



EYNESHAM PARISH COUNCIL

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Mary Hudson
Principal Planning Officer
Communities
Oxfordshire County Council
County Hall
New Road
Oxford OX1 1ND

13 July 2019

Sent by email – mary.hudson@oxfordshire.gov.uk

Dear Ms Hudson

Application No.	R3.0057/19
Proposal	Construction of a park & ride car park providing 850 car parking spaces, cycle spaces, motorcycle spaces, electric vehicle charging points, bus shelters, landscaping, external lighting, public open space, toilets, seating, fencing, habitat creation, drainage features, new access from Cuckoo Lane, new roundabout with access onto A40, an eastbound bus lane approximately 6.5km in length from the park & ride site to the A40 bridge over the Dukes Cut canal, two sections of westbound bus lane (each approximately 500m in length), new shared use footway/cycleway, widening of Cassington New Bridge, junction improvements, new crossings, new footbridge alongside Cassington Halt Bridge, and associated works.
Location	Land West of Cuckoo lane and adjacent to the A40, Eynsham, West Oxfordshire, OX29 4PU
EPC Response	Strongly Object

Eynsham Parish Council strongly object to the application as follows:-

Location – Promoting Sustainable Transport

In consideration of the fact that in West Oxfordshire District Council's Local Plan (WOLP) 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.

Whilst it is felt a P&R might help to alleviate traffic congestion by potentially taking 850 cars off the A40 from the c.32,000 currently using the road, it should be located further west at Shores Green, Witney so that existing and new residents will need to spend less time travelling to the P&R on already-congested roads. The application is therefore considered contrary to NPPF 103 - "Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes." The application is not in alignment with WOLP 2031 EW1 where it states 1000 car parking spaces are to be provided, not 850.

Bus Lane Design

Traffic is able to 'short cut' the proposed roundabout and access the layby when traffic is heavy. The radius of the proposed roundabout is poorly designed, requiring sudden braking manoeuvres of the kind currently experienced at Downs Road leading to numerous accidents. The bus lane should be installed as a priority from Witney to Eynsham before consideration is given to the P&R.

Given the A40 between the roundabouts will in effect be an internal road in the village, more attention needs to be paid to the safety aspects of the crossings including the timings.

Community Involvement

Considering the continually changing details and scale of this application, it is felt that insufficient public consultation has been undertaken. Even within the current application, there is conflicting information and details still to be confirmed. Further widespread and extensive consultation is required - holding 4 public consultation events is not enough when compared to the scale of this application. A total of 547 responses to the consultation is low in relation to the number of people who use the A40. Of the responses provided, more people disliked the P&R than liked it and the number of people who liked the A40 scheme was only marginally more than those who do not like it.

Air Quality

It is not understood how anyone without a degree in chemistry, biology and/or physics can legitimately scrutinise the accuracy or understanding of the Air Quality Report. Common sense says the air quality will be compromised with the twice-daily movement of 850 vehicles in addition to the dust and pollutants from HGVs/machinery whilst creating the P&R.

Air Quality Management Area - It is felt that calculating the 'in combination' Nitrogen Levels reducing from 'critical' to within '5-10% of critical level' (and therefore being considered acceptable) based solely on the P&R and A40 projects being successful as there will be a reduction in Annual Average Daily Traffic, is based on wishful thinking only. There is no proof that the application will actually remove the maximum 850 cars from the A40 - its location (and cost of parking) is key to whether it will be considered successful.

We note that this is included in the Pre-app advice to the applicant. Number 0008/18, 12.11.2018 “Cassington Meadows SSSI and Pixey and Yarnton Meads SSSI lie immediately south of the existing A40 and are also designated as part of the Oxford Meadows Special Areas of Conservation (SAC). These SSSIs and SAC are sensitive to air pollution. There is the potential that it could lead to increased air pollution during construction and in the long term due to increased traffic on the route.”

This would be contrary to Public Health England ‘Air Pollution Evidence Review March 2019.’

The air quality monitoring and mitigation methods proposed during and post construction are unacceptable and will not outweigh the significant negative impacts that residents and biodiversity will experience. The natural and local environment will be put at unacceptable risk from, and will be adversely affected by, unacceptable levels of dust and air pollution. The application is therefore considered contrary to policy EH8 of WOLP 2031 and NPPF 103, 170 e) and 181.

Biodiversity

The output of the biodiversity impact assessment calculator suggests that the scheme will result in an overall deficit in biodiversity units of approximately -12.33 biodiversity units. This represents approximately a 22% reduction on the baseline. It is unacceptable for OCC to obtain approval for the application while there are no agreed options for improving on the outputs in order to create a net biodiversity gain.

Significant effects of the application include: the removal of 990m of hedgerow (vs 565m of new hedgerow to be planted). The site plan, drawing no. 0001 (Park_and_Ride_Site_Plan.pdf) clearly shows where existing trees and shrubs are to be removed. This can be compared to Figure 3.1 of the Design & Access Statement which clearly shows replanting where existing hedges and habitats have been pointlessly removed. The Planning Statement May 2019 (Planning_Statement_31.05.19.pdf) at 8.4.5 OCC confirms that removing existing hedgerows will degrade biodiversity, at 8.4.6 OCC suggest that contributing to diversity at Oxmoor (sic. Otmoor) and Farmoor will correct this – how?

All hedgerows should be retained and the P&R redesigned to work with the existing constraints of the site where it is feasible to do so. The application will effect a loss of 0.82ha of semi-improved grassland and 0.82ha of species rich grassland; a loss of 150m² habitat of the ‘protected’ newt; and will permanently affect bats due to light pollution. These are just the significant adverse effects.

The application is contrary to OCC’s LTP4 Policy 24 which seeks to avoid negative environmental impacts of transport and where possible will provide environmental improvements, particularly in Areas of Outstanding Natural Beauty, Conservation Areas and other areas of high environmental importance.

The proposed mitigation measures are not proportionate to the level of harm that will be incurred and the application is therefore unacceptable. The natural environment will not be conserved or enhanced. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats’ site.

The application is therefore considered contrary to NPPF 170, 174 b), 175 and 177. It is contrary to WOLP 2031 policies EH2, EH3, EH4 and EH8. It is also contrary to various sections of The Wildlife and Countryside Act 1981, The Natural Environment and Rural Communities Act 2006, The Protection of Badgers Act 1992, The Conservation of Habitats and Species Regulations 2017 and The Countryside and Rights of Way Act 2000.

Landscape and Visual

We note that this is included in the Pre-app advice to the applicant. Number 0008/18, 12.11.2018:-

“Consideration should be given to the proximity of residential dwellings and other sensitive receptors. Potential impacts include noise, emissions, vibration and visual impact, both during construction and in the long term due to the increased size and capacity of the road.”

The proposed development would result in significant adverse effects at a local level during the construction phase, specifically to the P&R site, along the A40 and to Eynsham.

At year 1 of operation, the change in land use at the P&R site would result in a significant adverse effect through the extent of hardstanding and parked vehicles. It will take 15 years for the planting within the P&R site to reduce the adverse visual impact of the change in land use. The Council does not agree that there would not be any significant adverse effects to the landscape character areas as detailed in the report.

Lighting

The Design & Access Statement May 2019 (Final_A40_DAS_31.05.19.pdf) at 3.1.3 points out that CCTV and ‘Lighting Columns’ will be installed; given the rising ground this will probably result in considerable light pollution in the North of Eynsham. The installation of CCTV/Lighting is confirmed at 5.6.6. It is noted that OCC will consider stepped dimming from 100% to 50% light level or even switching off lights once traffic flows have been established. Although there will be no upward lighting, it is questionable whether 10m high columns are appropriate for the whole of the site. Lower columns should be considered which may benefit neighbouring residents and bats/ecology.

Climate Change & Flooding

We must express surprise that on the application form (Application_Form.pdf at item 12) it is suggested that this size of car park will not affect any other area in terms of water run-off/flood risk. How is the A40 bus lane scheme considered acceptable with mitigation even though it is in Flood Zone 3 and with displaced floodplain storage?

At appendix 13-B page 23, it states “that for the worst case scenario, the A40 in proximity to the River Evenlode floodplain is considered to be at risk of flooding to a depth of 1.4m (lowest point lessening to ground level at Eynsham Roundabout and west of Cassington Road junction). Additionally, the A40 adjacent to the River Thames floodplain is considered to be at risk of flooding to a depth of 0.5m (lowest point lessening to ground level at east of Cassington Halt Bridge and Duke’s Cut).”

It is noted that the statement at 13.4.65 Environmental Statement (Vol 1) Road Drainage & Water Environment states potential flooding of properties at the end of the Old Witney Road. This is clearly unacceptable.

The application is therefore considered contrary to NPPF 150 a), 155, 157 b), 160 a) & b), 163. The flood risk is not outweighed by the development benefits. The development will not be safe for its lifetime. NPPF 161 - the exception test is felt not to be met. It is contrary to WOLP 2031 policies EH7 and EH8. The Council requests the Environment Agency's support in objecting to this application as above.

Green Belt – departure from plan

The application is considered contrary to WOLP Policy EW10 – Protection of the Oxford Green Belt and NPPF 143 and is inappropriate development of the green belt.

Errors in the application and issues requiring clarification

A number of errors of fact and editing are noted including:-

- In a number of places reference to the original idea of a Café are maintained but the main body of the documents has the Café removed, which is correct?
- Design and Access Statement May 2019 (Final_A40_DAS_31.05.19.pdf) Point 3.1.10, and again at 6.1.7 mentions that the bus stops at the Evenlode Public House are being retained and 'improved and upgraded', as agreed with the Parish Council, but drawing A40_SW_ZZ_ZZ DR CH 0105 shows them removed.
- Point 4.1.2, please note that the Plant Nursery mentioned closed some time ago.
- At 7.2.2 there is a repeated paragraph.
- Planning Statement May 2019 (Planning_Statement_31.05.19.pdf) at 3.6.4 repeats the error of stating that the funding is in place for this project: it is not. The Business Case has to be approved by Department for Transport to release the funds and it has NOT been approved. Emails from Cllr Ian Hudspeth (OCC) to Cllr Peter Emery (EPC) on 5th July 2019 confirm this:-

"The business plan that you refer to is an Outline Business Case which has to be submitted to the Department for Transport (DfT), as with all major schemes funded by Government. This document is separate and is not a requirement for the submission of planning permission, hence why it is not included. The Outline Business Case is to be submitted imminently to DfT..."

It is noted that more than 2 years ago OCC officers were claiming that submission was imminent, this remains an unfunded project and so it is questionable that an application should be coming through at this point. What happens if the funding bid fails?

- The application should not be considered until all of the 'to be confirmed' details are finalised.
- Landscape & Visual 10.4.90 Future Baseline – There are 2 substantial omissions in the list of proposed completed developments by 2021. These are (1) Northern Development (2200 homes) (<https://www.thegardenvillage.org/milestones/> refers) and (2) West Eynsham Strategic Development Area (1000 homes).
- Is Oxfordshire County Council's plan to increase parking or keep it at the same level by closing Peartree P&R?
- Have OCC considered research such as 'The Effectiveness of P&R as a Policy Measure for more Sustainable Mobility' authored by G Parkhurst & S Meek in 2014? This study and others have shown that despite the widespread adoption of P&R schemes, in many cases overall traffic has increased and public transport usage has not necessarily increased.

The genesis of this project was the potential availability of Central Government funds to improve public transport provision, but 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.

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, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

If Oxfordshire County Council resolves to approve its application, Eynsham Parish Council request:-

1. A 30mph speed limit is permanently put in place between the proposed P&R roundabout and the existing Eynsham roundabout in order to:-
 - (a) To reduce vehicle accidents from Cuckoo Lane, Elm Place, The Evenlode Public House, Tesco and other commercial premises along this stretch of the A40.
 - (b) To assist cyclists, pedestrians and horse riders to cross the A40 safely.
 - (c) To reduce air pollutants in this area of the village.
 - (d) To reduce noise levels to properties in the village.
 - (e) Replicate a community-feel such as Sunderland Avenue, particularly when the northern development is built.
2. In line with the 'Code of Considerate Practice,' commercial vehicle cleaning systems are to be installed on site 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.

3. 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.

4. A Construction Traffic Management Plan is to be produced for consultation with the Parish Council and no work will commence until it has been signed and any required preparatory work has been completed. The plan should include the following:-
 - (a) A clear statement detailing who is responsible for monitoring, enforcement and community liaison.
 - (b) 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.

Yours sincerely

K Doughty

Mrs Katherine Doughty
Clerk to the Council