

Kidlington Parish Council

Draft 2: response to OUFC planning application for a new stadium

See <https://planningregister.cherwell.gov.uk/Planning/Display/24/00539/F>

Parking and Transportation

1. General Points

The application does not make sufficient allowance for the significant increase in local vehicular traffic and Park and Ride (P&R) use resulting from the planned housing developments in Oxford North, Begbroke, Yarnton, Kidlington and Gosford & Water Eaton. This will be compounded by the effects of the current Oxford Transport Strategy and in particular by the introduction of bus gates within the city. The effect of this will be to push traffic onto the already over-congested Ring Road and increase demand for Oxford Parkway station and the associated P&Rs.

The proposal appears to delete part of the vital bus lane from Kidlington to Oxford Parkway, which forms the bus rapid transport corridor from Kidlington to Oxford as set out in the Oxford Transport Strategy. Attention is drawn to the letter from Oxford Bus company dated 14th June relating to the PR6a proposal. They state that there are up to 18 southbound buses per hour along the Oxford Road providing 1200 peak seats per hour. The loss of the bus lane south of Kidlington will make this ineffective as a rapid bus corridor.

It is said that matchday crowd and traffic management plans will be agreed with OCC and relevant highway/train authorities prior to occupation. This needs to be resolved satisfactorily before planning permission is given.

ES Volume 1 Chapter 4 - Stadium Operation/Hours of Use. "Over the course of the year it is anticipated that around 580 events will be hosted." "The stadium has capacity to host events for up to 1,000 attendees and initial projections anticipate that there will be approximately 85 events with an average of 150 people, and 68 large events with an average of 700 people." "...It is anticipated that the hours of use, with the exception of the hotel use which will be 24 hours, will be between 06:00-00:00." KPC would like to see more detail as to the mitigation measures proposed for the traffic impact of these additional events.

2. Parking control

The proposal states that OUFC will implement on match days a Controlled Parking Zone (CPZ) up to a 2-km radius. This will extend as far as Exeter Hall in Kidlington, and include all housing in Gosford including the new PR7s, PR 6a and PR 6b, and parts of PR9. Altogether this will involve a population of circa 20K. There is no detail of how the CPZ will be implemented and who will manage the scheme. All of Cherwell District is covered by decriminalized parking so this would have to be implemented under that umbrella. KPC are particularly concerned about the possibility of residents having to pay for permits (just for this development) and how the level of enforcement can be guaranteed. More information on how a CPZ will be implemented must be provided before consent is granted.

At present the information with the application is inadequate to deal with these issues.

3. Crowd management

It is stated that traffic management required for safety reasons diversions on the Oxford Road will be implemented for at least 30 mins pre and post-match. This will be operated by a contractor. We understand that OCC are demanding a bridge as a condition of the lease. There is no mention of such a proposal in this application. KPC are opposed to any closure of the Oxford Road on Match days for the following reasons:

- It is the main arterial route from North Oxfordshire into the City Centre
- It is the only direct road to the Oxford Parkway transport hub which enables people to access Oxford and the rail station. This will be critical on Saturdays when people want to access Oxford for shopping and in the evenings for people returning from work by rail, or bus. There will already be a delay in getting in and out of Oxford Parkway as there will be a concentrated level of traffic at the end and beginning of matches.
- The Oxford Transport Strategy identifies the Oxford Road as a bus Rapid Transport Corridor intended to encourage people to use the P&R and other bus and train services. Closure of the road will disrupt this.
- Crowds walking down from Kidlington will have to cross the Kidlington roundabout, which will also have to carry traffic diverted down Frieze way, buses and coaches. How will this conflict be managed safely and without causing further traffic flow issues?

There is a large, dedicated pedestrian access at the south end of the site abutting the Oxford Road. We note that the Design Review Panel raised concern that the proposed main entrance arrival space was not adequate, especially in view of the level differences down from the highway. This also seems to be location of a much needed bridge. We understand that this is to form part of a further application, so it is only possible to assess the application on the basis of the road closure, to which we strongly object.

In view of the comments above a comprehensive draft crowd management plan is required given concerns about the difficulty of getting as many as 16000 pedestrians onto and out of the site on match days. How will this be done safely? What are the assumptions behind the statement that road closure will be of very short duration?

The application assumes that of 16000 supporters 55% will travel by Park and Ride (P&R) and 17% by rail. This percentage remains almost the same for 5 years with an estimated gate of 9000 now rising to 16000 in 5 years. There is reference to the P&Rs at Thornhill, Redbridge, Pear Tree, Seacourt Tower and the proposed one at Eynsham. Capacities are listed but there is no analysis of existing and future usage. The assumption is that over 8000 home fans will use the P&Rs which could easily amount to 4000 cars. A full analysis of existing and future use is required before this can be properly assessed. The Oxford Transport Strategy relies on people being able to access Oxford by public transport. If capacity is too heavily eroded this will require more capacity for only short periods at public expense.

The applicant states (Non Match day Interim Travel Plan 3.2.21):

There are five Park and Ride sites within Oxford, the closest of which is Oxford Parkway Park and Ride which lies adjacent to Oxford Parkway Station, 430 spaces will be available at the car park owned by OCC for general use.

It is not clear where these 430 spaces come from. There are 758 spaces and if 430 are used on non-match days that leaves only 328 for other uses. KPC wants clarification on what has been agreed with OCC on the use of this car park.

Attention is drawn to the comments by OCC in relation to parking and transport:

- They [the applicants] are assuming that the fans would be allowed to use the Chiltern rail car park otherwise they would need to provide evidence of how the applicant can enforce parking in their car park

OCC Cabinet have requested that a number of points are addressed. In summary they are:

- P&R Capacity post 2027 after implementation of Traffic Filters and ZEZ schemes
- Does the P& R deal with the shuttle bus service for 14400 fans
- What are the current traffic concerns at Kassam given that there are 2000 car park spaces
- What are the predicted peak-hour flows of traffic on the diversion if Oxford Road is closed
- A detailed response on the effect of the Oxford Road closure on the functioning of Oxford Parkway station and P&R

4. Public Transport

The applicant states (ES Volume 1 Chapter 4 Description of Development. 4.69 Public Transport) that it is working with bus companies, Chiltern Rail and OCC in order to integrate the cost of season tickets and match day tickets. There are no details of how this will work or if it is feasible in terms of operation and public transport capacity.

New bus stops in Oxford Road and a new layby on Frieze way are being investigated with OCC. There are no concrete proposals: stopping on Frieze way without a layby on a dual carriage which is derestricted will be dangerous. There should be laybys created on the Oxford Road, since when buses stop at present, there is already congestion and with more buses this will be worse.

The applicant proposes to offer a shuttle bus service between the park and rides and the stadium. There is no clarity as to where the shuttle service will drop off. There is inadequate capacity on the Oxford Road without causing congestion. It is therefore assumed that they will be dropped off in the Parkway P&R. There is no analysis of the number of buses required or the available capacity to drop off in a very short timescale.

On the basis of the applicant's figures there could be up to 8,000 people using the shuttle bus. Using 56-seater buses there could be up to 142 drop-offs. Even if they could be dropped off at 5 minute intervals it would take over 11 hours to complete this operation. The applicant has failed to carry out any analysis to identify if this will work in practice.

Attention is drawn to the response from Chiltern Rail to this proposal. They estimate that 5000 fans would need to use Oxford Parkway Station, which currently has insufficient capacity for such a large volume of people numbers. They estimate there will be a demand of 5000 fans against capacity of 1100 seats per hour. They are applying for DoT funding for additional rolling stock but there is no guarantee this will be forthcoming and without it it will not be able to handle the increased numbers.

Chiltern Railways state that the station is not designed to cope with 5000 passengers and will need significant changes including a bridge directly from the A4165 to the southbound platform. They are concerned that their car park will be overcrowded on match days.

It is impossible for KPC to consider the public transport aspects given the lack of detailed information provided by the application. This should be rectified before the application is considered.

5. Transport modelling

The applicant states (Transport Assessment Volume 3 Pt 2)

11.10.5. Transport modelling will be undertaken and will be submitted via an Addendum Report. Pre-application discussions with OCC has advised that the North Oxford VISSIM Model is required to be used to assess the impact of the stadium during operation, rather than junction modelling that had initially been carried out.

11.10.6 Access to the model was approved on 7th February 2024 by the six parties who have funded the 2031 model. Once access is granted, the model developments and scenario testing will be agreed with OCC with results submitted via addendum to this document.

KPC is concerned by this omission and needs clarity on what is proposed. This should be made available before the application is decided.

The application does not make sufficient allowance for the significant increase in local vehicular traffic and Park and Ride (P&R) use resulting from the planned housing developments in Oxford North, Begbroke, Yarnton, Kidlington and Gosford & Water Eaton. This will be compounded by the effects of the current Oxford Transport Strategy and in particular by the introduction of bus gates within the city. The effect of this will be to push traffic onto the already over-congested Ring Road and increase demand for Oxford Parkway station and the associated P&Rs.

Given the Climate Crisis we are facing as well as the transport issues in the vicinity of the Triangle location, KPC are concerned with the lack of evidence in the planning application for ensuring staff working at the OUFC stadium, hotels and other businesses on the site are travelling to the site via public transport. We would call on CDC to challenge OUFC on their commitment to being a green and considerate employer on this aspect.

It is impossible for KPC to consider the impact on traffic as there is no adequate modelling data available. The application should not be considered until this critical work is undertaken in conjunction with all the other development planned in the immediate area.

Local Plan Context

6. Cherwell 2040 Local Plan

The Local Plan currently consists of the three documents:

- Cherwell Local Plan 1995
- Cherwell Local Plan 2015
- Oxford Local Plan Partial Review to Address Oxford's Unmet Housing Needs 2021.

Cherwell Local Plan 2040 is at an early stage and does not carry weight as a material consideration in the determination of a planning application. The proposed development has no allocation in the adopted Local Plan.

A planning application for a football stadium should be considered within the context of the Local Plan, especially for development in the Green Belt. Any significant development that involves a removal of land from the Green Belt should be considered within the context of a Local Plan review.

7. Green Belt

This application attempts to demonstrate that there are Very Special Circumstances for this development, accepting that it does not meet the five criteria below or the very similar guidelines in the National Planning Policy Framework dealing with the Green Belt.

Policy ESD 14 of the Cherwell Local Plan 2015 follows the principles of the National Planning Policy Framework stating the Green Belt will be maintained in order to (*text in italics*):

1. *Preserve the special character and landscape setting of Oxford.*

This application erodes both the special character and setting of Oxford. The application attempts to demonstrate there is some green space provided but it is totally inadequate. The area is overwhelmed by the construction of a football stadium and the ancillary facilities.

2. *Check the growth of Oxford and prevent ribbon development and urban sprawl.*

The proposal involves extending the urban sprawl of Oxford towards the North, and as the development would be alongside the A4260 it would breach one of the fundamental aspects of the Green Belt designation.

3. *Prevent the coalescence of settlements*

A football stadium constructed on this site destroys one of the last areas of the gap between Oxford and Kidlington left after the planned new housing developments, effectively bringing about the coalescence of both communities.

4. *Assist in safeguarding the countryside from encroachment*

This development is proposed for countryside north of the A34 which continues alongside Frieze Way to the North. Taken in context with the adjoining land along Frieze Way the proposed development therefore encroaches into the countryside.

5. *Assist in urban regeneration, by the recycling of derelict and other urban land.*

This is an area of open land which is not derelict and this issue is not relevant.

8. Site Search and Justification for leaving the Kassam Stadium

The applicant places considerable emphasis on the need to find an alternative site within 7 miles of Oxford to conform with the regulations of the English Football League. Oxford United FC has indicated that the club would not be able to continue with the current name if located outside 7 miles.

However, the applicant admits that there is no relevant planning policy regarding the location of sports stadiums and there is no policy guidance for undertaking an assessment of alternative sites. As there is no planning policy to enable the restriction of the alternative site to this radius all the location information provided to support this application is not relevant in planning policy terms and should be disregarded.

The applicant has also provided a number of statements about the urgent need to vacate the Kassam Stadium by late 2026 and that Oxford United would be homeless after this date. Submitting a planning application in early 2024 demonstrates a lack of realism for achieving the construction of a replacement stadium. This is shown in the applicant's examples of stadium development quoted in the supporting statements such as, one example, at Brighton. The construction of this stadium (not in the Green Belt) took many more years to go through the planning process and eventual construction.

This brings into question the need to vacate the Kassam Stadium by late 2026 with conflicting statements from the owner of the stadium in the local press indicating a preparedness to extend the lease. The applicant may consider that the situation at, and the location of, the Kassam Stadium is far from ideal, but this does

not represent a justification for the development of a new stadium in the Green Belt replacing an existing stadium that is just over 20 years old.

Conclusion: the application fails to demonstrate a justification for development within the Oxford Green Belt.

Ecological considerations

9. Ecological value

There are conflicting ecological views of the site's and adjacent woodland's ecological value. Many of the statements of OUFC's consultants, Ecology Solutions, are open to serious question as to the accuracy and reliability of their methodology and conclusions. The applicant tends notably to minimise and downplay the site's current ecological value, and their proposals for a minimum 10% biodiversity net gain will be difficult to achieve, even if their baseline is accurate.

The land is currently in public ownership and has significant potential to help achieve biodiversity net gain within the parish in future – either retained as per current use or repurposed as a truly community managed space. Kidlington Parish Council asks OCC and CDC to independently assess and confirm if the Triangle meets the criteria for designation as a Local or District Wildlife Site (LWS/DWS) and consider it for inclusion in the Oxon Nature Recovery Strategy Priority Habitats list before determining the application.

We disagree with Ecology Solutions "working assumption" that any ecological impacts will be largely confined to the area within the site red line'. The development will compound the adverse effect of the new housing developments within the Kidlington Gap (Pr 6a and 6b). There will be a cumulative effect from the loss and fragmentation of existing habitats. Development of the whole area is coming forward rapidly, compounding the risk that existing ecosystems and species will not survive until replacement habitats are delivered. The Triangle is potentially an important 'last remaining wildlife area/ corridor'.

The scope of the ecology report should be widened to assess the impact of the development on the nearby Stratfield Brake DWS and adjacent long established woodland in the context of PR6a and 6b.

The information provided by the applicant is open to question and therefore KPC objects to the shortcomings of this assessment.

10. Impact on woodland

The long-established woodland to the south marks the parish boundary with Gosford and Water Eaton It is a District Wildlife Site (DWS). It has many ancient woodland markers. The woodland and adjacent Triangle site are ecologically interdependent. Developing the Triangle may cause damage to the woodland for the reasons given in the Natural England Guidance. One of the key considerations for mitigating the impact of development on ancient woodland is the provision of a 15m minimum buffer zone. The illustrative site masterplans show that the woodland will NOT have an adequate (15m) buffer zone along much of the boundary with the woodland to the south. A larger buffer zone (min 15m throughout) is needed, separated from the public areas by suitable fencing.

Overall, 17 trees would be removed to make way for the stadium. This includes two mature TPO Pedunculate Oaks with bat roosting potential and the group they stand in. They should be retained and the southern entrance moved to allow this.

11. Loss of biodiversity

KPC welcomes the commitment to deliver a 10% biodiversity net gain (BNG) on site since this aligns with KPC climate change and environmental emergency policy.

Ecology Solutions should confirm that their BNG calculations used TVERC's updated records and fully reflect the biodiversity of new species recorded by Dr Judy Webb.

The calculation showing a net gain of 10% is based on the best-case scenario, one that assumes that the existing biodiversity has not been underestimated and that all the new planting measures will be delivered and thrive. The more likely scenario is that compromises will need to be made during the planning process, during development and in operation. In the worst-case scenario only the green roofs will be sustainable.

Given this, any decision on whether the stadium proposal complies with environmental (nature-first) policy needs to be deferred. Should it be necessary to drop or change any of the biodiversity enhancement and protection measures then the BNG should be recalculated, and the viability of the remaining habitats reassessed.

We want to see detail on how the displaced species will be supported during an extended and extensive construction phase and when the stadium is operational

The assertion that the development will be positively beneficial to badgers, bats, birds and Great Crested Newts is questionable, given ~80% of the current green space will be sterilised.

Given this, any decision on whether the stadium proposal complies with environmental (nature first) policy should be deferred. Should it be necessary to drop or change any of the biodiversity enhancement and protection measures then the BNG should be recalculated, and the viability of the remaining habitats reassessed.

Planning approval, if granted, should be conditional on delivery of the agreed ecological mitigation measures and provision of a long-term maintenance and management plan with adequate budget.

Both BBOWT and Cherwell's Ecology Officer advised during scoping that the site should contain 'nature reserves' i.e. areas managed solely for biodiversity with NO public access within the site in order for habitats to function. As designed, the site is wholly permeable to public access and is designed for public use. The proposal to replace the existing impenetrable scrub and trees at the northern point will exacerbate the loss of valuable 'nature only' areas within the parish. Consideration should be given to leaving it 'as is' to provide an inaccessible area/nature reserve on site.

KPC has a number of reservations about the biodiversity issues, and unless these are addressed this represents an objection to the application.

Sustainability

12. Energy and carbon/Waste and materials

When the County Council decided to offer a lease on the Triangle, one of the considerations was the significance of Oxford United to the whole of Oxfordshire. Therefore the cost of disposing of the existing stadium should be included in the energy, carbon and waste account of the new stadium, which is not currently the case, and therefore forms an objection to the planning application.

13. Water

Cherwell District Council has confirmed that the site is not subject to flood risk. However, it has said that there are critical off-site drainage considerations which must be dealt with prior to commencement of the development. The CDC response warns that "the nature and accessibility of the systems are such as to

preclude wholly optimum hydraulic conditions” and that “the site run-off has the potential to seriously impact the wildlife area west of Stratfield Brake and east of the Oxford Canal”.

Part of the Triangle is at high risk of surface water flooding. According to Thames Water, the application states that surface water will not be discharged into the public network. If the remediation required by Cherwell District Council is not possible or effective, and surface water does have to be discharged into the public network, Thames Water would have to “review” its position. Sustainable provision for this last contingency must be made.

On foul water: “Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal.” Sustainable provision for this last contingency must be made.

On water supply: “Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary.”

Thames Water has made the same comments in response to the planning applications for the PR housing developments on the opposite side of Oxford Road. The question arises whether the demand on the foul water and water supply systems from three proposed developments in the same vicinity can actually be met, or whether the situation is unsustainable.

The size of the stadium, hotel and associated development is such that work should not be allowed to commence until these key infrastructure problems are fully resolved.

Landscape and Visual Impact

14. Landscaping and connectivity

ES Volume 1 Chapter 1 – Introduction: “The site is approximately 7.17 ha.....” OCC have stated that the area offered to the Club is about 5 ha and doesn't include the woodland (which might add another couple of hectares). This needs to be clarified.

Para 1.9: “a strong landscape setting, with native species and landscaping elements incorporated into the design.” But much of the existing vegetation, the bulk of which is a wildlife-supporting willow plantation, will be removed. The small triangle of land at the north of the Site, which appears to be scrubland at the moment, looks to be where most of the planting will occur. However, this is less than about a tenth of the site area and about the same size as the adjacent roundabout.

“The project aims to connect the Stadium to the wider countryside, woodlands, canal walks, and nearby settlements in a way that is attractive, safe, and enjoyable for walkers and cyclists, while also promoting environmental and cultural stewardship.” It is not clear how this will be done, apart from additional crossings of Frieze Way and Oxford Road. The roundabout is already being modified by OCC to add pedestrian and cycle crossings.

ES Volume 1 Chapter 20 – Summary. Table 20.1 – Design Measures: “The inherent design mitigation that has informed the site layout includes locating the stadium building as far south within the Site as possible, without impacting on the existing woodland block in the south of the Site.” But the woodland is impacted significantly by the car park and pedestrian access almost right up to it, which also brings noise and light close to it, with the resultant risk of wildlife disturbance, especially the effect of light on the bats known to utilise the site.

"The landscaping strategy for the site is to provide a landscape setting to the proposed stadium." With the stadium present the vegetated area will be largely restricted to the perimeter of the site and this will be reduced by the removal of some trees and hedgerows. It looks as if about 80% of the available area will be covered by the Stadium, hard landscaping and car parks. There will be very little outside space, excluding the car parks, on a site for use by 16,000 people, about the same as the combined population of Kidlington and Gosford & Water Eaton.

15. Visual impact

ES Volume 1 Chapter 7 – Landscape and Visual Impact. Summary: ".....The scale and massing of the Proposed Development means that it would be visible above the retained boundary vegetation from some roads and PRowS within the local area."

The mitigation measures for the permanent impact of the Stadium appear repeatedly in Table 7.6 – Summary of Residual Effects as: "Positioning of Stadium within Site, proposed landscape features, lighting low level and directional where possible". However there is no mention of the height of the Stadium. From the elevation drawings (e.g. ES Volume 2 Fig 4.5) it looks as if the tallest part of the Stadium will be at least 23 m (76 ft). This is nearly twice the height of the Premier Inn on Langford Lane.

The summary goes on to state: "The high quality and purpose of the Proposed Development would create a new landmark feature to the north of Oxford that would form a new gateway feature on approach to the City from the north." The height of the Stadium means that it will be clearly visible above the tree margin and an obtrusive sight upon entering Kidlington, a village.

ES Volume 1 Chapter 20 – Summary. Table 20.1 – Design Measures: "The proposed building facades will comprise of materials, finishes and hues which are evident in the local landscape and townscape and of relevance to OUFC."

KPC would like to see more measures to mitigate the adverse visual impact of the proposed stadium in this Green Belt location, and therefore objects to the current planning application.

16. Construction and operation mitigation/enhancement measures

Table 20.2: "The CEMP (Construction Environmental Management Plan) should include measures to ensure that all landscape works would be carried out in accordance with best practice procedures to, as far as practicable, avoid, minimise or remedy any adverse impact on the landscape fabric, landscape character and visual amenity during the construction phase." This needs to demonstrate a clear commitment to best practice procedures.

Table 20.3: "A Landscape and Maintenance Plan, or equivalent, will be secured by condition to ensure the proposed planting and other landscape mitigation is established and maintained in line with the proposed strategy." Looking at the planting, including seasonal, that is proposed, and mainly in the small triangle at the north of the Site, this requires continuing input of time and resources, including measures to minimise the potential adverse impact of up to 16,000 visitors.

Community benefits

17. Benefits to the Council and residents

We are concerned about the lack of clarity on the promised funding for Stratfield Brake in terms of the financial contribution OUFC would be making and for how long they are willing to take on this commitment for. We ask CDC for clarity on the specifics of this support and how it will be enforced post the planning application being agreed, preferably through a Unilateral Undertaking or a S106 Agreement.

We would like greater clarity on the availability of Stadium and associated facilities to local residents in terms of timing and cost: would some facilities be available for free or at reduced cost?

We welcome the support for local charities, but would also like a greater understanding of how this will happen and what mechanisms will be in place to ensure that this happens once planning permission is granted.

18. Education and training

KPC welcomes the commitment to attending one careers event each year and one National Apprenticeship Week event each year. However, given the far larger number of events being held in the area over the year, including large events by the OxLEP and by the West Oxon Schools Careers Partnership (which includes Gosford Hill School), we would request that this commitment level is increased.

KPC appreciate the support for Apprenticeships and work experience for young people in the area as far as that commitment goes in the proposal. However, KPC are concerned at how low this commitment is in the Operational Phase and is seeking an increased commitment to the number of Apprenticeship roles after the construction phase.

19. Kidlington Village Centre

OUFC argue that the development will help with the targets in the Cherwell Local Plan 2011-2031 and the Kidlington Framework Master Plan to rejuvenate Kidlington Village centre and high street. Given its location and assertion that fans will not then be flowing into the village centre, thereby avoiding the possibility of them causing any problems, how can a different focus for economic activity be supporting the rejuvenation of the village centre? The applicant has to show the validity of this assertion.

Conclusion

Based on the information provided, KPC objects to the application in its current form.

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