

**WEST OXFORDSHIRE DISTRICT COUNCIL**  
**LOWLANDS AREA PLANNING SUB-COMMITTEE**

**MONDAY 16 JUNE 2014**

**ROUTING AGREEMENT - COTSWOLD FARM, STANDLAKE**  
**REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING**

**(Contact: Phil Shaw, Tel: (01993 861687))**

(The Sub-Committee's decision on this matter will be a resolution)

**1. PURPOSE**

To consider a request from the applicant's agent that they are not required to enter into a routing agreement with Oxfordshire County Council in the terms proposed by that authority.

**2. RECOMMENDATION**

That, following consideration of the comments of the County Council and the Division Representative, the Sub-Committee determines whether or not to alter the terms of the suggested routing agreement as proposed by the County.

**3. BACKGROUND**

3.1. Members will recall that, at the meeting of the Sub-Committee held on 21 January, 2013, approval was given for a large new commercial facility comprising the erection of a building for egg grading, packing and distribution with associated goods yard, car park and access roads at Cotswold Farm, Standlake, for Noble Foods.

3.2. The proposal represents a major economic boost to the area but there was considerable concern expressed by Parish Councils to the Newbridge side of the site that operation of the facility would add to what was considered an already unacceptable situation with HGV traffic from minerals workings and other sources. A routing agreement was therefore proposed by way of condition to seek to limit the impact of the development.

3.3. The condition imposed reads as follows:

*Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the LPA and prior to the first occupation of the building a revised Travel Plan and a routing agreement to limit HGV traffic through Sutton and Newbridge shall be agreed in writing by the LPA. Development shall only be implemented/occupied in accordance with the said agreed details.*

*REASON: To mitigate the impact of traffic generated by the construction and operation of the premises. (Policy BE3 of the adopted WOLP)*

3.4. The applicants have been in extended negotiation with the County Council over the terms of the routing agreement but these negotiations have now reached an impasse such that the agent has asked that matters be referred back to the Sub-Committee to seek clarity as to what is acceptable. They have submitted a long and detailed letter making a variety of points but in essence their case is summarised as follows:-

- 1 The condition envisages the approval of the LPA and not the LHA.
- 2 The condition does not require the applicant to enter into an agreement with OCC.
- 3 OCC are seeking to PROHIBIT rather than LIMIT HGV traffic on the proscribed route.
- 4 Prohibition brings with it severe commercial consequences as it only allows access to the route if required by a police officer.
- 5 Local Plan seeks to foster local enterprise but this is limiting commercial flexibility and will increase operating costs.
- 6 There is no planning reason to prohibit traffic.
- 7 It will not only affect the operator but also the supply chain.
- 8 Wider range of departures are required e.g. when the proscribed route is congested.
- 9 Transport Assessment submitted with the application stated largest number of movements would take place outside peak hours.
- 10 Lorries will leave 0200 – 0600 and 1800- 2100 and return at variable hours.
- 11 There are only currently 15 lorries and the licence allows for up to 25 such that the impact of the traffic generated would cause neither safety nor convenience issues.
- 12 Request that the matter is referred back to members for consideration.

#### **4. PLANNING ASSESSMENT**

- 4.1 Members will be aware of the sensitivity of the issue of HGV traffic upon residents of Sutton and Stanton Harcourt and it was in order to safeguard their amenity that the condition was imposed. Equally however the concerns expressed by what will be a major employer as to the impacts of such an agreement if entered into as drafted i.e. only allowing HGV traffic generated from site to use the roads if directed by a police officer to do so, may be seen as unduly onerous and could result in inhibiting the investment in to the District.
- 4.2 Your Officers have been trying to broker an acceptable compromise between the positions of OCC and the applicant by allowing somewhat more freedom as to the nature of exemptions that could be allowed without undermining the whole premise of the reason why the agreement was suggested in the first place. Agreement between the parties has not however been possible- partly because OCC Officers are mindful of the extent of local concern at the impacts of HGV traffic and do not wish to relax the controls to the extent that they could be criticised for going against the resolution. For their part the applicants have taken a somewhat literal interpretation of the requirements of the agreement and do not want to enter into an agreement - even with the verbal assurance that breaches of it would only be pursued if it were considered reasonable and expedient to do so - which would be very unlikely if the breaches were limited in extent and duration.

4.3 The only means to overcome the impasse therefore appears to be to refer the matter back to Members as to whether the condition needs to be imposed, if so whether it should be varied and if varied what exemptions to the current position (if any) would be considered reasonable given the levels of traffic generated and the economic benefits of the new facility. However your officers do not consider it appropriate to make a formal recommendation until such time as the views of County Council and the Division representative have been received. Due to commercial pressures the applicants want the matter decided as quickly as possible but at the time of agenda preparation it has not been possible to secure the views of the relevant other parties and as such a full verbal update will need to be given at the meeting.

## **5. ALTERNATIVES**

Members could decide not to consider any variations or to not consider the matter further. However this would leave the Company and OCC in a difficult position lacking clarity as to what Members conclusions are and could inhibit the investment and further investment in the district in future.

## **6. FINANCIAL IMPLICATIONS**

None directly arising to WODC but there may be wider economic consequences.

## **7. BACKGROUND PAPERS**

Agents letter dated 30/5/2014.

Head of Planning and Strategic Housing

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