



EYNESHAM PARISH COUNCIL

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Sent by email – Anna.Herriman@Oxfordshire.gov.uk

XXXX February 2022

Dear Ms Herriman

Application No.	R3.0151/21
Proposal	<ul style="list-style-type: none">• The dualling of approximately 3.2km of the A40 carriageway from the existing Hill Farm junction at Witney to the Eynsham Park and Ride site (R3.0057/19) including the construction of two new roundabouts.• An eastbound and westbound bus lane approximately 6.5km in length from the Eynsham Park and Ride site to existing structures at Duke's Cut waterway (Duke's Cut Canal Bridge, Earl's Culvert, Wolvercote Railway Bridge and Wolvercote Canal Bridge);• Capacity and connectivity improvements over the existing structures at Duke's Cut waterway to enable the proposed eastbound bus lane to extend over the existing structures up to the A34 flyover in the east, forming a connection into Oxford North (Northern Gateway) strategic development site;• Construction of a new signalised junction to the Eynsham Park and Ride site;• New pedestrian/cyclist underpass at Cuckoo Lane ('the Eynsham Underpass').• Two new pedestrian/cycle bridges at Cassington Halt (Cassington Halt Footbridge North and Cassington Halt Footbridge South);• Widening of Cassington New Bridge;• Demolition and replacement/extension of existing White House Culvert;• Demolition and replacement/extension of Barnard Gate New Culvert;• New and improved shared use footways and cycleways, including new shared use links to National Cycle Network (NCN) Route 5 at Duke's Cut waterway;• Alterations to existing junctions and property accesses along the A40;

	<ul style="list-style-type: none"> • Controlled crossings, external lighting, noise barriers, sustainable drainage systems, landscaping, habitat creation including ecology ponds and associated hibernacula; and • All associated engineering and temporary construction works, site compound and storage areas.
Location	A40 HIF2 Smart Corridor ('HIF2 project') A40 corridor between Witney and Wolvercote, Oxfordshire
EPC Response	Objection

Eynsham Parish Council comment that the technology, labelling and file size of the application is unnecessarily prohibitive regarding accessibility and transparency for the purposes of meaningful consultation and response by the general public. A paper copy of key plans and documents should have been made available at Eynsham Library as well as other key locations.

Whilst the Council is grateful for a 1 week extension in the deadline to respond for members of the public (to 19 February), the extent of the application is not proportionate to the length of consultation time. The consultation also shows 'complete' as at 17 February which may deter new responses from being logged.

It is noted that additional supporting documents are being uploaded to the website after consultation responses have already started to be logged. The Council find this process unacceptable and question its compliance with planning legislation. At the time of writing, the following documents have been uploaded following commencement of the consultation period:-

14 February 2022

Updated Addendum to ES Chapter 8 14.02.22

Updated Non Technical Summary 14.02.22

Updated Chpt 17 Residual effects and Mitigation

ES Updated Volume 17a 14.02.22 Schedule of Environmental Commitment

16 February 2022

Addendum to Chapter 8 Cultural Heritage

Revised Appendix 1A

Eynsham Parish Council object to the application as follows:-

1. Design & Access – Underpass

- 1.1 Clarification is sought as to who the proposed underpass is being designed for. At para 13.7.54 of the [Environmental Statement – Population & Human Health](#), it states “It is expected that this underpass will primarily be used by those who wish to access the Park and Ride facility...”, however the [Mott Macdonald report](#) (used to identify the most suitable crossings) objectives were to:-
 - 1.1.1 Provide the safest routes for pedestrians and cyclists crossing the A40 apart from traffic.
 - 1.1.2 Integrate the existing village of Eynsham and West Eynsham SDA with OCGV to the north.
 - 1.1.3 Maximise walking and cycling to fulfil the demand for local trips.
 - 1.1.4 Enable minimum interruption of A40 vehicle flow.
- 1.2 Based on the objectives of the Mott Macdonald report, not only is the statement at 13.7.54 incorrect, but also that the crossing is in the wrong location as its not sufficiently central to serve the village to enable integration. Whilst it is acknowledged there are a range of problems with a crossing in the area of Witney Road or Spareacre Lane, if the solution is to be successful, it needs to be in the right location from the outset.
- 1.3 Community severance (social/psychological barriers and social impacts) will be a problem if access it is not satisfactorily addressed as new/existing residents will attempt to use the most direct route to cross the A40. Bradbury, A (2014)¹ discusses mitigation measures and evidence of this, from Cirencester and Barton – good design is key to addressing the numerous barriers. Specifically, at paras 2.4 and 2.5, the concerns raised regarding underpass, echo the concerns already registered by [Thames Valley Police](#) in response to this planning application. The pedestrian/ cycle underpass as currently designed and located, prohibits clear sightlines which will contribute to antisocial behaviour, crime and user’s vulnerability.
- 1.4 A vehicle underpass was not explored as part of the Mott Macdonald report yet it is the Council’s viewpoint that this is the most attractive. At page 84 in the report, it notes “Although lowering the level of the A40 would be a significant engineering requirement, it is not different from constructing a new grade-separated junction by dropping the road into an underpass. It is an innovative approach for non-motorised user crossings in the UK but would provide a very high-quality outcome for users.” The Council conclude that the aims of this crossing should be a ‘very high-quality outcome for users’ to:-

¹ Bradbury, A (2014) *Understanding Community Severance and its Impact on Women’s Access and Mobility in African Countries – Literature Review*. Available at: <https://assets.publishing.service.gov.uk/media/57a089c440f0b64974000262/Severance-LitReview-AFCAPgen127j-v140729.pdf> (Accessed 31.01.2022).

- 1.4.1 Reduce the risk of crossing accidents due to an alternative poor location and/or poor crossing solution.
 - 1.4.2 Reflect the high standards of the Garden Village.
 - 1.4.3 Promote a better quality of living standards for residents in the area.
 - 1.4.4 Enable community cohesion.
- 1.5 An alternative would be a green bridge, however this was ruled out of the report from the outset regrettably.
 - 1.6 The plans for an extension of Old Witney Road into [Abbey Green](#) (currently being built) physically incompatible with the A40 plans (i.e. they overlap) and must be resolved before the application is considered.
 - 1.7 14.7.33 of '[A40 ES Vol I Chp 14 Road Drainage and the Water Env Final 12Nov21](#)' states "The proposed Eynsham underpass may be constructed within the groundwater table and may impact baseflow of a tributary of Chil Brook in the vicinity of the underpass. Other receptors include residential properties downstream of the proposed underpass in Eynsham, on Old Whitney Road. The impact of the flood risk is, without mitigation, therefore, high."
 - 1.8 There is a lack of detail and proper consideration within the document '[Surface Water Drainage Report](#)'. Further investigation work is therefore required. These concerns include:-
 - 1.8.1 At 6.2.2 it states "runoff to be discharged to an assumed existing culvert to the south of the Eynsham Underpass" and "The location, depth and condition of this culvert is to be confirmed via drainage survey."
 - 1.8.2 6.4 states "The potential for ground water ingress or pluvial flooding over and above the underpass catchment entering the drainage system has not been assessed".
 - 1.8.3 And there is just a blank in Appendix O "Eynsham Underpass - Proposed Drainage."
 - 1.9 For the reasons above, the application is contrary to the following policies:-
 - Eynsham Neighbourhood Plan 2031:
 - 1.9.1 ENP3 Communities Facilities.
 - 1.9.2 ENP14 Sustainable Growth.
 - West Oxfordshire Local Plan 2031:
 - 1.9.3 T2 Highway Improvement Schemes.
 - National Planning Policy Framework 2021:
 - 1.9.4 Paras 92 and 93 Promoting healthy and safe communities.
 - 1.9.5 Para 130 f) and 134 Achieving well-designed places.

2. Design & Access – Walking, cycling, horse-riding

2.1 'Land Use and Accessibility Baseline' map at page 62 does not include or consider PROW 206/10/20 which is shown below in turquoise. Access to the countryside and green spaces in Eynsham is very limited² and to note those north of the A40 will be closed for any length of time, is a significant concern to the community and will be strongly opposed. The recently uploaded '[Updated Chapter 17 Residual Effects and Mitigation](#)' document highlights the extent of planned exclusion from the countryside being imposed on the community.

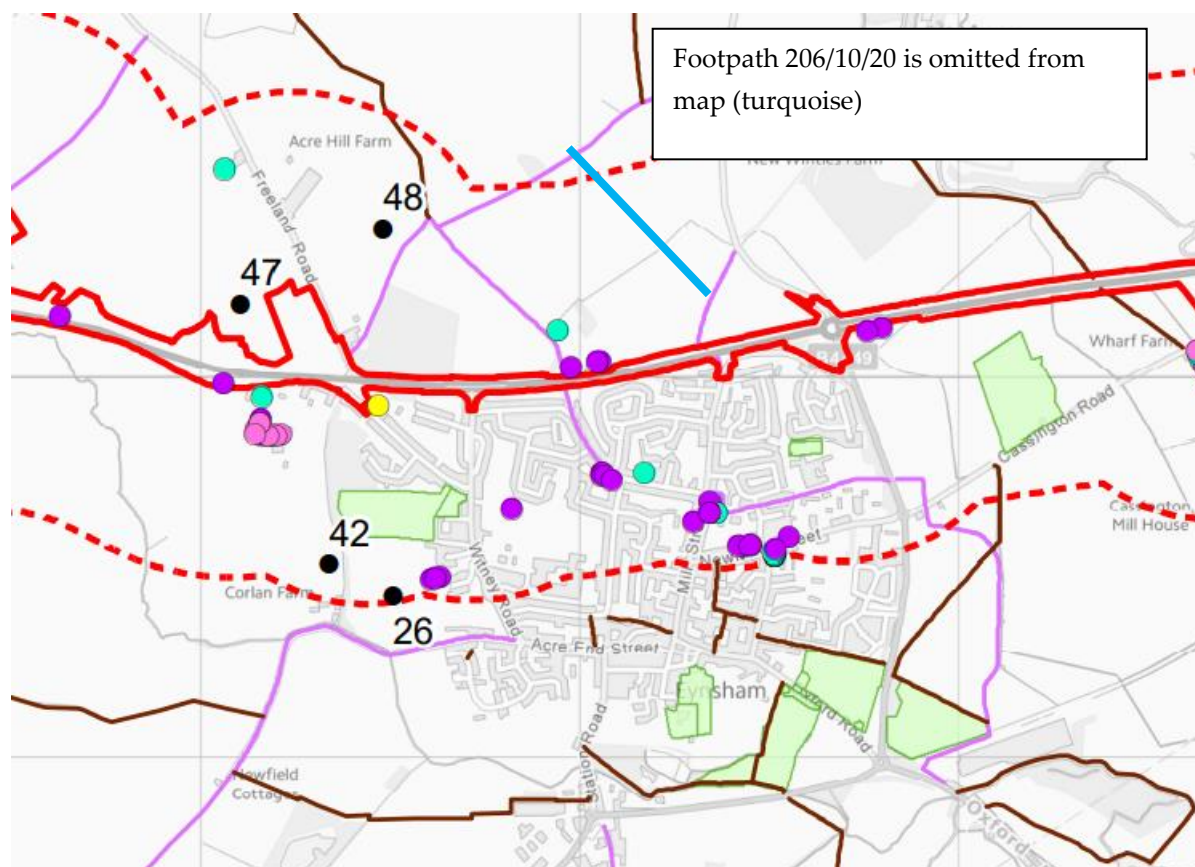


Figure 1 – Land Use and Accessibility Baseline page 62 of Chapter 13 Population & Human Health Environmental Statement. Shows Public Rights of Way (Bridleways - pink. Footpaths - brown)

2.2 Eynsham's Millennium Wood (owned by The Woodland Trust) is included in Environmental Statements, however the applicant has not considered that the site is a Local Green Space in [Eynsham's Neighbourhood Plan](#). We note that a section of the land is to be compulsorily purchased and vegetation removed to make way for a footpath which the Council strongly objects to.

2.3 The Parish Council support the Woodland Trust's objections.³ We note the following detrimental impacts will be incurred if permission is provided:-

² OSCI (2021) 2021 Eynsham Report. Available at: https://www.oxford.gov.uk/districtdata/site/scripts/download_info.php?fileID=1663 (Accessed 16.02.2022) Page 64 refers.

³ The Woodland Trust (2021) Letter of objection. Available at: <https://myeplanning.oxfordshire.gov.uk/Document/Download?module=PLA&recordNumber=10481&planId=6239>

- 2.3.1 Potential direct loss of 0.19ha of Eynsham Wood, including the loss of mature trees.
- 2.3.2 Removal of the well-established woodland edge and creation of a new edge that would be exposed to impacts of the road.
- 2.3.3 Potential for increased noise and light pollution, and increased air and dust pollution, resulting from construction and operation of the road.
- 2.3.4 Threats to long-term retention of trees from increased safety concerns where adjacent to the road scheme.
- 2.3.5 Cumulative effect of the above impacts resulting in long-term deterioration.
- 2.4 For the reasons above, the application is contrary to the following policies:-

Eynsham Neighbourhood Plan 2031:

- 2.4.1 ENP4 Green Infrastructure.
- 2.4.2 ENP4(a) Enhancing Biodiversity.
- 2.4.3 ENP5 Sustainability: Climate Change.
- 2.4.4 ENP12 Local Green Spaces (LGS1 – Eynsham Millennium Wood designation).
- 2.4.5 ENP13 Trees.
- 2.4.6 ENP14 Sustainable Growth.

West Oxfordshire Local Plan 2031:

- 2.4.7 EH4 Public realm and green infrastructure.
- 2.4.8 EH5 Sport, recreation and children’s play.

National Planning Policy Framework 2021:

- 2.4.9 Para 11 The presumption in favour of sustainable development.
- 2.4.10 Paras 98-103 Open space and recreation.

3. Biodiversity and loss of major carbon sinks in roadside vegetation

- 3.1 Details of a biodiversity net gain of 10% (as required by the [Environment Act 2021](#)) is not shown to be met. At 6.4.102, it states “A short list of offsite BNG opportunities has been developed, which at the time of writing are being discussed with landowners, seeking agreement in principle to these enhancements (subject to planning permission for the proposed development being granted). Once agreement in principle is reached with landowners, the BNG calculations and reporting will be finalised and submitted to OCC as the Authority.” There are no details available whereas they should have been provided within the application. The Parish Council will not support any biodiversity net gain proposals where it can be demonstrated the gain will already have taken place regardless of the needs of this planning application or that the gain is outside the Parish.
- 3.2 We note at 6.7.20, “The construction of the proposed development will result in the permanent loss of the following habitats:
 - 3.2.1 Approximately 3.6ha of semi-improved neutral grassland;
 - 3.2.2 Approximately 12 ha of improved grassland;

[0&imageId=796&isPlan=False&fileName=Comments%20Woodland%20Trust%2011.02.22.pdf](#) (Accessed 16.02.2022).

- 3.2.3 Approximately 13.5ha of species poor semi-improved grassland;
- 3.2.4 Approximately 10.1ha of arable;
- 3.2.5 Approximately 0.6ha of amenity grassland;
- 3.2.6 Approximately 1.4ha of semi-natural broadleaved woodland;
- 3.2.7 Approximately 3.2ha of broadleaved plantation woodland;
- 3.2.8 Approximately 0.3ha of mixed plantation woodland;
- 3.2.9 Approximately 2.7ha of dense and scattered scrub;
- 3.2.10 Approximately 1ha of tall ruderal vegetation;
- 3.2.11 Approximately 10,520m of species rich hedge, of which 4,780m is intact, 5,630m is with trees and 110m is defunct;
- 3.2.12 Approximately 1,195m of species-poor hedge, of which 845m is intact and 350m is defunct;
- 3.2.13 Four ponds;
- 3.2.14 Approximately 68m of river habitat, brook and wet ditch; and
- 3.2.15 Approximately 1100m of dry ditch.”

3.3 The A40 HIF2 Smart Corridor Planning Statement states that there will be the permanent loss of 1.4ha semi-natural broad-leaved woodland, 3.2ha of broadleaved plantation woodland, 0.3 ha mixed plantation woodland and 2.7ha of dense and scattered scrub equalling a total of approximately 20ha of woody habitat. If we assume that each hectare of woodland is holding around 100 tonnes of carbon, then 2000 tonnes of carbon will be released quickly as the woody material burns or decays after felling.

3.4 In addition, the disturbance to the soil and death of tree roots is likely to add even more to the amount of fixed carbon lost.

3.5 Similarly, hedgerows can hold between 10-40 tonnes of carbon per hectare⁴ and so the loss of approximately 12 km of hedgerow will also release many hundreds of tonnes of carbon.

3.6 Although the schemes seeks to replace woodland and hedgerow lost, the time to reach maturity and hence become net carbon neutral by absorbing the carbon released from the initial destruction of habitat, is likely to be many decades into the future and certainly beyond the UK Governments net zero by 2050 target. Given that the UK has less than 30 years to reach net zero carbon emissions, any major release of carbon from woody vegetation that will take decades to replace will add to global carbon emissions.^{5 6}

3.7 For the reasons above, the application is contrary to the following policies:-

Eynsham Neighbourhood Plan 2031:

⁴ Championing the Farmed Environment- Hedgerows <https://www.cfeonline.org.uk/environmental-management/climate-change-mitigation/carbon-storage-and-sequestration/hedgerows/>

⁵ Thompson, DA and Matthews RW (1989) The Storage of Carbon in Trees and Timber. Forestry Commission Research Information Note 160 (<https://www.forestryresearch.gov.uk/documents/4749/RIN160.pdf>)

⁶ How Trees Fight Climate Change. Woodland Trust <https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/british-trees/how-trees-fight-climate-change/>

- 3.7.1 ENP4 Green Infrastructure – The Setting for New Developments.
- 3.7.2 ENP4(a) Enhancing Biodiversity.
- 3.7.3 ENP5 Sustainability: Climate Change.
- 3.7.4 ENP13 Trees.
- 3.7.5 ENP14 Sustainable Growth.

West Oxfordshire District Council 2031:

- 3.7.6 EH2 Landscape character.
- 3.7.7 EH3 Biodiversity and geodiversity.

Oxfordshire County Council Corporate Plan 2024:

- 3.7.8 Thriving Communities – we provide services that enhance the quality of life and protect the local environment.

National Planning Policy Framework 2021:

- 3.7.9 Para 131 Achieving well-designed places.
- 3.7.10 Paras 174 and 175 Conserving and enhancing the natural environment.
- 3.7.11 Para 180 Habitats and biodiversity

4. Flooding & Attenuation Basins

- 4.1 We note from Figure 15 (below) detailed in the [A40 ES Vol II Appendix 14-B Final Part1%20\(1\).pdf](#) that the area to the east of the B4449 is in Flood Zone 2 with the ‘main river’ running within the area. However, at 14.6.4 of [Chapter 14 of the Environmental Statement](#) it states “the following design assumptions have been applied: Attenuation basins should not be located in and fluvial or pluvial flood⁷ risk areas.” Note also that the soil here is clay (page 93 of Chapter 14 refers). It is therefore not understood why it is proposed to have an Attenuation Basin at this location or what the associated level of flood risk for road users or nearby residents is. The Council recommend that unless risks of flooding are low, this attenuation basin is re-designed out of the application.

⁷ Fluvial flooding is from rivers. Pluvial flooding is from surface water/weather. Definitions from ‘Don’t Goof, Flood Proof’ Available at: <https://www.dontgoof.org/flood/river-flooding> (Accessed 18.02.2022).

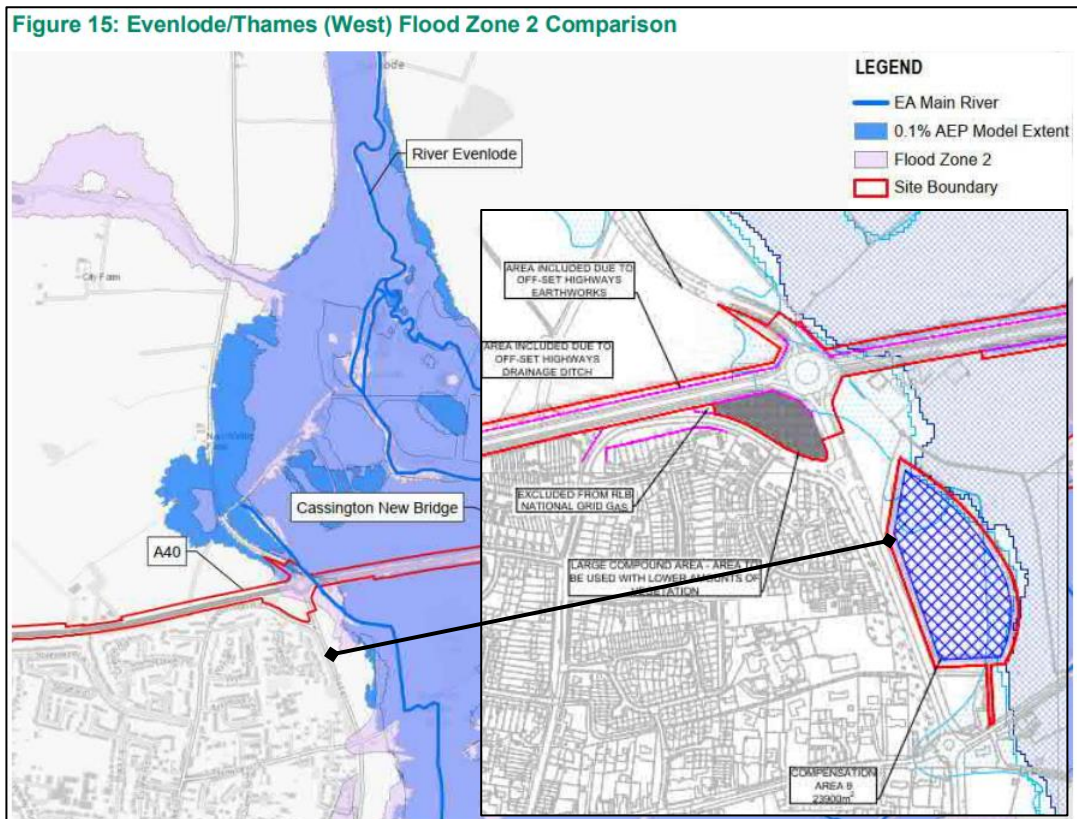


Figure 2 – Proposed Attenuation Basin adjacent to the B4449 in Flood Zone 2.

4.2 We urge Oxfordshire County Council, developers and the Environment Agency to undertake a Flood Risk Assessment demonstrating the cumulative effects of the Salt Cross Garden Village, West Eynsham Strategic Development Area and these A40 proposals. Piecemeal/individual assessments will not provide a true picture of flood risk for the community of Eynsham and Barnard Gate or highway users for the Local Plan period (to 2031).

5. Population and Human Health

5.1 It is unclear from [A40 ES Vol I Chp 13 Population And Human Health Final 12 Nov 21](#) at 13.6.1 exactly how local disruption will be minimised in relation to the use of Materials Compounds. Will there be no lighting, dust control and no reversing noise emitted from lorries? Eynsham Parish Council strongly objects to the compound which will be within 20 metres of Dovehouse Close residents. Given the quantity of land available to OCC, it is felt entirely unnecessary to have a compound at this location.

5.2 Section 5.9.4 puts a Materials Compound on the eastern half of the Park and Ride site. It is unclear why it could not be as far away from housing as possible (example, why not the western half of P&R site).

6. Location – Promoting Sustainable Transport

6.1 In consideration of the fact that in West Oxfordshire District Council's Local Plan 2031, the Witney sub-area has a housing allocation of 4702, Burford-Charlbury sub-area has 774 and Carterton sub-area has 2,680, the Park & Ride (P&R) is in the wrong location to meet the impact of these planned developments.

- 6.2 Eynsham Parish Council welcome increased public bus services and encourages active travel, however it remains to be seen if the new bus lanes will offer any real benefit over the existing S1 and S2 services.
- 6.3 We are yet to see clear evidence that shows that the Park & Ride scheme location will attract 1000 daily commuters to use the facility and the associated bus service.
- 6.4 It is regrettable the application does not take into account or future-proof land that could be used for a form of a Witney to Oxford railway⁸. The 'Non-Technical Summary' refers to 'The A40 Witney-Oxford Corridor Route Strategy' which was prepared in September 2014 with an option of providing a railway. This option was the second most favoured and should have been further explored. Oxfordshire County Council is now undertaking a feasibility study and the Council looks forward to receiving the report.

7. Green Belt

- 7.1 The National Planning Policy Framework (2021) makes clear that 'inappropriate development is, by definition, harmful to the Green Belt and should be approved except in very special circumstances' (sections 147-151 refer). We note at para 150 that 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, in particular, c) local transport infrastructure which can demonstrate a requirement for a Green Belt location.'
- 7.2 Eynsham Parish Council consider there will be a major adverse effect on the visual dimension⁹ of 'openness' of the Green Belt due to a substantial volume of grassland, trees and hedges removed from the landscape and increased highway with its infrastructure.
- 7.3 When also balanced against the potential (mitigated) impacts of the Special Areas of Conservations (Natural England response refers), the carbon implications, impact of the proposals on protected species, no demonstration of biodiversity net gain and not least, devastation of hedgerows and trees, it cannot be justified to develop the A40 in the Green Belt in the way proposed.
- 7.4 The application is considered contrary to:-

National Planning Policy Framework 2021

7.4.1 Paras 147-151 Inappropriate development of the Green Belt.

West Oxfordshire Local Plan 2031

7.4.2 OS1 Presumption in favour of Sustainable Development.

⁸ Witney Oxford Transport Group (undated) *Feasibility Study Funds Approved by Cabinet*. Available at: <https://witneyoxfordtransport.org.uk/2022/01/28/feasibility-study-funds-approved/> (Accessed 17.02.2022)

⁹ Landmark Chambers (undated) *Green Belt Planning Openness of the Green Belt: lessons from Samuel Smith*. Available at: <https://www.landmarkchambers.co.uk/wp-content/uploads/2018/11/HLG-Samuel-Smith-Green-Belt-Planning-Seminar.pdf> (Accessed: 17.02.2022).

7.4.3 OS2 Locating development in the right places – Protection of the Oxford Green Belt.

Cherwell Local Plan 2031

7.4.4 ESD14 Oxford Green Belt.

Oxford Local Plan 2036

7.4.5 G3 Green Belt.

Eynsham Neighbourhood Plan 2031

7.4.6 ENP14 Sustainable Growth.

8. If the Local Planning Authority is minded to approve this application, Eynsham Parish Council request the following conditions are considered:-
- 8.1 In line with the 'Code of Considerate Practice,' commercial vehicle cleaning systems are to be installed before work commences (to promote highway safety and respect for the community). Officers should be completely satisfied that the system employed will make certain no mud or other materials are deposited on the footpaths/highway in the vicinity of the site.
- 8.2 Monthly update report forwarded by a senior member of the project team to the Parish Council to include details of work phases completed, next phases, any relevant details of interest and any anticipated concerns/disturbances to the community. This will be published at Eynsham Online.
- 8.3 Construction Traffic Management Plans are to be produced for consultation with the Parish Council and no work will commence until it has been approved and any required preparatory work has been completed. The plan should include the following:-
- 8.3.1 A clear statement detailing who is responsible for monitoring, enforcement and community liaison.
- 8.3.2 A clear statement that should any Planning Conditions or Construction Traffic Management Plan conditions be breached, work on site will stop immediately until the issue has been resolved.
- 8.4 In relation to the Dovehouse Close compound, when the site is no longer used for this purpose, it is conditioned to nature and transferred to Eynsham Parish Council to manage and protect as a Local Nature Reserve.
- 8.5 Bus stops for Barnard Gate residents are compulsorily installed.
- 8.6 Quiet road surfacing is requested for highway between Park & Ride site and Eynsham roundabouts. Additionally, this section of road should be at 30mph not 40mph.

- 8.7 A central refuge is installed on the A40 for PROW 152/5/10 Eynsham Mill to Cassington Mill.
- 8.8 S106 funding (Town & Country Planning Act 1990) as follows:-
- 8.8.1 Contribution towards Eynsham's 20mph scheme as per [The Urbanists Report 2017](#) - £282,060. The project will help to mitigate and more safely control the impact of additional traffic using Eynsham village.
 - 8.8.2 Sufficient funding to enable the [B4044 Eynsham-Botley Community Path](#) to be completed thereby promoting a sustainable transport option.
 - 8.8.3 Contribution towards a safe cycle route at Lower Road B4449, Eynsham-Hanborough.
 - 8.8.4 Contribution towards other local sustainable transport options, ie [Witney Oxford Transport Group's](#) Carterton-Yarnton rail, upgrading Public Right of Ways.

9. Summary

- 9.1 For the reasons set out above, Eynsham Parish Council considers this application is contrary to one of the 3 key policies of sustainable development (NPPF 8 c) as it does not contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.2 The genesis of this project was the potential availability of Central Government funds to improve public transport provision, however the scheme has been designed purely to make use of such funding rather than investigate the best transport solution for the A40 from first principles.
- 9.3 The [Statement of Community Involvement](#) (paras 5.2, 5.3, 5.4) clearly demonstrates a lack of public support for these projects. The Parish Council suggest further work is undertaken to reduce the planned impacts on the community and local environment; ensure the Park & Ride is in the right location (example, Witney or Carterton) or even better, support the exploration of a rail link which would relieve the weight of traffic on the A40 entirely.
- 9.4 The recently uploaded '[Appendix 17-A Schedule of Environmental Commitments](#)' outlines the environmental mitigations the applicant considers is appropriate to make the application acceptable in planning terms. It goes some way to demonstrating the potential scale of damage to human health, biodiversity and the natural environment; and not least the community of Eynsham and beyond.

Yours sincerely

K. Doughty

Mrs Katherine Doughty
Clerk to the Council