluable to identifying the appropriate viewpoints, involving local people, who often stand to be most affected, can also facilitate understanding of the process.

Through the LVIA-influenced landscape design process the justification of landscape elements to visually mitigate the scheme is important. For example, elements such as earth mounding have to be properly justified. The LVIA-influenced landscape design should take account, and justify itself in terms of the studied effects of the development in respect, flood alleviation, ecology (buffer zones) arboricultural assessments and root protection areas, including carbon sequestration/offsetting, noise attenuation, etc.

As the landscape character assessment is unclear as to a recognised approach, Cherwell District Council’s recommendation is that it should be achieved with guidance from *An Approach to Landscape Character Assessment Oct 2014/ Natural England*, and field survey records included in the appendices of the LVIA/ES.

The ES should recognise the prior status of the Cherwell Valley corridor as an Area of High Landscape Value in the previous local plan. The Cherwell Valley should therefore be treated as a sensitive landscape receptor and refer to current local plan policy:

B.252 One of the most important elements of the landscape which can add to the character and identity of an area are natural landscape features. Such features include Muswell Hill, Crouch Hill, Madmarston Hill, the River Cherwell and Otmoor, which all make those areas distinct and create a sense of place.

The LVIA should include inter-visibility analysis with regard to Upper Heyford’s flying field conservation area, Rousham House and Gardens, Middleton Park estate and Deddington Castle, etc. In addition, CDC endorse the comments of the Oxfordshire County Council Landscape Officer.

For Arboricultural comments please see Appendix 2.

Cultural Heritage

The proposed Rail Freight Interchange has the potential to have a very significant impact on a number of heritage assets in the surrounding area, including those of international significance (RAF Heyford and Rousham Conservation Area).

There are no particular concerns regarding the proposed methodology of the written report, which should have a very strong emphasis on the setting of the heritage assets, but the key concern will be with the visuals which accompany this.

A Landscape and Visual Impact Assessment will be required and should include a Zone of Theoretical Visibility plan demonstrating the impact on the surrounding heritage assets (including those located at some physical distance). In order to produce this, a level of detail will be required in particular in relation to the scale and height of buildings.

In addition, sections, photomontages, wire frame sketches or similar 'mock ups' will be required of the proposed development within its landscape taking into account the natural topography of the area and the scale and massing of the buildings on the site.

It should be noted that the impact of the proposed development on RAF Heyford Conservation Area will be particularly significant and severely detrimental (notwithstanding the development that has already been permitted). In relation to the impact on RAF Heyford Conservation Area – the analysis should include the impact on the conservation area itself as well as the impact on the individual scheduled monuments, listed buildings and non-designated heritage assets.

The impact on the surrounding infrastructure in terms of traffic and vehicle movements (both during construction and implementation phases) will also need to be considered in relation to heritage assets in the surrounding area including conservation areas and listed buildings.

With regard to Archaeology, CDC endorse the comments of the Oxfordshire County Council Archaeologist.

Cumulative Effects Assessment

The cumulative effects of the proposed development and other developments will be significant to the environmental assessment and the expressed intention to consult with local authorities on the other developments and proposals to be included is welcome.

It is noted, at paragraph 5.349, that a list of developments in the local area which may have potential effects on the same receptors as the Proposed Development will be agreed and cumulative effects will be measured against this list. It is also noted that the committed development of most relevance will be the residential development at Upper Heyford, the former airbase.

Cherwell District Council has identified the following major developments and proposals that may be relevant in the assessment of cumulative impact of the proposed development:

- Ardley Landfill, Station Road, Ardley (County ref: MW/0085/17 and CDC ref: 17/02104/CM) for the construction and operation of an energy from waste and combined heat and power facility – Approved.
- Residential and commercial development at Heyford Park (ref: 18/00825/HYBRID) for up to 1175 new dwellings and 35,175 square metres of employment space, retail floorspace and new medical and educational facilities – Resolution to grant subject to completion of s.106.
- Land at Junction 10 M40 (Scoping Opinion under assessment 21/02235/SCOP for four large B8 logistics buildings similar in form and scale to that of the proposed SRFI) – Assessment still being made.
- Land to the east of M40 and south of A4095, Chesterton, Bicester (appeal ref: APP/C3105/W/20/3259189) for the provision of a new indoor leisure resort including a water park, hotel, conferencing facilities, restaurants and associated access and parking – Appeal consent granted.

The above list is not exhaustive, and Cherwell District Council may add to this list at a later stage.

Socio-Economic Impacts

The Environmental Statement Scoping Report indicates the broad extent of the Socio-economic Impacts considerations under paragraphs 5.421 to 5.439.

The scope of the study appears reasonable, but the quality of analysis will be key, including the consideration of any negative impacts upon the economy or businesses and mitigations that could be established ahead of any issues arising.

For example, the availability of labour and/or skills will be notable to prepare for well in advance of both the construction and operational phases. It is important therefore to have in place a Community Employment Plan (including Skills and Training) based upon the following guidance: <https://www.oxfordshirelep.com/sites/default/files/uploads/CEP%20Evidence%20Paper%20Final.pdf> A task group including officers from the Oxfordshire LEP, training providers and Council's economic growth service can be made available to support the developer but early planning is necessary in order to engage and prepare for skills to be made available locally in a timely manner.

Proposed Structure of the Environmental Statement

The proposed content and structure of the Environmental Statement is outlined at paragraph 4.35. Cherwell District Council is content with the suggested scope and structure of the Environmental Statement subject to the inclusion of our comments above and the expansion around alternative sites.

Additional Comments

Further work is required to assess the scoped in topics which are likely to cause significant effects including Transport and access, Air Quality, Noise and Vibration, Ecology and Biodiversity, Landscape and Visual, Lighting, Water Environment, Cultural Heritage, Ground Conditions, Socio-Economic Impacts, Waste, Agricultural Land, Climate Change and Cumulative Impacts. We also recommend that a description of the proposed construction programme and methods should be included.

Information relating to environmental protection issues and arboricultural issues are provided as Appendices to this letter. I understand that some comments provided by internal consultees are in respect of the proposal as a whole and are not specifically in relation to the scope of the Environmental Impact Assessment. They responses have been included in full for consideration by PINS however it is noted that not all are entirely of relevance. The Council is not setting out its position in terms of supporting or objecting the NSIP at this stage and any comments, though given in good faith, cannot prejudice any later comments or formal responses the Council, as the Local Planning Authority, may make.

Cherwell District Council welcomes the commitments to engagement and consultation within the Scoping Statement and reserves the right to comment appropriately as the application progresses. Pre-application advice proceeds on a without prejudice basis. Given the scale of the proposal the County Council would strongly encourage the applicant to engage with both the district and county councils in the form of pre-application meetings, site visits and further written advice.

This letter is the Council's formal response to the consultation under the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11, concerning the request for Scoping Opinion on the Environmental Statement required with application for Development Consent Order for development of the Oxfordshire SRFI for Oxfordshire Railfreight Limited.

If you have any questions or queries regarding the above, please contact the Case Officer using the details provided above.

Yours faithfully

Clare Whitehead

Clare Whitehead
Principal Planning Officer
Major Projects Team – Development Management

Agreed By: Andy Bateson, Team Leader – Major Developments

APPENDIX 1

ENVIRONMENTAL PROTECTION RESPONSE TO SCOPING REPORT – 21/02008/SCOP

Comments on the Environmental Statement Scoping Report:

- Agree that air quality, noise and vibration, light and land contamination are scoped in.

Air Quality:

- We would expect to see an odour assessment for the relocated IVC composting facility (para 5.59)
- For clarification, CDC do not operate any automatic monitoring stations, only diffusion tubes, and we only monitor NO₂ not PM₁₀ (para 5.64)
- Para 5.64 states that NO₂ levels are well below the objective level. Levels in Middleton Stoney are above 30µg/m³ so although below the objective level of 40µg/m³ we would not want this to be seen as a green light to work up to a level 40 and the aim should still be to ensure any increase is kept to minimum
- Noted that further monitoring is to be undertaken and the locations to be discussed with CDC (para 5.65)
- Para 5.80 mentions that consideration of potential emissions from energy plant will be undertaken. Will this include the cumulative effects of the existing Viridor Ardley Energy Recovery Facility? Para 5.102 'Cumulative Effects Assessments' just mentions other major committed and proposed developments.
- For the construction phase agree mitigation measures can be secured through a Construction Environmental Management Plan (CEMP)
- An assessment would not be required for the with and without construction phase traffic scenarios on the basis this is temporary (para 5.96)
- The assessment should also include a Damage Cost Calculation

Noise and Vibration

- Confirmation required that the vibration assessment (para 5.110) will include both passenger and goods trains. The text reads '...from passenger and trains...', I think this should read 'passenger and goods trains'?
- Noted that the monitoring locations, methodology and duration for the baseline survey to be discussed with CDC as the scheme evolves and details confirmed (paras 5.111 and 5.112)
- Agree that vibration from construction (piling) and freight trains in the operational phase (para 5.128) should be scoped in
- For the construction phase agree mitigation measures can be secured through a Construction Environmental Management Plan (CEMP)

Lighting

- No comments

Ground Conditions

- No comments

Trevor Dixon
Environmental Protection & Enforcement Manager
Regulatory Services and Community Safety
Cherwell District Council

APPENDIX 2

ARBORICULTURAL RESPONSE TO SCOPING REPORT – 21/02008/SCOP

The environmental scoping report acknowledges the presence of mature trees within the red line boundary, as well as an adjacent ancient woodland. With that I feel there is potential for veteran, and possibly ancient trees within the redline boundary, or within influencing distance to the proposal. Assessment of potential veteran/ancient features is required for consideration.

Facilitative tree/hedge removal will be required based off the draft illustrative masterplan. In order to assess the quality of these features, and the impact their removal provides, a full BS5837:2012 report will be required for consideration. Woodland/tree groups beyond the red line boundary to the west, south and north appear untouched, these will be key in screening the proposal. Equally, tree groups internal to the site adjacent to the relocated waste recycling facility and heading east adjacent to the lorry park/Ashgrove farm appear to be retained. The quality of these groups is unbeknown, therefore I would like to see consideration given to enhancing these existing groups, from both an arboricultural and ecological perspective.

There appears to be great scope for tree planting within the red line boundary. This planting should seek to not only screen the proposal/mitigate removals, but to enhance the tree cover/biodiversity within the site.

**Iain Osenton
Arboricultural Officer (South)
Environmental Services
Cherwell District Council**

Ms Stephanie Newman - EIA and Land
Rights Advisor
The Planning Inspectorate
Major Casework Directorate
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: WA/2021/129156/01-L01
Your ref: TR050008
Date: 05 July 2021

Dear Ms Newman

Application by Oxfordshire Railfreight Limited (the Applicant) for an Order granting Development Consent for the Oxfordshire Strategic Rail Freight Interchange (the Proposed Development).

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Land South of the Chiltern Railway Line, and West of the B430, East of Upper Heyford Former Airfield, and South of the Village of Ardley, Oxfordshire.

Thank you for consulting the Environment Agency on the EIA Scoping Opinion for the proposed development. We have reviewed the Environmental Statement Scoping Report dated June 2021, by Oxalis Planning. There is limited information on the proposed development, but we note from paragraph 1.6 of the Scoping Report that development comprises a rail freight terminal and rail served warehousing located to the south of and adjacent to the Chiltern rail line.

For the topics within our remit, we broadly agree with Table 3 on Page 5 which shows those topics that are scoped in and scoped out of the EIA, but wish to make the following comments.

Ecology & Biodiversity

We welcome that Biodiversity and Ecology have been scoped in to the EIA and that the assessment scope will include consideration of Biodiversity Net Gain.

Cont/d..

Water Environment (Flood Risk, Drainage and Water Quality)

Water Framework Directive

In the scoping report (5.291 onwards) it states that the Environmental Statement will include flood risk, surface water quality, surface water quantity, foul water quality, foul water quantity, and potable water. It seems that Water Framework Directive (WFD) is likely to be included in the surface water quality section of the document, however there does not seem to be mention of a full WFD report. The document goes on to list the reports that will feed into the Environmental Statement (a Flood Risk Assessment and a Surface and Foul Water Drainage Strategy), a WFD assessment is not included. Given the proximity of the site to a number of WFD waterbodies, we feel it is imperative for the applicant to give further consideration as to whether this development could negatively impact WFD status in these waterbodies, and discuss how they will mitigate these potential risks by implementing a net positive approach to environmental improvements.

The Water Framework Directive (WFD) status of the main rivers within the application site and any that would be impacted on by the proposed development should be identified and any impacts of the development on the water bodies should be considered. The Information relating to water quality is available in CPS / Catchment Data Explorer: <http://environment.data.gov.uk/catchment-planning/>.

All risks should be clearly identified and mitigated and, where possible, development should have a positive impact on the environment. Improving localised water quality can potentially improve aquatic biodiversity of water bodies.

The applicant should also identify any risks to groundwater quality and quantity, and how these are planned to be mitigated. Pollution could be a significant risk to any aquifers below the development site and, as highlighted in the report, there is a risk to a drinking water source which should be assessed at greater length. The report identifies that the site is on a Principle Aquifer, the impacts on this should be explored further. There is no mention of its Groundwater Body, which is 'Tackley Jurassic GB40601G603100'.

According to our records, the underground reservoir is Thames Water asset. The applicant should liaise with Thames Water.

The "Ground Conditions" section on pages 110 – 136 has **no mention of water resources**. This is an omission and needs to be addressed.

Environmental Permits

There are several sites with Environmental Permits that this proposal potentially affects. There is no one topic in the report that covers this, rather references are made under various sub sections, and not all the sites are mentioned. It would be easier to determine the impact if each site was addressed separately – perhaps under the heading 'Current permits/permissions'. It should include, but not be limited to, the following:

- The site may be within the Consultation Zone of the Southern Bomb Store, regulated under the Control of Major Accident Hazards legislation. The applicant should therefore seek the views of the Health & Safety Executive regarding public safety matters.
- Ardley Landfill Site - Appendix 5 shows a roundabout marked 'SRF1'. This cuts across the permitted boundary of the landfill site to the south of the railway track. Along that northern perimeter of the landfill site are groundwater and gas monitoring wells and within the boundary is an old fill area with engineering (gas/leachate infrastructure & capping). There are also perimeter gas and

groundwater wells along the B430 boundary. If this option were to go ahead there could be significant permitting implications. There may also be a change to the hydrogeology in the area which may well need exploring. Also landfill sites have the potential for gas migration.

- Ardley Civic Amenity Site – The development may have implications on the site boundary or affect access.
- Dewars Farm Quarry – This is a waste storage and treatment site. The new roundabout on the B430 may encroach into the site boundary/affect access.
- Ardley Energy Recovery Facility – Unlikely to be affected but should be considered.
- Ardley Incinerator Bottom Ash (IBA) Plant – Also unlikely to be affected.
- Ardley Green Compost Centre – The proposal for the site to be demolished and rebuilt in a completely different location would mean the permit would need to be surrendered and a new permit applied for which is a significant permitting task.

Climate change

Making allowances for climate change in development are required to ensure flood risk is considered for lifetime of the development, and will also help minimise vulnerability and provide resilience to flooding. There is advice available to help assess climate change allowances in flood risk assessments [here](#).

The Environment Agency is in the process of updating the allowances for peak river flow and [Flood risk assessments: climate change allowances](#) following research completed in 2020. This research sought to better understand how different river catchments respond to changes in rainfall due to climate change within river basin districts. It uses the latest rainfall projections in [UKCP18](#).

We are currently developing new allowances that represent the findings of this research, but are also user friendly. We anticipate that the new peak river flow allowances will be published in July 2021. When they are published we will provide an updated briefing to explain the changes. It is expected that once the updated allowances and guidance have been published they will come into immediate effect.

Advice for applicant

We offer a charged for planning advice service, for non-statutory consultations. As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms of our charged for service are available [here](#).

Final comments

Thank you for contacting us. Our comments are based on our available records and the information as submitted to us. Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Mrs Katie Newton
Planning Specialist

Direct dial [REDACTED]
Direct e-mail planning_THM@environment-agency.gov.uk

End

From: [ESP Utilities Group Ltd](#)
To: [OxfordshireSRFI](#)
Subject: Your Reference: Oxfordshire Strategic Railfreight Interchange Our Reference: PE159240. Plant Not Affected
Notice from ES Pipelines
Date: 10 June 2021 10:00:53

oxfordshiresrfi@planninginspectorate.gov.uk
Oxfordshire County Council
Speedwell House
Speedwell Street
Oxford
OX1 1NE

10 June 2021

Reference: Oxfordshire Strategic Railfreight Interchange

Dear Sir/Madam,

Thank you for your recent plant enquiry at: Land west of the B430 East of Upper Heyford Former Airfield, Ardley Cherwell District

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espug.com

ESP have provided you with all the information we have to date however, there may be inaccuracies or delays in data collection and digitisation caused by a range of practical and unforeseeable reasons and as such, we recommend the following steps are taken as a minimum before work is commenced that involves the opening of any ground and reference made to HSG47 (Avoiding danger from underground services).

- A. Plans are consulted and marked up on site**
- B. The use of a suitable and sufficient device to locate underground utilities before digging (for example the C.A.T and Genny)**
- C. Trial holes are dug to expose any marked up or traced utilities in the ground**
- D. If no utilities are shown on any plans and no trace is received using a suitable and sufficient device, trial holes are dug nonetheless using hand tools at the location or at regular intervals along the location that the work is being carried out depending on the length of excavation work being undertaken**
- E. All location work is carried out by individuals with sufficient experience and technical knowledge who may choose to control this activity under a Safe System Of Work**

Yours faithfully,

Plant Protection Team
ESP Utilities Group Ltd



Bluebird House
Mole Business Park
Leatherhead
KT22 7BA



<http://www.espug.com>

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Historic England

Environmental Services
Central Operations
Temple Quay House
2 The Square Bristol
BS1 6PN

Direct Dial: [REDACTED]

Our ref: PL00750743

5 July 2021

Dear Sir / Madam,

**Environment Impact Assessment (EIA) Scoping Report
Land west of the B430 East of Upper Heyford Former Airfield, Ardley Cherwell
District
Ref: TR050008**

**Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017(the EIA Regulations) –
Regulations 10 and 11 1990**

**Application by Oxfordshire Railfreight Limited (the Applicant) for an Order
granting Development Consent for the Oxfordshire Strategic Rail Freight
Interchange (the Proposed Development)**

Thank you for your letter of 7th June 2021 consulting us about the above EA Scoping Report.

This development could, potentially, have an impact upon a number of designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Our initial assessment shows a number of designated heritage assets within 1 km of the proposed development. We would draw your attention, in particular, to the Upper Heyford Conservation Area and Scheduled Cold War structures at the former Upper Heyford Airbase.



Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

[REDACTED]
HistoricEngland.org.uk



Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.

We would also expect the Environmental Statement to consider the potential impacts on the non-designated features of historic, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record and relevant local authority staff.

We would strongly recommend that the Conservation Officer at Cherwell District Council and the archaeological staff at Oxfordshire County Council are consulted as part of this process. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

It is important that the assessment is designed to ensure that all impacts are fully understood, including the cumulative impacts of developments on the same asset. Section drawings and techniques such as photomontages are a useful to help understand certain impacts.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely,

Rachel Fletcher

Inspector of Historic Buildings and Areas

E-mail: [REDACTED]@HistoricEngland.org.uk



Historic England, 4th Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

[REDACTED]
HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.



CEMHD - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Your ref: TRO50008
Our ref: 4.2.1.6855.

Date: 23 June 2021

FAO Claire Deery
EIA Advisor
Major Casework Directorate
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
(By Email)

Dear Claire

Application by Oxfordshire Railfreight Limited (the Applicant) for an Order granting Development Consent for the Oxfordshire Strategic Rail Freight Interchange (the Proposed Development)

Thank you for your letter of 7 June 2021 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project is not within the consultation zones of any major accident hazard sites or major accident hazard pipelines.

This is based on the current configuration as illustrated in, for example, the draft order limits, drawing OxSRFI-BWB-GEN-ZZ-SK-C-SK015, Status S1, Rev P04 in the document 'Proposed Oxfordshire Strategic Rail Freight Interchange, Land west of the B430, East of Upper Heyford Former Airfield, Ardley, Cherwell District, June 2021'

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous

Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

Explosives sites

The proposed development is in the vicinity of two sites licensed for the presence of explosives. If the development were to go ahead on the area proposed then there may be impacts on the quantity of explosives permitted to be present in the places licensed for the presence of explosives on those two sites. HSE's advice and any subsequent action with respect to the licences would depend on the nature of the development and the exact location of any buildings or other protected places as defined in schedule 5 to the Explosives Regulations 2014.

The developer may wish to contact the licensee to discuss whether and how the development might effect the continuing viability of the site with respect to the continuing presence of explosives.

Electrical Safety

No comment, from a planning perspective.

During lockdown, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk.

Yours sincerely

Monica

Monica Langton
CEMHD4
NSIP Consultation Team

Date: 28th June 2021

LETTER FROM MIDDLETON STONEY PARISH COUNCIL

TO: The Planning Inspectorate (OxfordshireSRFI@planninginspectorate.gov.uk)

REF: TR050008 (Application by Oxfordshire Railfreight Limited)

- Comments on the Environmental Statement Scoping Report submitted by OxSRFI for the proposed strategic rail freight interchange (SRFI) at Ardley: Key comments and requested areas for focus of Environment Statement.
 - **From:** Middleton Stoney Parish Council (MSPC).
 - **Key contacts:** Rachel Makari and Jonathan Rees (middletonstoneypc@gmail.com).
 - **About:** Please find below a summary of our comments, which are in addition to a more comprehensive and detailed summary of points, included as an Appendix at the end of this document.
 - **Next steps:** Please respond to confirm receipt of this document by reply. We ask you to keep Middleton Stoney Parish Council closely informed of all developments directly (middletonstoneypc@gmail.com). We also request that a meeting is arranged at your earliest convenience so that a good working relationship can be established from here, and our views heard, considered and incorporated.
-

SUMMARY: We are saddened and disappointed that this proposal has been made and feel that it is significantly out of keeping with this predominantly rural area of North Oxfordshire. Yet again, it feels as if a money making opportunity for a small number of people is being prioritised before the quality of life of the vast majority, and at the expense of the communities and families that live near the proposed site.

We ask you to consider how you would feel if this was proposed in your local area, amongst your local community, and kindly request that you work to factor in as many amelioration measures for our community as possible to lessen the negative impact on our lives and those of our immediate neighbours. Thank you.

We will engage constructively with you to try and secure the best possible outcome for our community in the eventuality that the plan does get approval.

Please see below a summary of our key comments, as well as – in the Appendix – our full comments on the Environmental Statement Scoping Report.

KEY REQUEST: We request that your Environment Statement should take account of:

1. **Rationale:** we are concerned that the environmental impact assessment should set out more clearly the rationale for the proposal. We are very struck by the relatively few train deliveries envisaged for the size of operation. It is difficult to avoid the conclusion that this is simply a cover to build a new warehouse development on a greenfield site outside the local development plan. In particular the proposal's

instigators need to set out more clearly how they propose to generate rail freight traffic given the small capacity of the Chiltern line, and its location. We also think there needs to be a decommissioning plan included in the EIA.

2. **Traffic** – there is a widely accepted / acknowledged problem regarding the unsatisfactory traffic situation in the village of Middleton Stoney, particularly in relation to excessive heavy goods vehicle (HGV) movements, at the crossroads / intersection of the B4030 / B430 roads.

The Environmental Statement should therefore ensure that this specific issue is very carefully examined. Crucially, this comment applies to both the construction phase and subsequent operation of the site once built. The proposal for a relief road to divert all traffic away from Middleton Stoney could be welcomed but needs a lot more development than is currently envisaged. In particular the problem that it would deliver large numbers of HGVs on to a country lane to Bicester, which would be unacceptable.

We encourage you to engage with our community in more detail regarding this.

3. **Light pollution** which would be created by this development is a particular concern. We note that this will be explored in the Environmental Statement, but we would encourage this to be done in a high level of detail, and in consultation with the local community.
4. **Noise pollution** which would be created by this development is a particular concern. We note that this will be explored in the Environmental Statement, but we would encourage this to be done in a high level of detail, and in consultation with the local community.
5. **Flooding** – and the worsening of surface water flooding issues in the local area which would result from this development is a particular concern. We note that this will be explored in the Environmental Statement, but we would encourage this to be done in a high level of detail, and in consultation with the local community.
6. **Destruction of countryside** – The destruction of open fields, agricultural land and open countryside, which are integral to the character of this area of the country is another key concern. We note that this will be explored in the Environmental Statement, but we would encourage this to be done in a high level of detail, and in consultation with the local community.
7. **Destruction of valuable ecology** – this area of Oxfordshire provides habitats for a range of rare and protected species, including but not limited to bats, great crested newts, badgers, a variety of rare bird species, Roman Snails, otters, water voles, freshwater invertebrates. It is therefore vital that the ES considers the likely significant impact on such ecology.

Ref.	Topic	Comment
2.5	Glossary	The ES should include a comprehensive glossary including an explanation of every acronym used in the text.
3.24	Description of development	The document should clarify whether the SRFI may play any role in manufacturing or assembly of the goods while they are held on site – in other words if there may be any element of industry on the site, and whether this could involve additional Use Classes.
3.3		As the proposed SRFI is understood not to have any specific users at this stage, the ES should provide evidence of market demand for the scale of facility that is proposed in this location.
4.11, 4.12	Scope and structure of document: Alternatives	<p>It is stated that few alternative sites exist which would meet the criteria. The Report should elaborate on this statement and identify the alternative sites that have been considered, and compare and contrast them with the Application Site.</p> <p>Alternatives need also to be placed in the wider context of where other SRFIs are located or planned in the wider region. An explanation of why an additional SRFI is required in this location should be included, to rule out any concerns of commercial opportunism.</p> <p>The proposed site is within 40 miles of a similar development at Daventry. The ES should explain why there is a perceived need to develop a similar site so close to an existing facility.</p>
4.23	SRFIs and Climate Change	<p>It is stated that SRFIs play a positive role in Climate Change policy by shifting freight from road to rail. The ES should provide evidence that existing SRFIs have indeed played such a role, by examining available data on the success or otherwise of this strategy nationally. If not proven, there has to be serious doubt over whether this Application would indeed play such a positive role in Climate Change.</p> <p>In providing this detail, the opportunity should be taken to explain to consultees how the freight transfer process works, as this is not clear from any readily available information.</p> <ul style="list-style-type: none"> - For example, what proportion of freight to the proposed Ardley SRFI is expected to be incoming by train, for distribution by road, as opposed to outbound by train? - Where freight is incoming by train, from which ports of arrival (or Channel Tunnel) are they likely to come? - As about 40% of UK-bound containers arrive at Felixstowe, what rail route would they take to get to the Ardley SRFI?

		<ul style="list-style-type: none"> - Does the proposed East-West Rail route have any role to play in the choice of site, and if so how? - SRFIs are primarily intended to replace congested rail freight facilities in urban areas (para 2.47 of Govt. Transport Policy Statement 2014). SRFI sites adjacent to urban areas, where most people live, would therefore reduce HGV movements of freight. The ES should explain why a greenfield site in open countryside far from a major conurbation has been chosen. -
5.10, 5.11	Transport Assessment	<p>An approximate number of daily HGV movements for the facility should be given at this stage. and the ES should contain a consideration of the effect of any increase of traffic on the villages of Ardley and Fewcott and Middleton Stoney, including changes to the M40 and any proposed bypass of the villages.</p> <p>In similar vein, the ES should give an approximation of how many employees there are likely to be, and approximately how many car parking spaces are to be provided. and the environmental effects of these traffic movements on all local roads.</p> <p>It is understood that skilled workers are required for many aspects of the operation of an SRFI. The Report should provide an assessment of the availability and proximity of such skilled workers. and the effect on the local area of anticipating commuting traffic.</p>
5.35	Transport – future baseline	<p>It is good that the Future Baseline will “represent the planned and committed development and growth, and infrastructure, which already features in Local Plans and other documents or strategies.” It is essential that the entire context of wider planning developments and proposals in the area are taken into account (see also comment on 5.516), including HS2, EW Rail, The Great Wolf Development at Chesterton and development at Upper Heyford.</p>
5.500	Climate Change	<p>There is reference to “The transfer of freight from road to rail which has an important part to play in a low carbon economy and in helping to address climate change.” This role needs to be supported with evidence of the scale of the contribution that the Ardley project will make.</p>
5.516	Cumulative Impact	<p>In the category of “Planned developments which are reasonably foreseeable” should be added a major proposal for a Distribution and Manufacturing Park of 278,000 sq.m. at J10 Baynards Green being prepared by Albion Land for submission to Cherwell District Council.</p>

Date: 30 June 2021
Our ref: 356003
Your ref: TR050008



OxfordshireSRFI@planninginspectorate.gov.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T [REDACTED]

Dear Sir or Madam,

Environmental Impact Assessment Scoping consultation (Regulation 10 and 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017: Oxfordshire Strategic Rail Freight Interchange

Location: Land West of B430 and East of Upper Heyford, Ardley, Cherwell, Oxfordshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 07 June 2021 which we received on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Rebecca Micklem on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Rebecca Micklem
Lead Adviser Sustainable Development
Thames Solent Team

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Policy Statement on National Networks sets out guidance in paras 5.20-5.38 on how to take account of biodiversity interests in Development Consent Orders of this nature.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. Habitats Sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site

identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on an Internationally designated site be identified or be uncertain, the competent authority may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)

The development site includes parts of following designated nature conservation sites:

- Ardley Cutting and Quarry SSSI
- Ardley Trackways SSSI
- Further information on the SSSIs and their special interest features can be found at www.magic.gov. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects. Early engagement with the applicants has already taken place to start to consider this. It is important that the ES considers reasonable alternatives (including alternative sites or alternative layouts) and mitigation that could avoid adverse effects to these SSSIs, compensation measures should only be considered as a last resort where significant harm cannot be avoided or mitigated.

The following Habitats Sites have been identified within 15km of the development site:

- Oxford Meadows Special Area of Conservation
- - European site conservation objectives are available on our internet site <http://publications.naturalengland.org.uk/category/6490068894089216>

Specific receptor pathways may require further designated sites to be scoped into the ES. This is particularly relevant with regard to potential air quality impacts arising from increases in traffic, please see further information in our comments on air quality below.

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

Oxfordshire Local Wildlife Sites Project is hosted by the Berks, Bucks and Oxon Wildlife Trust (www.bbowt.org.uk), data on Local Wildlife Sites is available from the Thames Valley Environmental Records Centre (www.tverc.org).

We are aware that the Ardley Road Verge Nature Reserve DWS supports a population of Meadow Clary (listed on Schedule 8 of the Wildlife and Countryside Act); we advise that you consult the Wychwood Flora Group wychwoodfloragroup@gmail.com with respect to this species.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

Ancient Woodland

The S41 list includes six priority woodland habitats, which will often be ancient woodland, with all ancient semi-natural woodland in the South East falling into one or more of the six types.

Information about ancient woodland can be found in Natural England's standing advice http://www.naturalengland.org.uk/Images/standing-advice-ancient-woodland_tcm6-32633.pdf.

Ancient woodland is an irreplaceable resource of great importance for its wildlife, its history and the contribution it makes to our diverse landscapes. The ES should have regard to the requirements under the NPPF (Para. 175), and the National Planning Statement for National Networks (para 5.32) which states:

“Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this.”

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

Local Record Centre (LRC) in Oxfordshire please contact: Thames Valley Environmental Records Centre (www.tverc.org).

Geological sites in Oxfordshire please contact: Oxfordshire Geology Trust www.oxfordshiregeologytrust.org.uk

3. Designated Landscapes and Landscape Character

Landscape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm.

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land and National Trails

The EIA should consider potential impacts on access land, public open land and rights of way in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 170 of the NPPF and paragraph 5.168 of the National Policy Statement for National Networks . We also recommend that soils should be considered in the context of the sustainable use of land and the ecosystem services they provide as a natural resource, as also highlighted in paragraph 170 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the Environmental Statement:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see www.magic.gov.uk. Natural England Technical Information Note 049 - [Agricultural Land Classification: protecting the best and most versatile agricultural land](#) also contains useful background information.

2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, eg one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, ie 1.2 metres.
3. The Environmental Statement should provided details of how any adverse impacts on soils can be minimised. Further guidance is contained in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#).

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

The air quality chapter makes reference to use of DMRB LA105 guidance to screen construction phase and operational phase air quality impacts. With reference to screening for impacts on designated sites, we advise that the approach set out in [Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations](#) is followed. As mentioned above, this may result in further designated sites being scoped into the ES. In particular, consideration should be given to the need to scope Aston Rowant SAC into the assessment. Any designated site within 200m of a road, where the proposals are likely to result in an increase of at least 1000AADT, or 200AADT for HGVs, either alone or in-combination with other live plans or projects, should be scoped into the air quality assessment as ecological receptors. This would also trigger Habitats Sites to be screened into the Habitat Regulations Assessment.

7. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 174), which should be demonstrated through the ES.

8. Contribution to local environmental initiatives and priorities

As identified in the Scoping Report, the application site sits within the [Ardley and Upper Heyford Conservation Target Area](#). Biodiversity enhancements and net gain measures should be designed to help deliver the aims of the Conservation Target Area and improve habitat connectivity. In addition to the landscaping and green infrastructure measures mentioned in the document, consideration should be given to incorporation of biodiversity within the built environment, in particular the potential for green roofs on warehousing to support calcareous grassland habitats.

9. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application no: TR050008/SRFI

Proposal: The proposed development consists of the construction of a rail freight terminal served via new connections to the Chiltern Railway Line (part of the strategic rail freight network) with associated container storage and up to 675,000 sq.m. of warehousing (storage and distribution) including ancillary office accommodation, plus additional floorspace in the form of mezzanines. The application will also seek authorisation for highway infrastructure required to access the site and accommodate highway impact including a bypass to Ardley, a relief road to Middleton Stoney and improvements to Junction 10 of the M40. The proposal will also include a comprehensive earthworks strategy as well as a green infrastructure scheme and other infrastructure to serve the development and mitigate its impact. This will include a revision to public rights of way and biodiversity enhancement measures.

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

This report sets out the officer views of Oxfordshire County Council (OCC) on the proposed methodology for the EIA and does not represent the Council's position on the development. We reserve our right to comment on the acceptability of the proposals through our responses to the public consultations. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

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Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

1.0 Strategic Comments

This application seeks an order granting Development Consent for the Oxfordshire Strategic Rail Freight Interchange. The proposed development is located on land within the administrative boundaries of Cherwell District Council and Oxfordshire County Council.

The proposed rail freight interchange is a Nationally Significant Infrastructure Project (NSIP) as defined under the Planning Act 2008, which is required to be authorised by a Development Consent Order (DCO) rather than a planning permission.

The applicant has concluded that the Proposed Development will be subject to the Environmental Impact Assessment (EIA) process and require an Environmental Statement (ES). Oxfordshire County Council has been consulted by the Planning Inspectorate on the information we consider should be provided in the ES, in terms of the significant environmental effects of the proposed development.

This report sets out the officer views of Oxfordshire County Council on the proposed methodology for the EIA and does not represent the Council's position on the development.

The proposal

The Oxfordshire Strategic Rail Freight Interchange development proposal consists of the construction of a rail freight terminal, associated container storage, up to 675,000 sqm of warehousing including ancillary office accommodation, plus additional floorspace in the form of mezzanines.

Description of the site and surrounding area

The site would be located on land south of the Chiltern Railway line, and west of the B430, east of the development at Upper Heyford Former Airfield, and south of the village of Ardley. The proposed SRFI site is located west of the M40, with Junction 10 of the M40 located nearby to the north-east.

The Scoping Report identifies that the proposed location predominantly consists of agricultural land, several existing bridleways and Severn Trent Green Power IVC facility. Section 3 of the Scoping Report sets out the existing site characteristics for the main site along with a number of highway options which are currently under consideration.

Development Plans

The site location identified in this scoping request is not allocated in the Local Plan but it is located within a Conservation Target Area and therefore subject to Policy ESD 11 in the Adopted Cherwell Local Plan 2011-2031 (Part 1). The application will also need to be considered against the other relevant policies in the Adopted Cherwell Local Plan 2011-2031 (Part 1) and the Mid Cherwell Neighbourhood Plan (March 2019).

It may be helpful to the applicant to note that, whilst Oxfordshire County Council (OCC) has a current freight strategy in our Local Transport Plan 4 (LTP4) and is in effect now, it will be replaced by our Local Transport & Connectivity Plan (LTCP) in Spring 2022 which will be within the planning timeframes of this proposal.

The new policy is currently being prepared and will have a stronger emphasis on the decarbonisation of the freight sector, including a requirement for associated infrastructure to support alternative fuel requirements and also strengthening freight multimodality – including interfaces between rail freight, longer distance HGV road freight and smaller local logistics freight, and last mile e-bike cargo freight.

This proposal sits within Oxfordshire, which itself sits within the region of England’s Economic Heartland. England’s Economic Heartland (EEH) Sub-national Transport Body, which OCC is a member of, published a [Freight Study](#) in 2019 that draws upon the NIC reports [Future of Freight Demand \(Jan 2019\)](#) and [Better Delivery: The Challenge for Freight \(April 2019\)](#), as well as setting out the issues in the region and makes a series of recommendations that the applicant may wish to view if not already familiar.

Relevant to the planning timeframes of this proposal, EEH are pursuing a number of research workstreams over the next 6+ months covering freight alternative fuelling, mitigating the impact of construction freight, development of a platform to support national freight consolidation and exploring opportunities for rail freight. Oxfordshire County Council will be involved in some of these workstreams where relevant and some of the outcomes of this work may inform our own policy development within the LTCP. Further details can be viewed on [EEH’s website](#).

Paragraph	Comments
4.12	More detail is required in the 'reasonable alternatives' section of the ES, to explain what the strategic case is from a transport perspective for its currently proposed location, rather than on another part of the rail/ road network.
5.9	Should take account of more local policy including the Local Transport Plan and its Freight Strategy, LTCP, emerging Oxfordshire Plan and Cherwell Local Plan. The NPPF including its Sustainable Transport section will be relevant.
5.11	Should be further developed to reference the DfT decarbonisation plan and updated LTCP which are due shortly.
5.10	Should be further developed to understand the definition of 'acceptable levels' in terms of HGV movements in more detail.

5.117	Should provide more clarity on how the how the additional rail movements will be quantified and assessed, where the train will come from and how they will be accommodated on the existing rail network. More detail is needed in Paragraph 5.162 to clarify the number of assumptions made.
5.239	Needs to consider if the future baseline includes any wider rail capacity constraints arising out of proposals in the Oxfordshire Rail Corridor Study/ delivery of East West Rail etc. It doesn't yet seem clear where the proposed freight trains would operate more widely
4.23/ 5.500	Whilst transfer from road to rail should be beneficial in principle, the cumulative net impacts on emissions need to made clear in detail. Emissions from HGVs / transport site access will need consideration alongside any savings from moving freight to rail.

Environmental Statement Approach

The applicant identifies that an Environmental Statement is to be submitted with the Development Consent Order application which will include detail on alternatives, flexibility, construction programme and management plans, operation and maintenance and proposed access strategy.

Further work is required to assess the scoped in topics which are likely to cause significant effects including Transport and access, Air Quality, Noise and Vibration, Ecology and Biodiversity, Landscape and Visual, Lighting, Water Environment, Cultural Heritage, Ground Conditions, Socio-Economic Impacts, Waste, Agricultural Land, Climate Change and Cumulative Impacts. We also recommend that a description of the proposed construction programme and methods should be included. The proposal must not preclude the possibility of developing a passenger rail station.

Given the scale of the proposal the County Council would strongly encourage the applicant to engage with both the district and county councils in the form of pre-application meetings, site visits and further written advice. Pre-application advice proceeds on a without prejudice basis. While Transport is a key matter for pre-application advice, the County Council has a role in other areas such as Energy, Biodiversity, and Public Health and is able to provide advice on these matters.

The County Council is raising Local Lead Flood Authority concerns regarding the removal of substantial lengths of watercourses which serve Upper Heyford, as set out in the detailed officer comments below.

Detailed Officer comments are attached from Transport, Archaeology, Minerals & Waste, Waste Management, Biodiversity and Landscape Teams. Also attached are Oxfordshire Local Enterprise Partnership comments on socio-economic impacts.

Officer's Name: Amrik Manku
Officer's Title: Growth Manager Cherwell and West
Date: 02/07/2021

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper Heyford Former Airfield, Ardley

2.0 Transport Schedule

OCC have been consulted on the scoping of an environmental assessment which will accompany a forthcoming Development Consent Order application for the proposed Strategic Rail Freight Interchange. Please find our initial comments set out in the table below. The Transport Assessment that will support the Environmental Statement is being developed in discussion in the Transport Working Group and our comments on the TA will be provided separately through the TWG. Likewise the access strategy and highway works plans will be developed in discussion with the TWG so this response does not include comment on the proposed highway access options.

Paragraph	Comment
4.6	Clarity required on drawings to be approved post DCO consent – what is the mechanism to do this?
4.9	Information on construction in the ES to include routing of construction traffic. Construction should specifically include import/export of materials.
4.11	Consideration of alternatives should include consideration of alternative locations for the site in the immediate area, e.g. closer to the M40.
Table 3	It is not clear whether the impact without the new bypass and relief road will be assessed. There needs to be an environmental justification for the construction of new roads.
	Any positive environmental impacts arising from the development should be included in the assessment.
	Under Noise and Vibration, vibration isn't mentioned
	Landscape and Visual – should include impact of highway works
	Transport and access – should cover impact on passenger rail services (see below for more comments on transport scoping).
	Impact on mineral reserves not mentioned
5.9	Policy context for the TA – should include NPPF (Note National Policy Statement paragraph 1.18), and relevant Cherwell Local Plan policies (NPS Para 5.203)
5.28	The terms of the S106 agreement for Heyford Park are not agreed at this time.
5.32	Note that the effects of the development are likely to impact on other local routes.
5.45	The report contains very little detail of the proposed ES methodology for transport, although it sets out broadly the way in which the Transport Assessment will be carried out (the detail of which is to be agreed through the Transport Working Group).

	<p>The two are not the same thing and I would expect the TA to be an appendix to the ES chapter on transport. The TA will be focussed on congestion at junctions whereas the ES needs to include consideration of the impacts on links that may not experience congestion, but may experience other impacts as a result of an increase in the volume or nature of traffic throughout the day. No information is given, for example, on the screening process to delimit the scale and extent of the assessment. Confirmation is required on the thresholds for percentage increases in predicted traffic that will trigger assessment, and the methodology for determining the magnitude and severity of impacts. The two documents referred to are different, so which elements of each will be used? Also the IEMA Guidelines are now very old and not widely available, so the methodology should be spelt out.</p>
5.51	<p>The assessment must be of links as well as junction performance.</p>
5.51	<p>The list of impacts here does not include Fear and Intimidation, which is set out in IEMA Guidance.</p>
5.54	<p>Construction and operational phases are likely to overlap and therefore the assessment must be cumulative, including both these phases, having regard to a realistic indicative phasing plan.</p>
5.54	<p>This development, and its road/rail access corridors will create significant impacts on existing public rights of way (PRoW), minor roads and those new PRoW required under extant s106 agreements. Therefore a comprehensive Walking, Cycling and Horse Riding Assessment and Review (WCHAR) needs scoping into the application. It is expected that the WCHAR will consider connected and disconnected PRoW, planned PRoW, road networks used by non-motorised users, and users (walkers, cyclists and horse-riders) within an appropriate distance buffer from the scheme, including potential mitigation measures for crossings, diversions and new PRoW links directly affected by the proposal, and those mitigation measures in the wider impact area. As this is a significant national infrastructure scheme it is expected that assessment buffer to be at least 10km from the boundary, possibly greater for key connecting or potential routes/users.</p>
5.55-5.57	<p>There are other warehousing and distribution development proposals in the immediate area that need to be considered as part of the cumulative traffic assessment. While currently at preapplication stage, and therefore not included in the BTM, by the time of the submission of the DCO application, planning applications will have been made for one or more of them, and they may even have planning permission. OCC considers that</p>

	there is sufficient risk of them coming forward, to require a sensitivity test including their generated traffic. Because of the nature of the developments, the assessment will need to consider the impact of trips between them and the freight terminal. This is expected to be the subject of discussion at the Transport Working Group.
5.108	This is related to transport, as the changes at junction 10 will affect noise impacts on Ardley. Noise from the motorway at residential receptors is very variable, dependent on wind and weather conditions. How will the noise monitoring surveys take account of this?
5.112	Further details on the consultation with CDC regarding noise survey methodology and survey positions is requested. As this is so intrinsic to the highway works, it is recommended that the Transport Working Group is also consulted.
5.118-5.126	Consideration should be given to the impact of noise on users of public rights of way in the area, as well as users of public buildings and public open space. Public buildings include Ardley Church and Village Hall. Public open space includes the recreational field at Ardley, and Ardley Quarry nature reserve. The report focusses solely on residential and ecological receptors.
5.129	There could be vibration impacts as the roads age – they will not be newly surfaced and smooth forever! Also clarification is required on whether HGVs will use the B430 and B4030 (via the new road links). OCC will seek a routing agreement to route all traffic associated with the development directly to M40 J10 but this has not been confirmed.
5.514	No rationale is given for why the criteria for including planned development in the Cumulative Impact Assessment is proposed to be different for transport.
Draft Features Plan	Note that the Features Plan and other text/appendices do not include all of the new PRoW required under s106 agreements for Ardley ERF and RAF Upper Heyford.
5.48	The travel plan will need to be a free-standing document and should not be provided as part of an appendix to the transport assessment. It should be produced in line with the Oxfordshire County Council Guidance document – Transport from new developments; transport assessments and travel plans (March 2014). It will need to set out how the site will meet the targets; this should include a range of measures to promote active travel modes. It will also need to provide details of how the site will be linked into the public transport network. Depending on how the final site is set out supplementary travel plans that link to the objectives of the site framework travel plan may be required for any different end users of the facilities provide. A travel plan monitoring fee will be required for this site and a

	<p>monitoring schedule will need be agreed with OCC as the development plans progress. Where practical, the objectives in the targets and objectives in the travel plans should be aligned with those of the adjacent Heyford Park development.</p> <p>Due to the numbers of HGVs that will be moving around the site and in the wider area any new road built should be provide with off road cycle lanes. The site plans show that the B430 is to be stopped up north of the site and a new road built to the M40, the existing alinement of the B480 (Station road) should be retained as a quite way route from the site to Ardley. This will help support walking and cycling in the area as it will provide a more direct route and remove any conflict with traffic.</p> <p>The detailed site development plan will need to provided information on cycle parking and cycle facilities to be provide at any of the new buildings on the site such as changing rooms, drying/storage areas and showers.</p>
--	---

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 16 June 2021

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper Heyford Former Airfield, Ardley

3.0 Local Lead Flood Authority

Key issues:

Substantial lengths of Watercourses which serve Upper Heyford are proposed to be removed

Detailed comments:

The Illustrative Masterplan shows that significant lengths of watercourses are proposed to be removed. These serve Upper Heyford and the LLFA cannot support the removal or culverting of these assets.

The EIA and accompanying FRA must fully take into account these watercourses with an adequate buffer for maintenance, Biodiversity and any flood flows from the watercourses. Detailed hydrological modelling of the watercourses must be carried out.

A water quality assessment must be carried out to inform the required SuDS strategy. Adequate space must be made available on the site for a SuDS scheme to deal with water quantity and water quality, in line with local and national standards and guidance such as the SuDS Manual C753 and the Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire.

The proposed relief roads and improvement works must take into account the existing flood risk issues (EA flood risk maps) and all watercourses (including roadside ditches). These must be retained or diverted where necessary. The LLFA cannot support significant lengths of culverting existing watercourses/ditches.

Officer's Name: Richard Bennett

Officer's Title: Flood Risk Engineer

Date: 17/06/2021

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

4.0 Archaeology

Key issues:

The applicant's documentation states that a desk based assessment (DBA) and archaeological evaluation will be prepared assessing the archaeological potential of the site. If an EIA is required then this DBA should be included within it. If an EIA is not required then the DBA will need to be submitted along with any planning application.

Detailed comments:

The applicant's documentation states that a desk based assessment (DBA) will be prepared assessing the archaeological potential of the site. If an EIA is required, then this DBA should be included within it. If an EIA is not required, then the DBA will need to be submitted along with any planning application.

A written scheme of Investigation setting out the scope of this desk based assessment in line with the Chartered Institute for Archaeology standards and guidance has been agreed with County Archaeology.

A programme of archaeological investigation will need to be undertaken ahead of the determination of any planning application for the site. This will need to include a geophysical survey as well as a trenched evaluation. A written scheme for the first phase of this evaluation, the geophysical survey has been agreed and the survey is currently underway.

Officer's Name: Richard Oram

Officer's Title: Archaeology Lead

Date: 14-6-21

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

5.0 Minerals & Waste

Key issues:

Strategic Resource Area for Minerals

Detailed comments:

We have read the documents attached with the planning application and we would like to see the following included:

- the effect on the existing waste sites at Ardley (policy W11 of the OMWCS);
- what the amount of mineral lost and its economic value against the overall economic benefit of the scheme (policy M9 of the OMWCS);
- consideration of the removal of mineral prior to the development taking place (policy M9 of the OMWCS);
- the possibility of rail transport for minerals and waste should be included (policy C10 of the OMWCS);
- Will an IVC or other waste facility be included on the site (policy W11 of the OMWCS); and
- Opportunities for the circular economy should be considered as this would assist moving waste up the hierarchy (policy W2 of the OMWCS).

Officer's Name: Anna Herriman

Officer's Title: Mineral and Waste Planning Policy Officer

Date: 15th June 2021

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

6.0 Waste Management

Detailed comments:

As Waste Disposal Authority (WDA), our interest in the proposed SRFI mainly concerns the impact on waste management activities and the facilities that we use for municipal waste treatment. We consider the list of topics to be scoped in to the EIA is appropriate, in particular;

- Air quality in relation to the suitability and impact of alternative sites for the relocation of the Ardley In Vessel Composting (IVC) facility.
- Ground conditions – it should include the implications of the current suggested route for the Ardley bypass where it crosses the northern corner of the Ardley closed landfill site where it joins the B430.
- Climate change – it is noted that an energy statement is to be produced including measures to reduce energy use. This should include options for the potential to source electricity and / or heat from the Ardley Energy Recovery Facility (ERF).
- Waste – although as WDA we do not manage commercial and industrial waste we support the application of the waste hierarchy to the management of operational waste arising from the development.
- Transport and access – the implications of the development for municipal waste deliveries to the ERF and IVC should be included to ensure access remains convenient and without additional delays.

Officer's Name: Frankie Upton

Officer's Title: Principal Officer Waste Contract

Date: 14/06/21

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

7.0 Biodiversity

Detailed comments:

The proposed scoping covers all the areas expected, given the findings of baseline surveys. Although I note they consider the Ardley Cutting & Quarry SSSI as a sensitive local ecological receptor only, rather than a Nationally protected site - I assume on the basis that the botanical interest it was designated for is deemed to be no longer present.

Officer's Name: Sarah Postlewaite

Officer's Title: Protected Species Officer

Date: 18/06/2021

8.0 Landscape

Landscape Policy Context

NPPF

Para 170 b) requires planning policies and decisions to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Cherwell Local Plan 2011-2031 (Part 1)

The Cherwell LP applies to the eastern part of the A40 widening works.

- Policy ESC10 (Protection and Enhancement of Biodiversity and the Natural Environment) states amongst other things that the protection of trees will be encouraged, with the aim to increase the number of trees in the District
- Policy ESD13 (Local Landscape Protection and Enhancement) seeks the restoration, management and enhancement of existing landscapes, features, and habitats. It further requires development to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they cause amongst other things an undue intrusion into the open countryside, cause undue harm to important natural landscape features, are inconsistent with local character, impact on areas of high tranquillity, harm the settings of settlements or harm the historic value of the landscape.
- ESD 15 (The Character of the Built and Historic Environment): Amongst other things this policy requires development to contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes within the Cherwell Valley and within conservation areas and their setting.

The site is not located within the Cotswolds AONB.

Landscape Character Context

The Oxfordshire Landscape and Wildlife Study (OWLS) shows the site to be located in the Landscape Types 'Farmland Plateau' and 'Wooded Estate lands' and the Local Character Areas 'Fritwell' (CW/57) and 'Middleton Stoney' (CW/59).

Landscape guidelines for the Farmland Plateau landscape type seek amongst other things the conservation of the open and spacious character of the landscape, the environmentally-sensitive maintenance and management of hedgerows, the strengthening of field patterns by planting-up gappy hedges, the conservation of the

remaining areas of semi-improved and unimproved grassland, the retention of the sparsely settled rural character of the landscape, the protection of the exposed character of the plateau from visually intrusive developments, the use of local building materials and the appropriate restoration and after uses of quarries.

Landscape guidelines for this Wooded Estate lands landscape type seek amongst other things the conservation of semi-natural and ancient semi-natural woodland, the environmentally-sensitive maintenance and management of hedgerows, the strengthening of field patterns by planting-up gappy hedges, the conservation of parklands, the strengthening of the character of tree-lined water courses, the use of judicious planting of characteristic trees and shrubs to minimise the visual impact of intrusive land uses and to assist the successful integration of developments into the surrounding countryside.

The Cherwell Landscape Character Assessment (LCA) identifies the site to be part of the 'Oxfordshire Estate Farmlands' and 'Upper Heyford Plateau' Landscape Character Areas.

OCC Landscape comments

Overall, I agree that the Landscape and Visual Impact Assessment has been scoped in and that it should be carried out in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3). Similarly, I agree with the scoping report that lighting has been scoped in. Consideration should also be given to Green Infrastructure in the ES, but it is my understanding that this might be covered as part of the Ecology / Biodiversity chapter.

Overall, limited information is provided in the scoping report with regard to landscape and visual and green infrastructure. I note that a Rochdale Envelope approach is being proposed to incorporate flexibility into the application. I cannot judge whether this approach is justified in this situation in planning terms, but from a landscape and visual point of view I am concerned that this approach might not allow for a comprehensive and detailed assessment (including the identification of significant impacts) as required for a development of this scale, bulk and impact.

It is also not clear what flexibility is being sought with this approach and how consistency across the application documents including other relevant environmental assessments (e.g. Habitats Regulations Assessment (HRA) or Water Framework Directive (WFD) assessment) will be ensured. Similarly, it is not clear how design standards would be secured in this flexible approach.

I am concerned that this approach will not allow for a comprehensive detailed assessment of the landscape and visual effects as required.

Landscape & Visual chapter

The LVIA chapter outlines the overall approach to the assessment but includes limited project-specific information. Information is also sometimes vague and uncommittal creating uncertainty about the scope and comprehensiveness of the assessment. For

example, the chapter is uncommitting what landscape character assessments will be taken into account (para 5.236) or what is meant by 'broader contextual basis' (para 5.237). The lack of information also raises concerns with regard to the scope of the LVIA.

Para 5.244 states that the assessment will concentrate on the likely impacts of the main site and that 'consideration will also be given to any likely effects from the Highways Works'. This suggests that lesser emphasis is given to the associated highway works despite these forming a large part of the scheme and having a large impact. Considering to the scale and anticipated impact of the associated highway works (including the by-passes) it is considered essential that these elements are considered at the same level of detail as the main site. A comprehensive assessment of all elements of the development should be provided.

Visualisations should be in accordance with the Technical Note TGN 06/19 - Visual Representation of Development Proposals. I agree that the visual assessment should use Type 1 visualisations (annotated photographs) for all viewpoints but in the absence of detail I consider it premature to agree what type of visualisations are required for photomontages. I note that the scoping report suggests Type 3 visualisations but higher quality visualisations, i.e. type 4, might be necessary for selected viewpoints.

The LVIA should also not only assess impacts on landscape character, characteristic elements and views but should also assess effects on tranquillity and dark skies.

Related to this it is also important to note that the LVIA should not only assess the direct effects of the various developments within the application boundary but also indirect, secondary and cumulative effects. As such the LVIA should also assess the effects on tranquillity caused by increases in car and HGV movements in the wider area.

The ES addressed lighting in a separate chapter, but the impacts of lighting should also be considered in the context of the LVIA.

In line with GLVIA3 it is important that the design process and assessment process are interactive and that the LVIA is used to inform the scheme design, e.g. what road alignment option is chosen, location and layout of the main site, height and bulk of the buildings, materials, landscape design approach etc. It is unclear whether or to what degree the LVIA has influenced the layout and appearance of the proposal.

Overall, I am in agreement that an LVIA is required but the methodology and detail of the assessment should be agreed once more information is available.

Officer's Name: Haidrun Breith
Officer's Title: Landscape Officer
Date: 18/06/2021

Application no: TR050008/SRFI

Location: Land west of the B430, East of Upper heyford Former Airfield, Ardley

9.0 Oxfordshire Local Enterprise Partnership

Detailed comments in relation to Socio-Economics impacts:

OxLEP and partners are keen to support Oxfordshire Rail Freight Interchange Limited, its developers, contractors, supply chain and eventual occupiers at both construction and end use phases to maximise the socio-economic opportunities and community benefits arising from this development through the development of Community Employment Plans (CEPs) aligned to its development that also support the evidenced based priorities of our Local Skills Plan.

CEP's are employer-led initiatives which can form part of planning obligations for significant developments. CEP's can play a key part in delivering an inclusive economy and develop a range of opportunities, supported by developers, employers and education and training providers to support those furthest from the labour market.

There are two key areas of employment, skills and training for which S106 planning commitments will be sought. The first is the construction phase for all large developments, the second at the end use phase of large commercial developments. The measures will seek to mitigate the impacts of development through ensuring that local people can better access job opportunities arising from development. CEPs are key to maximising the social value of large developments, minimising social impact.

With a 300% increase in Universal Credit claimants as a consequence of the pandemic alongside increased levels of deprivation its vital we maximise the socio-economic opportunities for all in Oxfordshire.

This approach also supports the ambitions of our Inclusive Economy Commission.

Officer's Name: Richard Byard

Officer's Title: Director of Business Development, Oxfordshire Local Enterprise Partnership (Ox LEP) Ltd

Date: 18/06/2021

Deery, Claire

From: MacKay, Carol - Emergency Planning [REDACTED]@Oxfordshire.gov.uk>
Sent: 28 June 2021 13:48
To: OxfordshireSRFI
Cc: Brown, Chris - Communities; Belcher, Simon - Fire and Rescue Service; Richard Webb; Mann, Paul - Fire and Rescue Service
Subject: Ref: TR050008

Ref: Oxfordshire Rail Freight Interchange Scoping Document TR050008

I have a number of comments that I would like taken into account:

- A number of wildlife species have been mentioned and these do not include newts as the nearby COMAH site has newts listed and restrictions within its planning I would suggest that this is reviewed.
- The consultation notes small areas of Flood zone 3 in particular around the nearby strategic road junction these would be of particular concern however it should also be noted that whilst most of the proposed site is not in Flood zone 3 covering this area in large areas of infrastructure or non -permeable materials is likely to cause significant flood impact in neighbouring areas due to displacement of water. I would suggest that very detailed flood modelling needs to be carried out. I would assume that the LLFA has been included in this consultation (Chris Brown included at cc)
- Rail traffic using this site would presumably be travelling through the Ardley tunnel for which there is already risk planning due to the nature of that section of track. Evacuation from trains is difficult and depending on the exact location of any incident could be incredibly complex. There are significant communication difficulties on this section of track and across the surrounding area with lack of mobile signal. An increase in usage of this section of line, the tunnel and the viaduct would need significant additional risk mitigation. I assume that Oxfordshire Fire & Rescue Service are also responding to the consultation and will also include concerns around this risk.
- The proximity to the Upper Heyford Southern Bomb Store Upper Tier COMAH site is however my greatest concern. The rail terminal comes within metres of the boundary to the Southern Bomb Store Upper Tier COMAH site, the rear of the proposed Industrial units fall on the edge of the south east corner and are only separated by a grass area or low banking which has no measurements within the plan, these would sit within the 200 metres public information zone for the site and be at risk from damage if an explosion were to occur in one of the 1.3 explosive hazard stores along the fence line. This risk would need to be considered by HSE under the COMAH regulations and additional planning and mitigations would need to be put in place, this would include during the build phase. Due to the high risk nature of the materials stored at that site it would also need to be included in the rail freight terminal planning that nothing that would increase any risk of or during an explosion was stored or held within a specified risk zone from the COMAH site.

Carol MacKay
County Emergency Planning Officer
Commercial Development, Assets & Investment Directorate
Oxfordshire County Council
Oxfordshire Fire & Rescue Service HQ
Sterling Road
Kidlington
OX5 2DU

Tel: [REDACTED]

Please note I work Monday-Thursday

carol.mackay@oxfordshire.gov.uk

www.oxfordshire.gov.uk

Virtual London Marathon for the Firefighters charity

https://uk.virginmoneygiving.com/19966_8922493_12506

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Proposed DCO Application by Oxfordshire Railfreight Interchange Ltd for Oxfordshire Strategic Rail Freight Interchange

Royal Mail response to EIA Scoping Consultation

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail and its advisor BNP Paribas Real Estate have reviewed the ES Scoping consultation document dated June 2021. This infrastructure proposal has been identified as having potential for impact on Royal Mail operational interests. However, at this time Royal Mail is not able to provide a consultation response due to insufficient information being available to adequately assess the level of risk to its operation and the available mitigations for any risk. Therefore, Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the consenting process and to give evidence at any future Public Examination, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

Holly Trotman ([REDACTED]@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited

Daniel Parry Jones ([REDACTED]@realestate.bnpparibas), Director, BNP Paribas Real Estate

Please can you confirm receipt of this holding statement by Royal Mail.

End

Deery, Claire

From: BCTAdmin@thameswater.co.uk
Sent: 08 June 2021 11:14
To: OxfordshireSRFI
Subject: 3rd Party Planning Application - TR050008 - SCOPING OPINION

Oxford City Council
St. Aldates Chambers
109 - 113 St. Aldates
Oxford
Oxon
OX1 1DS.

Our DTS Ref: 69766
Your Ref: TR050008 - SCOPING OPINION

8 June 2021

Dear Sir/Madam

Re: Land west of the B430, East of Upper Heyford Airfield, Ardley, Cherwell, OXFORDSHIRE , OX

Waste Comments

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Water Comments

Thank you for giving Thames Water the opportunity to comment on the above application. Thames Water are the statutory water and sewerage undertaker for the area and would like to make the following comments: Thames Water are satisfied that the report has considered the Water and sewerage needs of the development as set out in The EIA Regulations 2017 Schedule 4

Yours faithfully
Development Planning Department

Development Planning,
Thames Water,
Maple Lodge STW,
Denham Way,
Rickmansworth,
WD3 9SQ

Tel: [REDACTED]
Email: devcon.team@thameswater.co.uk

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<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7Coxfordshiresrfi%40planninginspectorate.gov.uk%7C65519f2ddc2244b701d408d92a662519%7C5878df986f8848ab9322998ce557088d%7C0%7C0%7C637587440458534492%7CUnknown%7CTWFpbGZsb3d8eyJWljojoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C1000&msgid=XCHy5IS3xHJELPr0qRarkUuqp8T>

5th July 2021



**Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol, BS1 6PN**

Sent by email to:
OxfordshireSRFI@planninginspectorate.gov.uk

Development and Planning

Council Offices
Market Street, Newbury
Berkshire, RG14 5LD

Our Ref: 21/01463/OOD

Your Ref: TR050008

Please ask for: Jake Brown

Contact Centre: [REDACTED]

Email: [REDACTED]@westberks.gov.uk

Dear Sir / Madam

Your Reference TR050008

Reference: 21/01463/OOD

Site: Out Of District Planning Inspectorate

Land West Of B430 East Of Former Upper Airfield, Ardley

Proposal: Consultation from the Planning Inspectorate in relation to a scoping opinion under the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulation 2017 (the EIA Regulations) - Regulations 10 and 11. Application by Oxfordshire Railfreight Limited (Applicant) for an Order granting Development Consent for the Oxfordshire Strategic Rail Freight Interchange (the Proposed Development).

Thank you for your letter dated 7th June 2021 seeking comments in respect of the information to be provided in an Environmental Statement for the above proposed development.

West Berkshire District raises no comments on this application.

If you have any queries please do not hesitate to contact me.

Yours sincerely,

**Mr Jake Brown
Principal Planning Officer**



**West
Northamptonshire
Council**

Economic Growth and Regeneration
West Northamptonshire Council
South Northamptonshire Area Office
The Forum Moat Lane, Towcester, Northamptonshire,
NN126AD

Email: planning.SNC@westnorthants.gov.uk
Web: www.westnorthants.gov.uk

The Planning Inspectorate
Major Casework Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Your Ref : TR050008
Case Officer : Denis Winterbottom
Telephone : [REDACTED]
Email : planning.SNC@westnorthants.gov.uk
Our Ref P/WNS/2021/0001/NIA
Date : 28/6/2021

Dear Sir / Madam

Proposal Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11, EIA Scoping notification

Location Application by Oxfordshire Railfreight Limited (the Applicant) for an Order granting Development Consent for the Oxfordshire Strategic Rail Freight Interchange (the Proposed Development) ORFI - Oxfordshire Strategic Railfreight Interchange -

I refer to your consultation on the above request for a EIA scoping opinion, received on 10 June 2021, further to the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

West Northamptonshire Council would offer the following comments in response.

The Council has no comment on the proposed scope of the matters to be assessed.

The Council would offer the following comments on matters identified to be scoped into the assessment:

Transport and Access :

The A43 is identified as a strategic road to be included within the transport assessment; this should include assessment of the effects for the junctions and roundabouts on the A43 in the vicinity of Brackley.

There have been a number of significant development proposals and there are several significant current development proposals within the sub-region, the transport assessment should therefore utilise the most up to date and robust transport model to assess traffic impacts.

Cumulative Impacts:

The hs2 railway is a significant development proposal currently under construction that has significant effects, not least for traffic and transport, within the sub region during the extended construction phase for the railway,. The cumulative effect of these effects with the construction phase effects of the proposed development should be therefore be assessed.

West Northamptonshire Council notes the duty under Regulation 11(3) with respect to requests for available information and reserves the right to comment further as the application progresses.

Yours faithfully,

Denis Winterbottom

Principal Planning Officer
Major Projects Team - Development Management

Date: 8 June 2021
Application: 211970



**WOKINGHAM
BOROUGH COUNCIL**


Miss Morag Thomson
Oxfordshire Railfreight Ltd
2nd floor
Gaspe House 66-72 Esplanade
St Helier
Jersey
JE1 1JH

Development Management &
Compliance

P.O. Box 157

Shute End, Wokingham

Berkshire, RG40 1BN



Dear Miss Morag Thomson,

NOTIFICATION OF VALIDATION OF CONSULTATION FROM ADJOINING LA

Thank you for your recent application which has now been accepted as a valid submission. Further information is set out below:

Application Number: 211970
Applicant Name: Miss Morag Thomson, Oxfordshire Railfreight Ltd
Site Address: Land west of the B430, East of upper Heyford former, Airfield Ardl, Cherwell District
Target date for decision: 29 June 2021
Proposal: Consultation from the Planning Inspectorate on behalf of Oxfordshire Strategic Railfreight Interchange - EIA Scoping notification Application for an Order granting Development Consent for the Oxfordshire Strategic Rail Freight Interchange (the Proposed Development).

- **Determination:** We will now make an assessment of the details submitted in terms of the potential strategic impact. As the application was deemed to be valid on 8 June 2021 a decision should be made by 29 June 2021. There is no need to contact us during this time; visit the website for details of the [application process](#).
- **CIL:** This type of application is not liable for a CIL charge.
- **Fee receipt:** We have received and accepted a fee of £0.00 in respect of this application.
- **Further information:** For more information on the planning process please visit our website including our: [frequently asked questions page](#).

Yours sincerely,
Development Management & Compliance

Date: 8 June 2021
Application: 211970



**WOKINGHAM
BOROUGH COUNCIL**

Miss Morag Thomson
Oxfordshire Railfreight Ltd
2nd floor
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Yours sincerely,
Development Management & Compliance