OXFORDSHIRE
STRATEGIC RAIL FREIGHT INTERCHANGE

Applicant's Responses to ExQ1

Document number: 11.3

On behalf of
Oxfordshire Railfreight Limited

October 2026

PINS REF:	TR050008
Document Reference	11.3
APFP Regulation	5(2)(q)
Author	Oxfordshire Railfreight Limited
Date	26 October 2026
Revision	-

The Oxfordshire Strategic Rail Freight Interchange and Highways Order 202X

Applicant's Responses to ExQ1 – Document 11.3

This document contains the Applicant's responses to the first written questions issued by the Examining Authority (ExQ1) on 7 October (PD-006).

There are three Appendices to this document which are submitted as separate documents as follows:

- The Applicant's responses to ExQ1.5.9 and ExQ1.13.13 refer to rail delivery programme agreed with Network Rail as Appendix 1; this is Document 11.3A;
- The Applicant's response to ExQ1.5.10 refers to the plan referred to in the Northampton Gateway Amendment Order 2023, which is Appendix 2 to this document (Document 11.3B); and
- The Applicant's response to ExQ1.12.1 refers to the planning boundary of the IVC Facility, as Appendix 3; this is Document 11.3C.

The Applicant has used the same abbreviations adopted by the ExA in those questions, for ease.

ExQ1	Question to:	Question:	Applicant Response
1.	**General and cross-topic questions**		
Q1.1.1	All IPs	**National Planning Policy Framework** All parties are requested to consider the National Planning Policy Framework published on 17 August 2026 and set out if and how any changes in government policy, would affect the consideration of the proposed developments.	Notwithstanding the status of the NPPF for NSIP schemes (where it is a material consideration, but not the primary source of policy), the updated NPPF introduces new elements or includes new emphasis of direct relevance to the OxSRFI proposals. The updated 2026 NPPF adopts an entirely new structure to the previous iterations, but the changes are not only presentational. While emphasis on sustainable development are retained, as are the balancing of social, environmental and economic objectives and issues through the planning system, the updated NPPF strengthens national policy with regard to the importance of planning to enable sustainable economic growth and development. It includes new and explicit recognition of the importance of 'freight and logistics' activity and development. Specific examples of relevant and material changes include: - The increased weight attached to the economic benefits of commercial development, now "*substantial*" weight (increased from the previous "significant weight" of NPPF 2024), including explicitly where development supports "*improvements in freight and logistics*". - Increased explicit positive emphasis and recognition of the role and importance of "*freight and logistics*" to the economy and of the need to "*meet a local, regional and national need*" for new or expanded facilities for the handling of goods ("*receipt, storage, processing, interchange or distribution*") through NPPF Policies E2 and E3. - New, clear national policy guidance recognising the need for positive consideration for development in the countryside where certain conditions or criteria are met, including through NPPF Policy S5 which explicitly allows for development outside of settlements where it would "*comprise major development for freight and logistics*" (with cross-reference to Policy E3).

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2.	**Air Quality**		
Q1.2.1	The applicant	**Transition to low-emission rail freight technologies** Paragraph 4.6.11 of ES chapter 4 Air Quality and Odour [APP-172] states that *"for the purpose of the assessment, no mitigation measures relevant to operational phase rail emissions were included within the proposed development. However, it is expected that emissions reductions will be delivered in the near future as cleaner locomotives come online."* Could the applicant explain how it would facilitate the adoption of cleaner rail freight locomotive technologies in the future?	The Application includes some details regarding 'cleaner' technology associated with the rail terminal and rail freight operations, primarily in the Rail Report (Document 7.2A/APP-312). Section 6 of the Report confirms that passive provision is made within the track layout for future electrification. The southern and northern chords, reception sidings and southern headshunt all provide suitable clearances to permit overhead 25 kV AC catenary to be installed in future, if required. In the interim, the layout is fully accessible by diesel, bi-mode (diesel and electric via catenary) and tri-mode (diesel, battery and electric via catenary) locomotives. Designing in passive provision for electrification through segregation of some of the sidings within the interchange from the main handling sidings future-proofs sites for access by the widest pool of locomotives in future. The GB Railfreight Supporting Statement (Document 7.2B/APP-313) confirms that efficient bi-mode locomotives that will run on electricity when available and sustainable fuels at other times to reduce emissions are now in regular use, and GBRf is now using its new Class 99 locomotives[1]. Beyond locomotive engine technology, emissions (air and other) are also reduced through efficient design and operations of the terminal – for example through provision of a 775m "headshunt siding", allowing trains to move between the reception and handling sidings as required, to minimise the number of shunting manoeuvres required (directly reflecting the guidance in the NNNPS). This feature of the proposed terminal is also described in the Rail Report.

[1] The UK's First Hybrid Freight Locomotive Enters Commercial Service.

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3.	**Climate change**		
Q1.3.1	The applicant	**BREEAM rating across the proposed buildings** Paragraph 15.5.4 of ES chapter 15 Climate Change [APP-183] states that *"buildings will target Energy Performance Certificate (EPC) 'A+' rating and achieve a minimum of 'Excellent' BREEAM."* Could the applicant describe the actions it would take to ensure that 'Excellent' BREEAM rating is achieved across all proposed buildings, and identify the mechanisms that would be used to secure and maintain this rating?	Requirement 17 of the Draft DCO states *"No construction of a warehouse must start until a BREEAM Pre-Assessment Report based upon the BREEAM version 7 has been submitted to and approved in writing by the local planning authority demonstrating that the warehouse concerned is expected to achieve at least a BREEAM "Excellent" rating (BREEAM version 7 "Excellent")."* The Applicant has engaged with a BREEAM Assessor since 2024. A BREEAM Pre-Assessment has been prepared for the whole site, and the latest version is targeting a score of 82.2%. This is 12% over the threshold to achieve a BREEAM Excellent rating and as such has sufficient headroom for compliance. This template version shall be used as a baseline for building-specific BREEAM Pre-Assessments. The Applicant shall include within the Employer's Requirement, which forms part of the contract with the Principal Contractor, that the Principal Contractor will deliver the building / buildings with a BREEAM Post Construction Final Certificate achieving an Excellent rating. The Applicant appreciates that the actual final credits targeted might vary depending on external factors and as such its retained BREEAM Assessor and Applicant team shall ensure that the minimum standards and requirements for BREEAM Excellent rating are actioned accordingly.
Q1.3.2	The applicant	**Operational energy implications of refrigerated warehouse buildings** It is mentioned in paragraph 15.5.54 of ES chapter 15 Climate Change [APP-183] that *"the Main Site warehouse building operational intensity has been calculated as 30 kWh/m^2 GIA per year. As such, the*	Should the proposed warehouse buildings require significant refrigeration systems, then operational unregulated energy demand would increase as a result, beyond that presented within ES chapter 15 Climate Change (Document 6.15/APP-183) and the Energy Strategy (Document 6.15D/APP-304). It should be noted that the modelling provided within the Energy Strategy (Document 6.15D/APP-304) has sought to include all sources of energy consumption where appropriate information is available at this stage

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		operational energy intensity for the proposed development meets the Net Zero Carbon Buildings Standards' limits for unrefrigerated warehouses." Could the applicant demonstrate the anticipated operational energy demand should the proposed warehouse buildings require refrigeration, and explain how this would affect overall energy consumption and associated emissions?	of the design, and where such consumption is within the Applicant's control. As a result of the increase in energy consumption, it can be expected that there would be a commensurate increase in operational emissions. However, it should be noted that such energy consumption comprises unregulated energy demand over which the Applicant has limited control. Given the Applicant has reduced emissions associated with energy sources within its control as far as feasible (see Energy Strategy (Document 6.15D/APP-304)), and provided for the expansion in provision of solar PV in line with future demand (which could result from increased energy consumption as a result of refrigeration), any increase in unregulated energy consumption and associated emissions would not alter the conclusions of significance reached within ES chapter 15 Climate Change (Document 6.15/APP-183), which concluded a minor adverse effect, which is not significant. Furthermore, associated emissions would be expected to decrease over the lifetime of the Proposed Development, in line with UK grid decarbonisation. The above is confirmed within paragraph 15.5.54 of ES chapter 15 Climate Change (Document 6.15/APP-183), *"unregulated energy demand has been calculated without knowledge of occupier activities (including whether any warehouses will be predominantly refrigerated or unrefrigerated), and as such will vary depending on how the end user utilises the building. It is therefore considered that the design of the buildings has reduced operational emissions as far as feasible, within the influence of the Applicant".*
Q1.3.3	The applicant	**Carbon Management Plan** Paragraph 15.6.4 of ES chapter 15 Climate Change [APP-183] explains that *"while the applicant will seek to deploy measures contained in the Carbon Management Plan to the extent possible, it may not be feasible*	Paragraph 15.6.4 of ES chapter 15 Climate Change (Document 6.15/APP-183), quoted within the question, relates to the construction of the Proposed Development. As such this response will focus on the measures detailed within the Carbon Management Plan which ensure a reduction in construction emissions from a business-as-usual position.

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		to deploy every measure, for reasons such as impact on cost, delivery programme and local availability of materials. As such, the Principal Contractor, informed by the Carbon Management Plan, will be responsible for achieving the applicant's sustainability requirements." Could the applicant identify the measures within the Carbon Management Plan [APP-305] to which it would be committed, and clarify how these measures would be secured through the development process and monitored, maintained, and enforced over the lifetime of the development? Could the applicant also explain how compliance with the mitigation measures assigned to the Principal Contractor would be monitored and enforced?	As stated at paragraph 15.6.4 of ES chapter 15 Climate Change (Document 6.15/APP-183), and paragraphs 1.4.4 and 2.1.4 of the updated Carbon Management Plan (submitted at Deadline 2), the Principal Contractor will be responsible for targeting the Applicant's sustainability requirement of meeting an embodied carbon building intensity limit of 350 $kgCO_2e/m^2$. The measures listed within Table 2.3 of the updated Carbon Management Plan (submitted at Deadline 2) comprise a 'shopping list' of emissions reduction measures that are applicable to the Proposed Development and could be reasonably employed by the Principal Contractor, accounting for value engineering. The listed measures are not prescriptive, and enable flexibility in their implementation to ensure the most effective measures (including potential future carbon reduction technologies not listed in the table) to be used where appropriate. This further ensures the Principal Contractor is not reliant on any one measure, but is able to use a combination of steps to ensure compliance with the Applicant's embodied carbon limit. The Applicant shall include within the Employer's Requirement, which forms part of the contract with the Principal Contractor, that the Principal Contractor will deliver the Proposed Development in line with the Carbon Management Plan, and associated sustainability targets. Section 2.4 of the updated Carbon Management Plan (submitted at Deadline 2) details monitoring and next steps that will be used to monitor and enforce the Plan. These comprise items to be agreed in tender documents with the Principal Contractor, and principally include the commitment to further life cycle assessments throughout design and at practical completion to monitor embodied carbon associated with the Proposed Development and ensure it is on track to achieve targets. Associated data collation and monitoring (i.e. of Environmental Product Declarations, and construction fuel and energy use) are also required. The Applicant's Development Team will hold monthly progress meetings with the Principal Contractor,

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			who will provide progress reports to disclose performance against targets agreed within tender documents. With regards to the operational measures set out within the updated Carbon Management Plan (submitted at Deadline 2), those detailed within Table 2.4 form embedded design measures delivered as part of the Proposed Development, secured within the Energy Strategy (Document 6.15D/APP-304), Developer's Specification, Project Description (Document 6.2/APP-170) and Design Approach Document (Document 5.5A/APP-166). The further reduction measures detailed at Table 2.6 are outside of the scope of the Principal Contractor, given they comprise the inclusion of green lease clauses and the implementation of a Framework Travel Plan and Public Transport Strategy, secured through requirements 19 and 6 of the DCO, respectively.
Q1.3.4	The applicant	**Implementation and enforceability of green lease clause** It is specified in Table 2.6 (paragraph 2.2.4) of ES Appendix 15.5 Carbon Management Plan (CMP) [APP-305] that *"the applicant will explore the inclusion of green clauses within tenant leases, where possible. Occupants will then be responsible for complying with such green lease clauses as set out within their lease agreements. Such clauses may include (subject to feasibility and tenant agreement) commitments by the tenant to ensure efficient use of energy within the buildings and prioritising the use of renewable energy; and commitments by the applicant to enable utility consumption monitoring and provide a tenant forum to review and agree targets and*	All green clauses would be subject to tenant agreement following commercial discussions. However, it should be noted that the Applicant is committed to responsible development and to assist customers in reducing their operational carbon (see Appendix A to the updated Carbon Management Plan (submitted at Deadline 2)). In the Applicant's experience, occupiers do sign up to green clauses within tenant agreements. Moreover, all buildings will be fitted with smart metering to enable a minimum of 90% of each building's energy end uses to be identified, with the relevant functions metered separately (i.e. office areas, warehouse, canteen etc). In order to assist the building user to actively engage in minimising operational carbon emissions and energy usage in the building, an Energy Display Screen will be provided in reception, which will inform the tenant and guests alike of how the building is using electricity and water, based on the specified metering, and incentivise them with prompts as to how consumption could be reduced. See Appendix C of the updated Carbon Management Plan (submitted at Deadline 2) for further detail.

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		strategies to improve environmental performance." Could the applicant confirm whether all green clauses would be subject to tenant agreement and, if not, identify which clauses would be mandatory within the tenancy agreements?	
Q1.3.5	The applicant	**Low impact refrigerants** Paragraph 6.3 of Appendix B (Mountpark Sustainable Procurement Plan) of ES Appendix 15.5 (CMP) [APP-305] states that *"currently, typical refrigerants used in building cooling systems are major greenhouse gases that are many times more potent than carbon dioxide in their contribution to global warming and climate change. These have been dramatically improved over the years, from R22 which had a Global Warming Potential (GWP) of 1810 to the latest gases such as R32 with a GWP of 675. There are more efficient refrigerants currently in research, but are not yet commercially available, such as ammonia and CO_2."* Could the applicant confirm whether it would be willing to investigate and, where feasible, adopt the most up-to-date low-impact refrigerants available at the time of development completion, beyond the currently proposed R32 refrigerant? If so, could	The Applicant will review developments in low carbon refrigerants prior to the installation of refrigeration systems at the Proposed Development. Where lower carbon options are commercially available, and where they comprise proven technologies, they would be considered for inclusion. This aligns with the Applicant's ethos regarding responsible development, as set out within Appendix A to the updated Carbon Management Plan (submitted at Deadline 2), which sets out the Applicant's *"desire to learn and continually improve"*, supported by its *"internal sustainability team focused on understanding, recommending and implementing sustainability initiatives which align with our [the Applicant's] Responsible Development Guidelines".* This commitment is secured within the updated Carbon Management Plan (submitted at Deadline 2) within Section 2.2.

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		the applicant explain how the selection, implementation, monitoring and ongoing compliance of such refrigerants would be secured and enforced?	
Q1.3.6	The applicant	**Post occupancy energy review** It is mentioned in paragraph 12.5.1 of Appendix C (Mountpark's Example Developer's Specification) of ES Appendix 15.5 (CMP) [APP-305] that *"the Contractor shall commission and pay for the nominated energy assessor (Employer to approve i.e. Ramboll or similar approved) to report on the actual energy consumption after 12 months occupancy compared to the design predictions and targets set out in the design stage operational energy modelling."* Could the applicant explain how compliance with the mitigation measures assigned to the Principal Contractor would be monitored and enforced?	The Applicant will include within the Employer's Requirements, which form part of the contract with the Principal Contractor, that the Principal Contractor will deliver the Proposed Development in line with the Carbon Management Plan and associated sustainability targets and responsibilities. Section 2.4 of the updated Carbon Management Plan (submitted at Deadline 2) details monitoring and next steps that will be used to monitor and enforce the Plan. These comprise items to be agreed in tender documents with the Principal Contractor. The Applicant's Development Team will hold monthly progress meetings with the Principal Contractor, who will provide progress reports to disclose performance against targets agreed within tender documents. The post occupancy energy review enables monitoring and review of the actual energy consumption, against the design predictions and targets set out, with opportunities for remediation highlighted where necessary. As stated at Section 12.5 of Appendix C of the updated Carbon Management Plan (submitted at Deadline 2), the post occupancy energy review will: a) Report energy consumption for the first 12 months of normal occupancy for all relevant end uses. b) Report energy consumption for the first 12 months, broken down into monthly intervals, for all relevant end uses. c) Compare reported energy consumption figures with the design stage targets. d) Identify cause of discrepancies and the remediation actions required.

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			The energy model data will be submitted to the BRE and retained by the building owner.
Q1.3.7	The applicant	**Installation of photovoltaic (PV) panels on available roof space of warehouse units** Could the applicant confirm what mechanisms, commitments or requirements would ensure that solar PV panels are installed on the roofs of all proposed buildings, noting paragraph 15.5.4 of ES chapter 15 Climate Change [APP-183] which states that *"the structural design of the warehouse units allows for 100% of usable roof areas to be covered by solar PV to enable the buildings to be 'future proofed' should there be additional demand for renewable energy on-site, and where there is capacity within the grid to accommodate such additional generated renewable electricity"? Could the applicant also clarify why solar PV panels are not proposed across the entirety of the available roof area, and provide the rationale for the proportion of roof space that would remain unutilised for solar energy generation?*	The Energy Strategy (Document 6.15D/APP-304), secured within Requirement 18 of the DCO, currently commits to the following in respect of solar PV provision: "*Currently the solar PV array is sized to achieve a 100% emission reduction for regulated emissions. To achieve this the roof area needed for the development approximates to an installed PV array of 25,870 m^2, depending on the efficiency of the solar PV installed this is an estimated 5,774 kWp of PV"*. Energy demand has been modelled for the site as a whole, given sufficient detail is not yet available to calculate energy demand on an individual building basis. As such, the modelling of solar PV provision to meet 100% of regulated energy demand also approaches the provision on a site-wide basis. Where the solar PV would ultimately be provided would have no impact on the assessment set out within ES chapter 15 Climate Change (Document 6.15/APP-183), and the conclusions reached. Solar panels are not initially proposed to be provided across the entirety of the available roof area because, as set out at paragraph 3.5.6 of the Energy Strategy (Document 6.15D/APP-304), "*it is not yet known how much capacity (if any) the local Distribution Network Operator (DNO) would allow the development to export electricity back to the grid*". As such, to avoid export to the grid (or a scenario where energy is generated via a larger array but has 'nowhere to go'), the provision of solar PV will be scaled with tenant requirements when these are known, to ensure PV provision does not outstrip demand. The rationale for the proportion of roof space used by solar PV, is that the initial area proposed meets 100% of regulated energy demand. The remaining available roof space is to be set aside for solar PV expansion where there is tenant demand. Remaining

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			unavailable roof space is to be used for ventilation systems, rooflights, maintenance and access.
4. Compulsory acquisition, temporary possession and other land or rights considerations			
Q1.4.1	The applicant	**Clarification: Land and Rights Negotiation Tracker and Statement of Reasons** In the Land and Rights Negotiation Tracker [APP-146] on pages 24 and 25, and in Appendix 2 to the Statement of Reasons [APP-143] pages 77 and 78, under Temporary Possession, the land interests shown buff coloured in column 1 are presumably intended to be coloured yellow to match the Land plan. Please confirm.	This is confirmed. The colouring was added to assist in the presentation of the Land and Rights Negotiation (LRN) Tracker, notwithstanding that the relevant plots and powers are listed in the Tracker. The Applicant will amend the next version of the LRN Tracker to match the shading of the Land Plans as far as it is possible to do so. The Applicant has replaced the version of the LRN Tracker with the updated version that is also submitted at Deadline 2. The Applicant has reviewed the tracker and noted that there were some plots inadvertently omitted from the Tracker, but the Applicant confirms that this was a human drafting error only, and this does not affect the status of negotiations that have and continue to take place with those relevant parties.
Q1.4.2	The applicant	**Clarification: Statement of Reasons** Paragraph 3.3 of the Statement of Reasons [APP-143] states that *"The Order limits define the area within which the works authorised by the Order may be carried out."* This is in agreement with the definitions of Order land (an area of land) and Order limits (a line) given in the DCO. Paragraph 5.7 of the Statement of Reasons [APP-143] states that *"... the land on which the authorised development may be carried out is referred to as the "Order limits" and is*	The Works Plans and Land Plans both use a red line to delineate the boundary, as is standard, but the actual areas shown differ between the two plans as they serve different purposes. Note that the red line on the Land Plans is around the plots of land delineated, and is defined as "Limits of land to be acquired or used" – not specifically the Order limits. The ExA may have noted that the different terms are explained in the Explanatory Memorandum at paragraph 5.11: The DCO uses the terms "Order limits" and "Order land". "Order land" refers to land and interests which are subject to the powers of Part 5 of the draft DCO as described in the book of

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		shown by a red line on the Works Plans ...". Noting that plots of land on the Land plan are also delineated by a red line, should paragraph 5.7 of the Statement of Reasons be deleted (save for the final sentence) to avoid confusion? Or, in the alternative, should it be reworded for clarity and consistency to say *"... the land on which the authorised development may be carried out is referred to as being within the "Order limits" which are shown by a red line on both the Land plan and the Works plan ..."*?	reference and shown on the land plans. The term "Order limits" means the limits shown on the works plans represented by a red line within which the authorised development may be carried out. "Order limits" covers all land within which the development may be carried out, including the "Order land", as well as other land which is not subject to Part 5 powers, such as land in respect of which no compulsory acquisition or temporary possession powers are needed. To state that the land on which the authorised development may be carried out is shown by a red line on both the Land Plans and the Works Plans would not be entirely accurate as the Order limits extend beyond the Order land.
Q1.4.3	The applicant	**Clarification: Statement of Reasons** Paragraph 4.13 of the Statement of Reasons [APP-143] says that *"Section 6 of this Statement sets out the justification for seeking compulsory acquisition powers in respect of the Order land and in so doing explains how the statutory conditions for including compulsory acquisition powers in the DCO are met and how the considerations set out in the CLG guidance have been taken into account"* but section 6 is a brief section about categories of Order land. Should this reference be to section 7 of the Statement of Reasons? If so, it would assist the ExA if you could	The ExA is correct that this is a typographical error – paragraph 4.13 should refer to Section 7, not Section 6. This has been corrected in the Statement of Reasons submitted at Deadline 2. Section 7 sets out the justification for the acquisition of the land and rights with reference to s122. The Applicant notes the conditions in s122(2) which are as follows: *(2) The condition is that the land—* *(a) is required for the development to which the development consent relates,* Appendix 1 of the Statement of Reasons sets out, for each plot of land proposed to be subject to compulsory acquisition powers, the purpose for which the land or rights in the land may be acquired. As noted in the Applicant's Comments on Relevant Representations

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		please point to your explicit conclusions as to how the tests in sections 122 and 123 of the Planning Act 2008 are met.	(Document 9.1/PDA-007) (see page 96 in response to Dorchester Living), the Applicant has corrected a missing plot in Appendix 1 (plot 4/6 has been added at Deadline 2). *(b) is required to facilitate or is incidental to that development, or* Appendix 1 explains on a plot by plot basis why the land is required for, or is required to facilitate or is incidental to, the proposed development. This is done by reference to the works that would be authorised by the DCO as described in Schedule 1 to the DCO. *(c) is replacement land which is to be given in exchange for the order land under section 131 or 132.* This is not relevant to the application. *(3) The condition is that there is a compelling case in the public interest for the land to be acquired compulsorily.* The Applicant considers that paragraphs 7.21 to 7.25, as well as paragraphs 3.8 to 3.19, of the Statement of Reasons address this. With regard to s123, this requires that the Secretary of State is satisfied that one of subsections (2) to (4) is met. These are: *(2) The condition is that the application for the order included a request for compulsory acquisition of the land to be authorised.* The Application includes a request for compulsory acquisition powers. The powers are included in Part 5 and relevant schedules (10, 11 and 12) of the dDCO (Document 3.1, updated at Deadline 2) and set out in the Book of Reference (Document 4.3, updated at

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			Deadline 2), shown on the Land Plans (Document series 2.1, updated at Deadline 2) and justified in the Statement of Reasons (Document 4.1, updated at Deadline 2). The Applicant therefore considers that this condition is met. *(3) The condition is that all persons with an interest in the land consent to the inclusion of the provision.* This is not the case for the Application. *(4) The condition is that the prescribed procedure has been followed in relation to the land.* The Applicant considers that this condition is met and that the prescribed procedure has been followed. This includes: • compliance by the Applicant in relation to pre-application and statutory consultation with those parties with an interest in the land (pursuant to section 44 PA2008). This is explained in the Consultation Report (Document series 5.1). With regard to the addition of new Order land at Deadline 2 as per the Change Report (Document 11.2), the Applicant would highlight that the powers sought on that land specifically exclude the freehold interest (since the change has been made at the request of the landowner and follows completion of a voluntary agreement), and that the powers relate to third-party interests only. The Applicant considers that the Examination process provides the appropriate procedure for consultation with those relevant parties. The Applicant also confirms that it has written to the statutory undertakers whose interests have been identified in different plots following the recent land referencing refresh (as

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			reflected in the updated Book of Reference submitted at Deadline 2); • compliance with the Infrastructure Planning (Prescribed Forms and Procedure) Regulations 2009 in respect of the application documentation required to be submitted with the DCO Application when including compulsory acquisition powers (the Land Plans (Document series 2.1, updated at Deadline 2), Book of Reference (Document 4.3, updated at Deadline 2), Statement of Reasons (Document 4.1, updated at Deadline 2) and Funding Statement (Document 4.2/APP-144); and • compliance with statutory guidance and advice notes when seeking such powers – this is explained in the Statement of Reasons and attempts to seek voluntary agreement are set out in the Land and Rights Negotiation Tracker (Document 4.4/REP1-010).
Q1.4.4	The applicant	**Clarification: Statement of Reasons** In paragraph 7.32.15 of the Statement of Reasons [APP-143], should "Work No 24" read "Work No 23"? Please clarify.	The ExA is correct and this should refer to Work No. 23. The Applicant has made this change at Deadline 2.
Q1.4.5	The applicant Statutory undertakers	**Clarification: Statutory Undertakers' Works** Paragraph 3.55 of the Planning Statement [APP-161] states that *"The Proposed Development includes or requires the delivery of works to various utilities networks, both 'off-site' and within the Application Site".* Please explain which works are "included" and which are "required", where they are specified and how this	The Applicant's approach to the statutory utilities has been the same as if it were to develop a non-DCO scheme – that is, some interaction/diversion with utilities is expected within the Order limits, and some works/connections are required beyond the Order limits, for which specific agreements will be required with those relevant undertakers. The Applicant has then considered which statutory undertakers have apparatus within the Order limits and how it will need to work with those bodies to either divert or protect that apparatus if and where relevant. There are varying degrees of interaction and therefore the Applicant's approach to those is proportionate.

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		affects your case for acquisition of the necessary land and/or rights. Statutory undertakers are invited to comment.	The Applicant is aware that some statutory undertakers (namely SGN and potentially Anglian Water, although discussions are ongoing with the latter in this regard and the Applicant awaits further engagement following the Applicant's response to Anglian Water's Relevant Representation (RR-009)) are seeking their standard protective provisions and do not accept that the commonly adopted practice of using general provisions protecting various utilities is appropriate. The Applicant disagrees, and considers that its approach is entirely reasonable, in circumstances where those protective provisions are only in contemplation because of the consenting regime. The Applicant notes that the most recently updated guidance (Planning Act 2008: Guidance on preparing an application: Part 3 - Contents of a draft Development Consent Order) acknowledges that it is not appropriate for statutory undertakers to insist on their standard provisions – the protection needs to be proportionate and appropriate for each project and the Applicant considers that it has taken a reasonable and proportionate approach in this regard. The following are required: **Thames Water (TW)** • Diversion of TW trunk mains on and off-site connecting to their on-site underground reservoir which is being retained. The diversions are agreed with TW and the arrangements will be secured through both the protective provisions and agreements outside of the Order dealing with costs – discussion on the protective provisions remains ongoing which will also deal with the land rights required; • Protection of TW pipes within the Order limits over the railway through protective provisions; • New fresh water supplies from Thames Water, agreed with TW, and the arrangements will be secured through both the

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			protective provisions and agreements outside of the Order dealing with costs – discussion on the protective provisions remains ongoing which will also deal with the land rights required; • Non-operational TW land within the Order limits (plot 5/11 on the Land Plans, Document 2.1E) – agreement reached and powers of compulsory acquisition for the freehold have been removed in the Book of Reference submitted at Deadline 2. **Southern Electric Power (SSE)** • Diversion of 33kV overhead lines within the Order limits on the main site. Diversion agreed with SSE and to be secured through the protective provisions – discussion on the protective provisions remains ongoing which will also deal with the land rights required; • Diversion of 11kV infrastructure within the Order limits. Diversion agreed with SSE and to be secured through the protective provisions – discussion on the protective provisions remains ongoing which will also deal with the land rights required; • New electrical power supply – point of connection and route to be secured by agreement with SSE outside of the DCO. **Openreach and other telecoms** • Diversion of Openreach and other telecoms infrastructure in various locations across the Order limits, secured through the standard protective provisions in Part 4 of Schedule 14 of the DCO; • New telecoms connections for the development to be secured by agreement with Openreach post consent (if granted). Initial engagement confirms that it is likely that Openreach will extend existing duct infrastructure to serve the development.

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			Other statutory utilities • Anglian Water foul rising main to remain in place. Part 6 of Schedule 14 provides appropriate protection and additional wording was included at Deadline 1 to confirm appropriate protection for land rights; • Southern Gas Networks (SGN) infrastructure on land not affected by any compulsory acquisition powers. Part 6 of Schedule 14 provides appropriate protection; • Other statutory undertakers noted within the Book of Reference will be protected through Part 6 of Schedule 14.
Q1.4.6	The applicant	**Procedure for implementation of compulsory acquisition powers** Paragraph 5.5 of the Statement of Reasons [APP-143] states that *"Provisions are also included to enable implementation of the compulsory acquisition by way of either the notice of entry and notice to treat procedure or the general vesting procedure."* Is one preferable to the other and, if so, in what circumstances?	Compulsory acquisition powers, whether conferred by a DCO, CPO or other enactment, may be implemented by either the notice to treat (NTT) and/or general vesting declaration (GVD) process, as permitted by the Compulsory Purchase Act 1965 and Compulsory Purchase (Vesting Declarations) Act 1981 respectively. To preclude the use of either statutory process would be unprecedented and contrary to established compulsory acquisition law and procedures. An acquiring authority (the Applicant in this case) needs the flexibility to determine the appropriate implementation route(s) for the outstanding land interests at the time that the order is implemented. The law does not require the acquiring authority to choose only one route, and it may for example use a GVD for all interests in one land parcel and an NTT for a specific interest in a neighbouring land parcel. Stage 5 of the MHCLG Guidance on the Compulsory Purchase Process (last updated June 2026) contains detail on the two respective processes and how they are often used.

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			GVDs tend to be more commonly used because ownership of all of the interests in the land specified in the GVD is acquired automatically and swiftly after completion of the statutory processes, which is often important where there are multiple interests in the land parcel, land in unknown ownership, or where there is to be an onward disposal of the land. An NTT, when accompanied by a Notice of Entry, permits entry onto and the possession of land but ownership will not be acquired until compensation has been paid in respect of the particular land interest and the appropriate form of agreement is completed. An acquiring authority might for example choose an NTT over a GVD where it seeks bespoke negotiations with a particular land interest over the terms of the land agreement in parallel with agreeing the compensation payable. Furthermore, possession cannot be taken of all interests in land pursuant to a GVD (for example minor tenancies or long tenancies about to expire), and this may require the service of a NTT. It is therefore important that both implementation routes are available.
Q1.4.7	The applicant	**Funding of compulsory acquisition** Paragraph 5.8 of the Funding Statement [APP-144] refers to compensation and paragraph 5.9 says that *"The remainder of the land acquisition and any claims for blight that may be submitted is also expected to be funded by the Applicant …"*	The Applicant confirms that all compulsory acquisition will be funded by the Applicant.

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		Paragraph 7.1 states that *"In the event any claims for blight arise the cost of meeting any valid claim will be met by the Applicant.".* Please explain what you mean by "*is also expected to*" and confirm that all compulsory acquisition will be funded by the applicant.	
Q1.4.8	The applicant	**Funding the proposed development** With reference to paragraph 6.2 of the Funding Statement [APP-144], please explain which of the mechanisms mentioned would be considered and which might be used, and give details of what other business models you envisage might be used.	The Applicant has not ruled out any of the possible funding mechanisms listed in paragraph 6.2, on the basis that delivery of the scheme is still some 12+ months away, should consent be granted, and therefore it will keep all options under review until the appropriate time. For assistance, the other models that might be considered by the Applicant include the following established funding options: • Forward funding arrangements with investors to fund certain parts of the proposed development and units; and • Forward commitment and purchase structures (such as sales and letting of individual units, for example) to secure development debt. As is noted in the Funding Statement, the resources available to the Applicant through its corporate structure are extensive.
Q1.4.9	The applicant	**Compensation: guarantees** Article 41 lists the relevant provisions: see also paragraph 5.11 of the Funding Statement [APP-144]. a. Article 31 also contains powers to override easements and other rights, and Article	a. The Applicant agrees that article 31 should be referred to in the Guarantee article. This has been amended in the dDCO submitted at Deadline 2. b. Yes. The Applicant considers that 15 years is a reasonable and sufficient period and would highlight that this period follows numerous precedent examples and considers that the period is therefore well-established and accepted (e.g. The Triton Knoll Electrical System Order 2016 (S.I. 2016 880), the Wrexham Gas

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		31(1)(a) in particular, but is not listed in Article 41. Please explain. b. do the parties consider that 15 years from the exercise of the relevant power is a reasonable/sufficient time for the guarantee or other form of security to be in place?	Fired Generating Station Order 2017 (S.I. 2017 766), the Boston Alternative Energy Facility Order 2023 (S.I. 2023 778), The Boston Alternative Energy Facility Order 2023 (S.I. 2023 778), The Riverside Energy Park Order 2020 (S.I. 2020 419)). This exceeds the period of time for which a compensation claim could be made, and allows for a reasonable period for a claim to be determined should it be referred to the Upper Tribunal.
Q1.4.10	The applicant	**Book of Reference: plots 2/4 and 2/10** We note your response in Part 1C of Document 9.1 [PDA-007] to the representation by Savills on behalf of Meyrick-Jones LLP [RR-096] in respect of a change to the registered proprietor (see sheet 2 of the Land Plan). Please advise when the revised Book of Reference will be submitted into the examination.	The Book of Reference has been updated at Deadline 2, and submitted as part of the Applicant's Change Application.
Q1.4.11	**All parties**	**New public rights of way (PRoW)** All parties are invited to comment on the applicant's decision to acquire a right over the land rather than the freehold, noting paragraph 12.8 of the Statement of Reasons [APP-143] in respect of dedication agreements.	
Q1.4.12	The applicant	**Equality impact assessment** Paragraph 1.6 of the Equality Impact Assessment [AS-086] states that *"Types of equality effects considered are either differential or*	a. Yes, the assessment presented for the construction (paragraph 4.1) and operation (paragraph 4.2) phases describes the residual equality effects of the Proposed Development, taking account of the embedded design measures, environmental mitigation and other DCO commitments identified in the EqIA. For

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		disproportionate …" and paragraph 1.7 says that *"where possible and applicable whether the Proposed Development will have a positive, neutral or negative effect ..."*: paragraph 4.1 refers to the construction phase and paragraph 4.2 refers to the operational phase. a. are the tables in paragraphs 4.1 and 4.2 referring to the residual effects of the impacts considered? b. where is the mitigation for each of the identified impacts secured?	the construction phase for example, the EqIA refers to mitigation contained in the Construction Environmental Management Plan (Document 6.2C/APP-189) as well as DCO Requirement 31 to secure an Employment Scheme. For the operational phase, the assessment takes account of the design principles established through the Design Approach Document, environmental mitigation identified in the ES, the Framework Travel Plan and DCO Requirement 31 to secure an Employment Scheme for example. b. The mitigation, design measures and enhancement commitments relied upon by the EqIA are secured through the DCO and requirements governing subsequent approval and implementation of detailed plans. The principal securing mechanisms are: - Construction noise, vibration, dust, emissions, odour and construction management effects secured through DCO Requirement 10 requiring compliance with the approved CEMP and the preparation and approval of phase-specific CEMPs. - Construction traffic management measures and accessibility effects secured through DCO Requirement 10 relating to the CEMP and phase-specific CEMPs, and relevant measures identified in the Transport Assessment including the Construction Traffic Management Plan. - Construction and operational employment, training and apprenticeship opportunities secured through DCO Requirement 31 requiring Employment Schemes to be submitted, approved and implemented for the construction and operational phases. - Inclusive and accessible detailed design secured through DCO Requirement 9 requiring detailed design submissions to accord with the Design Approach Document and relevant certified plans.

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			- Walking, cycling, public-transport and accessible parking measures secured through DCO Requirement 6 relating to the Framework Travel Plan. - Operational noise mitigation measures secured through DCO Requirement 26. - Community engagement and monitoring secured through DCO Requirement 32 requiring the establishment of a Community Liaison Group.
5.	**The draft Development Consent Order (DCO)**		
Q1.5.1	The applicant	**Article 2 - Commence** Under the definition of 'commence' in Article 2 (interpretation) of the dDCO [APP-139], reference is made in (i) to the '….*redevelopment of the threshing barn….'.* As drafted, this could be interpreted as allowing the redevelopment works to proceed as pre-commence works. Can the applicant explain and justify the wording. How does this wording fit with R15?	The Applicant has included a carve-out for "restoration and redevelopment of the threshing barn" on the basis that the Threshing Barn is in a poor state of repair. As stated in the Design Approach Document (Document 5.5B/APP-167): *The listed barn is in a poor state of repair, with 4 of the 6 original bays, and 3 of the original 5 trusses, having collapsed into the barn interior. This also means that the top of the walls are open to weather, further accelerating the decay of these elements.* (paragraph 5.1.1) And as further stated: *At time of inspection, the barn has lost roughly two-thirds of its roof structure, with the remainder in a partial state of collapse.* Hurst Peirce + Malcolm Initial Structural Appraisal (May 2025), in Appendix 2 of Document 5.5B/APP-167 (p.116)

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			The Applicant therefore considers it necessary that it is able to protect and redevelop the threshing barn at an early stage. This will avoid further decay of the building. The Applicant considers that this is justified because the DCO seeks detailed consent for the listed building works constituting the restoration and redevelopment of the threshing barn. R15 controls these works by ensuring that these works are carried out in accordance with the threshing barn drawings (Listed Building Plans, Document numbers 2.14A to 2.14X/AS-022 to AS-045), for which no further discharge is required. Further, the carve-out in the definition of 'commence' expressly links the works to the threshing barn to those 'shown on the listed building drawings'. This limits the scope of works to the threshing barn to those shown on the drawings only, for which approval will have been given if the DCO is granted. In light of the above, the Applicant considers that it is acceptable to allow those works to form part of the exclusions from the definition of 'commence' and to be undertaken as pre-commencement works. The Applicant would highlight that it has made further amendments to the definition of 'commence' following consideration of OCC's comments and as noted in the Applicant's Responses to Other Parties' Comments on the dDCO (Document 11.4).
Q1.5.2	The applicant	**Article 4** Explain and justify how the limits of deviation in 2(a), (b), (c) and (d) were identified. How have these limits been assessed on the Environmental Statement?	The Parameters Plan (Document number 2.5/AS-008) identifies the parameters of the Proposed Development on the Main Site. The highways outside of the Main Site, these are identified on the Highway Plans (Document series 2.7). These plans are the basis upon which the environmental assessment has been carried out. In terms of the limits of deviation in this article, whilst not expressly defined in the Environmental Statement (ES), the Applicant

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			considers that the judgments made allow for this small degree of tolerance. The approach the Applicant has taken is in line with Planning Act 2008: Guidance on preparing an application: Part 3 - Contents of a draft Development Consent Order - GOV.UK which states: *4.16 In a situation where some details of the proposed development are uncertain, environmental assessment should be carried out on a reasonable worst case or 'Rochdale Envelope' basis. This approach involves assessing a range or envelope of development options to ensure decision-making proceeds on the basis of an assessment of the reasonable worst case, in terms of the likely significant environmental effects of the proposed development. In all cases, however, the parameters in the draft DCO must ensure that the proposed development does not give rise to effects that have not been properly assessed as part of the DCO process.* Taking each of the sub-paragraphs in Article 4(2) in turn: *(a) deviate laterally from the lines or situations of the authorised development shown on the works plans to the extent of the limits of deviation shown on those plans;* The lateral limits of deviation are defined graphically on the Works Plans (Document series 2.2). The standard note appearing on each Works Plan sheet states: "THE LIMITS OF DEVIATION ARE THE FULL EXTENT OF THE WORKS SHOWN" — with certain specific Work Numbers (e.g. Work Nos. 7A, 7B, 8, 12A and 12B) having their own delineated limits. These specific works are highway works where flexibility is needed to respond to the precise location for the roads once the final location of the individual

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			buildings has been fixed within the various zones for the built development. In other words, for most works, the full extent of the coloured areas on the plans constitutes the lateral envelope within which the works may be carried out. This is common practice and follows the accepted approach at East Midlands Gateway, Northampton Gateway and West Midlands Interchange. *(b) in respect of the highway works deviate vertically from the levels shown on the highway plans to a maximum of 1.5 metres upwards or downwards;* A 1.5 metre vertical deviation allowance is necessary to ensure that delivery of the works can respond to potential unknowns and is well within the range of limits adopted in comparable made DCOs for highway and rail infrastructure: • A122 Lower Thames Crossing (2025): Vertical limits of deviation of up to 1.5 metres for highway and tunnel works. • A66 Northern Trans-Pennine (2024): Vertical deviation of 1.5 metres upwards or downwards for highway works. • A303 Amesbury to Berwick Down (2023): Vertical deviation of up to 1.5 metres for highway works and structures. • East Midlands Gateway SRFI (2016) and Northampton Gateway SRFI (2019): These SRFI DCOs included comparable vertical deviation limits for highway elements.

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			A 1.5 metre limit is therefore consistent with established DCO precedent for infrastructure of this nature and scale. *(c) in respect of the railway works comprised in Work Nos. 1, 2 and 5 deviate vertically from the levels shown on the railway plans to a maximum of 1.5 metres upwards or downwards; and* The Applicant notes that, as with the highway works, the railway alignment is at a preliminary design stage and needs to accommodate uncertainty in ground conditions (particularly given the presence of the Ardley landfill through which the eastern rail connection passes) and the interface with the existing Chiltern Main Line. This approach mirrors the Northampton Gateway Rail Freight Interchange Order 2019. *(d) in respect of the bridges, deviate vertically from the levels shown on the bridge plans to a maximum of 1.5 metres upwards or downwards.* There is a potential sensitivity around bridge levels, which must maintain minimum clearances over the railway, carriageway headroom, and structural loading parameters. For this reason, it would not be possible to fix the bridge levels. Furthermore, the levels of the bridges clearly need to have the same flexibility as the roads and railway alignments.
Q1.5.3	The applicant	**Article 5** Explain what is meant by *'…for any purpose ancillary to those purposes.'* at the end of Article 5.	This Article is included to expressly authorise the use of Work Nos. 1 – 9, pursuant to section 157 of the 2008 Act. It authorises the operation and use of the rail freight interchange development and ensures that ancillary uses apply to the warehousing built pursuant

ExQ1	Question to:	Question:	Applicant Response
			to the DCO in the same way as if the warehousing were built pursuant to a planning permission. It is necessary to ensure the use of the development is not unduly restricted, and follows accepted precedent – see Northampton Gateway article 5, West Midlands Interchange article 5 and East Midlands Gateway article 5. It is not unique to SRFI – see also article 4 of the Cambridge Waste Water Treatment Plant Relocation Order 2025.
Q1.5.4	The applicant	**Article 23** Article 23 (Authority to survey and investigate land) includes no precise definition or boundary of where the power applies. Provide more explanation and justify why the power is required and how its application can be controlled. The ExA also notes that the Article only requires the operator to compensate owners and occupiers for any loss or damage, but does not include any requirement to make good any damage caused. Explain and justify why this is not included.	Article 23 is required to enable the undertaker to enter land within the Order limits or land which may be affected by the authorised development to survey or investigate. It is considered necessary to extend this power to land outside the Order limits due to the size and scale of this project (and the nature of a DCO being that some details are to be agreed post the grant of the DCO). It may therefore be necessary for the Applicant to be able to exercise this power outside of the Order limits in order to deliver the scheme, such as assessing ground conditions on nearby land. The surveys and investigations carried out by the Applicant will inform the detail of the works. Preventing these from extending beyond the Order limits risks undermining the quality of those investigations. The exercise of such powers outside of the Order limits would still be constrained by and subject to the Article, which states that the powers only apply to land ‘affected by’ the proposed development. Permitting works in these instances is less intrusive than including the land in the Order limits to enable powers of temporary possession or compulsory acquisition to be sought.

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			The Applicant has provided precedent for this in the Explanatory Memorandum and this approach was also authorised recently in The A122 (Lower Thames Crossing) Development Consent Order 2025. It is not intended that these powers extend to substantive activities such as 'earthworks' which are governed by requirements. The nature of the works is listed in the article itself. In addition to surveying and monitoring, Article 23 also authorises the undertaker to make trial holes to investigate the nature of the surface layer and subsoil and to remove samples; to carry out ecological and archaeological investigations; and to place apparatus and welfare facilities for use in connection with the surveying and monitoring of the land. The Applicant considers that the compensation obligation in Article 23(5) provides an adequate remedy for owners and occupiers because it applies to any loss or damage arising from the exercise of the power. An additional obligation to make good is therefore not considered necessary. It would also require further access to the land to carry out repair works. The power authorises relatively minor works (when compared to the powers to construct the permanent development) and in light of this, the Applicant considers that an obligation to repair would not be proportionate. This can be contrasted with Article 35 (Temporary use of land for carrying out the authorised development) which includes an express obligation to restore land before giving up possession. This is appropriate when possession may last for an extended period of time (but subject to the limits in that Article).
Q1.5.5	The applicant	**Article 25** A number of recent NSIP have included within their dDCOs articles similar to Article 25 (Removal of	This Article authorises the removal of human remains from the Order limits and provides a process for notification and identification as well as re-interment or cremation. It is not anticipated that human remains will be encountered, but without this Article, the express

ExQ1	Question to:	Question:	Applicant Response
		human remains), however these have subsequently been deleted by the relevant SoS. Provide further explanation and justification for the inclusion of this Article.	consent of the Secretary of State for Justice would be required, which would risk delay and would be contrary to the accepted principle that DCOs are, insofar as possible, a 'one stop shop' containing as many of the consents needed as possible to enable the efficient delivery of nationally significant infrastructure projects. As explained in paragraph 5.119 of the Explanatory Memorandum: *The extent of justification should be proportionate to the degree of novelty and/ or controversy in relation to the inclusion of that particular power.* The Applicant considers that this Article is neither novel nor controversial. The process for the removal of human remains in the Article requires the Applicant to advertise the discovery and to notify the local planning authority. It is a comprehensive and fair process, giving the public the opportunity to claim the remains. Whilst the Applicant is aware that some recent Secretary of State decisions have removed this Article, the Applicant respectfully disagrees that its removal is necessary and highlights that there is precedent for this Article in The Cambridge Waste Water Treatment Plant Relocation Order 2025 and The A122 (Lower Thames Crossing) Development Consent Order 2025, the latter of which was made by the Secretary of State for Transport.
Q1.5.6	The applicant OCC/CDC	**Article 45** Explain the purpose and need for this Article. Does this benefit apply to all land within the Order limits, if so, explain and justify why? With no specific definition of the planning use class for the	The Applicant confirms that the benefit of this article applies to all land within the Order limits. The Applicant considers that it is prudent for this provision to relate to all land within the Order limits, particularly given the Rochdale envelope and limits of deviation approach to defining the authorised development.

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		development contained within the dDCO, explain and justify how this Article would operate in relation to potential permitted development rights? OCC/CDC – Should the dDCO include a provision limiting specific permitted development rights?	This Article ensures that land within the Order limits will be treated as operational land of a statutory undertaker for the purposes of the Town and Country Planning Act 1990. "Operational land" is land used by statutory undertakers for the purpose of carrying on their undertaking. With this Article, the development will benefit from the appropriate permitted development rights afforded to statutory undertakers. This provision is included so that statutory undertakers have the ability to carry out any necessary works within their statutory responsibility within the full extent of the Order limits. For example, it is likely that the spatial extent of rail related land would not simply be confined to the area of the tracks themselves. The Applicant does not consider that a limitation should be placed on permitted development. That would unduly constrain commercial development, requiring formal applications or amendments to the Order for what is accepted development.
Q1.5.7	The applicant	**Article 49** Explain how the applicant intends to interpret the phrase '..*reasonably believes it to be necessary'*. The article also includes no requirement to obtain approval from the landowner, provide further justification to why this is not considered to be necessary and provide examples of instances when the power may be required.	Article 49 is based on the model provisions and is heavily precedented in made DCOs. It enables the undertaker to fell or lop a tree, hedgerow or shrub within 15 metres of any part of the authorised development, or cut back its roots, only where the undertaker reasonably believes that this is necessary for one of the purposes specified in Article 49(1). The phrase "reasonably believes it to be necessary" requires the undertaker's belief to be objectively reasonable and supported by the circumstances at the time. The power is not a blanket power of removal and may be exercised only where the relevant works are reasonably necessary for a purpose specified in Article 49(1). Those specified purposes are:

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			(a) preventing a tree, hedgerow, shrub or its roots from obstructing or interfering with the construction, maintenance, use or operation of the authorised development, or any apparatus used in connection with it; or (b) preventing it from constituting a danger to persons using the authorised development. Subject to the below, the Applicant considers that landowner consent to removal is not required because making the power conditional on consent would have the potential to prevent expeditious delivery of the proposed development which would negate the purpose of the DCO as a “one-stop shop”. For example, the power may be needed to remove or cut back a tree obstructing a railway line, roots interfering with apparatus, or vegetation creating a danger to users. Compensation is payable for any resulting loss or damage and therefore there is protection through the compensation provisions for the affected landowners when this power is exercised. The 15-metre limit also defines the geographic extent of the power more precisely than DCO provisions that refer only to trees, shrubs or hedgerows “near” the Order limits. Requiring separate landowner consent would be particularly inappropriate where urgent action is needed. The compensation provisions protect landowners from loss or damage caused by the exercise of the power. Additional controls apply in specific locations. Following discussions with National Highways, the Applicant has inserted a new paragraph (9) into Article 49 so that works to any tree or shrub within the strategic road network or a highway maintainable by the local highway authority are subject to Parts 2 and 3 of Schedule 14 (protective provisions). Consent from the relevant approving

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			authority will therefore be required where the tree or hedgerow is within the highway. Following comments from Cherwell District Council, Article 49 has also been amended to require tree works to comply with British Standard 3998:2010, "Tree Work – Recommendations". Article 49 also provides express consent for the removal of the trees, hedgerows and important hedgerows listed in Schedule 13 and shown on the Tree and Hedgerow Retention and Removal Plans (Document Nos. 2.15 to 2.15J / APP-124 to APP-134).
Q1.5.8	The applicant OCC/CDC	**Article 57** As drafted, no provision is made within Article 57 (Certification of plans and documents) for copies of each of the plans and documents listed in Schedule 16 to be included under Part 2 of the local planning register. The ExA notes that such a provision was recently included within the dDCO for East Midlands Gateway Phase 2 (EMG2). The applicant is asked to review the dDCO for EMG2 and consider whether similar wording should be included within the dDCO for the proposed development. If not, please explain and justify why you consider such drafting is not necessary in this case. OCC/CDC are asked to comment as to whether they would welcome the inclusion of such wording.	The Applicant's drafting of this article followed what has been standard practice for DCOs for many years; however, the Applicant notes the following wording from the final draft EMG2 DCO submitted to the Examination: *Draft Article 32* *(4) The undertaker must liaise with the local planning authority to ensure that—* *(a) as soon as practicable following the making of this Order, a copy of each of the documents listed in Schedule 16 is included under Part 2 of the local planning register as if this Order were a planning permission granted under the 1990 Act;* *(b) a register of those requirements contained in Part 1 of Schedule 2 of this Order (requirements) that provide for further approvals to be given by the local planning authority is included within the local planning register under regulation 40 of the Town and Country Planning (Development Management Procedure) (England) Order 2015(c) as if each requirement were a condition of a planning permission granted under the 1990 Act; and*

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			(c) the reference number, the date and the effect of the decision of the Secretary of State of an appeal under paragraph 4 of Part 2 of this Order is included within the local planning register under regulation 40 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Applicant is content to include this wording and has added it to the DCO submitted at Deadline 2.
Q1.5.9	The applicant	**Requirement 5** Explain and justify: a. how the figure of 232,258 sqm has been identified and how it would be managed, monitored and enforced and by whom? b. what is meant by *'capable of handling'* and '*available for use'* and should these not be worded more firmly (ie 'handling' and 'in use')? c. what prevents the warehousing from being developed to the identified figure but the remainder of the scheme, including further rail capacity, not being delivered?	The approach to the drafting of Requirement 5 follows precedent, uses language from and accords with the PA2008 and the NNNPS. a. The Applicant has carefully considered the programme for delivery of the scheme and has worked closely with Network Rail over a number of years as part of the extensive pre-submission engagement to discuss how the rail connections can be brought forward. Paragraph 7.5 of the SoCG with Network Rail (Document 8.1/AS-092) reflects the parties' agreement that the rail connections cannot be delivered more swiftly than the three-year period mentioned in the SoCG, due to the complexities of technical approval stages, the Network Change process, and obtaining possessions to undertake the works on the Main Line. As part of its ongoing discussions with Network Rail, the Applicant has continued to work with Network Rail in relation to the programme for the delivery of the rail terminal and connections to the Main Line. An anticipated rail works delivery programme has been produced and agreed with Network Rail. This is attached at **Appendix 1.** In considering the programme and an appropriate threshold, the Applicant also considered the extent of highway mitigation that would be in place before this level of floorspace is occupied

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			(see Requirement 8), which ensures that the road-based element is appropriately mitigated. What is being sought is an element of commercial development whilst the works are ongoing. Given the extent of significant investment, infrastructure and development over that period and beyond, it is necessary for the Applicant to be confident that in circumstances where there are delays to the Main Line connections, it is able to release some occupation in advance of those connections being finalised. This is entirely appropriate, compliant with the National Policy, and consistent with all SRFI DCO which have been made (and varied[2]) . The Applicant notes that the SoS in its decision letter in respect of West Midlands Interchange, referring to the decision at East Midlands Gateway, specifically acknowledged and agreed that *"the interpretation of these NPSNN requirements must allow for the realities of constructing and funding major projects such as this" and that it is "entirely reasonable" that a commercial undertaking should seek to generate income from the warehousing before the railway become operational."*[3] It should be noted that all current SRFI DCOs were decided pursuant to the 2014 NPS which did not contain the rail timing reference which is within the 2024 NPS (paragraph 4.88). The Applicant has proposed a threshold of occupation which falls within the established range of occupation thresholds approved by the SoS in SRFI DCOs as set out in the table below:

[2] Indeed, the example at Northampton Gateway where there was originally no floorspace permitted pre-terminal, which then had to be varied to allow some occupation, demonstrates why it is important to allow for some occupation in advance of the terminal being open.

[3] Paragraph 29 SoS Decision Letter for West Midlands Interchange: Microsoft Word - 200504 WMI decision letter FINAL.

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DCO	Total Warehousing (footprint only)	Pre-Terminal Occupation
DIRFT III 2014	~730,000	153,290 (~21%)
EMG 2016	~418,000	260,000 (~47%)
Northampton Gateway 2019	468,000	232,260 (~50%)
West Midlands Interchange 2020	743,200	186,000 (~25%)
OxSRFI	*603,850*	*232,258 (~38%)*

The Applicant considers that its proposed threshold is entirely reasonable and strikes an appropriate balance in line with the NNNPS.

The Requirement is enforceable by the local planning authority in the normal way, who would have visibility of occupation through the operation of other Requirement discharge applications. As confirmed in the Applicant's Comments on Relevant Representations Relating to the DCO (Document 9.1A/PDA-008), the Applicant is content to add notification obligations to the S106 Agreement and this will be included in the next draft submitted to the Examination.

b. The term '*capable of handling*' is directly taken from the wording of section 26(4) PA2008 and the NNNPS (paragraph 4.89). The wording of the NNNPS reflects the fact that there are generally few 775m freight trains operated on the UK network (most are not this long) but requires terminals to be capable of accommodating them (inherent 'future proofing'), and the NNNPS recognises that while an SRFI site will not see

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			four trains per day from opening it must be of a scale capable of handling that number as a minimum. The term '*available for use'* reflects the fact that while the Applicant will construct the terminal and on-site rail infrastructure, it does not have control over the delivery of the final connections to the rail network. The NNNPS recognises this (it was added to the 2024 NNNPS) through paragraph 4.88. The Applicant considers that this term has its plain meaning i.e. the rail infrastructure must be ready to be used (note that the requirement also states that the infrastructure must have been constructed so there is no ambiguity that 'available for use' arises post construction). The Applicant does not consider it is acceptable or appropriate to refer to '*handling'* and '*in use*' because whilst the Applicant can deliver the infrastructure, the connections have to be delivered by Network Rail. The more restrictive wording would prevent further progression of the authorised development for reasons outside of the Applicant's control. Both terms are used in the equivalent Requirement of the original Northampton Gateway Order (Requirement 3(3)) and the term '*available for use*' is used in East Midlands Gateway (Requirement 2(3)). The Requirement is appropriately drafted to reflect what needs to be delivered by the Applicant. c. Whilst it is correct that there is nothing specifically in the dDCO to prevent this, the reality is that this is not how the development would be brought forward. It is a permissive approach to drafting, as per other DCOs, which do not compel delivery of every aspect of the authorised development. As discussed above, the purpose of Requirement 5 is to enable some occupation before delivery of the terminal as is permitted by paragraph 4.88 of the NNNPS.

ExQ1	Question to:	Question:	Applicant Response
			This was discussed at ISH1. The scale of investment required to prepare the site for development, to deliver the very extensive off-site infrastructure (note this is all required to be completed prior to 185,806 sqm in accordance with Requirement 8) and to construct the rail freight terminal, is significant. It would not be commercial to commit to the completion of these works and to stop at that scale of completed floorspace. At the time of a commitment to commence the construction of the project, the Applicant would have to be confident that a rail connection would be completed prior to this scale of development.
Q1.5.10	The applicant OCC/CDC	**Requirement 5** The ExA notes that the wording applied to Northampton Gateway Correction Order [PDA-010], requires the rail infrastructure to be completed prior to the occupation of any warehousing. R5 of the dDCO [APP-139], is structured differently, in that it would allow occupation of warehousing, prior to the delivery of the rail infrastructure. Please explain and justify the approach taken to the drafting of R5. Should the ExA consider that the SoS should be adopting similar wording to that used in the Northampton Gateway Correction Order, provide your position on whether such wording would be acceptable. If not, please explain why. OCC/CDC are invited to comment.	The Northampton Gateway Amendment Order 2023 (note that this was not a Correction Order, it was a non-material Amendment sought by the Northampton applicant in 2023 as a result of delays in securing the rail connections due to Network Rail programme), amended Requirement 3(3) of the original 2019 Northampton Order which prevented any occupation of warehousing until the rail terminal capable of handling at least four intermodal trains per day, including 775 metre length trains, was constructed and available for use. The 2023 amendment application was clear that the developer had progressed all private (i.e. on-site) elements of the rail terminal as swiftly as it was able to, and that it was the rail connections to the main line that needed to be finalised and completed (but outside of the developer's control). This change was a response to the complexities for Network Rail of closing part of the West Coast Main Line (loop line) and to remove the uncertainty attached to the programme for those final works which was preventing occupations. This was some three years after the DCO consent. The revised requirement was therefore deliberately drafted to demonstrate that the developer's element of the original terminal commitment could be retained (i.e. to be completed before

ExQ1	Question to:	Question:	Applicant Response
			occupation), and enable occupation before Network Rail completed the connections. The amended requirement was: *There is to be no occupation of any of the warehousing until the undertaker has completed the rail infrastructure within the area coloured pink on the rail infrastructure plan. On completion of the rail infrastructure, no more than 232,260 square metres of the warehousing is to be occupied (including any warehouse erected pursuant to the planning permission reference WNS/2021/1860/MAF(a), as amended) until both of the connections to the West Coast Main Line railway have been constructed and commissioned sufficient for the rail terminal to be operational.* The rail infrastructure on the area shown coloured pink was the private rail terminal infrastructure (the rail infrastructure plan referred to in that Amendment Order is attached at **Appendix 2** for completeness). The Applicant does not consider it appropriate to amend Requirement 5 in the same manner for the reasons explained in response to ExQ1.5.9.
Q1.5.11	The applicant	**Requirement 6** Considering the approach adopted by the applicant in R3, explain and justify why the phrase *'unless otherwise agreed in writing by the local planning authority'* is necessary in 6(1) and 6(9).	Requirement 3 provides a general power for the local planning authority to approve amendments in two circumstances: • where the requirement requires details to be submitted *in accordance with a plan or document*; and • where the requirement requires the authorised development to be carried out *in accordance with details approved by the local planning authority*.

ExQ1	Question to:	Question:	Applicant Response
			Requirement 6(1) does not require details to be submitted, and it does not require the development to be carried out in accordance with details approved by the local planning authority. It imposes an obligation to comply with a document certified by the Secretary of State (the framework travel plan), which may be varied by agreement with the sustainable transport working group. It is therefore considered appropriate that the local planning authority is able to agree to amendments. The same point applies to Requirement 6(9) which also does not relate to the approval of details. This is simply seeking to ensure the authority is able to agree to appropriate arrangements without what would otherwise be an excessively onerous requirement for a non-material amendment to the DCO to govern such matters.
Q1.5.12	The applicant	**Requirement 6** In relation to 6(2), explain how the process of preparing and submitting a unit-specific travel plan would work and who would be responsible for its preparation, monitoring and enforcement.	Future occupiers of each distribution warehouse building would be required to prepare a specific Travel Plan. Occupier Travel Plans (OTPs) are common practice across most if not all development sites, and this is not a unique or onerous requirement. The submitted Framework Travel Plan ('FTP', Document APP-203) helps explain the relationship with future OTPs (see Section 4), and monitoring and review information is set out in Section 7. The requirement is for OTPs to reflect and accord with the FTP to ensure they promote sustainable travel and facilitate the use of sustainable modes of travel. The FTP provides a range of site-wide measures and initiatives which will aid the preparation of OTPs, and which will help OTPs achieve the objectives of reducing single-occupancy car travel and increasing use of sustainable modes of travel. An overarching Site-wide Travel Plan Coordinator (STPC) will be appointed for the OxSRFI development. The STPC will have a critical role in the central administration, ensuring the site-wide Framework Travel Plan is marketed, implemented, managed, monitored and reviewed over time for the OxSRFI.

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			The Travel Plan monitoring period will be from first occupation until five years following full occupation of the development. This means it will extend from the opening year in 2031 through to 2039, based on completion and full occupation in 2034. The progress of the Travel Plan will be reviewed against the Travel Plan targets biennially, using baseline travel surveys, biennial repeat surveys, traffic counts, bus patronage analysis, and focus/discussion groups. Biennial monitoring reports will be prepared and issued to OCC. Please note that the Applicant has noticed that DCO Requirement 6(2) incorrectly required the submission of an OTP prior to occupation of each individual warehouse unit, but it should have required this within three months of occupation, consistent with the FTP, which aligns with OCC's Travel Plan Guidance. This has been corrected in the dDCO submitted at Deadline 2.
Q1.5.13	**OCC** **CDC**	**Requirement 6** Does the LPA and LHA consider the timeframes for the implementation of various strategies required by (3) and (4) to be adequately defined. In relation to 6(6) are the LPA and LHA content with the term *'reasonable endeavours.'*? If not, please explain why and provide alternative wording they would wish to see.	The Applicant would highlight that there is precedent for the wording in this Requirement, including specifically the use of "reasonable endeavours" in Northampton Gateway (Requirement 4(5)).
Q1.5.14	The applicant	**Requirement 6** Under 6(8), should the words 'of this Schedule' be inserted after 'Part 3' to provide more clarity?	Yes, the Applicant agrees that these additional words would help aid clarity and has amended the dDCO at Deadline 2 to reflect this.
Q1.5.15	The applicant	**Requirement 8** Explain and justify what is meant by *'To be completed prior to the occupation of the first warehouse to be occupied'*.	The Applicant appreciates that this wording may at first appear unnecessary, but has included this wording to make clear that the trigger relates to **occupation** of the warehouse, and not completion. If the trigger stated 'to be completed prior to the occupation of the first warehouse', it could be interpreted as requiring delivery prior to

ExQ1	Question to:	Question:	Applicant Response
		Consider whether it would be more clear and precise to reflect the wording used for 13A, which states *'To be completed prior to the occupation of the first warehouse.'* If not, please explain and justify why.	occupation of the first warehouse to be completed, when it is possible that the first warehouse to be delivered might not necessarily be the first to be occupied. The Applicant has therefore amended the trigger for Work No. 13A in the dDCO submitted at Deadline 2 to be consistent with the other works.
Q1.5.16	The applicant	**Requirement 8** Explain and justify why the figures of 185,806 square metres of warehousing plus up to 61,967 square metres of mezzanine floor space have been specifically identified. Why has mezzanine floor space been specifically included? How has this amount of floor space been assessed the ES?	The triggers for the delivery of the highway mitigation are based on the Applicant's assessment of traffic impacts. These figures are based on the figures provided in the Transport Assessment (Document 6.3A/AS-055) which states that "a first phase of development of up to 2 million sqft (185,806 sqm) of B8 development with an additional 1/3 mezzanine floor space (61,967 sqm) has been considered in this TA and supporting work". Phase 2 highway works are needed before "occupation of greater than 2 million sq ft (185,806 sqm) of floor space (plus up to 61,967 sqm mezzanine floor space)" in order to ensure that the highway mitigation is in place prior to this level of occupation. Mezzanine floorspace has been included because it was accounted for in the Transport Assessment and therefore the Applicant considers it appropriate that the triggers are tied to mezzanine as well as the main floorspace. This amount of floor space is assessed in the ES and Transport Assessment in Scenario 2 (paragraph 3.2.13 of the ES Document 6.3/APP-171), via the DS2A and DS2AwTP scenarios.
Q1.5.17	The applicant	**Requirement 9** Explain what is meant by the wording '*from time to time'* at the end of (4).	The Applicant notes that this is a reference to the following wording:

ExQ1	Question to:	Question:	Applicant Response
			(4) The authorised development must be carried out in accordance with the details as approved in writing by the local planning authority from time to time. This is recognition of the possibility of the approved details changing, which is permitted pursuant to Requirement 3.
Q1.5.18	The applicant	**Requirement 11** To be more clear and precise, should (a) include a reference to Appendix 7.6 Outline planting schedule [APP-251]?	The Applicant is content to add this reference and has added some wording to the Requirement in the dDCO submitted at Deadline 2.
Q1.5.19	The applicant	**Requirement 16** As currently drafted the requirement refers only to permanent lighting on the main site. Explain how lighting on other parts of the proposed development, would be delivered and controlled to ensure compliance with the outline lighting strategy [APP-256].	Temporary lighting during the construction phase will be delivered and controlled as detailed within the Construction Environmental Management Plan [APP-186] in combination with the Lighting Strategy [APP-256] and is secured through Requirement 10(2)(p). Lighting on the wider highways network is subject to both National Highways and Oxfordshire County Council Lighting Specifications and approval processes as detailed within the Lighting Strategy [APP-256]. The proposed lighting for these locations is detailed within the Lighting Strategy [APP-256] and Figure 8.1 - Highways Lighting Design [APP-262]. This will be controlled by the protective provisions (Parts 2 and 3 for the protection of National Highways and the local highway authority, respectively). This is because the lighting would require the installation of structures, and therefore such details must be approved prior to the commencement of works on the highway. Details of lighting for the central hub must be submitted and approved as per Requirement 15.

ExQ1	Question to:	Question:	Applicant Response
Q1.5.20	**OCC/CDC**	**Requirement 25** Is the LPA content with proposed working hours as set out in (1), (3) and (4)? If not, please explain why and provide an alternative form of wording.	The Applicant would highlight that the construction hours inform the Applicant's anticipated programme for the works, and are consistent with the construction hours requirement approved in the Northampton Gateway DCO.
Q1.5.21	**OCC/CDC**	**Requirement 26** Is the LPA content with the approach set out by the applicant in this requirement? If not, please explain why and provide an alternative form of words.	The Applicant would highlight that it has inserted a new sub-paragraph at Requirement 26(3) to ensure that acoustic fencing is maintained for the lifetime of the development.
6.	**Design**		
Q1.6.1	The applicant OCC/CDC	**Good Design** The Applicant is directed to the Advice on Good Design published by the Planning Inspectorate and is asked to: a. demonstrate how their design process for the proposed development is robust and aligns with the principles of the PINS advice note b. explain how it would achieve 'Good Design' in accordance with the criteria in section 4 of the NNNPS and the Design Principles for National Infrastructure (National Infrastructure Commission, 2020) c. signpost how 'Good Design' would be implemented through	The Applicant has set out details of the approach to design, including in relation to the quantum of development, in its Post Hearing Submissions at Deadline 1 (Document 10.3A/REP1-017). That Note directly helps to address the questions posed. The Note refers to the approach to design which is set out in the three submitted Design Approach Documents. As discussed during ISH1, the Applicant is committed to delivering a high-quality development which has been design led. It has taken the landscape design-led strategy very seriously and opted to prepare separate 'design approach documents' to explain its approach, covering the main site, the central hub area, and highways design. The Main Site Design Approach Document (DAD) (Document 5.5A/APP-166), paragraphs 1.14 to 1.19, explains the approach to the design process having regard to the advice on good design set out by PINS. Paragraph 1.19 specifically explains the approach to the structure of the DAD and how it relates to the four stages of design set out in the advice note. Section 4 of the DAD sets out the

ExQ1	Question to:	Question:	Applicant Response
		all stages of the development including post-decision and construction, and how the process for achieving good design would be secured in the dDCO OCC/CDC are asked to comment on the applicant's approach towards the design of the proposed development and whether they consider the applicant's approach aligns with PINS guidance.	overarching design principles established for the proposed development. These are set out using the four design principles developed by the National Infrastructure Commission and reflected in Section 4 of the NNNPS. This section therefore explains how the overarching principles that have been established will achieve good design. How good design will be achieved in relation to detailed design principles is then set out in Section 5. During the project's evolution the Applicant engaged positively with the National Infrastructure Commission Design Group to discuss its approach to the scheme. The Commission commended the Applicant's commitment and approach to achieve good design. The Central Hub Design Approach Document (Document 5.5B/APP-167), explains the approach to and sets out the design principles for the Central Hub area, including detailed proposals for the repair of the Grade II listed Threshing Barn and the approach to the repair and re-use of other existing historic buildings. Requirements 9, 11 and 15 of the DCO secure the design principles in the Main Site DAD and the Central Hub DAD. The Highways Design Approach Document (Document 5.5C/AS-051) sets out the need, vision and objectives for the highway works, and explains how these have informed the overall design of the highway works. Section 4 of that document then explains how the principles of good road design have been taken into account and informed the design approach to the works. This follows the 10 principles of good road design set out in the DMRB standard GG 103. The DADs read as a whole demonstrate how good design will be implemented through all stages of the development, including explaining how the design process commenced, evolved through

ExQ1	Question to:	Question:	Applicant Response
			assessment and consultation and how key design principles were established and will control the development of the scheme. This includes through the parameters but also through the Design Code. Other controls on design will be through the certified plans and control documents like the HMMP, themselves a product of the design process that has been undertaken. The process for achieving good design post-consent on the Main Site is secured by requirements, in particular Requirement 9, which ensures that the details to be submitted accord with the parameters and the Design Code.
Q1.6.2	The applicant	**Good Design** The Applicant is directed to the Advice on Good Design published by the Planning Inspectorate and is asked to provide clarity on: a. the future design development process and which parties would be consulted b. whether the proposed development has been through independent design review c. the scope and purpose of the detailed design stage and the engagement expected with parties	Requirement 9 requires design details of each component of the development to be submitted to the Local Planning Authority for approval. The Local Planning Authority will then consult relevant bodies and the information will be available for the public to comment on. This would follow the same process that has been undertaken on other SRFIs approved through the DCO process. The proposed development has not been through a formal independent design review. However, as noted above, during the project's evolution the Applicant engaged positively with the National Infrastructure Commission Design Group to discuss its approach to the scheme. The Commission commended the Applicant's commitment and approach to achieve good design. For the Main Site, the purpose of the detailed design stage is to design in detail those elements of the proposed development that are not known, in detail, at this stage. The scope includes all of the components of the development listed in Requirement 4 and the details required, where relevant, are listed in Requirement 9. There is expected to be engagement with the Local Planning Authority in relation to the design and approval of all of these details, with engagement with other parties, for example OCC, where relevant

ExQ1	Question to:	Question:	Applicant Response
			on particular details and in liaison with the Local Planning Authority. In this regard the process is not anticipated to be fundamentally different from the process that would be followed to seek approval for Reserved Matters or the discharge of conditions pursuant to the grant of an outline planning permission. This approach follows that approved and successfully implemented at other approved SRFIs including Northampton Gateway and East Midlands Gateway. The highway design has been the subject of discussion and engagement with the Transport Working Group over several years, with both NH and OCC providing independent scrutiny of the proposals. The detailed highway design requires ongoing engagement with both NH and OCC as set out in the protective provisions (Schedule 14, Parts 2 and 3) of the draft Development Consent Order (Document 3.1 Rev 3/REP1-003).
Q1.6.3	The applicant	**Good Design** Has a senior member of the project team been appointed as a Design Champion, ensuring that design options are explored, advice taken and decisions made to achieve a well considered and good design? If not, does the applicant consider that there would be merit in doing so, and how would the remit of the Design Champion be secured?	Yes, a Design Champion has been appointed – Mountpark's Director of Planning and Responsible Development (Harriet Moloney) has assumed this role. This role is well aligned with Mountpark's existing focus on working within and outside the organisation with various technical, design and construction disciplines to ensure design options are explored with an eye on both sustainability and deliverability, as well as with regard to market and occupier demands and requirements. The Design Approach Document (Document 5.5A/APP-166) paragraph 2.1 explains that a core team has met regularly with Mountpark's Project Directors (including the Design Champion) throughout the evolution of the proposed development, to discuss all aspects of scheme design and to finalise the approach to design and scheme parameters.
7.	**Ecology and nature conservation**		

ExQ1	Question to:	Question:	Applicant Response
Q1.7.1	The applicant	**Loss of habitat** The ES chapter 6 [APP-174] concludes that significant adverse effects are largely avoided through embedded mitigation and habitat creation proposals. Can the applicant explain: a. why the creation of calcareous grassland, lowland meadow and other replacement habitats should be treated as mitigation within the EcIA, rather than compensation for unavoidable habitat losses, and what implications this distinction has for the assessment of residual effects and compliance with the mitigation hierarchy? b. what evidence demonstrates that these replacement habitats will achieve ecological value equivalent to, or greater than, the habitats being lost, particularly given the time lag, establishment risks and uncertainty associated with habitat creation? c. what provisions within the dDCO provide certainty that the compensation habitats will be delivered, monitored, funded and managed for the full intended period, and what enforcement mechanisms are	These and similar recent queries relating to habitat loss are addressed in the updated ES Chapter 6 submitted at Deadline 2. a) Further to Natural England's (NE) consultation response [RR-101], the Applicant has restructured the ES Chapter assessment in line with NE's preferred approach. This results in largely removing the embedded mitigation, with the majority of the habitat creation being treated as compensation for loss rather than embedded mitigation. Habitats, including those provided on the former tip and attenuation facilities/grassland habitats in the Main Site remain as embedded mitigation rather than compensation. This is an acceptable approach as these habitats are mitigating generally for the loss of lower value habitat types and the provision of the mitigation forms part of the overall design of the scheme. In terms of the residual effects, and as highlighted in NE's relevant representation [RR-101], removing areas of embedded mitigation does not affect the overall assessment of residual effects, but it does provide clarity to the assessment. When considering the mitigation hierarchy, the removal of embedded mitigation provides further clarity to the retained habitat of value and the area of higher value habitats which are affected, demonstrating compliance with the hierarchy. b) The proposals have been assessed using the 'Statutory Metric Calculation Tool' (AS-073). The calculation tool requires the Applicant to input the intended habitat types and the intended target condition. In addition to the attributes the Applicant enters, there are several set attributes within the calculation tool. These attributes affect the outcome of the assessment, accounting for time lags between habitat loss and creation and risks of creation of the intended habitats. The set attributes are based on research and consultation responses through development of the calculation tool. The intention of the calculation tool is to provide a quantified rather than a subjective assessment of success.

ExQ1	Question to:	Question:	Applicant Response
		available if habitat creation targets or ecological outcomes are not achieved? d. how the SoS can be satisfied that the long-term management commitments will remain effective for the lifetime of the development?	As the Applicant has used the 'Statutory Metric Calculation Tool' and the calculation tool confirms the proposals can achieve a 10% net gain in all attributes, the Applicant's view is that this provides certainty of the outcomes for the proposed habitats. In addition, the Applicant notes that NE is not objecting to the submitted net gain assessment, but some clarification is required for full agreement through the SoCG. These are not substantive matters and will be resolved following the submission of additional information at Deadline 2. c) The HMMP details the habitat creation, management and monitoring. The measures detailed in the HMMP are secured through DCO Requirement 12, which requires the provision of phase-specific HMMPs detailing the period for which each element of the habitat will be maintained. Enforcement would be by the local planning authority pursuant to the PA2008. d) The SoS can be satisfied that the mitigation is secured because the DCO requirements ensure its delivery and management. The management of mitigation in this way is the appropriate mechanism, adopted in both DCOs and planning permissions. In simple terms, the HMMP provides details on how the habitat will be created and managed over a minimum period of 30 years (80 years for SSSI mitigation) to achieve the target conditions. To ensure the target conditions of the habitats are achieved, the HMMP requires monitoring of the habitats. Where habitats are not achieving the target condition, the HMMP requires remedial works or adaptation of the management techniques to ensure the target conditions are achieved over the lifetime of the management plan and the project.
Q1.7.2	The applicant	**Ardley Cutting and Quarry SSSI** ES chapter 6, paragraph 6.5.39 [APP-174] identifies areas of habitats including other neutral grassland,	Whilst these habitats are described within the SSSI designation, the priority habitats of calcareous grassland and lowland meadow are the primary habitats NE has identified as requiring strict compensation (APP-174, Table 6.6). With reference to other

ExQ1	Question to:	Question:	Applicant Response
		broadleaved woodland and ponds that would be removed from the SSSI as a result of the proposed development. Can the applicant explain where these habitats have been taken account of in its mitigation plans (ES chapter 7, para 7.6.5 [APP-175]) and green infrastructure calculations (para 6.5.40 [APP-174])?	habitats present in the SSSI, any habitat loss is dealt with in the general Biodiversity Net Gain Assessment [Appendix ES6.9] and metric calculations as updated at Deadline 2. Natural England had requested during early-stage DAS dialogue and correspondence that the BNG calculations be undertaken on the basis of every hectare of SSSI habitat lost (regardless of composition or quality) being compensated with the creation of 1ha of calcareous grassland (see Table 6.6 within ES Chapter 6, APP-174 – note, see revision A for Deadline 2). Within the updated proposals (following the Change Application at Deadline 2) the scheme will actually deliver 4ha of calcareous grassland for each hectare of SSSI lost (confirmed within the updated ES chapter). The submitted assessment confirms the site as a whole achieves a 10% net gain and all the trading rules in the metric are satisfied. In simple terms, this means the mitigation and compensation provided by the scheme fully mitigates all habitat loss.
Q1.7.3	The applicant	**Bats** ES chapter 6 identifies the Gagle Brook corridor as a key commuting and foraging route for a range of bat species, including barbastelle, and acknowledges that the proposed MSRR would sever this corridor, resulting in a significant adverse effect in the absence of further mitigation. The applicant proposes to mitigate this impact through the provision of an oversized box culvert and green infrastructure intended to encourage bats to pass beneath the new road. Can the Applicant explain: a. why a box culvert represents the optimum mitigation solution	a) The high / wide span box culvert proposed by the Applicant adjacent to the Gagle Brook provides a safe flight path not affected by light or general disturbance. Barbastelle bats are a species which forage along the woodland edge and follow hedgerows when commuting through the landscape. This species is therefore adapted to open flight and edge flight. Thus, the creation of the culvert adjacent to Burntclose Copse provides mitigation to allow continued foraging and commuting along a known foraging route. Natural England's correspondence of 20 August 2026 is appended to the updated Bat Report Appendix ES6.3 and confirms this is its preferred method of mitigation. b) Section 3 of the Highways Design Approach Document (HDAD) (Document 5.5C/AS-051) details the series of options that were investigated for the MSRR (see Figure 3.4 of the HDAD) and confirms the chosen location for the MSRR crossing of the Gagle Brook corridor corresponds with where the Gagle Brook corridor

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		b. what alternatives, including bridge structures and/or road alignments, were assessed and why were these alternatives discounted c. what evidence demonstrates that the residual effect on bats will not be materially greater than predicted	narrows (paras 3.40/4.47) and hence where ecological impacts will be minimised. The length of the corridor affected has been minimised as far as possible (para 4.69) whilst simultaneously maintaining a suitable and uninterrupted commuting route for local bat species. Whilst for hydraulic purposes pipes are sufficient to take the flow of the Gagle Brook, a large culvert that will provide an open void of circa 6m wide x 3.5m high is to be provided to allow bats to fly under the MSRR using the culvert. A mammal shelf will be provided suitable to enable the passage of other fauna at times of high flow, and a soft bed will be provided within the culvert. The bridge is shown on the bridge plan (Document 2.12H). The vertical alignment of the MSRR has been carefully considered such that it is sufficiently large to allow for the passage of bats through the structure and providing the necessary hydraulic capacity, but with the proposed height also informed by the need to minimise earthworks and wider impacts on the adjacent woodland corridor. The response to EA18 Applicant's Responses to the CDC / EA / OCC Relevant Representations (Document 9.1B/PDA-009) confirms that a clear span bridge is not feasible at the MSRR crossing due to the scale of the span necessary supporting bridge structure being out of proportion with the function of the bridge and resulting in a far greater disruption to the Gagle Brook corridor. c) Wide span box culverts have been used on the A40 bypass in Pembrokeshire, Wales. These culverts provided connectivity between the foraging ground in the Pembrokeshire Bat Sites and Bosherston Lakes Special Area of Conservation (SAC). The effectiveness of high and wide span culverts has also been reported in 'Bat mitigation measures on roads - a guideline' (CEDR Call 2013: Roads and Wildlife, December 2016).

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Q1.7.4	The applicant	**Ancient woodland** In Figure 7.3 of the ES [APP-253] and ES Appendix 6.2 [APP-235] all of the ancient woodland mentioned in ES chapter 6 [APP-174] (e.g. at the SSSI and at Padbury Brook) is not shown. The botanical survey of the SSSI [APP-235] also identifies broadleaved woodland, however it does not identify whether this is the ancient woodland that is identified in the description of the SSSI (para 6.4.3 ES chapter 6). Can the applicant provide further clarification.	Kennel Copse and Burntclose Copse are shown within Figure 1a of the Ecological Appraisal Report [APP-234] (Items 22 and 27 in the figure key). The broadleaved woodland identified in the submitted document is not ancient woodland as identified on MAGIC. The ancient woodland associated with the SSSI is outside the Order limits and is not subject to any direct or indirect effects from the proposals. The Applicant has clarified these matters in the updated ES chapter and ecological assessment submitted with the Change Application (at Deadline 2).
Q1.7.5	The applicant	**Ancient woodland buffer widths** The Ecological Assessment identifies several areas of ancient woodland in proximity to the proposed development, along with other ancient woodland parcels. Can the Applicant provide plans identifying the minimum and maximum buffer widths proposed around each area of ancient woodland and explain whether any parts of the buffer will contain infrastructure, drainage features, earthworks, public access routes or habitat creation areas which could themselves alter woodland conditions? Given the scale of development, the introduction of new roads, lighting, earthworks and increased human activity, what evidence supports the	Both areas of Ancient Woodland (Burntclose Copse and Kennel Copse) are situated outside of the Order limits, but adjacent to parts of the Order limits. Following Natural England's standing advice, a 15m buffer zone has been provided to the area of Ancient Woodland within Burntclose Copse. This buffer is identified on the plans within the Arboricultural Assessment (Document 6.6H/APP-241, ES Appendix 6.8). Within the 15m buffer of Burntclose Copse an existing agricultural access will be re-purposed as a bridleway. Given the existing use (by heavy agricultural vehicles including tractors) re-purposing this as a bridleway is not expected to cause any additional trampling or compaction than the existing use and is consistent with Natural England standing advice. A 15m buffer has been designed into the proposals adjacent to Kennel Copse. As this woodland is situated in the green infrastructure the buffer was not shown on the plans within the Arboricultural Assessment (APP-241 6.6H ES Appendix 6.8). The updated Arboricultural Survey documents at Deadline 2 have added this woodland and the buffer for completeness.

ExQ1	Question to:	Question:	Applicant Response
		conclusion that the proposed buffers will be sufficient to prevent deterioration of ancient woodland habitat quality over time, and what monitoring and intervention measures would be secured through the DCO should adverse edge effects emerge after construction? The ExA also notes the comments from OCC [RR-109] and CDC [RR-024] on the need for 50m buffers. Can the applicant confirm whether a greater buffer could be provided in areas where ancient woodland is present, and what the implications for the design would be. If not, please explain and justify why.	These Ancient Woodland buffer zones will be free from development, including roads, drainage features and earthworks, with both Ancient Woodland buffers being incorporated into areas identified as Landscape/Green Infrastructure secured as such by the Parameters Plan (APP-040). With both areas of Ancient Woodland (Burntclose Copse and Kennel Copse) being situated outside of the Order limits (and, therefore, outside of the Applicant's control), future monitoring and intervention measures would be limited to the buffer and any new landscaping provided within the buffer. This would be secured through Requirement 12 of the DCO (APP-139) which requires a phase-specific habitat management and monitoring plan ("P-HMMP") to be provided and agreed with the Local Planning Authority. It is not anticipated that there is any significant risk of long-term deterioration of the Ancient Woodland condition as a result of the development. The construction phase will be carefully controlled, and suitable protection measures will be in place secured through DCO Requirement 10(2)(e), and the operational phase will see minimal change to the areas around the two woodlands, with proposed landscaping and ecological enhancement not only buffering the woodland from any adverse edge effects but potentially improving woodland condition. This follows Natural England's standing advice to apply a buffer zone of at least 15m from the mapped edge of the woodland. The Applicant has undertaken assessments of the two areas of Ancient Woodland in relation to arboriculture and ecology which identified no impacts which are likely to extend beyond the minimum 15m distance from the mapped edge of the Ancient Woodland. Potential hydrological impacts to Burntclose Copse were also assessed and it was concluded that development would ensure continuity of the existing hydrological regime within the section of

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			Gagle Brook which runs within Burntclose Copse. There were no potential hydrological impacts identified as part of the proposals that are likely to impact Kennel Copse. The application of the 15m buffer zone from the mapped edge of ancient woodland as referenced in Natural England's standing advice is standard practice and is commonly used across the development sector. The use of this buffer zone is widely accepted as an industry standard to avoid impacts to ancient woodland and has been considered and tested at numerous planning appeals (APP/D3830/A/05/1195897, APP/D3830/A/05/1195898, APP/D3830/A/06/1198282 & APP/D3830/A/06/1198283). The Applicant has assessed both areas of Ancient Woodland, and these assessments identified no impacts that are likely to extend beyond a 15m distance that would require a larger buffer zone to be provided. With respect to the comments from OCC [RR-109] and CDC [RR-024], neither provides any facts or evidence to support a larger buffer zone, with both representations suggesting that a larger 'precautionary' buffer be provided. A larger buffer is not considered necessary or proportionate, nor is it supported by evidence or common practice elsewhere. Were a 50m buffer introduced, an initial review suggests it would encroach onto construction areas on the MSRR, and some of the associated SuDS drainage features proposed on that same road corridor.
Q1.7.6	The applicant	**Ancient woodland** ES chapter 6, paragraph 6.3.62 [APP-174] identifies an area of ancient woodland alongside the Padbury Brook Tributary. Within the Construction Environmental Management Plan (CEMP), paragraph 21.19 [APP-189], a 10m buffer to the Padbury Brook would be	The area of ancient woodland identified at ES Chapter 6 Paragraph 6.3.62 is Kennel Copse. This area of ancient woodland is located adjacent to the SSSI mitigation land (land affected by the creation of calcareous grassland and lowland meadow). Other than habitat creation, the proposals only include the implementation of a bridleway in proximity to that area of ancient woodland. This bridleway is over 15m from the recorded area of

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		established. Can the applicant confirm whether a greater buffer could be provided in this location and what the implications for the design would be. If not, please explain and justify why.	ancient woodland, and the closest area of built development is approximately 275m from the edge of the ancient woodland. Given this, the Applicant concludes that the proposals will not affect this ancient woodland and that, in practice, generous buffers will be provided from any potentially harmful works. The Applicant sees no requirement or benefit to increase the buffer adjacent to other areas of the Padbury Brook.
Q1.7.7	The applicant	**Veteran tree** The Ecological Assessment identifies a veteran ash tree (T170) as a receptor of national importance and states that it will be retained and protected through the provision of an enhanced root protection buffer and construction controls. Can the applicant: a. provide evidence that this buffer is sufficient given the tree's status as irreplaceable habitat, and explain whether any works, access routes, drainage infrastructure, services, lighting or landscape works would be permitted within the buffer area during construction or operation? b. explain what provisions within the dDCO, CEMP and any subsequent management plans would secure the protection, monitoring and long-term management of veteran tree T170, and what remedial measures would be	a) Tree T170 is situated outside of the Order limits but adjacent to an existing public bridleway (109/26) which as part of the proposals would be stopped up and diverted to a new bridleway crossing over the Chiltern Main Line 400m from T170, as shown on the Access and Rights of Way Plan Sheet 05 (APP-034). The proposed buffer of 18m provided to T170 is in accordance with Government Guidance which states that for veteran trees, the buffer zone should be at least 15 times larger than the diameter of the tree or 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. There are no works, access routes, drainage infrastructure, services, lighting or landscape works proposed within the buffer during construction or operation, and the proposals will reduce the current level of access to T170, through the diversion of the bridleway which would provide a betterment for this tree. b) In light of the above, the Applicant considers there is no significant risk of deterioration in the tree's condition or damage to its veteran features which could be attributed to the proposed development. As T170 is situated outside of the Order limits, it is not included within the CEMP. <u>Additional relevant information:</u> Following dialogue with OCC and CDC held post-submission of the Application, and additional on-site assessment, a further three trees were considered to meet the definition of veteran trees under the

ExQ1	Question to:	Question:	Applicant Response
		implemented if monitoring identifies deterioration in the tree's condition or damage to its veteran features attributable to the proposed development?	NPS. Two of these trees (T150 and T152) are retained within Landscaping/ Green Infrastructure in areas secured as such by the Parameters Plan (AS-008 – see updated revision P38 for deadline 2). This landscaping/green infrastructure fully encompasses their RPA's and an applied buffer zone, with the nearest built development (a road) situated 80m and 60m respectively from these two trees. Details are provided in the updated ES Chapter 6 (Document 6.6/APP-174) and Arboricultural Assessment (Document 6.6H/APP-241) submitted at Deadline 2 with the change application. The future long-term management and monitoring of T150 and T152 would be secured through: • Requirement 12 of the DCO and a phase-specific habitat management and monitoring plan ("P-HMMP"); • suitable protection measures secured through DCO Requirement 10(2)(e) and an Arboricultural Method Statement provided as part of the phase-specific Construction Environmental Management Plan (P-CEMP), to ensure no deterioration in the trees' condition or damage to their veteran features through the implementation of the proposed development. However, the proposals will require the loss of one of the trees (T93) identified as veteran under the NPS definition, and the Applicant provides further details in the updated ES chapter (and updated Planning Statement) submitted at Deadline 2 regarding how the loss of this veteran tree is justified by 'wholly exceptional reasons' as identified by national policy. Suitable compensation is proposed through extensive new tree planting and a bespoke veteran tree mitigation strategy which forms part of the updated HMMP submitted at Deadline 2 (revision B).

ExQ1	Question to:	Question:	Applicant Response
Q1.7.8	The applicant	**Irreplaceable habitats** ES chapter 6 [APP-174] acknowledges impacts to habitats that are identified as irreplaceable or of the highest ecological importance, including ancient woodland and a veteran tree, and relies on avoidance, buffering, habitat creation and long-term management measures to mitigate those effects. Can the Applicant explain how it has demonstrated compliance with the mitigation hierarchy in respect of these irreplaceable habitats, what consideration was given to alternative designs or layouts that would further reduce impacts, and why the ExA should be satisfied that the residual effects have been minimised as far as reasonably possible?	Updated assessments of the potential effects of the proposals on NPS veteran trees and BNG veteran trees are provided through the updated information submitted at Deadline 2 (with the Change Application). Please also see the additional information provided in response to ExQ1.10.9 above. As outlined in ES Chapter 6 (APP-174; see also revision A submitted at Deadline 2), 15m buffer zones to areas of ancient woodland have been applied. Therefore, the proposals follow the requirements of the mitigation hierarchy by directly seeking to avoid harm or adverse effects on off-site ancient woodland. As referred to above, an updated veteran tree assessment and BNG veteran tree assessment have been completed and submitted. Three of the four NPS veteran trees are retained and protected, incorporated positively within green infrastructure, thereby complying with the mitigation hierarchy. The veteran tree unavoidably lost (T93) is associated with a hedgerow, the location of which, close to the centre of the site, makes avoidance and retention impossible in the context of the need to undertake significant earthworks to create the large plateau required to accommodate the terminal, buildings and other infrastructure which form the SRFI. In that context, retention is not feasible and compensation for this single loss is required. The updated assessment also identified 28 BNG veteran trees (working to a different definition to that in the NPS) identified to be removed with the majority of these trees being moribund ash tree associated with hedgerows. As above. these trees were closely associated with hedgerows and given the geographical location and requirement for significant earthworks retention of the trees is not feasible. Further details of the bespoke compensation package are provided in Appendix 4 of the updated HMMP submitted at Deadline 2 (Document 6.6K/APP-245). In simple terms, the overall package comprises the creation of a deadwood veteran tree reserve in the green infrastructure adjacent to Kennel Copse. In addition, the

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			overarching mitigation and compensation package for the site as a whole includes significant tree planting, with over 60ha of new woodland planting together with individual tree planting (Appendix B Part (i) of the updated Biodiversity Net Gain Assessment (Appendix ES6.9) submitted at Deadline 2). The provision of extensive tree planting and the long-term management of the trees under the HMMP will ensure continuity of the tree stock across the site and the provision of trees which will provide for the next generation of veteran trees locally. Given that avoidance is not possible, it is the Applicant's view that residual effects on the resource have been minimised and the proposals comply with the requirements of the mitigation hierarchy. The application of such mitigation for the loss of veteran trees is consistent with the approach taken at other approved SRFI schemes.
Q1.7.9	The applicant	**Lighting** The ES identifies a number of protected and notable species, including bats, great crested newts, badgers and breeding birds, which may be sensitive to artificial lighting. Can the Applicant explain how the lighting strategy has been designed to avoid or minimise adverse effects on these species, what evidence demonstrates that predicted lighting levels within retained habitat corridors and ecological buffers would remain below thresholds likely to disturb sensitive species, and why the ExA should be satisfied that the residual effects have been reduced to a non-significant level?	The Lighting Strategy [APP-256] details the mitigation that will be embedded into the detailed lighting designs to ensure that effects on light-sensitive species will be minimised or mitigated. This mitigation can be found within Table 9 of the Lighting Strategy [APP-256] and Table 8.10 of ES Chapter 8 [APP-176]. This mitigation is informed by guidance for the protection of light-sensitive species (specifically bats) found within the Institution of Lighting Professionals and Bat Conservation Trust Guidance Note 08/23. Through the securing of the Lighting Strategy [APP-256] this mitigation will be embedded within future lighting designs. This mitigation includes: lowering the colour temperature of light where practical, the installation of back light shields, and using lowest safe and relevant light levels. Based on a version of the Illustrative Master Plan, sample indicative light spill diagrams have been created (Appendix 8.5 [APP-260]). During the detailed design these layouts will be refined, and all the

ExQ1	Question to:	Question:	Applicant Response
			embedded mitigation will be applied to ensure that effects on light-sensitive species are minimised and mitigated.
Q1.7.10	The applicant	**Lighting and bats** The assessment identifies Ashgrove Brook, Gagle Brook and parts of the Ardley Cutting and Quarry SSSI corridor as important bat foraging and commuting routes, including for light-sensitive species such as barbastelle. Can the Applicant explain how the proposed lighting strategy has been tested against the ecological survey data, what maximum light levels would be expected within these corridors, and what monitoring and adaptive management measures would be implemented if post-construction surveys identify evidence of behavioural change or reduced use by bats?	The Applicant considers that its response to ExQ1.7.9 addresses the point raised here.
Q1.7.11	The applicant	**Lighting** What provisions within the dDCO would secure the detailed design, operation, maintenance and future modification of lighting infrastructure, and how can the ExA be satisfied that future lighting changes, replacement luminaires or operational requirements would not result in increased light spill into ecologically	Requirement 16 secures the detailed design and operation of lighting. The requirement ensures the lighting must be maintained in accordance with the approved details. The lighting on highways adopted by National Highways or Oxfordshire County Council will become part of these authorities' maintenance programmes. Any future changes in lighting in these locations will be subject to the lighting specification of National Highways and Oxfordshire County Council.

ExQ1	Question to:	Question:	Applicant Response
		sensitive areas over the lifetime of the development?	
Q1.7.12	The applicant	**Lighting** Has the Applicant assessed the potential cumulative effects of lighting in combination with other sources of artificial illumination in the wider area, including highways infrastructure, neighbouring developments and operational rail freight activities, and if so, what evidence supports the conclusion that sensitive protected species would not experience significant cumulative disturbance?	The proposed lighting for the Proposed Development has been assessed as one proposal. This includes the Highways and the Main Site. This is detailed within Table 8.13 of ES Chapter 8 (APP-176). The assessment includes neighbouring developments as part of the assessment of cumulative effects of the proposed OxSRFI lighting with other committed or proposed developments. This is found within Table 8.15 and Table 8.16 of ES Chapter 8 (APP-176). The assessment is based on the embedded mitigation detailed within Table 9 of the Lighting Strategy (APP-256) and Table 8.10 of ES Chapter 8 (APP-176). Table 8.16 of the ES Chapter contains details of how the potential for cumulative effects has been considered, and the judgements reached. Evidence is provided at Appendix 8.5 (APP-260) on the proposed restriction or avoidance of lighting effects (through design features and types of luminaire proposed) to ensure appropriate protection of sensitive areas from adverse effects as a result of OxSRFI. As set out in ES Table 8.16, many cumulative sites are remote from the OxSRFI site with few if any shared direct receptors, which either eliminates or reduces to negligible levels the likelihood of any effects.
Q1.7.13	The applicant	**Habitat loss** Taking account of habitat loss, increased recreational activity and changes in land use across the site, can the applicant explain why the ExA should be satisfied that the proposed mitigation package would maintain the favourable conservation status of notable bird and invertebrate populations, particularly skylark, barn owl and the butterfly assemblages	Notable increases in recreational pressure are not expected from this employment-led development, and consequently such effects are not anticipated from these proposals. Within the proposals, the main areas intended to provide mitigation for notable bird species are associated with the former landfill site (once restored), the SSSI grassland and the offsite bird mitigation area. Where footpaths or bridleways are located through mitigation areas, these will be fenced to minimise any disturbance to the corridor. Public access is not promoted to the offsite bird mitigation area.

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		associated with the Ardley Cutting and Quarry SSSI, and identify the mechanisms within the dDCO that would secure monitoring, adaptive management and remedial action should the anticipated ecological outcomes not be achieved?	The completed survey did not record the majority of priority butterfly species or other notable species identified on the citation for the SSSI. Notwithstanding these results the extensive grassland mitigation for the SSSI will provide enhancements for a wide range of invertebrates including the priority invertebrate species listed on the citation for the SSSI. As part of the Change Application, a farmland bird monitoring programme (e.g. Years 2, 3, 5, 10, 15, 20, 25 and 30) has been prepared and will be appended to the updated HMMP submitted at Deadline 2. The monitoring strategy allows remedial action to be fed back through P-HMMPs, following the standard practice adopted for the habitats provided under the P-HMMPs. The requirements of the P-HMMPs are secured through Requirement 12.
8.	**Geology and ground conditions**		
Q1.8.1	The applicant	**Clarification: non-technical summary** The non-technical summary (NTS) [APP-307] appears to contain two paragraphs 1.6.32: please comment and advise. With reference to the second paragraph 1.6.32, given that the NTS [APP-307] is a non-technical document, please explain a. what is CL:AIRE:DoW CoP? b. who is the Independent Qualified Person? See also paragraph 16.5 of the Construction Environmental Management Plan [APP-189].	The NTS included errors in the paragraph numbering which resulted in numbering restarting at 6.1 some considerable way through Section 6. This has been amended through an updated and corrected version submitted at Deadline 2. The paragraph in question is now 1.6.104 in the updated NTS. a) The amended NTS clarifies that the term 'CL:AIRE DoW CoP' refers to CL:AIRE's '*Definition of Waste: Development Industry Code of Practice*', and CL:AIRE stands for 'Contaminated Land: Applications in Real Environments', a body which promotes sustainable land re-use. This is a nationally recognised framework used in England and Wales to facilitate the reuse of excavated materials on development sites without those materials being classified as waste, provided certain conditions are met. The framework helps ensure that soils and other excavated materials are managed in an environmentally responsible manner and supports

ExQ1	Question to:	Question:	Applicant Response
			sustainable development by reducing the need for disposal to landfill and the import of new materials. b) An Independent Qualified Person (IQP) is a suitably experienced and accredited environmental professional who is independent of the earthworks contractor and responsible for reviewing and verifying that the requirements of the CL:AIRE DoW CoP have been met. The IQP provides an independent declaration confirming that the proposed material reuse strategy complies with the Code of Practice and relevant environmental regulations.
Q1.8.2	The applicant Natural England (NE)	**Clarification: rock exposure strategy** In paragraph 11.2.7 of the ES chapter 11 (Ground Conditions) [APP-179], NE is quoted as saying that it encourages a strategy which maintains integrity and enables re-exposure of stratigraphy if required; also that *"The strategy may include works which could … create new exposures in the rock face ..."*. However, in paragraph 11.2.8 of ES chapter 11 the applicant notes that the areas mentioned by NE are not within the designated SSSI and are not publicly accessible, being within a railway cutting. **To the applicant:** Please confirm that *"within a railway cutting"* should read *"within an operational railway cutting"* as distinct from, for example, a disused railway cutting. **To NE:**	The Applicant confirms that this should read "*within an operational railway cutting*". This has been reflected in the ES update. ES Appendix 11.10 (Document 6.11J/AS-080) directly relates to the Jurassic rock exposures in the SSSI, and the impacts the Proposed Development will have both in terms of the existing features, and the provision of new exposures. That Appendix has been updated and submitted at Deadline 2. It confirms that the creation of the new rail sidings for OxSRFI will result in a net increase in the exposed Jurassic rock faces, adding to the local examples of the same geological layers and strata which form part of the SSSI citation. The distinction suggested in ExQ1.8.2 is appropriate and accurate – many of the new exposures would be within a new operational railway cutting. This is very similar to the context of the existing exposures, albeit the location of new exposures is considered more accessible and therefore of potentially greater value in terms of study and observation.

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		Noting that the Unit 3 areas you refer to are not within the SSSI, and noting from our USI that the existing rock faces are within an operational railway cutting, please give examples of circumstances when re-exposure might be required in the future. For example, was the exposure only created when the railway was built? and is there any loss of amenity if exposures are not publicly accessible?	
Q1.8.3	The applicant	**Clarification: abbreviations** There appears to be no glossary of abbreviations in ES chapter 11 (Ground Conditions) [APP-179]. To aid understanding: a. in paragraph 11.2.19, what is a 'CSM'? b. in paragraph 11.4.36, please confirm that bgl means below ground level.	The Applicant confirms the abbreviations are as follows: • CSM = Conceptual Site Model • bgl = below ground level To aid the ExA and wider Examination, a Glossary has been added to the updated ES Chapter 11 (submitted at Deadline 2).
Q1.8.4	The applicant	**Clarification: meanings** In relation to ES chapter 11 (Ground Conditions) [APP-179] a. In paragraph 11.2.24, please confirm that dermal contact means skin contact. b. In paragraph 11.4.36, please confirm that an aquitard is a geological formation which significantly restricts groundwater flow due to its low	a) In a contaminated land assessment, 'dermal contact' is the exposure pathway whereby a person comes into direct physical contact with contaminated soil, groundwater, surface water, dust, sediment, or other affected materials through their skin. b) An 'aquitard' is a geological layer that has low hydraulic conductivity (permeability) and therefore transmits groundwater only very slowly. It can store water, but it significantly restricts the movement of groundwater between adjacent aquifers.

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		permeability, and slows the movement of water and contaminants between aquifers/groundwater bodies.	These definitions have been added to the updated ES Chapter 11.
Q1.8.5	The applicant	**Clarification: Hazardous Ground Gas Assessment** Paragraph 11.4.45 of ES chapter 11 (Ground Conditions) [APP-179], bullet point 4 states that a potential source of hazardous ground gas is at Ardley Wood Landfill approximately 10m north of the Main Site, beyond the railway cutting. Does “beyond” mean to the north or south?	The Applicant confirms that this means to the north of the site and railway cutting. This has been clarified in the updated ES Chapter 11.
Q1.8.6	The applicant	**Clarification: Ardley landfill contamination assessment** With reference to paragraph 11.4.58 of the ES chapter 11 [APP-179], please explain what PAHs and VOC are; and their significance in respect of the leachate.	PAHs are Polycyclic Aromatic Hydrocarbons, a group of organic compounds formed primarily through the incomplete combustion of organic materials such as coal, oil, fuel and waste. Some PAHs are persistent in the environment and, at elevated concentrations, may present risks to human health, groundwater and surface waters. VOCs are Volatile Organic Compounds, which comprise a broad group of carbon-based chemicals that can readily evaporate. Examples include benzene, toluene and other petroleum-related compounds. Depending on their concentration and composition, VOCs can present risks to human health and controlled waters. In paragraph 11.4.58, the reference to PAHs and trace VOCs relates to their detection within leachate present in the landfill waste mass. Their presence is consistent with the nature of historical landfill materials and does not necessarily indicate contamination of the underlying aquifer or surrounding surface waters. The significance of these compounds in the assessment is that they form part of the landfill contaminant source term and are therefore considered within the hydrogeological conceptual model and risk

ExQ1	Question to:	Question:	Applicant Response
			assessment. Ardley Landfill is regulated under an Environment Agency Environmental Permit, supported by a Hydrogeological Risk Assessment and ongoing environmental monitoring. The presence of PAHs and VOCs within landfill leachate is therefore managed through the landfill permitting regime, which assesses potential migration pathways and risks to groundwater and surface-water receptors. The leachate samples reported in ES Chapter 11 were obtained from installations completed within the landfill material and are representative of leachate conditions within the waste rather than groundwater within the underlying White Limestone Principal Aquifer. Accordingly, the presence of PAHs and VOCs in the leachate has been taken into account as part of the assessment of potential risks to controlled waters, but should not be interpreted as evidence that the aquifer itself is contaminated.
Q1.8.7	The applicant	**Clarification: unexploded ordnance (UXO)** After ES paragraph 11.4.64 [APP-179] at the foot of page 39, and before paragraph 11.4.65 on page 41, a paragraph numbered 11.4.41 has been inserted at the top of page 40 under this heading. a. this appears to be included under the bold Contamination Assessment subheading (page 36): should this be paragraph 11.4.65 rather than 11.4.41, subsequent paragraphs being renumbered to suit? b. aside from the risk of explosion, are there any contamination-related hazards associated with UXO? and	The Applicant can confirm that: a. Yes, it should have been paragraph 11.4.65, and should be a separate heading, not a sub-heading under contamination. Note: further to other updates within ES Chapter 11, the paragraph is now 11.4.79 in the updated revision A (Document 6.11) which is submitted at Deadline 2. b. No, there are no contamination-related hazards associated with UXO. c. Not applicable. This has been clarified in the updated ES Chapter 11.

ExQ1	Question to:	Question:	Applicant Response
		c. if so, what risk rating do they carry?	
Q1.8.8	The applicant	**Clarification: refuelling areas** In ES chapter 11 paragraph 11.5.20 [APP-179], what is meant by "*constructed on impermeable cover*."?	The reference to refuelling areas being "*constructed on impermeable cover*" means that refuelling operations would be undertaken only within designated areas provided with an engineered impermeable hardstanding (e.g. concrete or asphalt surfacing) that prevents fuels, oils or other hazardous substances from infiltrating into underlying soils and groundwater. These areas would be managed in accordance with the CEMP (and future phase-specific P-CEMPs where relevant) and would be provided with appropriate spill prevention and response measures, including spill kits and the immediate containment and clean-up of any accidental releases. The measure is intended to control potential contamination pathways to soil and controlled waters during construction activities. This has been clarified in the updated ES Chapter 11.
Q1.8.9	The applicant	**Clarification: ES Appendix 11.9** The current version of Appendix 11.9 to the ES is titled “Ardley Trackways Technical Note” and is marked as Rev P05 on the front cover. a. as Ardley Trackways is designated as a SSSI, it would assist understanding if this document were titled “Ardley Trackways SSSI Technical Note” b. there does not appear to be a tracked change version to enable identification of changes made since issue of revision P02 which was issued	a) Title of Appendix 11.9 The Applicant agrees that the title of Appendix 11.9 could more clearly identify the subject of the document. The document concerns the assessment of effects on the Ardley Trackways Site of Special Scientific Interest (SSSI) and, for clarity, the title has been amended to "Ardley Trackways SSSI Technical Note" and an updated version (P06) is submitted at Deadline 2. b) The P02 version included with the application submission was the version used for consultation. This was an error, subsequently corrected in the Applicant’s Response to S51 Advice. The P05 version is the revision that should have been provided with the submission (AS-080).

ExQ1	Question to:	Question:	Applicant Response
		with the application (APP-294). Please advise.	
Q1.8.10	OCC	**Clarification: ES Table 11.3** In ES Table 11.3 [APP-179] OCC says that mitigation is inadequate and is currently considered contrary to NNNPS paragraph 5.916. Should this be a reference to NNNPS paragraph 5.196?	
Q1.8.11	The applicant	**Remediation of pre-existing ground contamination** Reference is made in paragraph 11.2 of the Construction Environment Management Plan [APP-189] to remediation measures to be undertaken in accordance with Requirement 28 (Contamination risk). What is meant by “such time as is appropriate”?	The phrase "*at such time as is appropriate*" is intended to mean that the timing of remediation would be determined by the nature, extent and location of any previously unidentified contamination encountered during the construction process and the construction programme for the affected area. Where contamination is identified, the appropriate remediation measures, as informed by the geo-environmental assessment, investigations and reports, would be agreed with the Environment Agency and implemented before construction activities proceed in, or the development is brought into use within, the affected area. Verification reporting would then be undertaken on completion of the remediation works and provided to the Environment Agency in accordance with Requirement 28. The wording does not imply that remediation may be delayed indefinitely, but rather that remediation would be undertaken at the point necessary to manage the identified risks and facilitate the safe progression of the authorised development. The CEMP (Document 6.2C) has been updated to clarify this and the revised version (Rev A) is submitted at Deadline 2.
Q1.8.12	The applicant	**Remediation of pre-existing ground contamination** Reference is made in paragraph 11.4 of the Construction Environment Management Plan [APP-189] to	a) What is an “appropriate area”? An “appropriate area” refers to the area surrounding the suspected contamination that is necessary to protect human health, the environment and the integrity of the investigation. The extent of the area would depend on the nature, location and apparent extent of

ExQ1	Question to:	Question:	Applicant Response
		suspected contaminated material uncovered during the works. a. What is an “appropriate area”? b. how is such an area determined and verified? c. what is a suitable strategy? and d. what regulations and practice govern this area?	the suspected contamination and would be sufficient to prevent disturbance, exposure or migration of potentially contaminated materials pending further assessment. b) How is such an area determined and verified? The extent of the area would be determined following an initial site inspection by a suitably qualified geo-environmental specialist, taking account of visual and olfactory evidence, the nature of the suspected contamination, local ground conditions and the potential for contaminant migration. The area would be physically demarcated and secured as necessary. Verification would be undertaken through site investigation, sampling and testing, where appropriate, to establish the extent and significance of any contamination and to inform any subsequent remedial actions. c) What is a suitable strategy? A “suitable strategy” refers to a risk-based approach for the management of the identified contamination, prepared by a suitably qualified specialist. Depending on the nature of the contamination encountered, this may include measures such as further investigation, risk assessment, segregation and stockpiling of materials, treatment, removal and disposal at a suitably permitted facility, or other remediation measures. Any strategy would be agreed with the relevant regulator(s) where required and implemented in accordance with Requirement 28. d) What regulations and practice govern this area? The investigation and management of any unexpected contamination would be undertaken in accordance with relevant UK legislation, guidance and good practice current at the time, including, where applicable: • Environmental Protection Act 1990;

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			• Environmental Permitting (England and Wales) Regulations 2016; • Land Contamination Risk Management (LCRM) guidance published by the Environment Agency; • BS 10175: Investigation of Potentially Contaminated Sites; • Relevant health and safety legislation, including the Construction (Design and Management) Regulations 2015. • The purpose of these procedures is to ensure that any previously unidentified contamination encountered during construction is appropriately assessed, managed and, where necessary, remediated so that risks to human health, controlled waters and the wider environment are adequately controlled. The CEMP (Document 6.2C) has been updated to clarify this and the revised version (Rev A) is submitted at Deadline 2.
Q1.8.13	The applicant	**Pollution and contamination: governance** Paragraph 11.10 of the Construction Environment Management Plan [APP-189] refers to daily inspections of watercourse sections located in proximity to construction activities in order to detect any pollution risks, spillages, leaks or non-compliance. Noting that inspection results would be recorded on each occasion, and any requirement for remediation or other necessary action reported immediately to the Project Manager, please explain what happens next.	Where a daily inspection identifies a pollution risk, spillage, leak or non-compliance, the matter would be reported immediately to the Project Manager and the relevant environmental manager or Environmental Clerk of Works, as appropriate. The nature and severity of the issue would be assessed and immediate measures implemented to prevent or minimise any actual or potential pollution. Depending on the circumstances, these measures may include cessation of relevant works, containment and clean-up of any spill or release, repair or replacement of defective equipment, implementation of additional pollution prevention measures, and notification of the Environment Agency and other relevant authorities where required. Any corrective actions would be recorded and tracked to completion through the project's environmental management procedures. Follow-up inspections would be undertaken to verify that the issue has been satisfactorily addressed and that no residual pollution risk remains prior to the recommencement of affected activities, where applicable.

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Q1.8.14	The applicant EA	**Groundwater levels** In Table 11.2 and paragraph 11.5.7 of the ES [APP-179], EA expresses concerns about impacts on groundwater levels, private water supplies and aquifers; also about encountering Artesian conditions. **to the applicant**: what progress has been made towards addressing these concerns and agreeing the necessary EA permit? **to the EA**: noting ES paragraphs 11.4.33 to 11.4.39 and paragraph 11.5.27 [APP-179], does EA have outstanding concerns, for instance in respect of excavation and/or the possible use of piled foundations? In respect of the EA permit to be agreed, please advise on progress.	Since receipt of the EA's comments (RR-042) the Applicant has undertaken further consideration of groundwater receptors and potential hydrogeological effects, with additional information incorporated into ES Chapter 11. In particular: • Paragraphs 11.4.32 to 11.4.39 provide additional baseline information regarding groundwater conditions, aquifer designations and groundwater levels beneath the Site. • The assessment now confirms that no active licensed or private groundwater abstractions have been identified on the Application Site or within the Study Area. • Consideration has been given to the hydrogeological setting, including the presence of the White Limestone Formation Principal Aquifer and the underlying less permeable strata which act as confining layers between groundwater horizons. • Ground investigations undertaken across the Site did not identify artesian groundwater conditions. The investigations recorded groundwater levels within the anticipated geological horizons and did not indicate conditions likely to result in artesian groundwater pressures. • The assessment of potential impacts associated with earthworks and excavations has been updated, including consideration of potential effects on groundwater levels and groundwater receptors. The assessment concludes that permanent groundwater is unlikely to be encountered across the majority of the Site and that any localised groundwater encountered within the SRFI earthworks area can be managed through the proposed drainage strategy. • In relation to the former Ardley Landfill, the proposed reprofiling works will be subject to a Hydrogeological Risk Assessment and Environmental Permit requirements agreed with the EA to demonstrate protection of the underlying Principal Aquifer and surrounding controlled waters. • The Applicant therefore considers that the matters raised by the Environment Agency regarding groundwater levels, groundwater receptors, private water supplies and the

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			potential for artesian conditions have been addressed through the additional baseline information, updated impact assessment and proposed mitigation measures now included within ES Chapter 11 and the CEMP.
Q1.8.15	The applicant OCC	**Loss of mineral resource** In Table 11.3 of ES chapter 11 [APP-179] OCC disagrees with the applicant's estimate of loss of mineral resource due to the proposed development. The parties are invited to comment and give an update on the current position and its relevance to the examination.	Following receipt of Oxfordshire County Council's comments earlier in the application preparation process (at statutory consultation stage in 2025) the Applicant updated its Minerals Assessment (Document 6.11C/APP-288) prior to submission of the Application. The assessment includes: • a review of the latest geological and mineral resource information for the Site and wider area; • updated consideration of Oxfordshire's crushed rock landbank position and recent mineral planning permissions, including the permitted extension to Ardley Quarry; • revised estimates of the potential mineral resource underlying the Site based on available site investigation and geological information; and • further assessment of the practicality and viability of prior extraction in the context of the Proposed Development and relevant planning policy requirements. The assessment concludes that, whilst a potentially significant limestone resource is present beneath parts of the Site, prior extraction of that resource is not considered reasonable or practicable given the scale and programme of the Proposed Development, the extensive earthworks required, the constraints on extraction, and the nationally significant need for Strategic Rail Freight Interchanges. ES Appendix 11C includes full consideration of environmental and policy issues associated with Minerals, and the Applicant notes that local policies allow for non-minerals development within safeguarding areas where the 'economic need' outweighs sterilisation effects, or where extraction is undertaken. The assessment also confirms that the Proposed Development incorporates an extraction approach through the earthworks design,

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			whereby excavated limestone would be reused on-site as engineered fill and construction material where suitable, thereby reducing sterilisation of the resource and minimising demand for imported aggregate. The Applicant considers that the concerns raised by Oxfordshire County Council have been addressed through the submitted Minerals Assessment and that the conclusions presented represent the Applicant's current position regarding potential mineral resource loss and compliance with relevant mineral safeguarding policies. The parties are in discussion about these issues in the context of a Statement of Common Ground to be progressed and submitted in due course.
Q1.8.16	The applicant	**Rochdale envelope** In ES paragraph 11.2.15 [APP-179] you say that *"This assessment reflects one potential way to construct the earthworks following the Illustrative Masterplan."* a. how do you know that it is also the way with the greatest potential impacts and/or overall residual effects? b. how is the flexibility "built in"?	The earthworks modelling demonstrates that an overall balance of material across all of the OxSRFI works can be achieved within the parameters as shown on the Parameters Plan (Document 2.5/AS-008), notably including the rail terminal and plot levels which dictate the defined minimum finished floor levels set on the Parameters Plan alongside the defined levels for the areas of strategic mounding. The earthworks modelling that has informed the fixed parameters is shown on the Main Site Isopachyte Cut and Fill Contours Plan at Appendix 5 of the Construction Environmental Management Plan (CEMP) (Document 6.2C/APP-189).The plan shows one way in which to construct the earthworks in accordance with the fixed parameters but following the layout shown on the Illustrative Masterplan. The plan shows that earthworks will take place across almost the entirety of the Main Site. The greatest potential impacts are informed by the area within which works take place, the extent and depth of cut, which is informed by the parameters that have been set and by the type of material to be moved. The assessment that has been undertaken and presented in ES Chapter 11 (Document 6.11/APP-179) is based on the parameters that have been set out and is considered to be based on a reasonable worst case. The assessment has been undertaken having regard to the earthworks

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			modelling that demonstrates how the works could be undertaken in accordance with those parameters. The modelling therefore informs the assessment rather than fixing the parameters for it. Whilst the assessment is based on the minimum finished floor level parameters, i.e. the greatest level of cut, it is not anticipated that these minimum levels will be necessary across all parts of the site to achieve either an earthworks balance or the maximum heights of buildings required by occupiers. The flexibility referred to relates to this flexibility in finished floor levels, but also to the ability to subtly vary levels across large areas of green infrastructure to respond to variations in conditions on the site as the construction process proceeds, to achieve the appropriate design quality and to ensure an earthworks balance.
Q1.8.17	The applicant	**Construction sequence** In paragraph 11.2.15 of the ES [APP-179] it is stated that *“Construction of the rail terminal will commence, and buildings will follow in several phases.”* Does this mean that rail access would be used to construct the rail terminal and if so how? (for instance if the planned road bypasses are not in place before construction starts.)	No assumptions or proposals are made regarding use of rail (via the terminal) for the construction process. That is not the intended meaning of this sentence, which is intended only to underline that construction of the terminal will begin early in the construction programme.
Q1.8.18	The applicant	**Contamination in the vicinity of Upper Heyford Airfield** In ES paragraph 11.4.9 [APP-179] you state that *"By the 1980s, several storage tanks were present in the vicinity of the airfield ..."*. Upper Heyford airfield was opened for the Royal Flying Corps (later the RAF) in 1916. It was also in extensive use	a. Yes, potentially. The Applicant acknowledges that potentially contaminative activities at the former Upper Heyford Airfield may predate the storage tanks referred to in paragraph 11.4.9 of ES Chapter 11 [APP-179]. The reference to the 1980s relates to the point at which tanks and associated features are shown on the historical mapping reviewed by the Applicant. It is not intended to imply that potentially contaminative activities at the airfield commenced during that decade.

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		by Bomber Command throughout World War II and by the USAF in the Cold War. a. does this mean that significant ground contamination may well predate the 1980s? b. has this been taken into account in your assessment?	The Phase 1 Desk Study [APP-286] records that the airfield operated as a grass aerodrome during the First World War, that a new airfield was constructed between 1924 and 1927, and that it subsequently operated as a strategic bomber base, an RAF training facility and, between 1951 and 1994, as a USAF Strategic Air Command base. The assessment therefore recognises that activities with the potential to cause contamination occurred over a substantially longer period than the wording of paragraph 11.4.9 might suggest. b. Yes, this full operational history has been taken into account in the assessment. The Phase 1 Desk Study [APP-286] reviewed historical mapping and aerial imagery, as well as previous investigations and assessments undertaken in connection with the former airfield. Potential sources considered included the historic storage and distribution of petroleum, oil and lubricants, associated underground and partially buried tanks, pipelines, pumps and fill stands, together with the potential use of firefighting foams. The initial conceptual site model consequently identified the following potential off-site sources and migration pathways associated with the former airfield: • petroleum hydrocarbon and phenol-impacted groundwater associated with historic airfield operations and fuel storage; • potential PFOS/PFAS-impacted groundwater associated with the likely historic use of firefighting foams; and • migration of contaminated groundwater from the former airfield towards the Application Site. The desk study [APP-286] also considered the results of earlier investigations adjacent to the north-western boundary of the Application Site. Those investigations identified some petroleum hydrocarbon and phenol concentrations in groundwater, but did not identify evidence of gross site-wide groundwater contamination, distinct contaminant plumes or a significant reservoir of free-phase petroleum product. Surface-water samples collected from springs and watercourses on the Application Site were reported as being of reasonably good quality, with only occasional phenol detected.

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			Remedial works to the former petrol, oil and lubricant system are understood to have been completed in 2012, including emptying, cleaning and grouting tanks and foam-filling buried pipelines. The subsequent intrusive investigation supporting ES Chapter 11 did not identify significant contamination in soil, groundwater or surface water on the Main Site. Groundwater and surface-water samples did not contain contaminants above the relevant assessment criteria. ES Chapter 11 nevertheless retains the former airfield as a potential off-site contaminant source within the assessment and provides procedures for managing any previously unidentified contamination encountered during construction. The Applicant therefore considers that the potential for contamination arising during the airfield's operation before the 1980s has been appropriately recognised and assessed. For clarity, the wording of paragraph 11.4.9 has been amended in the updated revision of ES Chapter 11 (submitted at Deadline 2) to remove any implication that potentially contaminative activities began only in the 1980s.
Q1.8.19	The applicant	**Ground investigation** We note from ES paragraph 11.4.9 [APP-179] that the ground investigation was conducted back in 2021. a. Have there been any significant changes since then (for instance the existing Heyford Park development) which might influence your findings? b. Do you expect any significant changes in the future (for instance the planned new town)?	a. Changes since the 2021 ground investigation The reference to 2021 in paragraph 11.4.9 [APP-179] relates to the intrusive ground investigation undertaken across the Main Site, but does not represent the cut-off date for the wider ground conditions assessment. No significant physical changes have been identified within the Application Site since 2021 that would materially alter or invalidate the investigation findings or alter the ground model established by the intrusive investigation. Development at Heyford Park is outside the Application Site and would not alter the underlying geology encountered by the 2021 investigation. The potential off-site contaminant sources and migration pathways associated with the former airfield were identified in the Phase 1 Desk Study and taken into account in the conceptual site model. These include the possible migration of petroleum hydrocarbons, phenols and PFAS/PFOS through

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			groundwater and surface-water drainage pathways, which is subject to additional investigations and testing. The available information also indicates that remediation of the former airfield's petroleum, oil and lubricant system was completed in 2012. The Applicant's 2021 investigation of the Main Site did not identify significant contamination of soil, groundwater or surface water, and no groundwater or surface-water samples exceeded the relevant assessment criteria. The Applicant therefore considers that development undertaken at Heyford Park since 2021 does not materially change the conclusions of the assessment. This conclusion does not remove the need for further investigation, as is standard for construction on such sites. As explained in ES Chapter 11: Ground Conditions [APP-179], detailed design-stage investigation will be undertaken where required to confirm conditions relevant to individual development phases, earthworks, foundations and infrastructure. Procedures are also secured through the CEMP and Requirement 28 for the investigation and management of any previously unidentified contamination encountered during construction. b. Potential future changes, including the planned new town The proposed development at Heyford Park, including the consented development of 1,175 dwellings and the 'new town' of approximately 9,000 homes, has been considered in the cumulative effects assessment presented in ES Chapter 11: Ground Conditions [APP-179]. As the 'new town' is not a committed development, the assessment was based on information available at the time. The additional proposal for the 'new town' would be located outside the Application Site and is not expected, in itself, to alter the geology or contamination conditions beneath the Proposed Development. Any development of the former airfield would be subject to its own planning, investigation, remediation, drainage and environmental control requirements. On that basis, it should not result in an unmanaged new source of contamination affecting the Application Site.

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			There is potential for future development to alter local drainage, groundwater recharge or groundwater flow conditions. However, the effects would depend on the final design, drainage arrangements, construction programme and mitigation associated with that development. The Applicant will continue to review the status and available environmental information for relevant surrounding developments. If a material change occurs before construction, the ground model and conceptual site model will be reviewed as part of the detailed design-stage ground investigation and risk assessment. Appropriate additional investigation, monitoring or mitigation could be incorporated if necessary. Accordingly, the Applicant does not expect the existing or currently proposed development at Heyford Park to materially alter the conclusions of ES Chapter 11: Ground Conditions.
Q1.8.20	The applicant	**Ardley landfill: leachate conditions** With reference to ES paragraph 11.4.36 a. how do you know that the leachate from the landfill material is not polluting the groundwater below? b. noting that Gagle Brook runs along the eastern edge of Ardley landfill, has it been tested for leachate?	a. Potential pollution of groundwater The Applicant does not rely solely on the observations of leachate reported in paragraph 11.4.36 to conclude that the landfill is not polluting the groundwater beneath it. Ardley Landfill remains subject to an Environmental Permit regulated by the EA. The protection of groundwater and surface water from the landfill, including the monitoring and management of leachate, forms part of the environmental permitting regime rather than the planning regime. The landfill operator is required to undertake monitoring in accordance with the Environmental Permit and to report the results to the EA. The EA may require investigation or corrective measures if that monitoring indicates an unacceptable impact. The proposed reprofiling works would remain subject to the environmental permitting regime. A Hydrogeological Risk Assessment will be required to support the necessary variation or replacement of the Environmental Permit. This will consider the landfill source term, groundwater conditions, potential contaminant pathways and receptors, including the underlying Principal Aquifer

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			and surrounding watercourses. The final design will include appropriate containment and management measures, including a low-permeability cap to limit infiltration and an appropriate leachate management system. These measures, together with the associated monitoring arrangements and intervention requirements, will be agreed with the EA through the permitting process. b. Gagle Brook Gagle Brook is recognised in the ES as a controlled-water receptor. It runs along the eastern edge of Ardley Landfill and is hydraulically downgradient of the relevant part of the landfill. The Applicant has not carried out testing, but the potential for the brook to be affected by leachate is a matter for the landfill's Hydrogeological Risk Assessment and Environmental Permit monitoring arrangements.
Q1.8.21	The applicant	**Ardley landfill: ground gas** With reference to ES paragraphs 11.4.46 and 11.4.62 *"the proposed earthworks will disturb current management measures."* [APP-179]: a. are carbon monoxide, nitrous oxides and particulate matter also present? b. what will the effects on current gas management measures be? c. how will current gas management measures be managed during excavation and then stabilised afterwards?	a. Landfill gas comprises principally methane and carbon dioxide, but may also contain trace gases including carbon monoxide, hydrogen sulphide, ammonia and volatile organic compounds (VOCs). Nitrous oxides are not typically significant constituents of landfill gas, and particulate matter is associated with earthworks activities rather than landfill gas itself. b. The reference to disturbance of current management measures relates to the potential need to temporarily modify, relocate or replace existing gas extraction wells, pipework and monitoring infrastructure during landfill reprofiling works. c. The landfill will remain subject to Environment Agency permit and landfill gas management requirements which are currently in place. Existing gas infrastructure will be identified prior to excavation and managed through a phased programme of relocation or replacement, supported by ongoing gas monitoring and temporary control measures where required. Following completion of the earthworks, a permanent gas-management system will be incorporated into the final landfill profile and cap to ensure continued control and monitoring of landfill gas.

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Q1.8.22	The applicant	**Ardley landfill: contamination assessment** With reference to ES paragraph 11.4.52 [APP-179], please explain how attenuation and dispersion will reduce the concentrations to acceptable levels before the water reaches the aquifer.	Ardley Landfill is regulated under an Environmental Permit issued by the Environment Agency. The permit is supported by an approved Hydrogeological Risk Assessment which identifies the landfill as operating within a dilute and disperse hydrogeological setting. In this context, the reference in paragraph 11.4.52 to attenuation and dispersion reflects the existing permitted hydrogeological conceptual model for the landfill. Under that model, any leachate migrating from the waste is subject to contaminant-specific attenuation and dispersion as it moves through the underlying and surrounding geological and hydrogeological environment. Relevant processes may include sorption, biodegradation, precipitation or immobilisation, dilution and hydrodynamic dispersion. The permitted Hydrogeological Risk Assessment considers the landfill source term, underlying geology, groundwater conditions, contaminant pathways and relevant controlled-water receptors. It provides the basis upon which the EA has determined the existing landfill operations to be acceptable, subject to the conditions, compliance limits and monitoring requirements of the Environmental Permit. The Applicant acknowledges, however, that the wording of paragraph 11.4.52 is imprecise in stating that attenuation and dispersion will occur *"before the water reaches the aquifer"*. In a dilute and disperse setting, attenuation may occur within the unsaturated zone and underlying strata, while dilution and dispersion may also occur within the saturated aquifer. The relevant consideration is therefore not whether all leachate is prevented from reaching the aquifer, but whether any discharge complies with the Environmental Permit and does not result in an unacceptable effect on groundwater or other controlled-water receptors. The proposed landfill reprofiling will remain subject to the environmental permitting regime. Any necessary permit variation will be supported by an updated Hydrogeological Risk Assessment which will assess whether the existing dilute and disperse

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			conceptual model remains applicable and whether the proposed works alter the landfill source term, infiltration, leachate levels, contaminant pathways or risks to groundwater and surface water. Any revised containment, leachate-management, monitoring, compliance and intervention requirements will be agreed with the EA through that process. Paragraph 11.4.52 has therefore been amended as part of the Deadline 2 submission (please refer to paragraphs 11.4.56 and 11.4.57 within rev A of Document 6.11) to clarify the relationship between the leachate results, the existing permitted Hydrogeological Risk Assessment and the environmental permitting controls.
Q1.8.23	The applicant	**Ashgrove Farm contamination assessment** ES paragraph 11.4.52 [APP-179] makes reference to former and current fuel and oil storage uses, and also to the existing IVC Facility currently operated by Biffa and to the underground reservoir and says that these were not accessed. a. how do you know that there is no contamination? b. how has contamination from previous uses been assessed?	a. Basis for assessing whether contamination is present The Applicant has not assumed that contamination is absent at Ashgrove Farm. The assessment presented in ES Chapter 11 is based on the Phase 1 Desk Study, site reconnaissance and intrusive investigation undertaken in accessible areas. Potential contamination sources identified include fuel and oil storage and handling activities, the IVC and the underground reservoir. The operational areas of the IVC facility and underground reservoir could not be accessed for intrusive investigation due to operational and health and safety constraints. The absence of investigation data in these areas is therefore recognised as a residual uncertainty within the conceptual site model. However, investigations completed to date have not identified significant contamination in accessible areas that would prevent the Proposed Development proceeding. Any previously unidentified contamination encountered during construction would be managed through the unforeseen contamination procedures and remediated where necessary. b. Assessment and management of contamination from previous uses Potential contamination has been assessed using a source-pathway-receptor approach, taking account of former and current

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			fuel and oil storage, IVC operations, drainage infrastructure, made ground and the underground reservoir. The IVC facility operates under an EA Environmental Permit and will be decommissioned in accordance with permit requirements. This process will include condition and dilapidation surveys and intrusive investigation of currently inaccessible areas, where appropriate. The Applicant does not rely on an assumption that these areas are uncontaminated. The decommissioning process, supplementary investigation, risk assessment and any necessary remediation and verification provide the mechanism for confirming and managing ground conditions before redevelopment.
Q1.8.24	The applicant	**Smiths Ardley Dewars Farm Quarry** ES paragraph 11.4.65 [APP-179] states: *"The construction of the Middleton Stoney Relief Road will not impact the ability of the existing and operational Ardley/Dewar's Farm Quarry to excavate the full extent of the rock which as (sic) permitted in 2018."*. Please explain a. the reference to 2018 b. whether this statement will still apply at the time of construction.	a. Reference to 2018 The reference to 2018 relates to planning permission 18/01610/CM, which was granted on 26 October 2018 for the continuation of limestone and clay extraction at Smiths Ardley/Dewar's Farm Quarry. The permission allowed quarrying activities to continue until 2028, with restoration commencing in 2029. Since the Minerals Assessment (Document 6.11C/APP-288) accompanying ES Chapter 11 was originally prepared, a further extension to the quarry has been approved. Planning permission MW.0049/23, granted in May 2025, permits the extraction of approximately 2 million cubic metres of limestone and is expected to extend extraction at the quarry by approximately eight years. The reference in paragraph 11.4.65 solely to rock permitted in 2018 is therefore no longer complete and has been updated in the updated ES Chapter 11 (see paragraph 11.4.80 of rev A, Document 6.11) submitted at Deadline 2, to acknowledge the subsequent permission. The relationship between the permitted quarry areas and the Middleton Stoney Relief Road is shown on Figure 4.1 of the Minerals Assessment (Document 6.11C/APP-288 – note: the figure is referred to as Figure 4.1 in the text (paragraph 5.7) but is incorrectly labelled as 5.1 in the figure heading).

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			b. Position at the time of construction The latest design of the Middleton Stoney Relief Road has been reviewed against the extent of the existing quarry and the extension permitted in May 2025. Figure 4.1 of the Minerals Assessment (Document 6.11C/APP-288) shows that the proposed relief road lies outside the currently permitted mineral extraction areas. On the basis of the permissions and road alignment currently approved and proposed, construction of the relief road would not prevent the extraction of the full extent of the limestone presently permitted at Smiths Ardley/Dewar's Farm Quarry. The Applicant therefore considers that the statement remains valid in relation to the quarry extraction areas currently permitted. However, paragraph 11.4.65 has been amended in the updated ES Chapter 11 (see paragraph 11.4.80 of rev A, Document 6.11) which is submitted for deadline 2, to refer to both the 2018 permission and the extension granted in May 2025 and to avoid implying that the position could not be affected by any future change to the quarry permissions or the relief-road alignment.
Q1.8.25	The applicant	**Landfill gases** With reference to ES paragraph 11.5.8 [APP-179]: a. are any other gases produced (eg due to partial oxidation, incomplete chemical reactions)? b. if so, are they (like methane) toxic and/or explosive? c. what does the active ground gas management system do at present and how will it be affected? d. will open-air excavation help during construction? and	a. Other gases produced Landfill gas comprises principally methane and carbon dioxide but may also contain trace concentrations of gases such as hydrogen sulphide, carbon monoxide, ammonia and volatile organic compounds (VOCs). The composition of landfill gas is monitored and managed through the landfill's Environmental Permit and Landfill Gas Management Plan. b. Toxicity and explosive characteristics Whilst methane presents the principal flammability and explosion risk, other landfill gas constituents can present toxicity, asphyxiation and odour risks. Accordingly, landfill gas management considers the full range of potential gas hazards rather than methane alone. c. Existing gas-management system and potential effects Ardley Landfill is currently managed by an active gas extraction system comprising gas wells, pipework and treatment infrastructure (i.e. combustion within a gas engine). The proposed reprofiling

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		e. what happens during operation of the proposed development?	works may require localised relocation or replacement of parts of this infrastructure. However, the works will be phased to ensure effective gas management is maintained at all times. d. Effect of open-air excavation during construction Open-air excavation will assist the natural dilution and dispersion of landfill gases, reducing the potential for gas accumulation. However, it will not be relied upon as the sole control measure. Construction will be supported by gas monitoring, protection of gas infrastructure, phased excavation, control of ignition sources and appropriate emergency procedures where required. e. Management during operation Following reprofiling, the landfill will continue to be managed through an engineered capping and gas-management system, incorporating gas extraction, monitoring and treatment infrastructure. Any modifications will be developed in consultation with the landfill operator and managed through the Environment Agency permitting regime. Where required, additional gas-protection measures for buildings and services will be incorporated following site-specific ground-gas risk assessment. The Applicant therefore considers that landfill gas can be appropriately managed during both construction and operation through the continued implementation of active gas-management measures, monitoring and regulatory controls.
Q1.8.26	The applicant EA	**Ardley Landfill: remediation strategy** Paragraph 11.5.9 of the ES [APP-179] says that *"For works within Ardley Landfill, a detailed Remediation Strategy will be prepared to meet EA requirements and comply with EA permit / licensing requirements"* and	The use of the term 'Remediation Strategy' in Paragraph 11.5.9 is misleading, as this terminology has a specific meaning with regard to land contamination. Rather, this should have said 'a detailed Reprofiling Strategy', which will need to draw upon the detailed design and the list of items required under the permitting regulations. The Applicant can confirm that the works associated with the Ardley Landfill reprofiling will be undertaken in accordance

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		that *"ES Appendix 13.1 Landfill Reprofiling Technical Note provides an overview of the works proposed."*. With reference to licensing and any other requirements, what has been agreed, and what is outstanding/not agreed?	with a construction methodology that will be approved by the EA under the permitting regulations. Although the EA has agreed in principle to the reprofiling, there are a number of items that will need to be developed following the grant of the DCO. These items are: the final detailed design; the final form and content of the risk assessments; confirmation of the precise permitting mechanism; and the detailed permit conditions and monitoring requirements. Requirement 30 of the DCO ensures that the permit arrangements must be in place before the landfill works can commence.
Q1.8.27	The applicant	**Off site disposal** Paragraph 11.5.10 of the ES [APP-179] refers to off site receiver sites. Could the Ardley landfill site and other parts of the proposed development be used to dispose of material without it having to be transported off site?	The Ardley Landfill site is closed and will not be reopened for the reception and disposal of new waste as part of the proposed development. The Proposed Development has been designed to maximise the beneficial reuse of excavated material within the Order limits (i.e. on the site of origin) and to achieve an overall cut-and-fill balance, subject to material suitability and construction phasing.
Q1.8.28	The applicant	**Asbestos at Ashgrove Farm** Paragraph 11.5.13 of the ES [APP-179] refers to the demolition of existing structures and a pre-demolition asbestos survey. Will this include all asbestos, including in the retained part of Ashgrove Farm? If not, what is proposed?	An asbestos survey will also be carried out in relation to the retained part of Ashgrove Farm. The Central Hub Design Approach Document (Document 5.5B/APP-167) identifies one retained structure (Building 12: Stable Range) where asbestos is present and its replacement is recommended. Asbestos from the Central Hub will be disposed of in line with the principles established in the Construction Environmental Management Plan (Document 6.2C/APP-189).
Q1.8.29	The applicant	**Jurassic rock exposure** With reference to ES paragraph 11.5.13 [APP-179] and ES Appendix 11.10 [AS-081], some exposed rock	a. Origin of the existing rock exposure The existing rock face alongside the Chiltern Main Line is understood to have been created during construction of the railway cutting. Together with the adjacent quarry exposure, it forms part of

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		face will disappear but some will be created by the proposed development. a. Presumably the rock face was originally exposed when the railway was constructed? b. How do you know that the quality of the newly exposed rock face will be as good as existing and how would this be secured?	the geological interest for which the SSSI was designated. The separate exposure within the northern part of Ardley Landfill is associated with former quarrying activities. b. Quality and securing of the replacement exposures The proposed replacement exposures are expected to provide geological sections of equivalent value because they would be created within the same White Limestone Formation, at a similar elevation and within 20-30 m of the existing exposures. Geological mapping and cross-sections indicate that the same stratigraphic sequence would be exposed and no identified stratigraphic horizons would be lost. The new exposures would generally be larger than those removed, with approximately 575 m of new rock face created compared with approximately 380 m removed, resulting in a net increase in exposed rock face. Freshly excavated sections may also provide improved visibility of geological features compared with existing weathered and vegetated faces. Paragraph 22.1 of the CEMP ensures that a method statement is to be agreed with Natural England and included within the relevant P-CEMP.
Q1.8.30	The applicant	**Assessment of likely effects - construction phase** Paragraph 11.5.21 of the ES [APP-179] says that there will be *…"up to 12.0m of cut required in places."* Clarify which places? Our understanding is that there is a maximum of only 8m at Ardley landfill.	The reference in paragraph 11.5.21 to "*up to 12.0 m of cut required in places*" relates to the maximum anticipated excavation depth across the Main Site as a whole. It does not refer specifically to excavation within Ardley Landfill. The earthworks model indicates that the deepest areas of cut are located principally within and around the proposed Railfreight Port, where excavation is required to create the rail and development formation levels. Localised cut depths in this area are anticipated to be up to approximately 12 m.
Q1.8.31	The applicant	**Ardley landfill: variation of current waste licence**	The proposed variation would be permanent. The current agreement with the EA is that the landfill reprofiling works would be

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		Paragraph 11.5.24 of the ES [APP-179] says that …*"remodelling of the landfill will be required so that the final developed area of the Application Site does not fall within the EA licensed landfill area. The current proposal … will require a variation of the current waste license (sic). Discussions have been held with the EA to agree the exact mechanism and requirements for this …"*. a. Is this variation temporary or permanent? b. Please give an update on the discussions and any requirements, and how and where these are secured.	undertaken under a variation of the existing Ardley Landfill environmental permit. Once all of the waste has been removed from the area required for the new rail link, and agreed by the EA, the relevant area would be partially surrendered so that the new rail connections and principal access lie outside the revised permit boundary, while the remaining landfill continues to be regulated under the varied permit. Discussions with the EA are ongoing, including in relation to the Statement of Common Ground. The EA has provided a comprehensive list of information that is required to progress the permit application, some of which is reliant on the grant of the DCO, with the permit application following.
9.	**Habitats Regulations Assessment (HRA)**		
Q1.9.1	The applicant Natural England	**Conclusions** Annex I of this document summarises the ExA's understanding of the conclusions of the applicant's HRA screening exercise (from [AS-074]) and the level of agreement with Natural England (as per [RR-101]). Can both parties review the ExA's position summary table and confirm this is an accurate representation or make any amendment through tracked changes to the word version provided (see page 2 for link to word version).	The position adopted by the ExA at Annex A of this document provides an accurate representation of the conclusions of the submitted sHRA (AS-074). This reflects the view of the Applicant and that of Natural England (response dated 3 July 2026, RR-101). The Applicant has prepared an updated sHRA as part of its Change Application and NE will be reconsulted on this. As the amendments to the sHRA are largely procedural, changing the boundaries of the Order limits and updating the assessment to reflect ExQ1.9.2, the changes do not alter the overriding conclusion reached in the sHRA or those reflected at Annex A. Given this, the Applicant is not expecting NE to alter its response following review of the updated sHRA.

ExQ1	Question to:	Question:	Applicant Response
Q1.9.2	The applicant	**Oxford Meadows Special Area of Conservation (SAC)** Shadow HRA table 3 [AS-074] suggests that the affected road network lies beyond 200m from the Oxford Meadows SAC; however ES chapter 4 (paragraph 4.2.70) [APP-172] suggests the SAC is located in proximity to multiple affected roads. a. Provide figures denoting the (worst case) affected road network for construction and operation in relation to the Oxford Meadows SAC. Clarify in writing whether the affected road network lies within 200m of the SAC during either phase. b. Provide a figure of the SAC in relation to the rail routes discussed in Shadow HRA table 3 [AS-074] to evidence scoping out emissions from rail freight.	From an air quality perspective, the 'affected' road network was determined by comparing traffic data against the traffic change criteria provided in DMRB guidance, as set out in Sections 4.2.45 to 4.2.49 of ES chapter 4 [APP-172]. The reference to the Oxford Meadows SAC within paragraph 4.2.70 [APP-172] was included to emphasise that for some ecological receptors, multiple transects were used where receptors were adjacent to multiple roads. Section 4.2.48 of the ES confirms the SAC was included within the operational phase traffic impact assessment despite **not** being located within 200m of the 'affected' road network. The SAC was included due to its key ecological designation, with the objective being to provide additional robustness regarding the assessment of air quality impacts at this site. Construction Phase The OxSRFI construction traffic flows are presented at Appendix 37 of the Transport Assessment [AS-064]. The greatest construction traffic flows would occur in year 3 (2030), when 419 daily HGV movements and 783 daily light vehicle movements are forecast to be generated. An assessment of the construction traffic flows beyond the A34 to the south on M40 J9 is not provided. However, if that construction traffic did pass adjacent to the Oxford Meadows SAC area, it would mean a daily construction traffic flow of up to 72 HGVs and 70 light vehicles on the roads adjacent to the SAC. There would be some dispersal of traffic between the M40 J9 and the Oxford Meadows SAC and hence this approach represents a robust 'worst case' assessment. The table below extracts the 2031 reference case traffic flow provided in Transport Assessment Appendix 48 (AS-065) for the A40 and A34 (the roads adjacent to the Oxford Meadows SAC). Based on these traffic flows, neither of these roads would be defined as 'affected' roads in accordance with the DMRB criteria.

ExQ1	Question to:	Question:	Applicant Response

Link reference (from TA Appendix 48)	*Description*	*2031 Reference Case (daily flow)*		*OxSRFI construction traffic (worst case assessment assuming all A34 traffic passes SAC)*		*OxSRFI construction traffic as % of reference case (worst case assessment assuming all A34 traffic passes SAC)*	
		Total traffic	*HGV*	*Total traffic*	*HGV*	*Total traffic*	*HGV*
1.1	*A40 Northern By-Pass Road, west of Wolvercote Roundabout*	*25142*	*2110*	*142*	*72*	*0.56%*	*3.4%*
1.13	*A34 Southern By-Pass Road, between A420 and Woodstock Road*	*84113*	*7805*	*142*	*72*	*0.17%*	*0.92%*

In accordance with IEMA Guidelines a change in traffic flows of less than 10% would not be discernible as background traffic flows can fluctuate by this amount daily.

Operational Phase

The operational development would increase AADT flows by 155 vehicles (2 LDVs and 153 HDVs) on the section of the A40 Northern By-pass Road which passes the Oxford Meadows SAC and 150 vehicles (59 LDVs and 91 HDVs) on the section of the A34 Western By-pass Road which passes the SAC (scenario DS3A, P1280 of

ExQ1	Question to:	Question:	Applicant Response
			6.3A.11 ES Appendix 3.1 Transport Assessment - part 11 of 11 - Appendices 44 -76 [AS-065]). As the predicted operational phase traffic increases on these roads do not exceed the DMRB criteria, these roads are similarly not defined as 'affected roads'. The Change Application submitted at Deadline 2 includes an updated sHRA.
10.	**Historic environment**		
Q1.10.1	The applicant	**NNNPS** Can the Applicant explain how the applicant's assessment has demonstrated compliance with paragraph 5.218 of NNNPS, in particular: a. how the proposed development would sustain and, where appropriate, enhance the significance of affected heritage assets and the contribution made by their settings b. what assessment has been undertaken of the extent to which the conservation of heritage assets would contribute positively to sustainable communities, including economic vitality c. how the proposed development would make a positive contribution to the character and local distinctiveness of the historic environment	The Applicant's assessment demonstrates compliance with paragraph 5.218 of the NNNPS as set out below. a. The proposed development has been informed by the heritage considerations of the Site and surrounding area from the outset. Chapter 10 of the ES also sets out how impacts from the proposed development on sensitive heritage assets have been minimised through appropriate and informed mitigation embedded within the Parameters Plan (APP-040). The methodology utilised in the assessment of the impact of the proposed development on heritage assets as well as the formulation of mitigation measures is in accordance with relevant guidance, namely GPA2 (Historic England, 2015) and GPA3 (Historic England, 2017) and follows the mitigation hierarchy. The proposed development recognises the opportunity to provide a sustainable use for the heritage assets at Ashgrove Farm within the Site, and delivers the repair, retention and conversion of the Grade II listed Barn alongside the reuse and integration of the non-designated farmstead within scheme. Whilst the proposed development will result in a low level of harm to their significance through the loss of its wider farmland setting, the benefits of utilising Ashgrove Farm as the Central Hub include the protection and maintenance of a statutory Listed Building as well as increased access and engagement with these assets by those who access the services and facilities they will provide.

ExQ1	Question to:	Question:	Applicant Response
		d. how considerations of scale, height, massing, alignment, materials, land use and landscaping, including screen planting, have influenced the design of the scheme to avoid, minimise or offset harm to heritage assets and their settings.	b. The conclusions of ES Chapter 10 (see Document 6.10/APP-178 (note: updated revision A submitted at Deadline 2)) consider the opportunities the creation of the Central Hub at Ashgrove Farm realises for achieving sustainable communities. The provision of a wide range of uses at Ashgrove Farm which complement the operation of the wider scheme would positively contribute to the social benefits of the scheme, with services and facilities relating to health, wellbeing and education intended to be available. The large area of retained space to the east of the main farmstead complex also provides a range of recreational uses alongside delivering appropriate mitigation through the retention of open land within this part of the farmstead's setting. The use of Ashgrove Farm as the focus for the social hub of the scheme also recognises the environmental benefits that retaining and utilising historic buildings has and the positive impacts this has for creating a sense of place and identity within the scheme. Section 5 of ES Chapter 12 (APP-180) also includes the proposals for the Central Hub within the assessment and sets out the positive impacts this element of the OxSRFI scheme will have in terms of health for employees on the site and also as additional employment opportunities. c. The Applicant's assessment of heritage impacts acknowledges there would be low levels of residual harm to a number of assets which cannot be entirely mitigated through the design of the scheme. However, where opportunities to celebrate their significance and how this can contribute to character and local distinctiveness exist these have been incorporated at the heart of the scheme and considered as part of the assessment of impacts. This primarily relates to the use of Ashgrove Farm as the Central Hub where services and facilities that complement the operation of the proposed development will be accessed. The visual and physical break which the farmstead affords as part of the movement along the central spine road creates a distinct character along the roadside, with the glimpsed views of the buildings through the proposed landscaping allowing for a tangible appreciation of the agricultural history of the buildings and this area. The use of local

ExQ1	Question to:	Question:	Applicant Response
			materials and architectural detailing evident in the buildings also provides those passing through or directly accessing them with a strong grounding of its Oxfordshire location. This contributes not just to the understanding of the intrinsic significance of the farmstead itself but also places it within its wider geographic surroundings. d. Please see the Applicant's responses to the Design questions (ExQ1.6), which help to explain that the design process has been iterative and has responded to the environmental assessment process including taking account of heritage effects. With regard to landscaping, the open space around Ashgrove Farm ensures the farmstead can still be experienced within an open setting. Notwithstanding that the route between them will be severed by the rail corridor, this open space also assists with retaining the ability to discern the relationship between the main farmstead and Ashgrove Cottages to the east. Structural planting and bunding around the Central Hub have also been proposed to reduce the visibility of the proposed development to the north, south and west. In respect of RAF Upper Heyford Conservation Area (BHR8), specific mitigation has been introduced to reduce the level of impact on this asset from the scheme. This relates to the proposed reduced height of the bund to align with the runway and absence of planting in this area to ensure a sense of the open sky above remains appreciable and continues to contribute to its significance. This approach was taken further to engagement and agreement with Historic England (see RR-058). The large areas of landscape and green infrastructure to the north and south of the Site provide mitigation in respect of Troy Farmhouse (BHR4), Lodge Farmhouse (BHR5), Middleton Park (BHR6) and Ardley Conservation Area (BHR7). This ensures any visibility of the proposed development from or in conjunction with these assets would be beyond the intervening open area and softened by the planting alongside areas of bunding.

ExQ1	Question to:	Question:	Applicant Response
Q1.10.2	The applicant	**Assessment methodology** Table 10.3 of ES chapter 10 [APP-178] defines heritage receptor sensitivity using the categories "*High, Moderate, Low, No Importance and Unknown*", whereas Table 10.4 [APP-178] assesses significance of effect using the categories "*High, Medium, Low and No Importance*" for sensitivity. Can the applicant clarify whether the terms "*Moderate*" and "*Medium*" are intended to represent the same level of sensitivity? If so, can the applicant explain why different terminology has been used within the assessment and confirm that this has not affected the assessment of effects or the conclusions reached in respect of the significance of impacts on heritage receptors.	Yes, the Applicant can confirm that Moderate and Medium are intended to represent the same level. The difference in terminology is human error, but the change in wording does not affect the conclusions of the ES Chapter as submitted. In any event, Chapter 10 has been updated at Deadline 2, and this inconsistency has been addressed.
Q1.10.3	The applicant	**Barn approximately 30m north of Ashgrove Farmhouse (BHR1)** ES chapter 10 (Heritage – Built and Archaeology) [APP-178] concludes that the Grade II Listed Barn north of Ashgrove Farmhouse (BHR1) would experience less than substantial harm (paragraph 10.6.5 and Table 10.8) arising principally from the loss of its wider agricultural setting. Can the applicant identify the public benefits relied upon to outweigh that	The heritage benefits arising from the scheme relate to the retention and conversion of Ashgrove Farm which comprises the Grade II listed Barn as well as the non-designated farmhouse and wider farmstead. The restoration of the Grade II listed Barn will secure and protect the remaining historic fabric as well as the building's role as part of the legibility of the farm complex, thereby protecting its contribution to the local heritage interest of the non-designated heritage assets. The scheme also provides a sustainable use for the Listed Building which is presently redundant due to its condition and modern farming practices. The uses proposed for the farmstead also mean there will be a high level of engagement and access to these buildings.

ExQ1	Question to:	Question:	Applicant Response
		harm, distinguishing between heritage and non-heritage benefits, and explain why those benefits would be sufficient to justify the permanent change to the Barn's historic rural context.	Wider public benefits for the OxSRFI scheme are set out in Section 6 of the Planning Statement (APP-161; updated to revision A at Deadline 2).
Q1.10.4	The applicant	**Barn approximately 30m north of Ashgrove Farmhouse (BHR1)** Which specific elements of historic fabric within BHR1 would be lost, altered or replaced as part of the proposed restoration, conversion and change of use? Explain how the applicant has applied a heritage-led design approach to avoid, minimise and justify those interventions, while preserving the building's significance.	Detailed plans showing the extent of loss, repair and retention are provided on plans within drawing series 2.14 (refs. AS-022 to AS-045). The main area of historic fabric that will be lost constitutes the roof covering; however, the original roof structure will be retained. Areas of modern alterations will also be addressed including a series of lean-tos which will be demolished (AS-038). This reinstates the historic footprint, improving the legibility of the original structure. There is no loss of fabric proposed to the interior which will remain a single open space. A floating floor allowing for the preservation of the historic floor is proposed to be installed; although this conceals the present floor it retains existing fabric whilst allowing the proposed public use of the building. The detailed approach to the proposed works to the BHR1 are set out in the Design Approach Document: Central Hub (APP-167). The iterative approach to the repair and conversion of BHR1 has been informed from the outset by an understanding of the significance of the building alongside a thorough condition survey and structural assessment of the surviving fabric. This provides the robust foundation needed to understand how much important historic fabric is viable for reuse and where sensitive interventions would be required to facilitate the reuse of the building.
Q1.10.5	The applicant	**RAF Upper Heyford Conservation Area and Ardley Conservation Area** Can the applicant explain which aspects of the settings of RAF Upper Heyford Conservation Area and Ardley Conservation Area contribute	RAF Upper Heyford Conservation Area ES Chapter 10 (see revision A of Document 6.10 for deadline 2) provides a detailed assessment of the elements of the setting of the RAF Upper Heyford Conservation Area that contribute to its significance. This identifies that the significance of the Conservation Area as a USAF SAC base during the Cold War means that it was

ExQ1	Question to:	Question:	Applicant Response
		to their significance, how those settings would change as a result of the proposed development, and what mitigation measures are proposed to avoid or minimise harm.	not intended to interact with, or be integrated into, its surroundings. Although the surroundings of the airbase would have played some role in determining its location, the ability to understand its historic function and operations is largely vested in the architectural interest and arrangement of the designated area itself. Some aspects provide a greater understanding of the operation of the airbase, for example the open land to the east and west which reinforces the experience of the runway as planes took off and landed. As such, its setting makes only a limited contribution to its significance. The Application Site shares no functional association with the Conservation Area. Although there is some visibility of a number of structures within the airbase from the northern area, these views provide no appreciation of the layout or overall significance of the Conservation Area. In respect of the historic operation of the airbase, a small area of the Main Site is located adjacent to the eastern end of the runway and its present open qualities are considered to make a positive contribution in respect of the ability to appreciate the historic experience of the runway. The masterplanning and proposed mitigation within this part of the Site actively responds to the sensitivities associated with the view from the eastern end of the runway. The proposed landscaping includes a reduction in the height of the bund at the terminus of the runway, and this will remain absent of tree planting thereby ensuring the experience of openness at the end of this view will be retained. The impact from the development on the significance of the RAF Upper Heyford Conservation Area would therefore be low by virtue of the nature of its contribution to its significance and as a result of the embedded mitigation measures. <u>Ardley Conservation Area</u> As set out in ES Chapter 10 (see revision A of Document 6.10 for deadline 2), the setting of Ardley Conservation Area comprises a number of elements. To summarise, the agricultural fields and woodland to the south, east and west contribute to the

ExQ1	Question to:	Question:	Applicant Response
			understanding of the Conservation Area as a rural settlement. However, this is limited in some respects due to the softening and screening resulting from the trees and hedgerows within and around the edges of the Conservation Area and visibility of the surrounding land is consequently limited. The residential development to the north detracts from the ability to appreciate Ardley as a distinct settlement from Fewcott which it now adjoins. The agricultural land to the south of the Conservation Area was cut through by the railway in 1910, but the location of the railway within a cutting and the intervening planting means there is a low visual impact. Overall, it is considered that the historic, archaeological and architectural interest of the Conservation Area is principally experienced from within the designated area with a limited contribution made by its setting. On this basis, the Application Site which forms part of the agricultural hinterland to the south of the Conservation Area makes only a very low contribution to its significance. In addition to the limited intervisibility between them, the rurality and agricultural character of this area as experienced on the approach to the village from the south along the B430 has been diminished by visual and audible qualities associated with developments along this route, including the quarry and green power generation. With regard to the impact of the development, the immediate undeveloped surroundings to the Conservation Area would not be affected. The proposed built form and infrastructure would be experienced distantly and also as part of the more urbanised wider setting already understood to the south. Mitigation includes landscaping within the northern part of the Site and the presence of the rail terminal within the northern area of the Site increases the distance between the Conservation Area and the proposed warehouses. The impact from the development on the significance of the Ardley Conservation Area would therefore be low by virtue of the nature of

ExQ1	Question to:	Question:	Applicant Response
			its contribution to its significance and as a result of the embedded mitigation measures.
Q1.10.6	The applicant OCC	**Archaeology – unsurveyed areas** For those parts of the site which could not be evaluated during the pre-application stage due to ecological constraints, what confidence can the applicant provide that the archaeological significance of those areas is adequately understood, and how would any unexpected discoveries be managed through the mitigation strategy? Is the applicant's approach acceptable to OCC?	Ecological constraints did not completely prevent archaeological evaluation. Geophysical survey, a recognised archaeological evaluation technique, was undertaken without ecological constraints. Trial trenching was carried out, all be it at a lower sample, in areas with ecological constraints, so those areas have been archaeologically evaluated. A mitigation strategy (including areas for open-area excavation and further trial trenching to inform the need for any further mitigation areas) has been prepared in conjunction with, and approved by, the Oxfordshire County Council Archaeology team (Document 6.10H/PDA-006).
Q1.10.7	The applicant	**Listed building consent** Paragraph 10.5.12 of ES chapter 10 [APP-178] states that *"the forthcoming Listed Building Consent application will be in accordance with the conclusions of the ES relating to impacts on BHR1*". However, the Other Consents and Licences Statement [APP-160] explains that the DCO would authorise all permanent and temporary works and provide powers intended to remove the need for separate listed building consent. Can the Applicant clarify: a. whether a separate Listed Building Consent application is intended to be submitted in relation to the Grade II listed Barn at Ashgrove Farm	a. The reference to Listed Building Consent in APP-178 is erroneous and the Applicant can confirm that all proposed works to BHR1 would be authorised through the dDCO powers. b. The Applicant can confirm that no elements of the works to BHR1 are intended to be reserved for subsequent approval. The submission includes a full suite of proposed plans for BHR1 (within drawing series 2.14 (refs. AS-022 to AS-045)) which detail the proposed scope and approach to the works to the Listed Building which are appropriate and proportionate to bring BHR1 back into a sustainable use. These plans have been informed by the detailed technical investigations and studies shown in the Design Approach Document: Central Hub (Document 5.5B/APP-167). c. The impact of the works on BHR1 is fully considered in ES Chapter 10 (see revision A of Document 6.10 for deadline 2), supported by the assessments in Appendix 10.4 Built Heritage Statement of Significance (Document 6.10D/APP-279) and Appendix 10.7 Built Heritage Impact Assessment (Document 6.10G/APP-282). These appendices have been prepared in accordance with Historic England guidance. In conjunction with the

ExQ1	Question to:	Question:	Applicant Response
		(BHR1), or whether all proposed works to the listed building would instead be authorised through the dDCO powers b. whether any elements of the works to BHR1 are intended to be reserved for subsequent approval, and if so, how the SoS can be satisfied at this stage that the effect of those works on the significance of the listed building has been properly assessed c. how the proposed works affecting BHR1 have been assessed and secured through the dDCO, and whether the level of detail currently provided is equivalent to that which would ordinarily accompany an application for listed building consent.	plans submitted with the application, the ExA should be reassured that the level of detail for the dDCO is equivalent to that which would usually accompany a Listed Building Consent and a robust informed decision can be made.
11.	**Landscape and visual, including lighting**		
Q1.11.1	The applicant	**Assessment methodology** The LVIA methodology, as set out in ES chapter 7 [APP-175], indicates that only major and major/moderate effects were considered significant, with effects assessed as moderate not generally treated as significant. For all those effects which have been identified as being moderate landscape or visual, explain and	As noted in the LVIA methodology, the Significance Criteria are set out at paragraphs 7.2.24 – 7.2.31. This advises at 7.2.27 that the degrees of effects considered to represent a 'likely significant effect' for this LVIA are those effects stated as Major or Moderate/ Major and explains this further at 7.2.28 – 7.2.31. This takes into account 'Technical Guidance Note LITGN-2024-01 Notes and Clarifications on Aspects of Guidelines for Landscape

<table>
<tr><th>ExQ1</th><th>Question to:</th><th>Question:</th><th>Applicant Response</th></tr>
<tr><td></td><td></td><td>justify why each one is considered not to be significant.</td><td>and Visual Impact Assessment, 3rd Edition (GLVIA3)' (August 2024). This document advises at 3(5):
'As indicated at GLVIA paragraph 3.33, it is not necessary to establish thresholds for levels of significance, provided that it is made clear whether effects are, or are not, significant. However, typically, effects falling below the middle of the range of overall effect are assessed as not significant. For example, if using a scale of minor/ moderate/ major, then major effects will be significant and minor effects will not be significant. In this example, moderate effects may or
may not be significant and justification would be needed in the methodology or receptor assessment as to whether a moderate effect is significant or not.'

The landscape and visual effects identified as being Moderate are detailed in the Tables at ES Appendices 7.2 and 7.3. In summary, these include the following number of receptors as identified in the Tables.

<table>
<tr><th>LANDSCAPE</th><th>Construction Phase</th><th>Upon Completion</th><th>15 Years Post Completion</th></tr>
<tr><td>Number of Receptors with assessed Moderate Adverse effects (taken from ES Appendix 7.2)</td><td>4</td><td>2</td><td>1</td></tr>
<tr><td>VISUAL</td><td></td><td></td><td></td></tr>
<tr><td>Number of Receptors with assessed Moderate Adverse effects</td><td>10</td><td>20</td><td>9</td></tr>
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ExQ1	Question to:	Question:	Applicant Response
			(taken from ES Appendix 7.3)

The identified landscape and visual receptors with assessed Moderate Adverse effects are not considered to experience a '*likely significant effect*' (at the identified stage of the project) as the threshold for this is stated as Moderate/ Major or Major. If the threshold was considered to be Moderate Adverse or greater then the additional Receptors listed in the table above would be considered to experience a '*likely significant effect*' at the identified stage of the project. Notably, the nature and extent of the effect will remain the same and as predicted and detailed within the LVIA and the Tables.

The identified landscape and visual receptors that will experience a Moderate Adverse effect vary from the 'Wooded Estatelands' and 'Farmland Plateau' Landscape Types during the Construction phase to the users of a number of Public Rights of Way (PROW) (including north and north east of Ardley) at 15 Years post completion (i.e. residual effects).

The justification and reasoning for the levels of effects determined for all of the identified Receptors is detailed within the Tables and includes judgements on the criteria used for assessing the sensitivity and magnitude of change for each of the Receptors.

Q1.11.2	The applicant	**Zone of Theoretical Influence** The submitted ZTV in ES Appendix 7.4 [APP-249] identified that the proposed development would be visible from across a relatively	The methodology for the ZTV is detailed at Page 9 of ES Appendix 7.1. It is based upon the proposed levels and maximum building heights as detailed on the Parameters Plan.

ExQ1	Question to:	Question:	Applicant Response
		extensive area, with the supporting text explaining that the ZTV is based on the Parameters Plan [AS-008]. Can the applicant explain how the ZTV has been prepared, what assumptions have been made and how it reflects the intended changes of levels that the applicant has identified would be introduced with the proposed development. In addition, it would assist ExA if the ZTV could include range rings (1km, 2km etc from the site) to help understand the extent of the likely visibility. It would also be helpful to show on a single drawing, using different colours to clarify, where construction and operational impacts overlap or otherwise.	An updated set of ZTV plans has been prepared and is included at updated ES Appendix 7.4 (Rev A). These also include additional ZTVs in response to requests from OCC/CDC. The updated ES Appendix 7.4 (Rev A) also includes an explanatory Note to accompany the ZTV plans. The first of the ZTV plans covering the overall completed development also includes range/ radii rings with distances as sought.
Q1.11.3	The applicant	**Green Infrastructure** The ExA notes that paragraph 7.5.73 of ES chapter 7 [APP-175] identifies that the proposed development would include extensive landscape and Green Infrastructure (GI) setting (or 'framework') extending to around 60% of the total application site area. Can the applicant provide further clarification on the GI aspects of the proposed development, in particular whether any consideration has been given to the multifunctionality of the proposed greenspace.	The Green Infrastructure (GI) aspects of the Proposed Development are key components of the overall project, with references and details in the DAD at 5.5 onwards and within the LVIA ES Chapter at 7.6.4 onwards. The GI areas and features will be multi-functional and will deliver a range of environmental and other social and economic benefits and uses, in line with good design and management practices and drawing upon other opportunities/ policies where possible. This will range from the new and enhanced habitats and BNG opportunities; sustainable transport links; sustainably managing water and drainage; providing quality green space for amenity and to play a positive role in health and wellbeing. Many of these multi-functional aspects will co-exist and thus the GI will deliver multiple benefits. These GI areas will also address and respond to climate change

ExQ1	Question to:	Question:	Applicant Response
			and function alongside other sustainable building and development related aspects across the Site as a whole. The subsequent detailed design and management process will aim to maximise and balance out all of these multi-functional GI facets.
Q1.11.4	The applicant	**Building heights** The ExA notes that the Parameters Plan [AS-008] refers to height above AOD. The ExA consider it would be helpful to add maximum building heights to the schedule of development parameters. Similarly, for the proposed landscape bunds, this is shown in mAOD and does not provide the actual height of the bunds, nor the surrounding levels. To enable an understanding of how high the proposed bunds would be, the ExA considers maximum heights of the bunds should be provided.	The Applicant has amended the Parameters Plan with the addition of building heights. The approach to the Parameters Plan follows that adopted on other SRFIs, notably at Northampton Gateway. The aim is to fix the height of the bunds, in metres AOD, at given points. This provides certainty of the formation and height of the bunds relative to existing ground levels, on and around the site, and relative to the minimum finished floor levels set for each development zone. The actual height of bunds in metres will depend on where the ground level measurement is taken from and will therefore vary depending on whether it is taken from existing levels close to the bund but outside the site or from levels to be created within the site within development plots. For this reason, it is not straightforward, without adding a significant level of complexity and detail to the Parameters Plan, to identify the maximum height of bunds in all locations across the site. The Applicant considers that this would add a level of potential uncertainty which could undermine the clarity provided by the current approach. Notwithstanding this, the Applicant considers that some details can be added to the Parameters Plan showing the bund heights compared to minimum finished floor levels on the immediately adjacent development zone, where this comparison can be added without confusion as to where the two measurement points are taken from. The Applicant has therefore added this detail to fixed bund height positions around the Main Site at points relative to each development zone. It is hoped that this provides the added information that the ExA is seeking. Further information about the height of bunds, relative to existing and future ground levels, and the maximum height of buildings, can

ExQ1	Question to:	Question:	Applicant Response
			be found in the Illustrative Cross Sections on page 35 of the Design Approach Document (Document 5.5A/APP-166) and at Appendix 7.7 of the Environmental Statement (Document 6.7G/APP-252).
Q1.11.5	The applicant	**Avoidance of adverse effects** NNNPS paragraph 5.177 states that, in relation to locally important landscape areas, consideration should be given to whether the project has been carefully designed, taking account of environmental effects on the landscape and relevant siting, operational and other constraints, in order to avoid adverse effects or minimise harm, including through appropriate mitigation. Can the applicant explain how the design of the proposed development has sought to avoid adverse effects on locally important landscape areas in the first instance, and minimise remaining harm through the application of the mitigation hierarchy? In particular: a. what alternative site layouts, parameters, land uses, building heights, infrastructure alignments, or operational arrangements were considered to reduce landscape effects on locally important landscape areas? b. what landscape constraints informed the evolution of the	NNNPS refers to '*Developments in locally important landscape areas*' at 5.175 – 5.177. At 5.175 this refers to landscapes outside nationally designated landscapes, that may be valued locally and protected by local policy and identified *'landscapes of local value'*. As stated at 7.4.40 – 7.4.44 of the ES Chapter 7, the Site and its immediate context do not lie within an area designated as being of any particular local landscape value. It also does not lie within an area recommended for a Local Landscape Designation (LLD) in the *Cherwell Local Landscape* Designations (September 2024) study. The nearest area recommended as an LLD comprises the Cherwell Valley to the west of the Airfield. Any indirect landscape effects arising from the Proposed Development on this valley landscape will be minimal given the degree of physical and visual separation. Notwithstanding that the Site and its immediate context do not lie within a locally designated landscape, the Proposed Development has sought to avoid adverse landscape effects and minimise harm in line with the mitigation hierarchy. The following additional points supplement the relevant information detailed in the DAD at 5.5 and LVIA ES Chapter 7 at 7.6.4 – 7.6.11. a. The design approach to and evolution of the proposed development is explained in the Design Approach Document (DAD) (Document 5.5A/APP-166) and summarised further in a Post Hearing Note submitted at Deadline 1 (Document 10.3A/REP1-017). These explain that the design approach has responded

ExQ1	Question to:	Question:	Applicant Response
		design, and how have these influenced the final scheme? c. how has the applicant demonstrated that opportunities to avoid or reduce landscape harm through design have been fully explored before reliance on mitigation measures? d. what evidence supports the conclusion that the current proposals represent the least harmful practicable option from a landscape perspective, having regard to operational and other relevant constraints? e. where significant adverse landscape and visual effects remain, why does the applicant consider that these effects could not reasonably have been avoided or further minimised through changes to the design of the proposed development?	iteratively to the assessment process including in relation to the objectives to respond positively and appropriately to the landscape context, to conserve and manage important landscape elements and to manage and mitigate the visual and landscape effects of the scheme where possible. Section 3 of the DAD seeks to highlight the evolution of the scheme and some of the key changes that have been made at stages of the design process. This includes different infrastructure alignments (which are also explained in the Highways DAD (Document 5.5C/AS-051)), variations in layout and changes to the approach to the position of built form, the height of buildings and the width, height and design of landscape screen mounds and landscape areas. b. Landscape constraints and features that have informed the evolution of the design include the following; Central north- south spine comprising Ashgrove Brook and belts areas of woodland/ trees (and the Ashgrove Farm complex) – maximise retention as key central green corridor. Presence of mature woodland and tree belts close to the boundaries of the Main Site (including Ardley Wood; Woods close to the south and tree belt/ landfill to the east) – these all provide natural visual enclosure, particularly to the lower and active parts of the Proposed Development. Topography/ landform – ability to lower the building levels in the north-eastern and western parts of the Site. Presence of the Airfield to the west – minimise harm through boundary mitigation mounding and planting. Seek to avoid views from the Airfield/ Heyford Park towards proposed development activity. c. This is principally detailed within the DAD. Consideration of landscape matters and means to avoid or minimise harm have been an important part of the design process at every stage. This has included considering the extents of existing woodland, trees and hedgerows for conservation and the likely implications of different building heights and floor levels. It has been

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			an iterative process. Overall, the losses of existing woodland, trees and hedgerows have been avoided or minimised and will be notably offset by extensive new native and suitably characteristic planting. As the DAD and the LVIA ES Chapter at 7.5.2 advise, primary mitigation measures have been designed into the scheme as an integral part during the design evolution process. d. The comprehensive design and assessment process encompassing landscape considerations as a key part, supports a conclusion that, in overall terms, the Proposed Development is well founded and has been well planned and designed taking all relevant matters into account. From a landscape perspective, there are inevitably less harmful options for development, yet these would invariably reduce the size, scale and heights of the built development and associated economic, social and indeed other environmental benefits that result from the proposed development and are recognised and encouraged by the NNNPS. The landscape benefits to be gained from these reductions were considered as part of the overall design process as were options for increased development extents and heights. The resultant development solution responds to a thorough understanding of the landscape of the Site and its context and it has been shaped by this understanding in how it has been planned, defined and designed. e. The nature of some developments means that not all can avoid some resultant 'significant' effects. This is often the case for the effects of large scale developments on the landscape of the Site and its immediate context, and for visual effects for nearby residents, PROW users and other receptors. This is recognised by the NNNPS. Paragraph 4.83 explains that SRFIs are large scale commercial operations, with large structures and heavy machinery. It recognises that there will be impacts but says that, depending on circumstances, appropriate mitigation measures may be available to limit the impacts of visual intrusion, noise and light. It is the

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			Applicant's position that such measures have been employed successfully in the design of the proposed development.
Q1.11.6	The applicant	**Landscape change** Paragraph 7.5.84 of ES chapter 7 [APP-175] states that the proposed green infrastructure would result in a beneficial landscape cover change because land currently in arable agricultural use would be replaced by habitats including native woodland, scrub and species-rich grassland. Can the applicant explain the basis for concluding that the replacement of arable farmland with these habitats should be regarded as a beneficial landscape change and, in particular: a. what assessment has been undertaken to determine that the loss of arable farmland represents a landscape benefit rather than a landscape change with both beneficial and adverse characteristics? b. how has the applicant taken account of the contribution that existing arable farmland makes to the character, pattern, openness and rural qualities of the receiving landscape? c. does the applicant consider that the replacement of a substantial area of agricultural land with woodland, scrub and	a. The LVIA takes into account the existing/ baseline character and features of the landscape; this includes the nature of the landcover. In landscape terms and in this location, it is considered that replacing arable farmland with multi-functional green space encompassing increased diversity and habitat value, increased public access; increased visual amenity and scenic value; and increased contribution to existing landscape character will be beneficial. For reference, neither of the two Landscape Character Areas (Oxfordshire Estate farmlands (LCA7) and Upper Heyford Plateau (LCA6)) within which the Application Site is located identifies arable farmland as a 'valued quality' of these landscapes, despite it being described as widespread and intensive. LCA7 notes *'in places the structure of the landscape is disappearing as intensive arable use has resulted in the removal of field boundaries…'* (pg177 of the *Landscape Character Assessment For Cherwell District* (Sept 2024)). b. This is assessed as part of the LVIA process. It is considered as part of the baseline and the assessment of the Landscape Value and Susceptibility to Change of the landscape as detailed in the LVIA ES Chapter 7. The magnitude of the change to these characteristics and qualities is also assessed and a judgement on the effects on the landscape character determined based upon consideration of these contributory factors. c. Woodland, scrub and the other habitats will alter the existing nature and character of these parts of the Site and their contribution to the surrounding landscape character. Yet these will be beneficial in landscape character terms. This is reflected in the assessment of

ExQ1	Question to:	Question:	Applicant Response
		other habitat types would alter the existing rural and agricultural character of the area and, if so, how has this been reflected in the assessment? d. what evidence supports the conclusion that the proposed habitats would be more consistent with the existing landscape character than the current arable land use? in reaching the conclusion that the change would be beneficial, what consideration was given to any receptors who may value the existing farmed landscape character and the contribution of arable farmland to local landscape distinctiveness?	landscape effects alongside the adverse effects arising from the built development proposals. This combination of adverse and beneficial change is taken into account in determining the overall resultant effect. This is explained at ES Chapter 7 para 7.2.28. d. The predominance of arable land use and its 'consistency' with the baseline situation does not indicate that it would be the most beneficial or appropriate land use to retain or promote, in landscape character terms. Neither of the Landscape Strategies and Guidelines for the two LCAs (noted in the response to point a above) indicates that retaining or promoting arable land should be undertaken, whereas promoting woodland cover to expand and connect existing woodland and tree cover is identified. It is also noted that the latter will strengthen landscape character. No landscape receptors have been identified that would experience a greater beneficial change from retaining the arable farmland, rather than the proposed multi-functional GI uses and diversity of habitats for the proposed GI areas. This includes consideration of landscape distinctiveness.
Q1.11.7	The applicant	**Visual impact** NNNPS paragraph 5.178 states that the SoS would need to determine whether the visual effects on sensitive receptors, outweigh the benefits of the proposed development. Can the applicant explain how its assessment assists the SoS in undertaking this balancing exercise and, in particular: a. how has the applicant identified and assessed the visual effects on sensitive receptors, including residents, users of	a. The LVIA, including the visual impact assessment, has been undertaken in accordance with GLVIA3 as detailed within ES Chapter 7 and ES Appendix 7.1. This assesses the sensitivity of visual receptors; including residents, users of Public Rights of Way (PROW), road users, visitors, people at places of work etc. The assessment of sensitivity combines judgement on the value of views and the susceptibility to change of the visual receptors. The details of these judgements are included within the Visual Effects Table at ES Appendix 7.3. In general and as referenced in GLVIA and the LVIA methodology the receptors likely to be most susceptible and sensitive to change are likely to include residents, PROW users and visitors to heritage assets. Road users tend to fall into an intermediate category and people at work (where attention is not focussed upon their

ExQ1	Question to:	Question:	Applicant Response
		public rights of way, and visitors to the local area? b. what consideration has been given to the extent to which the magnitude, duration and geographical extent of visual effects may influence the weight that should be attributed to those effects in the overall planning balance? c. how has the applicant assessed the combined effects of multiple elements of the proposed development on individual visual receptors, particularly where views may be affected by large-scale built form, infrastructure, lighting and other ancillary development? d. what mitigation measures have been incorporated to reduce visual impacts on sensitive receptors, and how has the effectiveness of those measures been demonstrated? e. where significant adverse visual effects remain following mitigation, what is the applicant's justification for concluding that these effects are acceptable when weighed against the stated benefits of the proposed development?	surroundings) are generally less susceptible and sensitive to change. b. The visual impact assessment considers the magnitude, duration and geographical extent as part of the assessment process. The VET (ES Appendix 7.3) includes reference to the matters informing the magnitude of visual change/ effects. A judgement is also included for the overall construction magnitude of change and resultant effect which will arise over the duration of the construction period, albeit as noted in ES Chapter 7 at para 7.5.43, these effects will vary throughout the course of the construction period. Other assessed effects are detailed for the proposed development upon full completion of the Project and also 15 years post completion to enable an understanding of the likely visual effects over time to be appreciated. The ZTVs included at ES Appendix 7.4 and updated ES Appendix 7.4 (Rev A) illustrate the theoretical visibility of the Proposed Development and also component parts of the Proposed Development over the wider area. As noted in the methodology for the ZTVs at ES Appendix 7.1 (paras 2.2, 2.6 and 2.7), the ZTVs are a desk study component of the visibility analysis and a useful tool in gaining an appreciation of the potential maximum visibility of a development. However, they do not indicate the significance of the visual effects, which is dependent on many other factors. The significance of the visual effects is assessed as part of the LVIA process and is detailed for the visual receptors within Appendix 7.3 (Document 6.7C/APP-248). The overall visual effects of the Proposed Development are summarised at ES Chapter 7 (Document 6.7/APP-175); paras 7.8.15 – 7.8.17. c. The combined effects of multiple elements of the Proposed Development have been appropriately considered and assessed for all of the visual receptors. As recognised, some individual or groups of receptors will have views towards different parts of the Proposed Development. Whilst many will have views towards the highest parts of the proposed buildings on the Main Site; some may only

ExQ1	Question to:	Question:	Applicant Response
		f. has the applicant undertaken any assessment of the relative weight that should be attributed to significant adverse visual effects in the overall planning balance and, if so, what conclusions were reached? g. in circumstances where significant adverse visual effects are predicted for local residents and visitors, what evidence supports the conclusion that the scale and nature of those effects would not outweigh the benefits of the proposed development?	have views towards the highway related works or other part(s) of the overall scheme. For each visual receptor, the extent and nature of the view (including which parts) of the Proposed Development have been assessed. This includes the nature and extent of the built development; highways; rail and other infrastructure; mitigation mounding; landscape and other GI and BNG proposals. The combination of these interrelated components within the respective views has been assessed. d. Mitigation measures in landscape and visual terms have been 'embedded' in the proposed development parameters, as referenced at 7.3.10, 7.6.3, 7.6.5 and 7.6.12. In relation to visual considerations, this has principally included attention to the siting, layout and heights of the proposed buildings and consideration of the earthworks and ground modelling and GI and landscape proposals. The Illustrative Landscape Cross Sections (at ES Appendix 7.7, Document 6.7G/APP-252) and Photomontages (at ES Figure 7.11) demonstrate the embedded mitigation approach adopted and the effectiveness of the design approach. As detailed in the Design Approach Document (Document 5.5A/APP-166) and summarised in the Post Hearing Note (Document 10.3A/REP1-017), the design and mitigation approach has been iterative with landscape and visual matters a key consideration throughout the process. e. The LVIA and ES Chapter 7 do not seek to justify the acceptability of the resultant visual effects in the planning balance. This is noted at ES Chapter 7 para 7.2.31. As summarised at para 7.8.15, 'the Proposed Development will inevitably result in some significant landscape and visual effects'. For a development of the scale and nature proposed, this is not considered to be unusual or likely to be avoided without considerable changes to the nature, scale and extent of the proposals, which may be offset by the loss of the wider benefits and requirements for a SRFI.

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			f. Yes, the Applicant has undertaken a planning balance exercise taking account of the relative weight to be attached to all anticipated benefits and harms of the proposed development. This overarching planning balance exercise and the conclusions reached are set out in the Planning Statement (Document 5.4/APP-161), Section 6, with the residual landscape and visual harms described in paragraph 6.6.
Q1.11.8	The applicant	**Landscape planting** Explain how the applicant has demonstrated that the proposed landscape mitigation would establish successfully and remain effective over the lifetime of the proposed development, including: a. the assumptions made regarding tree growth rates and climate change b. soil preparation and management c. species selection and resilience d. the timing and phasing of planting e. the arrangements for long-term and adaptive management. In responding, please clarify what is meant by the "*instant native hedgerow*" referred to in Appendix 7.7.	a. At this stage of the application process, the landscape and planting proposals have not been designed or specified in detail. However, sufficient work and detail has been included within the application to explain the nature and extent of the landscape proposals (including the conserved landscape areas/ planting). This has been devised as part of the overall development proposals, including in liaison with the BNG proposals and requirements. In relation to tree growth rates, the assumptions adopted for the LVIA process (at ES Chapter 7; para 7.2.42) state 'circa 7 – 10 metres high' for proposed woodland and trees after 15 years. These growth rates are based upon both published sources and evidence of similar landscape/ planting schemes recorded over extended time periods. In relation to growth rates for the proposed woodland and tree planting there are many factors that will have a bearing on the actual growth rates achieved. These will include species selection; soils and ground preparation; management and maintenance and climatic conditions. All of these factors have been considered in the design process to date and will be very important in informing the subsequent detailed design, specification and management processes. The Indicative Planting Schedule at ES Appendix 7.6 (Document 6.7F/APP-251) provides a basis for the likely planting proposals and lists species, sizes, densities etc for the different types of planting and habitats to be included across the Site. As noted at the beginning of ES Appendix 7.6; '*All mixes and species and associated details will be confirmed and agreed as part of the detailed design stage (as part of the DCO Requirements) and confirmed by Soft Landscape/ Planting Plans. Variations in the*

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			planting mixes are likely to be introduced based upon the detailed design proposals. Collaboration and consultation will be undertaken with the 'project ecologists and other parties in finalising the specifications and choice of species.' b. A Soil Management Plan will be provided as required by Requirement 13 and as described in Section 14 of the Construction Environmental Management Plan (Document 6.2C/APP-189). This will detail how the existing soils on site will be managed as part of the construction and development process and how the soils will be stored, spread and prepared as part of the works to ensure the soils resources are maximised and appropriate for the nature of the planting and habitats proposed as part of the GI and BNG proposals. c. An indicative list of planting species is included for the different planting / habitat types at ES Appendix 7.6. It is however noted that variations to this will be desirable for a number of reasons, including in response to the particular location and primary purposes of the planting/ habitats. Rather than fix the detailed landscape/ planting proposals at this stage it is considered more appropriate that these are considered as part of the detailed design process. The DAD; Illustrative Landscape Masterplan and Landscape Cross Sections, together with the BNG and other ecology and other objectives will however inform this detailed design and specification process. The indicative list of planting species/ mixes at ES Appendix 7.6 provides a reasonable basis for the subsequent detailed design and specification process. They have been informed by the existing landscape and locally occurring plant species and by the ecological and BNG requirements. They have also been informed by the design and mitigation objectives. The species listed are principally native and take account of climate resilience. d. The indicative timing/ phasing of the landscape and GI areas is set out at Appendices 1 and 2 of the Construction Environmental Management Plan (Document 6.2C/APP-189). It is the intention to implement the landscape and planting proposals at the earliest

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			practicable time in the construction and development process. Inevitably however, large parts of the landscape and GI areas are associated with the mitigation mounding and areas that will be altered or affected by the construction works. In these areas the landscape and planting proposals will follow completion of the earthworks and soiling operations. e. The long-term management of the landscape and GI areas will be controlled by Requirement 12 and the Habitat Management and Monitoring Plan. The '*Instant Native Hedgerow'* at ES Appendix 7.7 (Document 6.7G/APP-252) refers to hedgerow planting stock that will comprise a mix of native plant species and will be planted at a size and density to form an immediate continuous hedgerow, in appearance/visual terms. In this instance it is anticipated that the hedgerow will be 1.2- 1.5m high at the time of planting and will also be managed accordingly.
Q1.11.9	The applicant	**Mitigation** Paragraphs 7.5.5 and 7.5.6 of ES chapter 7 [APP-175] state that woodland and tree planting on mitigation mounding would begin "*relatively early in the overall construction process*" and that woodland and tree planting associated with the Highway Works would be undertaken at the "*earliest opportunity*" following construction of the respective works. Can the Applicant clarify: a. what is meant by "*relatively early in the overall construction process*" including the anticipated timing of planting	a. The anticipated programme for construction works is set out at Appendix 1 of the Construction Environmental Management Plan (CEMP)(Document 6.2C/APP-189) and shown through the phasing plans at Appendix 2 of that document. Phasing of works is then controlled through Requirement 4 which includes the requirement to set out details of the phasing of landscape works. The Phasing Plans at Appendix 2 of the CEMP show works commencing on strategic mounds alongside the enabling and earthworks on adjacent development zones. They then show the mounds in these areas having been completed and landscaped at year two of the development process. Similarly in year two, the phasing plans show works commencing on the central part of the site, with the formation of strategic mounds in the areas adjacent to these development zones taking place simultaneously and works on the strategic mounds on the western part of the site being completed in year three.

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		relative to the commencement of construction and key construction milestones?? b. what is meant by the "*earliest opportunity*" following construction of the respective highway works? c. whether the timing of this planting is secured through any requirement, management plan, phasing plan, Landscape and Ecological Management Plan, or other mechanism, and if so, where this secured in the DCO? d. what safeguards are in place to ensure that planting is not delayed beyond the periods anticipated in the assessment, and what would occur if construction activities or other constraints prevent planting from being undertaken within the expected timeframe? e. how has the assessment of landscape and visual effects taken account of any delay between the completion of earthworks/highway works and the establishment of the proposed planting, and what would be the implications for the assessment if planting	b. The programme set out anticipates that landscape works will take place in the first planting season following the completion of earthworks and soil preparation in the strategic landscape areas of the site. The Phasing plans show that significant areas of strategic mounding and landscaping are anticipated to be completed very early in the development process in years 2 and 3. c. Timing is secured through the details required to be submitted and approved pursuant to Requirement 4 and through Requirement 12. The HMMP includes details of the approach to early planting. In approving details the Local Planning Authority will have regard to the principles set out in the submitted documentation, notably the CEMP, but also the HMMP and the DAD. d. The safeguards are the details that will be approved pursuant to Requirement 4 and the need to be in full compliance with the details approved. e. The LVIA has assessed the effects of the Proposed Development during construction; upon Completion and 15 years post completion. These assessments enable the likely effects of the Proposed Development to be understood at different stages during the project. Should planting or any other parts of the construction be delivered later than outlined in the phasing/ sequencing details then the identified effects will also extend to this later date. As noted within ES Chapter 7 (Document 6.7/APP-175) at 7.5.3 - 7.5.7 and 7.5.41 – 7.5.44, the likely effects will vary from receptor to receptor during the construction works, including the earthworks/ highway works. Any changes to the phasing/ sequencing of the proposed planting may change the duration of the varying change and effects during this period for some of the landscape and visual receptors.

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		were delivered later than currently assumed.	
Q1.11.10	The applicant OCC/CDC	**Schedule of planting** Paragraph 7.6.7 of ES chapter 7 [APP-175] states that an indicative and outline schedule of planting mixes and species is provided in ES Appendix 7.6 [APP-251] and is intended to form the basis for the subsequent preparation of detailed landscape and habitat proposals in consultation with ecological specialists and other relevant parties. Can the applicant clarify: a. to what extent the planting mixes and species identified in ES Appendix 7.6 are secured through the application proposals and associated control documents? b. whether the detailed landscape and habitat proposals must accord with, or be substantially based upon, the planting schedules set out in Appendix 7.6 and, if so, where this is secured? c. given that the planting schedules are described as indicative and outline, what confidence can be placed on the landscape, visual and ecological benefits attributed to them in the assessment, and	a. Requirement 11 requires full landscape details of each component of the proposed development to be submitted to and approved by the Local Planning Authority. Those details must accord with the parameters plan and the HMMP and the principles established in the main site design approach document. The HMMP is based on and has regard to the planting mixes and species identified in ES Appendix 7.6 (Document 6.7F/APP-251) and phase-specific HMMPs must be submitted and approved pursuant to Requirement 12. The Applicant has also amended Requirement 11 to specifically refer to the outline planting schedule in Appendix 7.6 as per the response to ExQ1.5.18. b. The indicative and outline schedule of planting mixes and species will therefore be used as a basis to progress the detailed landscape and habitat proposals in liaison and through agreement with the relevant parties pursuant to Requirements 11 and 12. The precise details are likely to be varied, through agreement, to refine and detail the planting proposals and to maximise the opportunities these present to deliver the multi functional objectives of the GI and to satisfy the embedded mitigation and BNG requirements of the Proposed Development. Varying the mixes and species will also allow the desired variations in the planting types and species to be achieved across the Site. c. The overall set of Application Documentation and the DCO Requirements provide a sufficient basis upon which the landscape, visual and ecological benefits can be confidently relied upon. The Parameters Plan; Design Approach Document Section 5; HMMP; and other supporting plans and information provide a clearly defined set of parameters and design intent information, upon which all subsequent detailed design, specification and related management proposals can be reviewed and referenced as part of the subsequent approvals process.

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		how are those benefits secured through the DCO? Are OCC/CDC content with this approach? If not, please explain and justify why not.	
Q1.11.11	The applicant	**Landscape mitigation** The LVIA [APP-175] concludes that landscape and visual effects would reduce substantially over time because of the establishment and maturation of strategic woodland planting, habitat creation and mitigation mounding. Can the applicant explain how the long-term landscape mitigation will be secured, managed, monitored and enforced throughout the operational life of the development, including arrangements for funding, replacement of failed planting and remedial action where the mitigation does not achieve the outcomes assumed in the LVIA**?**	The LVIA concludes that the landscape and visual effects will reduce over time because of the establishment and maturing of the woodland and other planting and habitat proposals. It does not however conclude that these effects will reduce substantially, although it does refer to the embedded landscape mitigation being effective in substantially screening the 'active' and lower parts of the built development and Rail Terminal and to the dedication of substantial areas of land to landscape, GI and associated biodiversity measures. Notwithstanding this, the long-term management of the landscape, GI and biodiversity areas will be secured through the HMMP and Requirement 12.
Q1.11.12	The applicant	**Mitigation** The LVIA concludes that the proposed development plateaus and strategic mitigation bunds would result in a Major Adverse effect on local landform and acknowledges that the bunds would appear materially different from the existing gently rolling topography. Can the Applicant explain how the final engineered landform reflects local landscape	As referenced, the LVIA acknowledges that the Proposed Development will introduce earthworks features and local landform variations that will be materially different to the broader underlying topography. The nature of the proposed earthworks will however encompass a variety of earthworks and landform changes. The mitigation bunds/ mounding will vary in heights, widths, slope profiles and gradients and in general terms, steeper slopes will be principally located on the development side and not the outer facing and relatively more visible slopes.

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		character, and provide evidence that the proposed earthworks would not introduce artificial landform features that are inconsistent with the existing topography of the Oxfordshire Estate Farmlands landscape.	Whilst the proposed mitigation bunds/ mounding is not a characteristic of the surrounding landscape type, this is invariably always the position and not unusual. It does not however indicate that it is inappropriate or the 'wrong' design and mitigation approach. The NNNPS paragraph 5.166 notes that bunding and adjusting land levels is a mitigation technique that can be employed to reduce the landscape and visual effects of proposed developments. In this instance the combination of the mitigation bunds/ mounding; the changes to land levels and the proposed maximum building heights and extents have all been key considerations in terms of the embedded mitigation approach. The proposed mitigation bunds/ mounding is not considered to be 'engineered' in overall terms albeit that it will collectively form a notable and important element of the Proposed Development. The mitigation bunds/ mounding in the southern part of the Proposed Development to either side of the proposed HPLR include relatively gentler slope profiles and gradients. In the context of this matter, it is also relevant to note the following: • Steep and 'engineered' slopes are present within the locality including those associated with the rail corridor along the northern edge of the Main Site; the landfill and quarrying sites to the east of the B430; the motorway corridor and junctions; and within the Airfield to the west (e.g. bomb stores); and The establishment and subsequent growth of the woodland, trees and other habitats on the mitigation bunds/ mounding will assist in assimilating these areas/ features into the landscape.
Q1.11.13	The applicant	**Proposed earthworks** Paragraph 7.5.15 of ES chapter 7 [APP-175] states that "*the earthworks operations and the resultant landform changes will represent a notable Site wide landscape change, yet the*	a. This means that the proposed plateau levels will sit within the range of heights that currently exist across the Main Site, i.e. the highest plateau level will be no higher than the current land levels and the lowest plateau level will be no lower than the current lowest land levels. The intention of this reference was simply to note that

ExQ1	Question to:	Question:	Applicant Response
		proposed plateau levels will remain within the range of existing levels within the Site." Can the applicant clarify what is meant by this statement and, in particular: a. what is meant by the proposed plateau levels remaining "*within the range of existing levels within the site*"? b. what existing ground levels across the site are being referred to, and what is the range of existing levels that has been used for this comparison? c. how can the earthworks and resultant landform changes be described as a "*notable site wide landscape change*" whilst also concluding that the proposed plateau levels remain within the existing range of levels? d. to what extent does this statement reflect the overall height of the developed landform, as opposed to localised changes in topography, cut-and-fill operations, embankments, mounding and retaining structures? e. has the applicant assessed the implications of the proposed	the range of plateau levels sits within the current range of land levels. b. See above. The range in existing ground levels across the Main Site is from approximately 124.5m AOD on the northern edge of the Main Site to 102m AOD on the southern edge. c. The scale and extent of the earthworks and landform changes across the Main Site will represent a very obvious and notable site-wide landscape change as stated in the LVIA (ES Chapter 7). The reference to the proposed plateau levels remaining within the existing range of levels across the Main Site is included to provide some context to how the resultant plateau levels will relate to the existing ground levels. The fact that the proposed plateau levels sit within the range of existing levels at around or just above the midpoint of the existing land levels (i.e. approx. 102 – 124.5m AOD) indicates that the generally balanced 'cut and fill' approach to the earthworks proposals will result in the proposed plateau levels generally sitting close to the middle of the range. This represents an appropriate solution in landform terms, with mitigation mounding to the outer parts of the Main Site and relatively higher ground also beyond to the west, north and east. Notwithstanding this position, the scale and extent of the earthworks and landform changes will still represent a notable site wide landscape change. d. It reflects the scale and extent of the localised changes to the topography, arising from the cut/ fill operations and formation of the mitigation mounding and embankments etc. e. All of the changes arising from the earthworks proposals including the mitigation mounding and the plateau areas have been assessed as part of the effects upon landscape character and the visual effects upon surrounding receptors. Specific references are included both within the LVIA at ES Chapter 7 (including refs at paras 7.5.15, 7.5.42 and 7.5.75) and within the Landscape Effects and Visual Effects Tables at Appendices 7.2 and 7.3.

ExQ1	Question to:	Question:	Applicant Response
		plateaued landform on landscape character and visual receptors separately from the comparison of absolute ground levels, and if so, where is this assessment presented? f. what evidence supports the conclusion that maintaining plateau levels within the existing range of site levels reduces the landscape and visual effects arising from the proposed earthworks and changes in landform?	The effects of the Proposed Development on the landscape character of the Site and its Immediate Context are included within the Table at Appendix 7.2. This includes the following reference: '…The landscape character of the Main Site will change from a gently rolling/ falling area of arable farmland, relatively enclosed by woodland and other features to a SRFI development; including new roads and an extensive landscape setting and robust perimeter of mitigation mounding and woodland planting….' The implications of the proposed plateaued landform have also been taken into account in the assessment of visual effects. Any direct views towards the plateaued areas will however be minimal and limited to users of the B430 passing the entrance to the Main Site. At this position and upon completion of the Proposed Development, views of the actual development zone plateaus will be restricted by the presence of the proposed mitigation mounding, buildings, landscape and other parts of the Proposed Development in the north eastern part of the Main Site. f. See also answer at c above. Maintaining the proposed plateau levels at close to the middle of the range of the existing levels across the Main Site is largely a result of the balanced cut/ fill exercise and the inclusion of the perimeter mitigation mounding. It does however mean that the proposed buildings will generally 'sit' down a little within the surrounding landscape to the north, west and east, where the existing ground levels are relatively higher. In general, if the proposed plateau levels and corresponding maximum building heights were lower than proposed, then there are likely to be some reduced landscape and visual effects and correspondingly, if the levels and heights were increased then there are likely to be some increased landscape and visual effects. These implications were considered as part of the iterative and extensive design process.
Q1.11.14	**OCC/CDC**	**Use of maximum parameters**	

ExQ1	Question to:	Question:	Applicant Response
		The ExA notes that paragraph 7.2.32 of ES chapter 7 [APP-175] states that the LVIA is based upon the 'worst case' or 'maximum parameters', as defined for the proposed development. Are the local authorities content that this is the case? If not, please explain why not.	
Q1.11.15	The applicant OCC/CDC	**Photomontages** Do the submitted photomontages represent the maximum development parameters that could be delivered under the DCO? If not, please explain and justify why not. Are CDC and ODC satisfied that the photomontages accurately represent the proposed development. If not, why not?	The approach and methodology for the Photomontages is detailed at ES Appendix 7.1 (Document 6.7A/APP-246), paras 3.1 – 3.10. In addition, ES Chapter 7 (Document 6.7/APP-175) confirms the approach adopted at 7.5.105 – 7.5.109. This confirms that the Photomontages depict the proposed maximum height of the buildings, based upon the layout of buildings and development as detailed on the Illustrative Masterplan. This is considered to be a reasonable basis and to represent a reasonable worst case scenario in terms of the heights of the proposed buildings. Further to this, an updated set of Photomontages has been provided (Figure 7.11 (Rev A)) that now also includes the maximum extent of the 'development envelope', i.e. the maximum visible zone within which a proposed building could potentially be located within the respective view.
Q1.11.16	The applicant	**Cumulative Assessment** The cumulative assessment [APP-175] considers a number of schemes individually against the proposed development. Has the Applicant undertaken any assessment of the aggregate or a "combined " scenario, whereby OxSRFI, Heyford Park New Town, Baynards Green logistics development and Puy du Fou are all	The Applicant's approach to cumulative assessment of non-committed development projects is described and set out at paragraph 16.2.6 of the Environmental Statement Chapter 16. The cumulative landscape and visual impact assessment of the Proposed Development in combination with the identified projects is detailed at ES Chapter 7; Section 7.7 and within ES Chapter 16 (Document 6.16/APP-184).

ExQ1	Question to:	Question:	Applicant Response
		assumed to be present simultaneously? If not, why does the applicant consider the assessment sufficient to understand the true cumulative effects on landscape character, visual amenity and tranquillity across the area?	As detailed within Section 7.7, the Proposed Development will result in varying cumulative landscape and visual effects in combination with the identified projects. Should all of the identified projects be developed then there will be cumulative landscape and visual effects that will arise as a combination of the identified effects for the respective projects. In landscape terms, this will result in an extended geographical effect across the landscapes and contexts of the combined sites. This will principally extend across the broad landscape between Bicester to the south east; Heyford Park and the Airfield to the west and from around Baynards Green and Junction 10 to the north, to Junction 9 of the M40 to the south. The nature of the cumulative landscape effects across this broad landscape will vary with each of the respective projects contributing varying levels of changes and effects. For reference, this landscape encompasses a number of different Landscape Character Areas/ Types, as detailed within the Cherwell District Landscape Character Assessment (2024). As generally noted in this study and relative to these Character Areas/ Types, the landscape away from the main transport infrastructure and urban edges generally has a stronger rural character and is relatively more tranquil. The identified projects generally occupy the broader landscape that also encompasses major transport infrastructure, urban edges and other urbanising influences e.g. Viridor ERF. In visual terms, there will also be cumulative effects arising from the combined effects of all the identified projects. These are likely to be most notable for those visual receptors that are likely to experience views towards multiple projects. This is most likely to arise for users of some of the roads passing through this landscape. The nature of these cumulative visual effects will generally be sequential with views towards the different development projects arising as part of a journey. The nature of the cumulative visual effects arising from all of the identified projects will inevitably vary and will include an increased number of receptors affected and an increase in the

ExQ1	Question to:	Question:	Applicant Response
			levels of visual effects for those receptors with views towards multiple projects. Overall, there will be some significant cumulative landscape and visual effects arising from development of all the identified projects. This will include the effect upon the landscape of the combined site areas and their contexts and for some visual receptors with views towards a number of these developments. The nature and extent of the cumulative landscape and visual effects are assessed and described in ES Chapter 7, Section 7.7 and within ES Chapter 16.
Q1.11.17	The applicant	**Rail interchange** What would be the worst-case visual impact of the rail interchange, sidings, highway infrastructure and warehousing if developed to the limits permitted by the DCO? Has this been assessed in the ES? If so, what are the predicted effects on rural character, dark skies and surrounding receptors.	The LVIA at ES Chapter 7 considers and assesses the visual effects of the entire Proposed Development with reference to all of the components referenced and to the maximum extents permissible by the Proposed Development Parameters Plan and other relevant highways and rail plans and details. The predicted effects on 'rural' character have been assessed as part of the effects on landscape character. The relative 'rurality' of the features and characteristics of the landscape have been taken into account as part of the baseline and landscape sensitivity assessments. The effects on dark skies form part of the night-time effects as assessed from paragraph 7.5.138 of ES Chapter 7. At 7.5.142, the assessment confirms that the Proposed Development will result in a high degree of change and a likely significant night-time landscape effect at this local landscape scale.
Q1.11.18	The applicant	**Tranquillity and dark skies** The LVIA [APP-175] makes reference to the issues of tranquillity and dark skies as part of the baseline. Explain how the ES has considered these issues, how have they been assessed, what mitigation, if any, is proposed to address any impacts, and	These matters are referenced as part of the baseline and they inform the assessment of landscape value and in turn, landscape sensitivity and landscape effects. 'Tranquillity' is referenced in the context of a number of Landscape Character Areas/ Types within the District-wide Landscape Character Assessment Study (see ES Chapter 7, paras 7.4.27, 7.4.28, 7.4.30, 7.4.35, 7.4.38 and 7.4.39). It is relevant to note in relation to this study and the Landscape Character Areas/ Types

ExQ1	Question to:	Question:	Applicant Response
		what is the overall conclusion in relation to the effects of the proposed development?	that they refer to higher levels of tranquillity away from transport infrastructure and urban edges. It also notes that the large scale development at Heyford Park and the M40 are significant detractors from tranquillity. As noted at para 7.4.105, the Site and its immediate context is not a tranquil landscape. Given the presence and proximity of the existing development and major transport corridor noted above and the Viridor ERF, landfill site and quarry activity, this is not a landscape that is considered to have a high level of tranquillity. Notwithstanding this, it is taken into account as part of the LVIA process.
Q1.11.19	The applicant	**Lighting** The Outline Lighting Strategy identifies lighting heights of up to 18m for rail freight loading/unloading areas and lighting affixed to loading cranes, and up to 15m for some highway lighting. Can the applicant confirm whether the lighting impact assessment and LVIA were undertaken using these maximum mounting heights and, if so, identify where this is demonstrated in the modelling and assessment? If not, what evidence is there that the assessed lighting scenario represents the maximum development permitted by the Order? How does the applicant propose to secure that these are the maximum heights?	The sample indicative light spill diagrams within Appendix 8.5 (Document 6.8E/APP-260) have been undertaken using the maximum heights stated within the Lighting Strategy (Document 6.8A/APP-256). This information has also informed the basis for the assessment detailed within Table 8.13, Table 8.15 and Table 8.16 of ES Chapter 8 (Document 6.8/APP-176). These maximum heights are secured by Requirement 16 which requires lighting details to be in accordance with the principles established by the Lighting Strategy (Document 6.8A/APP-256). Additional modelling is currently being undertaken to inform night-time visualisations of the Proposed Development, which uses the maximum heights detailed within the Lighting Strategy.
12.	**Materials and Waste**		

ExQ1	Question to:	Question:	Applicant Response
Q1.12.1	The applicant	**Clarification: Ashgrove Farm in-vessel composting (IVC) facility currently operated by Biffa** The location of the Biffa operated Ashgrove Farm IVC facility on Camp Road is not shown in Appendix 2 to the Non-Technical Summary [APP-308] (Components of Development Plan). Can the applicant add this to the plan.	The boundary of the in-vessel composting facility (IVCF) has been added to the Components of Development Plan (Document 2.13/APP-099) and the updated plan is submitted at Deadline 2. which is replicated within the non-technical which has also been updated. The boundary of the IVCF has been taken from the approved planning boundary for that site, a copy of which is found at **Appendix 3.**
Q1.12.2	The applicant	**Clarification: Ashgrove Farm in-vessel composting (IVC) facility currently operated by Biffa** In response to point 2.3.2 of the ES Scoping Opinion, Table 2.1 of the ES says that *"The IVC facility is no longer included as part of the Proposed Development …"* but para 2.2.3 says that *"Also within the Main Site is the Biffa operated 'In-Vessel Composting' (IVC) Facility …"* and bullet point 7 of paragraph 2.3.1 says that *"the IVC Facility will be demolished after the lease ends in 2030 …"*. Please explain and/or signpost a. how and in what condition the IVC food and waste composting facility would be left at the point when Biffa vacates the site; b. what cleanup would be required; c. who would do the cleanup;	The statement that the IVC facility is "*no longer included as part of the Proposed Development*" means that it is not proposed to include a relocated IVC facility as an operational component of the authorised development. The existing facility, however, lies within the Main Site and its buildings and hardstanding would be demolished, to enable delivery of the Proposed Development. The lease for the IVC facility requires the tenant, Biffa, to remove all tenant fixtures and restore the land to a condition suitable for agricultural cultivation within six months of lease termination. The lease expires on 30th June 2030, providing Biffa until 31st December 2030 to reinstate the site to its former agricultural condition. This is ahead of the first occupation of the proposed warehousing, which is currently programmed for 2031. Biffa would also remain responsible for the remediation of any residual contamination and any associated site 'cleanup' required under the terms of the lease. Before demolition, the facility would be decommissioned: waste and process materials would be removed; plant, tanks, pipework and chemicals would be emptied or made safe; and the premises would be cleaned to an appropriate standard. Responsibility for surrendering the EA permit and completing operator decommissioning obligations rests with the permit holder.

ExQ1	Question to:	Question:	Applicant Response
		d. what residual contamination there would be; e. how this has been assessed in the ES.	A pre-demolition audit, hazardous-material survey and targeted ground investigation will be undertaken when access is available. Any identified contamination would require remediation prior to permit surrender and will be controlled through the permitting regulations. The quantity or extent of residual contamination cannot be confirmed before decommissioning and investigation. The ES assesses estimated demolition waste from its buildings and hardstanding, and identifies measures for segregation, reuse, recycling and lawful disposal. There has been no assessment of the activities that would be covered under the permitting regulations (i.e. the permit surrender).
Q1.12.3	The applicant	Clarification: existing waste material and management facilities ES paragraph 13.4.18 line 2 reads … "*Vale of Waste Horse* …" Should this read Vale of White Horse?	The Applicant can confirm this is a clear typographical error – the reference should be to 'Vale of White Horse'.
Q1.12.4	The applicant	**Clarification: Storage of fuel, oil and other chemicals** Paragraph 17.2 of the CEMP [APP-189] makes reference to PPG7 for above ground storage tanks and PPG22 for spills. Please confirm that: a. you are referring to Pollution Prevention Guidance documents PPG7 The safe operation of refuelling facilities; and PPG22 Dealing with spills; PPG7 was withdrawn on 14 December 2015; please advise	The Applicant has updated the references within the CEMP (Rev A, Document 6.2C) which is submitted for Deadline 2, to refer to the latest guidance.

ExQ1	Question to:	Question:	Applicant Response
		b. what has replaced PPG7; c. whether PPG22 is still current and, if not, what has replaced it.	
Q1.12.5	The applicant OCC EA	**Ashgrove Farm in-vessel composting (IVC) facility currently operated by Biffa** We note from the OCC relevant representation [RR-109] Annex 1 paragraphs 113 to 117 and from ES Tables 13.2 and 13.3 [APP-181] that i) removal of the Ashgrove Farm IVC facility currently operated by Biffa would create a potential conflict with the Oxfordshire Minerals and Waste Local Plan policy W11; ii) a full Waste Needs Assessment needs to be prepared (OCC RR Annex 1 paragraph 114) and iii) there is a *"lack of clarity regarding the fate of the Biffa Green Power IVC facility ..."* (ES Table 13.3, ID EA28). Noting your responses in ES Tables 13.2 and 13.3, in ES paragraphs 13.4.23 to 13.4.32 and at procedural deadline A, please explain your assessment of future need in more detail and how your approach would ensure that the shortfall created by removal of this facility would be made up, with particular reference to OCC policies W1 and W11, the current and future waste needs of neighbouring	The Applicant acknowledges that Ashgrove Farm IVC is a permanent, safeguarded waste-management site under Policy W11 of the Minerals & Waste Core Strategy and that its current operational maximum capacity is 35,000 tonnes per annum. The submitted assessment examines whether the facility remains necessary by comparing the total forecast capacity requirements for composting and food-waste treatment within the county of Oxfordshire with the permitted capacity of existing facilities. The Minerals and Waste Core Strategy forecasts a requirement of 171,000 tonnes per annum in 2031 and available capacity of 214,600 tonnes per annum, giving a forecast surplus of 43,600 tonnes per annum. The 2020 Authority Monitoring Report records 239,600 tonnes per annum of permitted capacity and 188,178 tonnes managed, a surplus of 51,422 tonnes. Removing Ashgrove Farm's 35,000 tonnes per annum from the stated capacity would leave 204,600 tonnes per annum, which remains 33,600 tonnes above the forecast 2031 requirement. On that evidence, the Applicant's position is that the facility is not required to deliver the adopted waste strategy and that equivalent replacement capacity is not necessary. The assessment is intentionally basedon capacity within Oxfordshire and therefore does not rely on exports to Buckinghamshire, Milton Keynes or West Northamptonshire. This approach is consistent with Policy W1 and the principles of proximity and net self-sufficiency. As sufficient capacity is identified within Oxfordshire, the future needs or capacity of neighbouring authorities are not relied upon to make up a shortfall. However, a high level review of waste data flow and permitted food waste and

ExQ1	Question to:	Question:	Applicant Response
		authorities and any changes needed to the current Biffa licence. OCC and the Environment Agency (EA) are invited to comment.	composting capacity in the neighbouring counties of Buckinghamshire (including Milton Keynes) and West Northamptonshire show that they both have surplus capacity.
Q1.12.6	The applicant	**Ardley Energy Recovery Facility (ERF) currently operated by Viridor** With reference to ES paragraph 2.2.5 [APP-170], ES Table 13.20 [APP-181] and ES section 13.4 [APP-181], please explain what impacts the proposed development is expected to have on continuity of operation of this facility, particularly during the construction phase.	The management of construction traffic and the phased delivery of infrastructure as part of the development will ensure no significant adverse impacts on the continuity of operation at the Viridor facility.
Q1.12.7	**Viridor**	**Ardley Energy Recovery Facility (ERF) currently operated by Viridor** ES paragraph 13.2.7 [APP-181] says that *"Preliminary conversations with facilities Ardley Energy Recovery facility ("Viridor ERF") have been undertaken to inquire about the exact types of waste materials they accept and their capacity to receive waste arising from the Proposed Development, both during the construction and operational phases."*. Please comment and advise on the capacity of your facility to receive waste from the proposed development during both the construction and operational phases.	
Q1.12.8	The applicant	**Ardley Fields Household Waste Recycling Centre operated by OCC**	The management of construction traffic and the phased delivery of infrastructure as part of the development will ensure no significant

ExQ1	Question to:	Question:	Applicant Response
		With reference to ES paragraph 2.2.5 [APP-170], ES Table 13.20 [APP-181] and ES section 13.4 [APP-181], please explain what impacts the proposed development is expected to have on the continuity of the operation of this facility, particularly during the construction phase.	adverse impacts on the continuity of operation at the OCC household waste facility.
Q1.12.9	The applicant	**Ardley Dewars Farm Quarry (Smith and Sons) - sterilisation of resources** We note from the relevant representation from Smith and Sons (Bletchington) Ltd [RR-130] that it objects to the proposed development on the grounds that *"it does not accord with Oxfordshire's Minerals and Waste Local Plan …"* and requests that certain areas are *"safegeguarded (sic) for future mineral extraction"*. Please explain whether, and if so how, the proposed development will *"ensure that those resources will not be needlessly sterilised and remain potentially available for future use …"* (RR-130).	The Applicant has considered the concerns raised by Smith and Sons (Bletchington) Ltd regarding mineral sterilisation through the submitted Minerals Assessment. The assessment concludes that, whilst the Proposed Development would sterilise a proportion of the underlying limestone resource, it has been designed to minimise unnecessary sterilisation where practicable. In particular: • the proposed Middleton Stoney Relief Road is located outside the currently permitted extraction areas at Ardley/Dewar's Farm Quarry and would not prevent extraction of the mineral resource currently permitted under the existing quarry permissions; • the earthworks strategy includes the excavation and beneficial reuse of suitable limestone won during construction, thereby reducing sterilisation and maximising use of the resource where practicable; • much of the remaining limestone beneath the development would not be reasonably practicable to extract in advance of, or concurrently with, the Proposed Development due to the scale, programme and operational requirements of the SRFI; and • the Proposed Development is a Nationally Significant Infrastructure Project, for which there is a demonstrated need, and the Minerals Assessment concludes that prior extraction is not a reasonable or practicable alternative. The Applicant therefore considers that the mineral resource has been appropriately considered and that unnecessary sterilisation has been minimised as far as reasonably practicable. The Proposed

ExQ1	Question to:	Question:	Applicant Response
			Development would not prejudice extraction within the existing permitted quarry areas and incorporates the reuse of excavated limestone where suitable, ensuring that mineral resources are not needlessly sterilised.
Q1.12.10	The applicant	**Ardley Landfill site: maximum height** The fourth (final) paragraph of ES Appendix 13.1 Landfill reprofiling technical note [APP-299] says that the reprofiled height of the landfill in cells A and B will be up to 8m higher than the existing railway and paragraph 3.3 of ES Appendix 13.1 Landfill Reprofiling Technical Note [APP-299] says that this will … *" not exceed 128m above ordinance datum (sic) which is the same height as the existing highest point of restored levels on the wider Ardley Landfill Site."*: reference is also made to the reprofiled parameter in ES chapter 2 paragraph 2.3.7 [APP-170]. a. Should "ordinance" read Ordnance? b. Given that the land is shown on sheets 5 and 7 of the Land Plan, should the extent of the reprofiled landfill be shown and labelled on the Parameters Plan? " c. Paragraph 11.5.21 of the ES (APP-179) says that there will be *…"up to 12.0m of cut required in places."* Which	a) Yes. "*Ordinance datum*" is a typographical error and should read "*Ordnance Datum*". b) The maximum height of the landfill works is secured by Article 4(3) and therefore the Applicant does not consider that the Parameters Plan needs to be amended. The Applicant notes that the landfill plan referred to in article 4(5) was not listed in Schedule 16 – this will be amended in a future dDCO to be submitted. c) Please see the response to ExQ1.8.30.

ExQ1	Question to:	Question:	Applicant Response
		places? Our understanding is that there is a maximum of 8m at Ardley landfill.	
Q1.12.11	The applicant	**Ardley Landfill Site: existing permit** We note from section 3.4 of ES Appendix 13.1 Landfill reprofiling technical note [APP-299] that *"all the landfill works will be completed under a variation of the existing permit …so that the new rail connections and principle (sic)access are not included within the varied permit."*. We also note the voluntary land arrangements with Valencia Waste Management and that *"The Environment Agency has been extensively consulted …"*. a. do you mean the principal access to the main site (Work No 11)? b. please give an update on the current status of the proposal to vary the existing environmental permit, how this enables delivery of the proposed development and where the applicant's position is secured in the DCO.	a. Yes, reference to the principal access means the main site access (Work No. 11). b. The proposed excavation, reprofiling, redeposition and recapping would be carried out under a variation of the existing Ardley Landfill environmental permit. The permit process will regulate the works, i.e. the revised landfill profile and capping, stability, landfill gas and leachate management, groundwater and amenity protection, monitoring and aftercare. Following completion and Environment Agency approval, the relevant area would be partially surrendered so that the new rail connections and principal access are outside the revised permit boundary, while the remaining landfill stays subject to environmental regulation. The DCO does not disapply the Environmental Permitting regime – the permits will still need to be sought and obtained. Article 52 is intended to provide the mechanism for varying 3rd party permits and appropriate timescales for the EA to determine permit applications. Discussions with the EA on Article 52 are positive and remain ongoing.
Q1.12.12	The applicant	**Ardley Landfill Site: monitoring** With reference to ES Appendix 13.1 Landfill reprofiling technical note [APP-299] section 4.1, please give	The detailed access and monitoring arrangements will be developed as part of the detailed design of the Ardley Landfill works and agreed with the EA as part of the variation of the existing environmental permit. The permit application will be supported by

ExQ1	Question to:	Question:	Applicant Response
		details of the proposed access and monitoring arrangements before, during and after the proposed works to Ardley Landfill.	the detailed technical risk assessments required by the Environment Agency, including but not limited to hydrogeological, landfill stability and landfill gas risk assessments. Before the works commence, the existing monitoring network and associated landfill infrastructure within and adjacent to the works area will be surveyed, baseline monitoring data will be reviewed, and any monitoring points affected by the works will be identified. Safe access will be maintained for the landfill operator and the Environment Agency, as required, to inspect, sample, maintain and replace monitoring infrastructure. During excavation, reprofiling and recapping, monitoring will continue in accordance with the varied permit and the approved detailed Remediation Strategy. Where an existing monitoring point cannot be retained, an appropriate replacement will be installed and commissioned before the affected point is removed, so far as practicable. Access routes and working methods will be coordinated with the landfill operator to avoid interruption to the monitoring regime and to the continuing management of landfill gas and leachate. Following completion of the works, the retained and replacement monitoring infrastructure will continue to be accessed and monitored in accordance with the varied environmental permit. The final arrangements, including monitoring locations, frequencies, action levels, reporting and maintenance responsibilities, will be defined through the permit variation and associated approved management plans. The DCO does not disapply the Environmental Permitting regime.
Q1.12.13	The applicant	**Ardley Landfill Site: gas and leachate** With reference to ES Appendix 13.1 Landfill reprofiling technical note [APP-299] section 4.2, please give	The existing landfill gas and leachate treatment systems will remain operational and unchanged in terms of capacity, throughout the construction works and during operation of the Proposed Development and will continue to treat all of the expected gas and leachate from the whole of Ardley Landfill. Only under exceptional

ExQ1	Question to:	Question:	Applicant Response
		details of the proposed arrangements for continuing to use the existing on-site leachate treatment and gas utilisation infrastructure during construction and operation of the proposed development.	circumstances (e.g. where a new connection is required) will there be temporary (e.g. less than a day) interruption to the operations. The detailed design will identify all gas wells, leachate wells, monitoring points, pipework, pumps, power supplies and connections to the on-site treatment and utilisation infrastructure that may be affected. Before work commences, the condition, capacity and operating requirements of the existing systems will be confirmed with the landfill operator. Baseline gas, leachate and groundwater data will be reviewed and a phased working method will be agreed with the EA with further details included within the Landfill Gas Risk Assessment, Hydrogeological Risk Assessment and environmental permit variation. Access to the treatment facility will be maintained for inspection, monitoring, maintenance, sampling and emergency response at all times.
Q1.12.14	The applicant	**Ardley Landfill Site: existing EA licence** With reference to paragraph 12.1 of the CEMP [APP-189]: a. will any additional measures or variation of the existing EA licence be required; b. if so, in what respects?	a) Yes. Paragraph 12.1 of the CEMP (Document 6.2C/APP-189) states that the re-engineering and relocation of landfill materials will be carried out in accordance with a Construction Quality Assurance (CQA) Plan approved by the EA before works commence, and that the management and reuse of these materials will require specific EA approval "in compliance with the existing site permit". The works cannot, however, be undertaken under the existing permit in its current form. This is likely to be in the form of a variation of the existing Ardley Landfill environmental permit. b) The variation is expected to address the following: • the revised landfill profile, and a revised permit boundary following partial surrender of the area required for the new rail connections and principal access; • the excavation of approximately 275,000 m³ of landfill waste and its redeposition within Cells A and B;

ExQ1	Question to:	Question:	Applicant Response
			• the capping of approximately 135,100 m² of landfill, designed in accordance with Landfill Directive requirements; • geotechnical stability of engineered slopes and structures; • landfill gas and leachate management, including the safe relocation of existing gas and leachate infrastructure; • protection of groundwater in the underlying Principal Aquifer, with up-gradient and down-gradient monitoring; • odour and other amenity controls; and • monitoring, reporting, action levels and aftercare. These requirements will be informed by the Hydrogeological, Stability, Landfill Gas, Environmental Risk Assessments requested by the EA. The additional construction-phase controls already identified in the CEMP comprise the CQA Plan, the Landfill Gas Management Plan and the Odour Management Plan.
Q1.12.15	The applicant	**Ardley Landfill Site: groundwater monitoring** With reference to paragraph 12.1 of the CEMP [APP-189]: a. is the project duration both construction and operation? b. is groundwater monitoring proposed in any other areas and, if so, how is this secured?	a) The CEMP governs the construction phase, so the reference to "project duration" in paragraph 12.1 means the duration of the landfill works, including excavation, redeposition, recapping and the relocation of gas and leachate infrastructure. Groundwater monitoring at Ardley Landfill will continue for the lifetime of the permit. Up-gradient and down-gradient monitoring of the retained landfill will continue after construction, and into the operational phase of the Proposed Development, in accordance with the varied environmental permit. b) The CEMP does not currently propose groundwater monitoring outside the landfill area. Monitoring elsewhere would be introduced if further investigation or risk assessment identifies a need. Examples include the former and current fuel storage areas and the IVC facility at Ashgrove Farm, which have not yet been accessed for intrusive investigation, and any area where construction dewatering is required. Separately, the CEMP commits to providing water-quality monitoring points downstream of temporary balancing lagoons to protect surface water.

ExQ1	Question to:	Question:	Applicant Response
Q1.12.16	The applicant	**Construction waste: reduction options** With reference to paragraph 16.8 of the CEMP [APP-189] please give examples of how each option could realistically be used on the proposed development.	Paragraph 16.8 of the CEMP (Document 6.2C/APP-189) identifies three waste-reduction options. Examples of how each could realistically be used on the Proposed Development are as follows: • Off-site fabrication: steel portal frames, roof and wall cladding panels, and precast concrete units for the warehouse buildings, rail terminal structures and bridges (including the Ardley Bypass bridge over the Chiltern Main Line) would be manufactured off site and delivered ready for assembly. This reduces cutting, offcuts, formwork waste and packaging on site, in line with the CEMP commitment to use pre-fabricated elements where practicable. • Standardised components and materials: building layouts would be designed to standard structural grids and cladding module sizes, and repeated standard components would be specified for drainage, kerbing, fencing and lighting across the Main Site and highway works. This minimises cutting and over-ordering and makes it easier to reuse surplus items elsewhere on the site. • Just-in-time delivery: deliveries would be scheduled to match the construction programme for each phase, so that materials such as plasterboard, timber, insulation and cladding are not stored on site for long periods where they could be damaged by weather or construction activities.
Q1.12.17	The applicant	**Construction waste: reuse options** Bullet point 2 of paragraph 16.9 of the CEMP [APP-189] says *"Licensed waste carriers will where possible identify possibilities of local community re-use of waste materials."*. a. in what circumstances is reuse not possible b. what happens then?	a) Reuse, whether on site or through a local community recipient, may not be possible where: • the material is contaminated or hazardous, including asbestos-containing materials; • it does not meet the geotechnical or quality specification for the intended use; • it has been damaged, degraded or mixed with other waste so that it cannot be separated; • it cannot be reused lawfully under the CL:AIRE Definition of Waste Code of Practice, a waste exemption or another regulatory route;

ExQ1	Question to:	Question:	Applicant Response
			• construction phasing means it cannot be stored safely until a reuse opportunity arises; or • no suitable recipient or use can be identified. b) Where reuse is not possible, the material will be managed under the waste hierarchy and the Duty of Care. It will be segregated at source and sent for recycling or other recovery where feasible. Disposal to landfill will be used only as a last resort. All waste will be classified and removed by a registered waste carrier to a facility authorised to accept it, and the waste transfer notes will be retained. The quantity, destination and reason for not reusing each material will be recorded in the Site Waste Management Plan.
Q1.12.18	The applicant	**Construction waste: recycling** Bullet point 2 of paragraph 16.10 of the CEMP [APP-189] says *"Discussion with licenced (sic) waste carriers in respect to (sic) the feasibility/efficiency of specific materials recycling."*. a. presumably "licenced" should read "licensed" as in paragraph 16.9; b. presumably "in respect to" should read "with respect to" for clarity; c. in what circumstances do you consider that recycling would not be feasible? d. what do you mean by efficiency; and e. what happens if you consider that recycling is not possible?	a) Yes. "Licenced" should read "licensed", consistent with paragraph 16.9. b) Yes. "In respect to" should read "with respect to". Both corrections have been made in the updated CEMP at Deadline 2. c) The materials identified in paragraph 16.10 (timber, aggregates, plastics, glass and metals) would normally be recycled. Recycling may not be feasible where: • the material is contaminated or hazardous, or is mixed with other waste so that it cannot practicably be separated; • the quantity of a particular waste stream is too small to collect separately in practice; • there is no suitably permitted recycling facility for that waste stream within a reasonable distance; or • the material does not meet the acceptance criteria of the available facilities. d) "Efficiency" means the practicability and environmental effectiveness of a recycling route. It takes account of the recovery rate that can be achieved, the transport distance and associated emissions, the processing required, and the quality of the recycled output. e) Where recycling is not feasible, other recovery, such as energy recovery at a permitted facility, will be considered before disposal.

ExQ1	Question to:	Question:	Applicant Response
			Landfill will be used only as a last resort. The reasons will be recorded in the Site Waste Management Plan.
Q1.12.19	The applicant	**Construction waste: disposal** With reference to the final bullet point of paragraph 16.11 of the CEMP [APP-189], how would deficiencies be corrected?	Under the final bullet of paragraph 16.11 of the CEMP (Document 6.2C/APP-189), the audit procedure will trace the waste disposal regime from source to the licensed disposal facility. It will check the registrations and permits of all waste contractors and keep records of all waste transfer notes. Where a deficiency is identified, a Non-Conformance Report will be issued. In line with the CEMP's general non-conformance procedure, any deficiency will be reported to the Project Manager within 24 hours. Proposals to rectify it will be submitted within seven days. The Environmental Manager will be responsible for managing and reporting non-conformances. Corrective action will depend on the deficiency and may include: • stopping the non-compliant activity immediately; • re-segregating, re-containerising or removing incorrectly stored waste; • correcting or completing waste transfer or consignment notes; • suspending a waste carrier or receiving facility until its registration or permit has been verified, and appointing a compliant alternative where necessary; and • providing additional training or toolbox talks for site operatives.
13.	**Need, location and delivery**		
Q1.13.1	The applicant	**Government rail freight objectives** Can the applicant explain: a. how the proposed development would contribute to the overall Government's rail freight objectives	The Applicant prepared and submitted at Deadline 1 a detailed Post Hearing Note (Document 10.3A/REP1-017)) setting out the Applicant's approach to the design of the proposed development including the quantum of development proposed. The information set out in the Note is relevant to the questions posed here and the Applicant's answers below should be read alongside this Note, as well as the Applicant's position as set out in the Application

ExQ1	Question to:	Question:	Applicant Response
		b. why that need is considered to justify the scale of development proposed at this location, considering the role of existing, consented, and emerging SRFIs elsewhere within the national rail freight network c. how demand within the proposed catchment area is expected to result in a modal shift from road to rail, and how this has been distinguished from growth arising from wider logistics and distribution activity	documents particularly the Planning Statement (Doc 5.4/APP-161) the Market Analysis Report (Doc 7.1/APP-311) and the GB Railfreight Supporting Statement (Doc 7.2B /APP-313). Section 2 of the Post Hearing Note explains why the Applicant considers there is a need for an SRFI in the market area within which OxSRFI is located. It explains that the work undertaken by the Applicant, and set out in the documents listed above, concludes that the drivers of need identified by the Government and set out in the NNNPS apply to the market area and that the OxSRFI would, in accordance with the Government's objectives, expand the network of SRFIs into an area where there is currently '*lesser provision*'. It explains that the area within which OxSRFI sits, and indeed the OxSRFI site itself, have the fundamental attributes for an SRFI, and therefore the attributes to help to facilitate the Government's ambition for mode shift. The proposed development would deliver logistics space that is rail served, and it would enable existing and future businesses, on site and in its catchment area to utilise rail. It will therefore directly contribute to the Government's objectives to achieve a 75% increase in rail freight by 2050 and presents a significant opportunity to contribute to the Government's recently revised objectives to also achieve a 40% growth by 2040. The Government has concluded that without an expanded network of SRFI its objectives for rail freight use cannot be achieved. The Applicant has concluded that without an SRFI in the OxSRFI market area (expanding the SRFI network) logistics operations in the area will continue to be road based and the Governments objectives will not be achieved in this area. The Post Hearing Note explains that the scale of the development proposed is a product of the design process, which flows from the conclusion that there is a compelling need for an SRFI in this market area. That conclusion has regard to the existing, consented and emerging SRFI elsewhere. The Government acknowledges that the recent development of some SRFIs goes some way towards facilitating an expanded network but says that '*to meet the Government's ambitions for rail freight growth there remains a need*

ExQ1	Question to:	Question:	Applicant Response
			for appropriately located SRFI across all regions'. It is relevant to note here that since the Government's conclusions on the inadequacy of the current SRFI network to meet its objectives as set out in the March 24 NNNPS para 3.101, there have been no further SRFI which have gained consent. The Applicant's position, as set out in the Market Analysis Report (Document 7.1/APP-311), is that the significant demand from businesses for logistics space in the OxSRFI market area, now and in the future, will be forced to rely solely on a road based supply chain, unless SRFIs are brought forward in the area. It explains in section 5 the growing role and importance of rail in the supply chain and in section 6 sets out the role of SRFIs in both providing logistics space and providing the opportunity for businesses, now or in the future, to utilise rail in their supply chain. It explains at paragraph 6.12 that, as a result of how SRFIs function and in light of the drivers of rail freight use, the demand for and level of use of a rail freight interchange will be driven by both the amount of warehousing on site as well as the presence of other warehousing (existing and emerging) in the area surrounding an SRFI , as well as by the proximity and ease of access to other existing strategic rail freight facilities. The Post Hearing Note explains how OxSRFI and the market area within which it sits, is very attractive to logistics businesses seeking space for national and large regional distribution centres. These are the type of facilities and businesses, due to their scale, most likely to seek to and be able to, incorporate rail in their supply chains. In considering market conditions the Market Analysis report focusses on demand for strategic scale logistics space and does not consider small scale logistics and distribution activity less likely to be able to incorporate rail in their supply chain. The Post Hearing Note includes a section comparing OxSRFI with other consented SRFI. This includes reference to the take up at other SRFI and the average warehousing unit sizes on those schemes. The evidence from these SRFI is that the average unit size is very large. This reflects the anticipated demand at OxSRFI

ExQ1	Question to:	Question:	Applicant Response
			and the market evidence that this scale of operation is most likely to be attracted to an SRFI and most likely to be able to and seek to, utilise rail in their supply chain.
Q1.13.2	The applicant	**Market Analysis Report** The Market Analysis Report [APP-311] identifies strong current and future demand for logistics floorspace. What sensitivity testing has been undertaken to assess whether that demand would remain at the levels forecast if economic growth, e-commerce growth or logistics sector expansion were lower than assumed?	The evidence set out in the Market Analysis Report (Document 7.1/APP-311), is based on reasonable assumptions about current and future demand having regard to current market evidence, past trends and an understanding of the longer-term pressures and drivers of demand for logistics space and rail freight use. The Market Analysis Report does not seek to quantify demand in terms of floorspace over a given timescale and the need for SRFIs and for OxSRFI, as explained in the Applicant's detailed Post Hearing Note (Document 10.3A/REP1-017), is not predicated on meeting a quantified level of 'need'. Whilst in the short-term demand may fluctuate in response to wider economic conditions, the Applicant is confident (as set out in the Market Analysis Report) that the longer term demand for strategic logistics space will remain. Similarly, the Government's conclusion that there is a 'compelling need' for an expanded network of SRFI is not predicated on forecast growth or logistics sector expansion. The evidence set out in the Post Hearing Note demonstrates that the level of take up at other SRFIs has been significant and shows no sign of fundamental slow down notwithstanding the current national and international economic uncertainty.
Q1.13.3	The applicant	**Occupier demand** Can the applicant provide evidence on the nature and scale of identified occupier demand for the proposed development, including the proportion of occupier requirements that specifically require direct rail access or location within, or in close proximity to, an SRFI, and how this compares with demand for logistics facilities that	The Applicant's position, as set out in the Market Analysis Report (Document 7.1/APP-311), is that the significant demand from businesses for logistics space in the OxSRFI market area, now and in the future, will be forced to rely solely on a road based supply chain, unless SRFIs are brought forward in the area. It explains in section 5 the growing role and importance of rail in the supply chain and in section 6 sets out the role of SRFIs in both providing logistics space and providing the opportunity for businesses, now or in the future, to utilise rail in their supply chain. It explains at paragraph 6.12 that, as a result of how SRFIs function and in light of the

ExQ1	Question to:	Question:	Applicant Response
		do not rely on rail freight connectivity? What evidence exists that occupiers would choose this location because of rail connectivity rather than because of its strategic road access alone?	drivers of rail freight use, the demand for and level of use of a rail freight interchange will be driven by both the amount of warehousing on site as well as the presence of other warehousing (existing and emerging) in the area surrounding an SRFI, as well as by the proximity and ease of access to other existing strategic rail freight facilities. Section 8 sets out the market requirements for the OxSRFI scheme, it explains the strong underlying market conditions that are anticipated to drive the demand from occupiers for rail served warehouse space having regard to the current lack of access to rail freight in the market area together with the attributes of the OxSRFI scheme. At paragraph 7.44 of the Market Analysis Report JLL explain that they are aware of rail linked requirements from a number of large companies. They also state, however, that the operation of logistics space in the market area, now and in the future, will continue to be road based without the development of an SRFI providing the necessary access to rail. In other words, occupiers will seek space in the market area because of its locational attributes, and they will be forced to operate their supply chain without the use of rail. Because there is no existing or consented SRFI in the market area, there is no past take up evidence which can inform a quantitative assessment of demand specifically for rail served sites. Further, because occupiers cannot currently plan their future decisions based on the potential to utilise rail, (because there are no operational or consented SRFI in the market area) identifying specific known demand, for railed served space is not possible. The Market Analysis report therefore seeks to explain the market drivers that collectively demonstrate the likely strong demand for space at OxSRFI and the strong latent demand, and future growth in demand, in the area for rail freight use. The evidence presented in the Applicant's Post Hearing Note (Document 10.3A/REP1-017) identifies the take up and demand for space at other consented SRFI. This evidence helps to demonstrate the likely demand for space at OxSRFI. These other SRFI have

ExQ1	Question to:	Question:	Applicant Response
			enabled the use of rail and have driven the growth in demand for rail and the benefits of the use of it has grown and become better understood. The evidence at East Midlands Gateway is that all occupiers on the site now use rail in their supply chain. The Government has explained in the NNNPS paras 3.81 – 3.97, the drivers of the need for SRFIs. It is these drivers that combine to inform the Government's conclusion that there is a compelling need for a network of SRFI. The Government recognises that SRFI are fundamental for driving demand for rail freight use and that that use will grow in the future. Paragraph 4.80 states that SRFI are 'locations for businesses, capable now **or in the future**, of supporting their commercial activities by rail'. [our emphasis]
Q1.13.4	The applicant	**Availability of logistics floorspace** Can the applicant explain the approach taken in assessing the availability of logistics floorspace within the region, including the weight given to any current vacancy rates relative to the anticipated supply from consented, allocated, and proposed logistics developments, and how the future development pipeline has been taken into account in evaluating the need for the proposed scheme? Did the Applicant assess whether the demand identified in the Market Analysis Report [APP-311] could be accommodated through a number of smaller sites rather than a single SRFI of the scale proposed? If so, what were the conclusions?	The Applicant believes that its answer to this question is set out in the responses to the questions ExQ1.13.1-1.13.3 and in its Post Hearing Note (Document 10.3A/REP1-017). The conclusion is that there is a compelling need. That need, is not predicated on the identification of a quantified level of floorspace needed in the market area over a given period of time. The Applicant has considered the potential availability of alternative sites and its assessment is set out in the Alternative Sites Assessment Appendix (Document 6.2D /AS-054). This assessment is not limited in site size other than to meet the minimum requirements set out in the NNNPS. It has concluded that there are very few locations that have the core attributes for an SRFI and that there are no potential alternative sites which would be preferable to OxSRFI. It is also relevant that the Government have concluded at paragraph 3.102 of the NNNPS that reliance on a larger number of smaller rail freight interchanges is not a viable or desirable alternative to the delivery of a network of SRFIs. It is also relevant that the Government has not sought to quantify the need for SRFIs, rather it is clear that it intends for a comprehensive network of SRFIs, adding to the existing

ExQ1	Question to:	Question:	Applicant Response
			concentration in the heartlands and expanding the network into all Regions. This means many more new SRFI in the UK. It is the Applicant's view that many more SRFI will be required to help achieve the Government's mode shift target of 75% by 2050, including multiple SRFI in the OxSRFI market area, the South East and the Midlands.
Q1.13.5	The applicant	**Existing SRFIs** The NNNPS recognises both expansion of the SRFI network and the potential expansion or upgrading of existing facilities. What consideration has the Applicant given to whether the identified need could be met through increased utilisation or expansion of existing SRFIs? Could greater utilisation of existing or consented SRFI capacity contribute towards the Government's rail freight growth target without the effects associated with construction of an entirely new facility?	For the reasons set out in the Market Analysis Report (Document 7.1/APP-311), and summarised in the Applicant's Post Hearing Note (Document 10.3A), the Applicant has concluded that there is a compelling need for an SRFI in the market area within which OxSRFI is located and that this need cannot be met by existing or expanded SRFI located elsewhere in the UK. The position is clear: the Government has concluded that to achieve its targets there is both a compelling need for an expanded network of SRFI (in addition to existing and committed sites) together with the expansion where possible of existing facilities. Paragraph 3.102 of the NNNPS explains that relying on the existing infrastructure is not an option and would cause a constraint on economic activity. It says that the current network of RFIs and SRFIs are not sufficiently located to realise the full benefits of rail freight across the Country. In this regard the greater utilisation of existing SRFI is not, according to the NNNPS, viable or desirable. It is relevant to note here that since the Government's conclusions on the inadequacy of the current SRFI network to meet its objectives, as set out in the March 24 NNNPS para 3.101, there have been no further SRFI which have gained consent. It is perhaps also worth noting that expansion of existing SRFI would in themselves come with associated effects in the same way as an entirely new facility. For example there is currently a proposal to expand East Midlands Gateway with logistics floorspace on a site close by. That proposal, known as East Midlands Gateway 2, is currently going through the DCO consenting process.
Q1.13.6	The applicant	**Existing SRFIs**	Paragraph 4.10 requires the consideration of proximity of existing SRFIs within the context of 'judgements of viability' made within the

ExQ1	Question to:	Question:	Applicant Response
		Paragraph 4.10 of the NNNPS requires consideration of the proximity of existing SRFIs, including whether a proposal would abstract traffic from an existing SRFI. What assessment has been undertaken of potential abstraction from existing facilities, and what are its conclusions?	market framework and taking account of government strategies including its objective to achieve a 75% growth in rail freight by 2050 and its conclusion that there is a compelling need for a network of SRFIs. Paragraph 3.106 of the NNNPS also requires consideration of existing SRFI locations to be taken into account but recognises that there will be a natural clustering of SRFI proposals in the distribution heartland of the nation and that further SRFI proposals in this area will be important. It is clear therefore, within this context, that the Government recognises that multiple SRFI will be located in certain areas of the country serving similar markets. There would be, as there is now between existing SRFI in the Midlands, healthy competition for business, helping to drive the competitiveness of rail freight and increase its overall use. For the reasons set out in the Market Analysis Report (Document 7.1/APP-311), supported by the GB Railfreight Supporting Statement (Document 7.2B/APP-313) and summarised in the Post Hearing Note (Document 10.3A), the Applicant has concluded that there is a compelling need for an SRFI in the market area within which OxSRFI is located and that it will expand the network of SRFIs into an area that is currently not well served by rail. In this regard it would accord with the Government's drive to expand the network of SRFIs and, in accordance with paragraph 3.106 of the NNNPS meet the aim for SRFIs 'in areas where there is lesser provision'. In assessing the role of SRFIs the Market Analysis Report at Section 6, assesses the markets that could be served by OxSRFI and the assessment has regard to the location of existing SRFI. Paragraph 6.18 states that the OxSRFI catchment area is 'a product of both the strategic accessibility of the site alongside the lack of availability of facilities to access rail in this area – particularly to the south east'. It references the SRFI existing and proposed along the M1 corridor and the scheme under construction at Radlett. Paragraph 6.19 goes on to say that existing SRFIs do not reach the core catchment area of the OxSRFI and furthermore fail to cover large parts of the wider catchment area.

ExQ1	Question to:	Question:	Applicant Response
			The assessment set out therefore recognises that there might be some limited overlap with existing and proposed SRFI and therefore some 'competition' for the rail freight market. However as recognised by Government, there will need to be overlap and 'competition' between SRFI if the rail freight growth targets are to be achieved. The Market Analysis Report supported by the evidence set out by GB Railfreight, principally concludes that OxSRFI will serve a market area currently lacking access to rail, meeting (currently constrained) demand and generating new business to rail.
Q1.13.7	The applicant	**Identified catchment area** The applicant identifies a large catchment extending into London and the Midlands. How has potential overlap with the catchment areas of existing and proposed SRFIs been assessed? Could the identified need not be met through expansion of existing rail freight facilities or enhancement of existing logistics locations elsewhere?	Please see response to ExQ1.13.6 which addresses this question.
Q1.13.8	The applicant	**Trainline capacity** What evidence supports the applicant's assumption that the interchange could ultimately handle up to 12 trains per day, and how does this compare with actual utilisation rates at recently consented or operational SRFIs?	The Applicant's conclusion that the interchange could handle 12 trains per day is a product of the capacity of the terminal for receiving, processing, and returning trains in a 24 hour period. This relates to the number of handling sidings and the time it takes to process a train from arrival to departure. This is explained at paragraphs 6.7.1 and 6.7.2 of the Rail Report (Document 7.2A / APP-312). The Applicant has set out below a list of operational SRFI and RFI's and the Applicant's understanding of the current utilisation (trains per day). These terminals have different capacities depending on

ExQ1	Question to:	Question:	Applicant Response
			their configuration (number and length of sidings, storage capacity etc): • Mersey Multimodal Gateway – 4 (sidings only 350m) • Wakefield Europort – 3 (sidings only 355m) • I-Port Doncaster – 6-7 • East Midlands Gateway – 5-6 • Hams Hall – 4 (sidings only 430m) • Birch Coppice – 4 (sidings only 350m) • Dirft – 13 • Northampton Gateway (recently opened) - 1
Q1.13.9	The applicant	**Future operation** Can the applicant explain the measures, controls, and operational requirements that would ensure the proposed development continues to function as a rail-served freight interchange in the event that rail freight demand grows at a lower rate than currently forecast, and how the potential for the site to operate predominantly as a road-based logistics facility has been considered within the assessment?	The delivery of the rail freight terminal is controlled by Requirement 5. Given the investment required in the terminal and the support of and arrangements with GB Railfreight, the Applicant is confident of the successful delivery and operation of the terminal. As with all previously consented SRFIs in the UK, the growth of the terminal, in terms of the number and length of trains and throughput, will be driven by market conditions and the success of the terminal operator. The Rail Terminal is a trip generator within its own right and is assessed as generating a greater number trips to and from the hinterland surrounding OxSRFI than would be captured with the warehousing alone. Therefore, should rail freight demand grow at a lower rate than currently forecast, there would be less traffic associated with the Rail Terminal, which would result in less traffic associated with the Proposed Development overall. This is explained at Section 7 of the agreed trip generation work (Technical Note 3 'Trip Generation' (TA Appendix 7) (Document 6.3A.02/AS-056), which sets out the assumptions regarding interaction between the Rail Terminal and warehousing that is adopted for assessment

ExQ1	Question to:	Question:	Applicant Response
			purposes. This ensures that a robust position is adopted for the assessment of the trip generation for Proposed Development, regardless of demand for the Rail Terminal.
Q1.13.10	The applicant	**Proposed floorspace** Can the applicant explain: a. how the proposed total area of net lettable warehousing floorspace has been determined, including the extent to which it is required to support the efficient operation and viability of the SRFI b. how the proposed scale has been assessed against broader market demand for logistics and distribution floorspace within the region c. what assessment has been undertaken of whether a smaller SRFI could achieve the same strategic objectives	The Applicant considers that its Post Hearing Note (Document 10.3A/Rep1-017), in addition to the responses to the ExQ above, directly answers the questions posed here and refers the ExA to the answers given above and to that Note.
Q1.13.11	The applicant	**Market area** The Market Analysis Report [APP-311] uses a 4.5-hour drive-time to define the wider market area for assessing demand. Please explain the justification for selecting a 4.5-hour drive-time, including whether this represents a recognised market	Paragraph 7.18 of the Market Analysis Report (Document 7.1/APP-311), explains that the 4.5 hour drive time is considered relevant to logistics operators because it is the longest period a lorry driver can go without stopping and is therefore used to help determine the population that can be reached from a site within this single journey. It explains why this is one of the factors taken into account by logistics operators in making locational decisions and why the Midlands has become a focus of logistics activity. It explains why

		catchment for occupiers likely to use the proposed development, and how sensitive the conclusions on market demand are to the use of a shorter drive-time.	this is particularly important for national distribution centres which tend to seek and serve larger catchment areas in terms of population and geography. Paragraph 7.19 then explains that the OxSRFI location is, like much of the 'golden triangle', extremely well placed in relation to the level of population that could be reached within the 4.5 hour drive time. The catchment area for occupiers will depend on the individual occupier and its commercial operation. At paragraph 7.35, the Report explains that the key consumer catchment area for OxSRFI is considered to be a 90-minute drive time as this is often considered the optimal service time. The drive times are referred to because they are known to be important factors in occupier decision making and they help explain the strength of demand for logistics space in the OxSRFI market area. However the conclusions on market demand take into account a wide range of factors and are not solely predicated on drive times.
Q1.13.12	The applicant	**Delivery of rail interchange** Why could the rail interchange not be operational before occupation of the first warehouse, particularly given that the fundamental justification for the proposed development is its function as an SRFI?	The Applicant's position is not that the rail freight terminal cannot be operational before any occupation. The Applicant is merely seeking, in line with the NNNPS, to ensure that consent ensures an appropriate programme to allow for various further consenting and approval processes to deliver the rail connections which are not solely within the Applicant's control, whilst enabling (if necessary) the delivery of a limited, defined amount of warehousing before those final connections are in place. The ExA can take comfort that this is entirely in accordance with national policy. The rail interchange could be operational before occupation of the first warehouse. Indeed, the indicative construction programme, shown at Appendix 1 of the Construction Environmental Management Plan (Document 6.2C / APP-189) (note that this has been updated at Deadline 2 to reflect the likely time for determination of the DCO) envisages that the construction of the rail terminal will be complete in the middle of 2030 with the

			connections to the Main Line anticipated to follow at the end of 2030 or early 2031. This is shown as being just over 3 years post determination. First occupation is anticipated in spring 2031. As set out in the Statement of Common Ground with Network Rail (Document 8.1/AS-092) the timing of the connections to the Main Line are subject to a detailed design process, Network Rail approvals and are dependent on an appropriate window for engineering possessions of the Main Line to make the connections. As such it has been agreed with Network Rail that it is unlikely that the connections could be delivered and commissioned in less than a 3 year period post determination. Because of the agreements that need to be reached and the uncertainty regarding the precise timescales for the completion of agreements and identifying a suitable window for possession of the Main Line to make the connections, the process for connections could take longer and will be outside the control of the Applicant. If delays were to occur some warehousing could be occupied prior to the operation of the terminal, but this is limited by the restrictions imposed by Requirement 5.
Q1.13.13	The applicant OCC/CDC	**Delivery of warehousing** Paragraph 4.88 of the NNNPS recognises that some warehousing may need to precede final rail commissioning but requires rail connections to come forward in a timely manner. Explain and justify how the applicant considers that allowing approximately 232,258 sq m of occupied warehousing before rail operation satisfies that test? OCC/CDC – Do you consider that the approach of the applicant meets the test set out in the NNNPS? If not, please explain and justify and outline	Please see the Applicant's response to ExQ1.5.9. The Applicant has continued work with Network Rail in relation to the programme for the delivery of the rail terminal and connections to the Main Line. An anticipated rail works delivery programme has been produced and agreed with Network Rail. This is attached at **Appendix 1.** This has been shared with OCC and CDC as part of the discussions on the Statement of Common Ground relating to Rail matters, which explains the programme of works and approvals needed up to delivery of the rail connections.

		what changes would be required to satisfy the test.	
Q1.13.14	The applicant	**Level of warehousing** R5 of the dDCO [APP-139] proposes that no more than 232,258sqm of warehouse can be occupied prior to the delivery of the rail freight terminal. Clarify what would 232,258sqm would represent in terms of: a. number of warehouses b. percentage of total floorspace c. number of employees d. daily HGV movements.	a. The number of warehouses would depend on occupational demand and the size and configuration of the warehouses sought by occupier. It is not therefore possible to know the number of warehouses that this would equate to. However, in Appendix 1 of its Post Hearing Submissions: Approach to Design including Quantum of Development (Document 10.3A/REP1-017), the Applicant included details of other SRFIs in the UK including an analysis of the average size of units at those schemes. Those averages range from 48,050sqm at East Midlands Gateway, to 91,706sqm at Northampton Gateway. If those were to apply at OxSRFI, 232,258sqm would equate to between 2 and 5 units. b. It equates to around 38% of total floorspace c. The number of employees will depend on the occupiers and their operation. However, if a proportional assumption is made based on the assumed 9600 FTE employees, at 38% of total floorspace that would equate to 3692 employees. d. Based on the agreed HGV trip rates for the warehouses, 232,258sqm would equate to 1,767 daily HGV movements.
Q1.13.15	**Network Rail**	**Suitability of rail network** Confirm whether sufficient train paths and network capacity exist, or are reasonably expected to exist, to accommodate: a. four trains per day b. the forecast level of operation c. ultimately 12 trains per day Could the development be delivered without unacceptable effects upon passenger services or other freight movements?	

Q1.13.16	The applicant	**Permitted development** Are there permitted development rights that would allow a change of use from logistics/warehousing to another use that might give rise to other environmental effects to those assessed that would not be compatible with existing neighbouring development? Consequently, should the dDCO include a provision limiting specific permitted development rights?	Class P of Part 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permits change of use from warehousing to dwellinghouses but the local authority (LPA) is required to determine whether prior approval is required. If the LPA were to determine that prior approval is required, the permitted development right cannot apply after 10 June 2019. If the LPA determined that prior approval would not be required (which the Applicant expects would be unlikely in any event), there are restrictions on when the development is permitted – these are set out in paragraph P.1 of Class P (Part 3 of the Order) which are set out below for completeness. The Applicant considers that these restrictions (together with the need for the LPA to determine that prior approval is not required) would mean that this permitted change of use simply would not arise. For those reasons, the Applicant is content to limit that specific permitted development right and has amended the dDCO at Deadline 2 in this regard. **P.1** Development is not permitted by Class P if— *(a)the building was not used solely for a storage or distribution centre use on 19th March 2014 or in the case of a building which was in use before that date but was not in use on that date, when it was last in use;* *(b)the building was not used solely for a storage or distribution centre use for a period of at least 4 years before the date development under Class P begins;* *(c)the prior approval date falls on or after 10th June 2019;* *(d)the gross floor space of the existing building exceeds 500 square metres;* *(e)the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;*

			(f)less than 1 year before the date the development begins— *(i)an agricultural tenancy over the site has been terminated, and* *(ii)the termination was for the purpose of carrying out development under this Class,* *unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural purposes;* *(g)the building is within—* *(i)an area of outstanding natural beauty;* *(ii)an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;* *(iii)the Broads; or* *(iv)a National Park;* *(v)a World Heritage Site;* *(h)the site is, or forms part of—* *(i)a site of special scientific interest;* *(ii)a safety hazard area;* *(iii)a military explosives storage area;* *(i)the building is a listed building or is within the curtilage of a listed building; or* *(j)the site is, or contains, a scheduled monument;* *(k)the development is not completed within a period of 3 years starting with the prior approval date*.
14.	**Noise and vibration**		
Q1.14.1	The applicant	**Assessment scenarios** Paragraph 5.2.37 of ES chapter 5 Noise and Vibration [APP-173] identifies three scenarios considered	Three scenarios have been considered, as written in paragraph 5.2.37 of ES Chapter 5 Noise and Vibration (the latest version being(Document 6.5/AS-066), which replaced APP-173 following S51 advice) these are:

		as part of the assessment. However, it appears that the descriptions provided for the first and second scenarios are identical. Could the Applicant clarify whether this is correct and, if not, explain the distinction between these scenarios? In addition, could the Applicant confirm what the third assessment scenario comprises and how it differs from the others?	• Year 2 – prior to Ardley Bypass with construction traffic still using the B430; • Year 3 – prior to the opening of the Ardley Bypass (with construction traffic still using the B430); and • Year 3 – post completion of the Ardley Bypass (with construction traffic then travelling along the Ardley Bypass instead of the B430). These scenarios represent the peak periods in terms of construction traffic. A summary of the construction traffic flows for each scenario is provided in Table 1 of Appendix 5.8 of the ES (Document 6.5H/APP-228). The first scenario considers Year 2, which is the peak period for construction traffic prior to the opening of the Ardley Bypass and therefore represents a worst-case scenario for construction road traffic noise on the B430 north of the Proposed Development. The next two scenarios both relate to construction traffic in Year 3. The second scenario represents the construction traffic in this year when the traffic will be using the B430 and not the Ardley Bypass (as this hasn't been completed). The third scenario represents the point at which the Ardley Bypass is operational and the construction traffic can use it. These two scenarios allow a direct comparison of the effect of construction road traffic noise as a result of the opening of the Bypass. The construction traffic flows for Year 3 reflect the specific activities prior to (scenario two) and post the opening of the bypass (scenario three). As can be seen in Table 3.1 of ES Chapter 3 (Document 6.3/APP-171), post the Ardley Bypass opening, the peak construction traffic flows occur on all links except the B430 north. This is reflected by scenario three and is due to the rerouting of traffic along the bypass, instead of the B430.
Q1.14.2	The applicant	**Low-noise road surface and noise mitigation effectiveness** It is mentioned in paragraph 5.5.3 of ES chapter 5 Noise and Vibration [APP-173] that *"regarding the*	Ardley Bypass The proposed low noise road surface is a thin surface course system (TSCS) which reduces the noise emission produced by the road/tyre interaction by 3.5 dB compared to a typical hot rolled asphalt surface. The consequence of the low noise road surface is

		operational phase of the proposed development the design of the main site and Ardley bypass have been developed through an iterative process, as set out in the Design Approach Document (Document 5.5A), which has sought to maximise the mitigation of operational noise provided by the inherent design of the scheme. This has included a low noise road surface on the Ardley bypass." Paragraph 5.5.4 states that *"inherent mitigation has also been included in the design of the Middleton Stoney Relief Road (MSRR) including the associated bunding to minimise operational noise impacts at the surrounding receptors."* Could the applicant describe the proposed low-noise road surface on Ardley bypass and the inherent mitigation in MSRR and demonstrate their effectiveness in reducing noise impacts?	that at receptors surrounding the Bypass (e.g. R19, R20, R24 and R27), no significant adverse effects are predicted, and any adverse effects have been mitigated and minimised. The highest magnitude of impact from any increases in traffic noise is negligible. The required specification for the low noise road surface will be Noise Level 3 of Table E/2.5 of CD 236 – ENAA 'England National Application Annex for Surface course materials for construction' which can be found in CD 236 Surface course materials for construction of the Design Manual for Roads and Bridges. MSRR The design of the bunding around the MSRR was produced with consideration to the landscape and visual impacts of the development as well as the acoustic benefits that this landscape bunding would provide. The aim was to inherently mitigate against adverse effects. As the bunding was inherent in the design, noise modelling was not undertaken to quantify the noise reduction at the receptors that would arise from the MSRR in the absence of this mitigation. Regarding the effectiveness of the inherent mitigation in reducing the noise impact at the receptors, the assessment presented in ES Chapter 5 (Document 6.5/AS-066) and Appendix 5.12 (Document 6.5L/APP-232) indicates that no adverse effects are predicted at receptors close to the MSRR (receptors R38, R39, R40, R41, R47, R48, R48a).
Q1.14.3	The applicant CDC / OCC	**Justification for the proposed construction operation times** Paragraph 5.5.15 of ES chapter 5 Noise and Vibration [APP-173] states that *"construction working hours are to be controlled through the DCO requirements which are set to the following timings (unless otherwise agreed in writing by the local planning authority): 07:00 – 19:00 hours*	Requirement 25(1) of the draft DCO (Document 3.1/APP-139) indicates that the proposed construction hours include start up, shut down and deliveries, unless falling under one of the listed circumstances in paragraph 2 of this requirement e.g. oversize deliveries, works to rail infrastructure requiring line possessions or works that have been agreed with the local planning authority. Furthermore, the hours during which noisier works such as piling and reprofiling are allowed to occur are further restricted by paragraphs 3 and 4 of Requirement 25.

		weekdays; 07:00 – 16:00 hours Saturdays; and no works on Sundays or public holidays, unless in exceptional circumstances only and with prior notification to the local planning authority (LPA).” Could the applicant clarify whether the proposed working hours encompass site set-up and close-down activities and explain the rationale for requiring these extended hours? Could CDC / OCC confirm whether the proposed working hours are acceptable?	The proposed hours are intended to provide sufficient flexibility to undertake construction activities efficiently, safely and within the anticipated programme while minimising the potential for adverse noise and vibration effects. They reflect the mobilisation and demobilisation of plant and equipment as well as delivery and handling of materials. The Applicant considers these to be reasonable and notes that they are consistent with the construction hours on other consented DCO schemes such as Northampton Gateway. The phase specific construction environmental management plans (P-CEMPs) that will be produced for the works, will provide the framework for managing and mitigating noise and vibration effects and ensure that Best Practicable Means (BPM) is employed. Where identified as being necessary, additional controls would be implemented within these P-CEMPs to minimise adverse effects at the receptors.
Q1.14.4	The applicant	**Potential night-time noise impacts and mitigation measures for properties within 36m of the eastbound MSRR** It is stated in paragraph 5.5.45 of ES chapter 5 Noise and Vibration [APP-173] that *“even with the effect of the Framework Travel Plan (ES Appendix 3.2), a significant adverse effect is expected to remain at T10 during the night only.”* Paragraph 5.5.46 maintains that *“while the predictions are made at a single receptor in this area (i.e. T10), analysis shows that this result would likely be the case at all properties north of this section of Middleton Stoney Road, which have façades located within approximately 36m of the edge of the eastbound carriageway.”*	The Applicant notes that this matter relates to the night-time noise impacts on Middleton Stoney Road near receptor T10 and not the Middleton Stoney Relief Road (MSRR) as stated in the question. The residential properties which would experience a significant adverse effect are now identified in Figure 1 of Appendix 5.12 (Document 6.5L Rev A) that accompanies the ES Addendum submitted at Deadline 2. A list of the eligible properties is also provided in Table 6 of that Appendix. As indicated in para 5.6.5 of ES Chapter 5 (Document 6.5/AS-066) the mitigation proposed is an agreed sum of money available to each property for enhanced glazing (if required) and alternative ventilation for bedrooms only (as the significant effect is limited to the night-time period). Please see response to ExQ1.14.5 regarding how the mitigation is secured.

		Could the applicant identify and describe the properties, including T10, that have façades located within approximately 36 metres of the edge of the eastbound MSRR, and clarify whether any night-time noise mitigation measures are proposed for these properties?	
Q1.14.5	The applicant	**Additional mitigation for properties within 36m of the eastbound MSRR** Paragraph 5.6.5 of ES chapter 5 Noise and Vibration [APP-173] states that *"the only practicable option for mitigation is the provision of enhanced sound insulation to affected bedrooms. This would typically comprise secondary glazing and alternative means of ventilation to openable windows. This would be secured under the S106 Agreement, an agreed sum would be available to each eligible property for enhanced glazing (if required) and alternative ventilation for bedrooms only (as the effect is limited to the nighttime period)."* Could the applicant clarify whether any residential properties eligible for additional mitigation have been identified, particularly the property referred to as T10, and confirm whether a financial sum has been agreed in relation to this as part of the proposed Section 106 Agreement? The applicant is also requested to confirm whether this mitigation has	The Applicant notes that this matter relates to the night-time noise impacts on Middleton Stoney Road near receptor T10 and not the Middleton Stoney Relief Road (MSRR) as stated in the question. Please see response to ExQ1.14.4 regarding the identification of the eligible properties. The Section 106 Agreement has not been finalised nor has the sum of money that will be made available. There are ongoing discussions with Cherwell District Council on the detail of the drafting Section 106 Agreement. This mitigation will be secured through the Section 106 Agreement, it is not considered necessary or appropriate for this to also be included as a requirement of the DCO, since requirements (in the same way as planning conditions) cannot secure the payment of financial payments.

		been, or will be, secured through the DCO requirements.	
Q1.14.6	The applicant	**Mechanisms for securing and maintaining the proposed mitigation measures in perpetuity** It is stated in paragraph 5.6.10 of ES chapter 5 Noise and Vibration [APP-173] that *"the bunding adjacent to the rail terminal, would be up to approximately 17m above the level of the rail terminal ground surface. A 3m high acoustic barrier will also be included along the top of the bunding between the rail terminal and Ardley, with the detail confirmed through DCO requirements at the detailed stage of design. This will create an equivalent barrier height of 20m above the level of the rail terminal ground surface."* Could the applicant confirm how the proposed mitigation measures would be secured and maintained in perpetuity, including any relevant provisions within the dDCO requirements, Section 106 Agreement, or other legal instruments?	Paragraph 5.5.3 of ES Chapter 5 Noise and Vibration (Document 6.5/AS-066) indicates that the mitigation is secured via the bund heights forming part of the parameters of the development as per the Parameters Plan (Document 2.5/AS-008) (secured by Article 4 of the DCO) with the barrier secured by the DCO requirements. Requirement 9 of Schedule 2 of the DCO (Document 3.1/APP-139) secures this requirement. It requires that prior to commencement of any development, details of each component of the development are submitted in accordance with the parameters plan and the design code, and specifically lists; e) embankments and bunds s) fencing walls and other means of enclosure including acoustic fencing. Regarding the maintenance of this mitigation, for the bunding this is secured under Schedule 2 Requirement 12(4) of the DCO which addresses the ongoing management and maintenance of green infrastructure at the proposed development. The Applicant acknowledges that maintenance of the acoustic barrier is not specifically addressed and has therefore added a new paragraph to Requirement 26 in the updated dDCO submitted at Deadline 2 to deal with this.
Q1.14.7	The applicant	**Potential overlap of the construction programme with concurrent developments in the area** Paragraph 5.7.5 of ES chapter 5 Noise and Vibration [APP-173] states that *"while it is not possible to compare the specific alignment of construction phasing between this scheme and the proposed development, it is unlikely*	The construction phasing programme for the Richborough Estates development (henceforth referred to as RED) is not known by the Applicant. Furthermore, the noise impact assessment submitted in support of that application does not provide any construction noise predictions. The Cherwell Annual Monitoring Report 2025 indicates that the first 50 completions at the RED are anticipated in 2028/2029, 50 completions in 2029/2030 and another 50 in 2030/31, leaving the remaining 80 to be delivered after this period. By comparison the

		any receptors would experience a cumulative impact above that already accounted for from the proposed development alone. It is anticipated there would not be any cumulative operational noise impacts related to the Richborough Estates scheme and the proposed development." Could the applicant confirm whether the construction programme for the Richborough Estates development is expected to coincide with that of the proposed development, and if so, identify any anticipated overlap in construction activities and associated cumulative effects?	indicative construction phasing plans for the Main Site of the proposed development from Appendix 2 of the CEMP (Document 6.2C [APP-189]) indicate that; • in 2028 no works are expected in the vicinity of RED. • in 2029, the strategic earthworks mounds would be under construction with earthworks/enabling works and landscaping on the closest plateaus to RED. • by 2030 the strategic mounding along the boundary with Chilgrove Drive would be completed, although works to the plateaus would be completed by 2034. Based on the above, there could be some overlap and the worst-case scenario would be in 2029 when works at the proposed development occur closest to the boundary with RED and prior to the completion of the proposed strategic mounding (which once constructed, would provide some attenuation of the construction noise from the OxSRFI Main Site). During these works, the noise levels from OxSRFI (see Appendix 5.9 (Document 6.5I/APP-229) at the closest common receptors (R31, R32, R33 and R35*) are predicted to be no higher than 52 dB(A), which is below the lowest observed adverse effect level (LOAEL). In terms of distances, these receptors are at least 200 m and in most cases over 300 m from the OxSRFI main site boundary. By comparison the RED construction works boundary is in much closer proximity to the receptors, with works expected to occur within 20 m of R31 and approximately 45 m of R34. Given the difference in the proximity of the receptors to the proposed development and RED boundaries, under the worst-case conditions when RED works are closest to the common receptors, they would be expected to dominate the construction noise levels at those receptors. The contribution from OxSRFI works would be much lower, and they would likely make a negligible contribution to the total construction noise level at the receptors. Therefore, under the worst-case assumptions, it is not anticipated there would be any cumulative construction noise effects, that would be higher in

			magnitude than those which might arise due to RED construction works in isolation. *Note* *Construction noise predictions were not undertaken for R34, but levels would be similar to those at R32 – R35.
15.	**Socio-economics and health**		
		The ExA has no questions at this stage.	
16.	**Soil resources and agricultural land**		
Q1.16.1	The applicant	**Soil management plan** Requirement 13 [APP-139] states at 13 (1) (a) that *"No component of the authorised development on the main site is to commence until details of … an earthworks strategy including a soil management plan for the protection of soils … have been approved in advance and in writing by the local planning authority."* Paragraph 14.1 of the CEMP [APP-189] says that *"Each relevant P-CEMP and in accordance with Requirement 13, should incorporate a soil management plan to be undertaken by a suitably qualified practitioner …"*. a. What are the components of the earthworks strategy and how is it engaged? b. What is a relevant P-CEMP? c. Please confirm that each relevant P-CEMP will incorporate a soil management plan in accordance with Requirement 13;	A response to each point is taken in turn below: a. As required by dDCO Requirement 13, an earthworks strategy will be submitted for each component of the development set out in Requirement 4 (Document 3.1/REP1-003). Each earthworks strategy will need to include the matters listed in Requirement 13(1). b. P-CEMPs will be submitted through Requirement 10 for the works set out in Schedule 1 of the dDCO (Document 3.1/REP1-003). P-CEMPs will be required for separate parts of the authorised development. c. A soil management plan (SMP) is to be provided prior to the commencement of each component under Requirement 13(a) in the dDCO (Document 3.1/REP1-003). d. In reference to paragraph 14.1 of the submitted CEMP (as referred to in Document 6.2C/APP-189), someone who is technically able and qualified to undertake the work required to prepare a Soil Management Plan. e. NE (RR-101) refer to four points which they recommend an SMP should include when discharging dDCO Requirement 13 (Document 3.1/REP1-003). It should be noted that the submitted CEMP (Document 6.2C/APP-189) already includes a reference to point ii within paragraph 14.1. The Applicant has also now added in a reference to point i within the updated CEMP (see Rev A, Document 6.2C) which is submitted at Deadline 2. NE

		d. What is a suitably qualified practitioner? and e. NE suggests [RR-101] what should be in the soil management plan. Do you propose to amend the CEMP [APP-189] to incorporate the points proposed by NE and, if so, when do you propose to submit the revised CEMP?	points iii and iv are however not considered to be directly relevant to OxSRFI as they refer to the restoration of the site to agricultural use post any works, including excavations. There are no parts of the scheme where such works will take place that will not then form a fundamental part of the scheme with no opportunity for restoration. These points are therefore not included in the updated CEMP.
Q1.16.2	The applicant	**Land classification: areas of BMV agricultural land** The summary of ES Appendix 14.1 Agricultural Quality of Land [APP-300] states that …*"The land is principally limited by droughtiness and topsoil stoniness and in a small number of places by wetness/ workability limitations. These limitations restrict the land to predominantly subgrade 3b … with smaller areas of subgrade 3a."* and notes that the surveys were undertaken in September 2021 and September 2022. a. Do you mean that the land quality is limited? b. Is there any particular reason for conducting the surveys in September? c. Do you have any reason to suppose that the percentages and/or locations of the grade 3a, 3b and other land have changed significantly since September 2022?	Each point is taken in turn below: a. Land which is classified as having no agricultural limitations is Grade 1. Any grading of land below Grade 1 implies some degree of limitation due to wetness, droughtiness, stoniness etc. It is in specific reference to the ALC system, it is not a general use of 'limited' as an adjective. b. There is no particular reason for conducting surveys in September. c. No, the grades do not change over time. d. No, there are not.

		d. Are there any areas where actual quality and yield are, or are capable of being, better than suggested by the ALC?	
Q1.16.3	The applicant	**Minimisation of effects on BMV agricultural land** At paragraph 3.14.7 of its RR [RR-124] CDC states that *"Despite these losses of best and most versatile land, the applicants do not identify any embedded mitigation to reduce the impact of the scheme by moving built development away where possible"*. On page 5 of its relevant representation [RR-109] OCC *"considers that the applicant has not demonstrated how poorer quality land has been preferred, how BMV impacts have been avoided or minimised through design, or how sterilisation has been mitigated, resulting in a stated failure to demonstrate compliance with NNNPS paragraphs 5.189, 5.192 and 5.197."* Please comment and explain how you consider that you have satisfied these policy tests.	Please see the Applicant's response to CDC (RR-024) on 'Soils Resources and Agricultural Land' within Document 9.1B/PDA-009 for an explanation and justification of the approach taken to the design and layout of the Main Site, and also the use of a Soil Management Plan (SMP) to ensure protection and the best re-use of soil resources, preventing damage to and loss of good quality soils. An updated Agricultural Quality report (ES Appendix 14.1 / Document 6.14A rev 2), which updates figures within the report based on the latest Order Limits is submitted at Deadline 2. Table 1 of this report states that 8% (37.7 ha) of the Application Site is confirmed as graded 3a. It should also be noted that as shown on Map 2 within the updated Agricultural Quality report (ES Appendix 14.1 / Document 6.14A rev 2), pockets of grade 3a land are within areas of the Application Site dedicated to landscaping bunds and/or green infrastructure (please refer to the latest version of the Parameters Plan rev P38, Document 2.5). In reference to the NNNPS paragraphs and how the policy tests are satisfied, as a summary: • An explanation for the approach to the design and layout of the OxSRFI scheme, and extent of land used for landscaping and green infrastructure is explained in the Post Hearing Note (Document 10.3A/REP1-017) as well as within the response to the CDC RR-024. • The Applicant has set out to minimise the direct effects through the design of the project as explained above, and through the protection of soils through a SMP being submitted to discharge dDCO Requirement 13 (Document 3.1/REP1-003) during the detailed stage of design.

17.	Traffic and transport		
Q1.17.1	The applicant	**Adequacy of HGV parking facility** Paragraph 4.61 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] states that *"OCC's parking standards do not provide rates for the provision HGV parking and HGV parking is not defined at this stage in any case, because the masterplan is illustrative. However, each warehousing unit and the rail terminal will provide an appropriate level of on-plot HGV parking. The main site will also include an area of secure, dedicated, HGV parking*". In the absence of a specific HGV parking standard within the Cherwell Local Plan, could the applicant set out the justification for considering the proposed level of HGV parking provision to be sufficient?	Whilst approval of the vehicle parking by the Local Planning Authority is secured by Requirement 9 (2)(f) of the draft DCO (Document 3.1/REP1-003) and hence is not a matter for this stage of the application, the Applicant is confident that there is sufficient space within the development zones that are set out on the Parameters Plan (Document 2.5/AS-008) to provide a sufficient amount of HGV parking. The Illustrative Masterplan (Document 2.6/AS-009) provides one example of how the Main Site might be developed. Using that example, there is sufficient space within the Illustrative Masterplan layout to provide HGV parking at the warehousing units (loading docks + parking space) at an average ratio of 1 HGV space per 237sqm of gross internal area. In general, the larger units have higher HGV parking ratios, with the smaller units having a lower HGV parking ratio (ranging between approximately 1 HGV space per 150 sqm to 1 HGV space per 400 sqm). As a comparison, Leicestershire County Council, the highway authority in which East Midlands Gateway SRFI is located, has a minimum HGV parking standard of 1 HGV space for every 400sqm of floor space, and the adjacent highway authority of West Northamptonshire Council, in which Northampton Gateway SRFI is located, requires a minimum ratio of 1 HGV loading bay per 800sqm plus waiting space at each bay for 1 additional vehicle. This is an equivalent HGV parking requirement of 1 space per 400sqm. As above, the example scheme, as shown on the Illustrative Masterplan, would meet or exceed a 1 in 400sqm requirement, which supports the Applicant's position that there is sufficient space within the development zones to provide a sufficient amount of HGV parking.
Q1.17.2		**Provision of electric vehicle charging for HGVs** Referring to paragraph 4.61 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] and the discussions held during ISH2 on 30 September 2026, could the applicant	The Proposed Development will include enabling infrastructure to ensure HGV charge points could be installed in line with demand. The inclusion of this infrastructure ensures the Proposed Development is future-proofed against the potential future emerging demand. This commitment is secured within the updated Carbon Management Plan (Document 6.15E) submitted at Deadline 2.

		confirm whether electric vehicle charging facilities for HGVs are proposed as part of the development? If so, could the applicant provide details of the number of charging points proposed and identify their locations within the site?	The Proposed Development has sought to agree a 50 MVA grid connection, which would enable the electricity demand of the warehousing to be met, alongside providing headroom to meet the demand of HGV charge points where this arises. If approved the Proposed Development will be delivered by Mountpark, who currently do not have any demand for HGV charge points from their existing tenants across other schemes. As such, the enabling infrastructure is considered to future proof the site against potential future emerging demand.
Q1.17.3	The applicant	**Enforcement of new speed limits** It is mentioned in paragraph 4.75 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] that *"the highway design for the proposed improvement is shown on the highway plans document. The proposals include a change to the speed limit on the A34 approach to the junction, with the aim of slowing down vehicles which enables drivers to better react to queueing traffic ahead and will provide a safety improvement on the A34 approach, where an existing collision problem was identified in Chapter 3*". Paragraphs 4.85 to 4.89 and paragraph 4.52 of Appendix 1 discuss further amendments to the existing speed limits in locations where highway improvements are proposed. Could the applicant explain how compliance with the new speed limits would be enforced?	The proposed speed limits have been confirmed as being appropriate for the road type with the relevant highway authority. The statutory speed limit provisions are contained within the draft development consent order (Document 3.1 v3 submitted at Deadline 2) and in the same way as for any other speed limit, enforcement would be a matter for the police.
Q1.17.4	The applicant	**Pedestrian accessibility of diverted routes**	As set out in the Applicant's Post Hearing Submissions for ISH2 (Document 10.3/REP1-016), new routes will be designed to be accessible and inclusive for all users with for example suitable

		Paragraph 4.57 of Appendix 1 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] states that *"stopping up and diversion of public bridleway 109/26 that runs alongside the M40 from the Chiltern Main Line railway and Ardley Road would include the closure of the existing level crossing on the Chiltern Main Line railway. The diverted bridleway route would cross the new rail sidings via a new bridge and would cross the Chiltern Main Line railway via an existing bridge. The diverted route would run alongside the Ardley Bypass, before connecting back to Ardley Road".* Could the applicant clarify how the proposed diverted routes, including the new bridge, will accommodate all pedestrians, particularly those with mobility impairments?	gradients and increased heights of parapets over existing bridges. The new bridges, and works to existing bridges, are defined on the bridge overview plan (Document 2.12/APP-089) and, where relevant, the detailed bridge plans referred to on this overview plan. The design of the private bridges will be approved through Requirement 9, and the design of bridges over the railway will be agreed with Network Rail through the protective provisions. The detailed design and alignments of the public rights of way is to be agreed with the local highway authority, as noted in the DCO.
Q1.17.5	The applicant	**Specific accident-mitigation measures at M40 Junction 10 and M40 Junction 9** Paragraph 2.1 of ES Appendix 3.1 Transport Assessment - part 2 of 11 [APP-193] indicates that 6 of the 46 recorded accidents at M40 Junction 10 were classified as fatal or serious. Paragraph 3.4 further identifies 7 serious accidents out of 83 recorded incidents on the A34 approach to M40 Junction 9. Considering this accident history, could the applicant confirm what road safety mitigation measures	As explained within the Highways Design Approach Document (Document 5.5C/AS-051), at M40 Junction 9 the overwhelming majority of personal injury collisions (PICs) are rear-end shunts on the A34 northbound, with a likely contributory factor being queuing on the approach to Junction 9. The OxSRFI highway works at J9 (Document 2.7N/APP-046 address this through a combination of increased capacity at the J9 roundabout (thus reducing queue lengths on the A34 approach, see Transport Assessment Chapter 11 [AS-055]) and provision of a 50mph speed limit on the A34 approach [AS-019] which will reduce speeds and therefore reduce the likelihood and severity of PICs. At M40 Junction 10 (including the A43 corridor) the scheme will address existing road safety issues as follows:

		have been incorporated into the design of these junctions to address existing safety concerns and reduce the risk of future collisions?	• Increased capacity on the A43 corridor, notably at the Baynard's Green junction which has 18 PICs, including 1 serious. The Baynard's Green junction will become traffic signal controlled which will provide drivers and non-motorised users with dedicated stages in which to navigate the junction, thereby reducing the number of direct conflicts as compared to the existing priority-controlled arrangement. The improvements, which will reduce queuing and congestion, are shown on the highway plans (Document 2.7A/APP-043); • Reduced speed limits on the A43 corridor as shown on the speed limit plans (Document 2.10A/APP-079) and (Document 2.10B/APP-080) which will reduce speeds and therefore reduce the likelihood and severity of PICs; • Capacity improvement at the M40 southbound merge, which is just upstream of the one recorded fatal accident on the M40 southbound, as shown on the highway plans (Document 2.7B/APP-044); and • Reconfiguration of the M40 northbound slip roads with additional capacity provided by the second northbound diverge, and relocation of the northbound merge as shown on the highway plans (Document 2.7A/APP-043 and Document 2.7B/APP-044). This will reduce traffic passing through the Ardley and Cherwell Roundabouts, each the location of one serious PIC. The reduction in traffic and provision of traffic signal control at the Ardley Roundabout will address queuing on the M40 northbound slip road which is shown to queue back to the M40 mainline in the RC3A scenario (Transport Assessment Chapter 11 (Document 6.3A/AS-055), thereby addressing a significant safety concern for the operation of the M40 northbound.
Q1.17.6	The applicant	**Status of the unnamed road within the Order limits and consultation on the proposed stopping-up**	The unnamed road referred to in Appendix 25 of the Transport Assessment (Document 6.3A/AS-062) report was, since completion of that document, confirmed as being Upper Heyford Road. Upper Heyford Road is currently adopted highway and the

		Paragraph 2.13 of Appendix 25 of ES Appendix 3.1 Transport Assessment - part 8 of 11 [AS-062] states that *"the unnamed road passes through the main site area, connecting the B430 to Camp Road and therefore providing access to Heyford Park and Upper Heyford. It is not desirable for the SRFI development to retain this route for through traffic and hence a new Heyford Park Link Road (HPLR) is proposed, connecting Camp Road and the B430 south of the development site. This would form part of the embedded highway mitigation associated with the SRFI development."* Could the applicant clarify whether the unnamed road is adopted highway and, if so, whether engagement has been undertaken with affected users to establish the acceptability of the proposed stopping-up and diversion arrangements, and confirm that any objections or concerns raised have been satisfactorily addressed and resolved?	stopping up of this road, and its diversion (being the Heyford Park Link Road (HPLR)), are shown on the Access and Rights of Way plans (Document 2.3D/APP-033, Document 2.3F/APP-035 and Document 2.3G/APP-036]. These plans were consulted on as part of the statutory consultation. Concerns were raised about the design of the replacement Heyford Park Link Road. The Applicant has sought to address these concerns through the approach to the design of the HPLR and the landscaped corridor within which it sits. This is set out in the Highways Design Approach Document (Document 5.5C/AS-051) and the Main Site Design Approach Document (Document 5.5A/APP-166). OCC have, via the Transport Working Group, confirmed agreement to the highway works which include the provision of the HPLR to replace Upper Heyford Road.
Q1.17.7	The applicant	**Potential scope for enhancing the proposed improvements at M40 Junction 9** Paragraph 11.90 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] presents Table 11.18, which summarises the detailed modelling results for M40 Junction 9. Given that the southern arm of the junction is	The modelling of M40 Junction 9 that has been undertaken has been extensive, as set out at paragraph 11.79 of the Transport Assessment (Document 6.3A/AS-055). Throughout that work, the modelling has consistently shown no severe impact on the M40 southbound approach (M40 northern arm) as a result of the Proposed Development. On completion of the BTM modelling, detailed modelling of M40 Junction 9 using the final outputs from the BTM was undertaken. That work was submitted to National Highways for comment and in response National Highways

		forecast to perform significantly better than the northern arm in terms of degree of saturation, could the applicant explain why no sensitivity testing has been undertaken to assess whether additional enhancements to the proposed junction improvements may be warranted, particularly in relation to the northern arm?	provided Aecom Technical Note 08 (TN08). TN08 provided comments on the junction modelling and also recommended that the suitability of the turning flows from the BTM at M40 Junction 9 be demonstrated. That assessment was undertaken and is presented at paragraphs 11.86 to 11.93 of the Transport Assessment (Document 6.3A/AS-055). The analysis showed that whilst the BTM link flows at M40 Junction 9 exhibit good correlation with observed data, there were some turning movements in both peak hours which are materially different. Hence, in agreement with National Highways, a sensitivity test traffic flow set assessment was undertaken at M40 Junction 9 (using the methodology described at paragraph 11.89 of the Transport Assessment (Document 6.3A/AS-055)). That methodology was applied to all turning movements at the junction, including the M40 northern arm. Therefore, the sensitivity testing described in the Transport Assessment and the results presented in Table 11.18 already includes sensitivity testing of the M40 northern arm. Paragraphs 11.89 to 11.93 of the Transport Assessment (Document 6.3A/AS-055) summarise the methodology and results of the sensitivity testing, concluding the results are consistent with the previous modelling results, showing no severe impact at the M40 southbound approach (M40 northern arm) and no requirement for further mitigation. National Highways confirms their agreement to the modelling and these conclusions at paragraphs 4.1.1 and 4.1.2 of their RR (RR-100), where they confirm that the proposed mitigation at M40 Junction 9 is effective in accommodating the increased traffic expected from the Proposed Development.
Q1.17.8	The applicant	**Proposed pedestrian highway safety features at B430/B4030 crossroads junction** Paragraph 11.110 of ES Appendix 3.1 Transport Assessment - part 1 of 11	The proposed zebra crossing is intended to be at-grade. The existing footways on the B4030 to the immediate east of the signalised junction are too narrow in which to provide a controlled crossing and associated equipment and the road is not wide enough to enable carriageway space to be given to pedestrians.

		[AS-055] presents Figure 11.10, which shows the proposed new bus stops in Middleton Stoney and pedestrian safety improvements at this Junction. Could the applicant clarify whether the proposed zebra crossing on Ardley Road is intended to be at-grade or raised, and explain why no new crossing is proposed on the B4030 Bicester Road arm of the junction?	There is an existing uncontrolled crossing at this location that will be retained and as part of the provision of the signal-controlled crossings at the junction (on the B430 Oxford Road and B4030 Heyford Road) an all-red stage will be introduced, thereby allowing pedestrians to cross the B4030 Bicester Road at the existing the uncontrolled crossing. The introduction of the all-red stage is possible because of the MSRR leading to a reduction in traffic flows on the B4030 through the village (TA Chapter 11 Document 6.3A/AS-055).
Q1.17.9	The applicant OCC	**Traffic assessment method and associated traffic monitoring for the A43 Barleymow roundabout** It is mentioned in paragraph 11.138 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] that *"it has been agreed with National Highways and OCC that due to the uncertainty around the traffic forecasts at the junction, the cost of the works would be secured by OCC on behalf of National Highways via a S.106 contribution to be made by the applicant. The scheme would be implemented should pre-agreed traffic growth thresholds be reached. The exact mechanism for the monitor and manage arrangement will be agreed with National Highways."* Could the applicant clarify the pre-agreed traffic growth thresholds that would trigger the implementation of these works, and explain how compliance with this threshold would be monitored?	A draft monitor and manage strategy has been shared with National Highways. That strategy includes details of the proposed traffic growth thresholds along with the monitoring regime. National Highways has reviewed the proposed strategy and is satisfied with the general principles but has raised a number of specific points for further discussion. The Applicant will continue to work collaboratively with National Highways to agree the strategy. The Applicant can clarify that the works, if required, would be implemented by National Highways, not OCC. The current proposal is that OCC would hold the S106 monies on behalf of National Highways. However, OCC have indicated a preference for the monies to be secured in the DCO rather than through S106. National Highways has indicated that this is agreeable to it in principle. The Applicant is therefore in the process of agreeing suitable drafting in the DCO, but does not intend to submit this into the Examination until it is agreed with National Highways.

		Could the applicant also confirm whether OCC would undertake these works, funded by the applicant through a Section 106 agreement? Could OCC to confirm if it is happy with this approach?	
Q1.17.10	The applicant OCC/ CDC	**Proposed Albion Land and Tritax Big Box improvement schemes for Baynard's Green junction** It is stated in paragraph 2.53 of Appendix 1 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] that *"the Albion Land and Tritax Big Box schemes were required to improve the A43 Baynard's Green Roundabout. The improvement scheme included staggered Toucan crossings on the B4100 east and west and A43 south arms of the junction and new shared use footway/cycleway links, including a link to the Baynard's Green services. The schemes were also required to provide a footway/cycleway alongside the B4100 between Bicester and their sites, which would have connected with the new facilities provided at the Baynard's Green junction. However, following the refusal of these schemes, these works are not committed."* Could the applicant confirm whether this scheme has been, or is intended to be, incorporated into the proposed improvements at this junction? Could OCC and/or CDC provide an update of the current position	As discussed at CAH1 the Application provides for two scenarios at this location. The first, core, scenario is shown on the Highway GA for this junction (Document 2.7A/APP-043). This is the scheme OxSRFI would construct if the Albion Land and Tritax Big Box schemes do not come forward. This scheme includes for new footway/cycleway connections across the A43, connecting to the B4100 east and west of the Baynard's Green junction; the link to the west including a link into the Baynard's Green services. However, the OxSRFI highway works do not include for a shared use footway/cycleway between this junction and Bicester as this is not required for OxSRFI. The second, alternative, scenario is shown on the alternative Highway GA (Document 2.7W/APP-065). In this scenario the Albion Land and Tritax Big Box schemes do come forward and construct the works required by them at the Baynard's Green junction and the shared use footway/cycleway between this junction and Bicester. The OxSRFI highway works would then provide further capacity at this junction as needed for OxSRFI and shown on the alternative Highway GA (Document 2.7W/APP-065).

		regarding the proposed Albion Land and Tritax Big Box improvement schemes.	
Q1.17.11	The applicant OCC / CDC	**Management of the proposed bus contribution** Paragraph 4.76 of Appendix 1 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] states that *"to manage the implementation of the PTS, including the control of the expenditure on the Bus Service Contribution, a Sustainable Transport Working Group (STWG) for the OxSRFI development will be established. This approach has been adopted successfully at other SRFIs. The STWG would include representatives from various stakeholders, though voting rights would be restricted to key stakeholders (likely to be OCC, CDC, and the applicant). The STWG could also include the Site Travel Plan Co-ordinator, Unit Travel Plan Co-ordinators."* Given that this bus contribution would ordinarily be secured through a Section 106 agreement with CDC, the applicant, OCC and CDC are invited to explain why the process could not be managed by the Council's Sustainable Transport Team and Section 106 monitoring officer.	The STWG is intended to provide a forum that will allow key stakeholders to come together to discuss and review the ongoing implementation of sustainable transport strategy for OxSRFI. The Applicant is a key stakeholder and will be able to contribute important information and context to the STWG, for example with regards to the operation of existing and potential future occupiers. The Applicant has an invested interest in ensuring that the opportunities for sustainable travel associated with the PTS are maximised, both in terms of meeting the Travel Plan targets and because of the gross cost S106 Bus Service Contribution agreed with OCC (with revenue returned to the Applicant). The Applicant considers that the STWG will allow the interests of all stakeholders to be considered and will help facilitate outcomes that are in the best interests of meeting the sustainable travel objectives of OxSRFI. However, whilst the Applicant will have voting rights on the STWG, it will be possible for OCC and CDC (the other voting members) to out vote the Applicant and hence ultimately OCC and CDC will have the deciding vote on the expenditure of the Bus Service Contribution.
Q1.17.12	The applicant	**Timetable enhancements and aggressive 'pathing'** Paragraph 17 of GB Rail Freight Supporting Statement [APP-313] states that *"The industry is not complacent though; it understands and*	GB Railfreight have sought to explain in this paragraph the methods that they employ to achieve improvements to performance and optimise the use of its fleet. It can confirm that these initiatives would be used at OxSRFI. Whilst this paragraph does not specifically relate to increasing the number of trains per day, which is more dependent on the

		accepts that it has constantly to search for improvements in performance and efficiency. Initiatives currently include assets being used more productively; timetable enhancements and aggressive 'pathing' (optimising running time over a given route) allow fleets to be used twice per day instead of just once". Could the applicant confirm whether this initiative would be adopted to increase the projected number of trains per day?	growth in market demand, efficient operation of services and optimising running times would be employed which will assist with pathing and therefore the capacity of the Main Line.
Q1.17.13	The applicant	**Ability of Chiltern Railways to accommodate the proposed development** It is stated in the final paragraph of the appendix to GB Rail Freight Supporting Statement [APP-313] that *"OCC's Freight and Logistics Strategy outlines that while our priority is to support the mode shift of freight to rail, it is important that this does not affect our passenger rail network. OCC therefore requires robust evidence from the applicant that the provision of 4 return freight paths per day along the Chiltern Main Line will not adversely impact the capacity on the Chiltern Main Line to the point where additional passenger services are not possible."* Could the applicant explain how the proposed SRFI would avoid adversely affecting existing passenger rail services, including maintaining operational performance and	The future management of the Railway is the responsibility of Network Rail, who are obligated to appropriately manage and accommodate existing and future passenger and freight services. An explanation of how this process works is set out in the Appendix to the Statement of Common Ground with Network Rail AS-092. It explains the process involved in the identification and allocation of capacity on the national rail network and includes an explanation of how freight paths are allocated alongside passenger service paths.

		preserving opportunities for future capacity enhancements and service growth?	
Q1.17.14	The applicant	**P-CEMP management approach** Paragraph 4.2 of ES Appendix 2.3 Construction Environmental Management Plan [APP-189] states that *"a P-CEMP must be prepared for each component of development. Where necessary, for example if several contractors are involved in the delivery of a particular component, it may be necessary for multiple P-CEMPs (each specific to individual contractors) to be prepared"*. Could the applicant clarify why a coordinated approach, involving the appointment of a lead contractor responsible for preparing and managing the P-CEMP across all project components delivered by multiple contractors, cannot be adopted?	There will not be a single lead contractor across all project components. The approach proposed replicates the approach agreed and implemented as part of both the East Midlands Gateway and Northampton Gateway SRFIs. The approach ensures that, where necessary, multiple P-CEMPs will be prepared, so that working arrangements are fully controlled in accordance with the overarching CEMP. The approach does however envisage and allow for, situations where there is a lead contractor on certain components of the scheme, with sub-contractors working arrangements managed by a single P-CEMP for that component.
Q1.17.15	The applicant	**Measures for controlling emission of dust** Paragraph 14.6 of ES Appendix 2.3 Construction Environmental Management Plan [APP-189] identifies a range of actions that contractors are expected to consider as a minimum requirement. Could the applicant confirm whether all the measures identified in the referenced paragraph will be incorporated within the P-CEMP? If not, please identify any	The Applicant confirms that all measures listed in Paragraph 14.6 of ES Appendix 2.3 (Document 6.2C/APP-189) will be incorporated within each P-CEMP.

		measures that are proposed to be excluded and provide justification for their omission.	
Q1.17.16	The applicant	**Maximisation of prefabricated construction elements** It is mentioned in paragraph 15.2 of ES Appendix 2.3 Construction Environmental Management Plan [APP-189] that *"contractors will be required, where practicable, to ensure that prefabricated elements will be delivered to site ready for assembly in order to reduce on site construction waste and reduce vehicle movements as part of the construction process."* Could the applicant clarify how the use of prefabricated construction elements will be maximised across the proposed development, including details of the specific measures, targets and procurement strategies that will be adopted? The applicant should also explain how compliance with these commitments will be monitored and enforced throughout the construction process.	Pre-fabricated items will be included across the Proposed Development where their inclusion is appropriate and feasible. Examples include: • large concrete structures, such as the dock leveller pits, will be pre-constructed off-site (pre-cast); • where composite cladding is specified, this would be delivered in pre-made panels; • steel used across the Proposed Development within the structural elements will be prepared off-site (i.e. made to measure/sized, pre-drilled, and plated); • glazing and curtain walling will be pre-sized and delivered to site for assembly; and • inspection chambers would be pre-cast off-site. The above will enable waste reduction throughout the construction phase, supporting waste targets set within ES Chapter 13: Materials and Waste (Document 6.13/APP-181) regarding diversion of waste from landfill. The Applicant's Development Team will hold monthly progress meetings with the Principal Contractor, who will provide progress reports to disclose performance against targets agreed within tender documents. The Applicant is committed to working with contractors to reduce waste resulting from the construction process, as set out within the commitments listed within Appendix A to the updated Carbon Management Plan (submitted at Deadline 2).
Q1.17.17	The applicant OCC/ CDC	**HGV routeing strategy and related enforcement actions** Could the applicant explain how the proposed HGV routeing strategy would be monitored and enforced, including details of any physical measures and	As discussed at ISH2 the HGV Routeing Strategy for operational HGVs (TA Appendix 6 Document 6.3A.02/AS-056) sets out the details of the monitoring and enforcement of HGVs, locations of physical measures and ANPR. This includes how the HGV Routing Strategy will ensure OxSRFI HGV traffic does not use the local road network, including within Clifton, Fritwell and

		the use of Automatic Number Plate Recognition (ANPR) technology, considering concerns raised in relevant representation (RR046) regarding existing highway constraints within Clifton, Fritwell and Somerton? Referring to the discussions held during ISH2 on 30 September 2026, could the Applicant confirm whether the proposed HGV routeing arrangements, including any penalties or enforcement measures for non-compliance, will be secured through contractual agreements with HGV operators? If so, could the Applicant explain how compliance with those arrangements would be monitored and enforced? Have CDC and OCC any comments?	Somerton. It also confirms how penalties are applied and how the strategy is to be monitored. The routeing strategy has been agreed by NH and OCC. Compliance with the HGV Routeing Strategy is secured by Requirement 24 of the DCO.
Q1.17.18	The applicant	**Principal site access junction's capacity assessment** Could the applicant clarify why Table 12.3 of ES Appendix 3.1 Transport Assessment - part 1 of 11 [AS-055] indicates that the principal access would operate with substantially greater practical reserve capacity during the PM peak than during the AM peak in both the 'with travel plan' and 'without travel plan' scenarios, and explain the factors and assumptions underpinning this difference?	At the principal site access junction, the assessment results presented at Table 12.3 show that the junction would operate acceptably in all opening year scenarios. The modelling results show that the junction would have greater practical reserve capacity in the evening peak hour for the following reasons: • In the evening peak hour, the departures from the Main Site are significantly higher than the arrivals, with approximately 70% (by passenger car units (pcus)) of the departures from the Main Site using the free-flow lane from the site onto the Ardley Bypass. Hence, that traffic does not travel through the site access junction or impact on its capacity. • In the morning peak hour when arrivals to the site are significantly higher than departures, all arrivals travel through the site access junction with approximately 76% (by pcus) of these arrivals using the Ardley Bypass approach to the junction.

			• Therefore, the tidality of the development traffic flows at the site access junction combined with the free-flow exit from the site means that there is significantly more development traffic passing through the junction in the morning peak hour compared to the evening peak hour. • Further, the forecast traffic data shows the non-SRFI traffic using the Ardley Bypass would also be tidal. For example, in the morning peak hour, the southbound non-SRFI traffic flow is greater than the northbound non-SRFI traffic flow. In the evening peak hour, the southbound non-SRFI traffic flow is forecast to be less than the northbound non-SRFI traffic flow. The combination of the above factors means that in the morning peak hour, the traffic flow on the Ardley Bypass approach to the site access junction is significantly higher than the traffic flow on any approach to the junction in the evening peak hour. Hence, the junction has significantly more capacity in the evening peak hour because the traffic demand at the junction is much lower in the evening peak hour.
18.	**Water environment**		
Q1.18.1	The applicant Anglian Water Services	**Impact on Anglian Water Services's assets within the order limits and possible mitigation** Paragraph 9.4.30 of ES chapter 9 [APP-177] states that *"the proposed development is located within TW's sewerage area, with the exception of parts of the Ardley Bypass and M40 Junction 10 highway improvement works which fall within Anglian Water's sewerage area."* Could the applicant explain how the proposed development would affect the assets of Anglian Water Services and how any resulting impacts would	The Applicant's response to the Anglian Water relevant representation (RR-009), found at Document 9.1/PDA-007, sets out how the development affects Anglian Water's assets and includes the response to the request for bespoke protective provisions. In summary, there is limited interaction between the scheme and Anglian Water's (AW) assets. The only interaction relates to an existing foul rising main which serves as the connection from Cherwell Valley motorway service area. The rising main crosses the M40 and A43 before connecting to the existing treatment works, to the east of Ardley. The proposed northbound exit slip road will cross over the line of the rising main, however, proposed levels are expected to be approximately 2.5m above existing ground levels and as such the proposals are expected

		be mitigated, including the provisions that would be required within the DCO? In doing so, the applicant should have regard to concerns raised in relevant representation (RR-009), including the request for bespoke protective provisions to be incorporated into the DCO. Could Anglian Water Services confirm if the applicant's approach would sufficiently mitigate any effects on Anglian Water Services assets and whether these are adequately secured in the DCO?	to have limited impact on the main, subject to the appropriate protection measures during construction (which are secured through the DCO). There are no proposals to discharge drainage flows (foul or surface water) via any AW sewer and hence the there will be no impact on sewerage capacity in the area. The Applicant considers that the protection afforded by Part 6 of Schedule 14 provides the necessary measures to ensure that the rising main is protected during the works. The Applicant confirmed in its responses to AW's RR that it does accept that further drafting should be incorporated to that Part of Schedule 14 confirming that the AW easement/rights relating to the rising main will be maintained on those parcels where compulsory acquisition might be exercised. Additional drafting was added at Deadline 1 (Document 3.1/REP1-003). The Applicant does not consider that AW's bespoke protective provisions are necessary.
Q1.18.2	The applicant CDC / OCC	**Water storage** Paragraph 3.21 of ES Appendix 9.4 (Sustainable Drainage Statement - Offsite and Highways) [APP-266] identifies a range of proposed sustainable drainage measures. Could the applicant explain why rainwater harvesting and water reuse systems have not been included within the proposed drainage strategy, particularly considering the concerns raised in relevant representation (RR-009)? Has the LLFA any comments on this issue?	Specifically relating to the ES Appendix 9.4 (Sustainable Drainage Statement - Offsite and Highways) (Document 6.9D/AS-078) and in the context of AW's RR (RR-009), the proposals within AW jurisdiction are entirely highways proposals and as such there is no demand for the use of rainwater in these areas. Appropriate mitigation is provided such that adequate treatment and volume control is provided. Notwithstanding the above, it is acknowledged that OCC's guidance has recently been updated which does reference the need to consider rainwater harvesting systems. On this basis, ES Appendix 9.3 Sustainable Drainage Statement – Main Site (Document 6.9C/APP-265) – has been updated to consider this new guidance, the updated document has been submitted at Deadline 2. The extent and use of rainwater harvesting systems

			and their benefit can only be confirmed once occupiers are known and their demand for the use of rainwater is fully understood (i.e. a system should be designed / optimised such that and collected rainwater is actually usable by the end user). It should be noted that if rainwater harvesting systems are incorporated this will not materially impact the submitted drainage strategy in terms of the discharge rates and attenuation provisions etc. and hence can be considered at a later stage. Rainwater harvesting systems may result in higher energy use and embedded carbon over the lifetime of a building and this should be considered when weighing up the advantages and disadvantages of including rainwater harvesting systems.
Q1.18.3	The applicant CDC / OCC	**DCO requirements and flood risk assessment** Could the applicant explain whether, and if so how, it has addressed the concerns with the dDCO requirements and flood risk assessment, including matters relating to hydraulic modelling, floodplain compensation, culvert design, watercourse diversions and compliance with the Water Framework Directive? The applicant should also outline the proposed mitigation and management measures for watercourses, aquatic ecology and in-channel works. In responding, the applicant should have regard to the concerns raised in Relevant Representation (RR-042). Has the LLFA any comments on this issue?	The Applicant's response to RR-042 is found within Document 9.1B/PDA-009. An updated Construction Environmental Management Plan (CEMP) (Document 6.2C) is submitted at Deadline 2. This provides additional information and clarity on the required mitigation and management measures for the watercourse, and in channel works. This is supported by an updated Water Framework Directive Assessment and ES Chapter Addendum which is also submitted at Deadline 2 and provides further information. An updated Flood Risk Assessment, together with supporting appendices (including hydraulic modelling reports containing Environment Agency independent model review comments) has been submitted at Deadline 2. These updated documents provide clarity on how the Applicant has addressed any points raised in the Environment Agency independent review in addition to providing further information on freeboard levels in culverts, culvert design standards, and rationale towards watercourse diversions. This is in accordance with the responses provided in the Applicants Relevant Representations document 9.1B/PDA-009 specifically the responses to EA-09 – EA 13 and EA15.

Q1.18.4	The applicant CDC / OCC	**Assessment of water quality and maintenance of Sustainable Drainage Systems** Could the applicant explain how operational water quality impacts, the long-term maintenance and management of the proposed SuDS, drainage control measures, and any pollution risks associated with the proposed solar photovoltaic (PV) infrastructure have been assessed and addressed? In doing so, the applicant should have regard to the concerns raised in Relevant Representation (RR-042). Has the LLFA any comments on this issue?	The Applicant's response to RR-042 from the EA is found within Document 9.1B/PDA-009. The response confirms that the applicant is content to agree that cleaning of the PV panels will be with PFAS free products. A water quality assessment is set out within the ES Appendix 9.3 & 9.4 (Document 6.9C/AS-077 & Document 6.9D/AS-078),which utilises the index approach, as set out in the SuDS Manual. The report sets out the various risk ratings associated with the use types and the mitigation factors provided by various SuDS features to demonstrate compliance with latest guidance. For higher risk areas of the site (HGV service yards, for example) the use of petrol separators will be appropriate as the first stage of treatment provided to drainage flows. The use of penstocks at strategic locations will allow drainage discharges to be isolated in the event of a pollution incident. For National Highways works, the 'National Highways Water Risk Assessment Tool' has been used to assess the water quality impacts of the proposed development. Outputs from the assessment are appended to ES Appendix 9.4 (Sustainable Drainage Statement - Offsite and Highways) (Document 6.9D/AS-078). Indicative maintenance activities for the proposed SuDS features are outlined within the ES Appendix 9.3 & 9.4 (Document 6.9C/AS-077 & Document 6.9D/AS-078), it is envisaged that the final operations and maintenance document for the drainage is produced upon the installation of the drainage infrastructure, such that any product specific maintenance activities can be identified and a detailed plan showing location and access arrangements can supplement the maintenance activities. DCO requirement 21 was updated at Deadline 1 (Document 3.1/REP1-003) to specifically reference & secure the

			long-term maintenance and management of the drainage across the development.
Q1.18.5	The applicant CDC / OCC	**Management of surface water runoff within the development site** It is stated in paragraph 4.22 of ES Appendix 9.2 FRA [AS-076] that *"there is potential for shallow groundwater to be present within the site. Should groundwater be encountered during construction a specialist should be consulted and appropriate dewatering undertaken as necessary. It is considered that the raised development plateaus, finished floor levels and profiling of ground levels will provide mitigation for any potential groundwater flooding post-development."* Could the applicant explain any proposed methods for groundwater protection, contamination risks, dewatering, monitoring, remediation and the interface between contaminated land management and environmental permitting? Has the LLFA any comments on this issue?	Paragraph 4.22 of ES Appendix 9.2 (Document 6.9B/AS-076) recognises that shallow or perched groundwater may be encountered locally during construction, although permanent groundwater is not expected across most of the Main Site. Construction will be undertaken in accordance with the CEMP (Document 6.2C/APP-189) and ES Chapter 11 (Document 6.11/APP-179), including measures for pollution prevention, contained fuel and chemical storage, spill response and the management of unexpected contamination. Where groundwater is encountered, dewatering will be limited to that necessary for construction activities. Any abstracted water will be appropriately assessed and, where necessary, treated before discharge or disposal through a suitably authorised route. Any required permits, licences or consents will be obtained before dewatering or discharge commences (as is noted in the updated Other Consents and Licences Statement submitted at Deadline 1 (Document 5.3/REP1-012). Routine groundwater monitoring is not anticipated outside Ardley Landfill, although monitoring may be undertaken where required by site conditions, remediation requirements or regulatory approvals. Within Ardley Landfill, groundwater and contaminated-water management will remain subject to the Environment Agency Environmental Permit and supporting Hydrogeological Risk Assessment. Should unexpected contamination be encountered, works in the affected area will cease pending investigation by a suitably qualified specialist. Any necessary remediation and verification will be completed before works recommence or the affected area is brought into use. This is secured through Requirements 28 and 29.

Q1.18.6	The applicant CDC / OCC	**Padbury Brook culvert maintenance and blockage prevention arrangements** Paragraph 6.12 of Appendix 1 (Padbury Brook Hydraulic Modelling Report) of ES Appendix 9.2 FRA [AS-076] states that *"in line with the above, a 50% blockage has been applied to the twin 1.5m diameter culvert. In the blockage scenario, the flood levels upstream of the culvert are predicted to increase by up to 40mm. During this scenario, flood extents are predicted to remain in channel. It is therefore expected that blockage of the culvert will not significantly affect flood levels and extents within the Order Limits; however, it is recommended that the proposed culvert should be regularly maintained to ensure it remains free of blockages."* Could the applicant explain what measures would be put in place to ensure the proposed Padbury Brook culvert is regularly maintained and kept free from blockages and how these would be secured? Has the LLFA any comments on this issue?	The Applicant has had discussions with OCC and maintenance requirements for drainage and watercourse assets have been raised in recent meetings. ES Appendix 9.2 Flood Risk Assessment (Document 6.9B/AS-076) has been updated and has been submitted at Deadline 2. This provides further information around maintenance regime for any new flood risk assets. It is envisaged that the final operations and maintenance document for flood risk and drainage infrastructure is produced upon the installation of the infrastructure. Therefore any product specific maintenance activities can be identified and a detailed plan showing location and access arrangements can supplement the maintenance activities.
Q1.18.7	The applicant CDC / OCC	**Design of the drainage systems** Could the applicant explain how the drainage design would meet the criteria set out in the Oxfordshire Standards, particularly considering the	The Applicant is aware of the updated OCC guidance, and the requirements have been discussed in recent meetings with the LLFA & CDC. ES Appendix 9.3 Sustainable Drainage Statement – Main Site (Document 6.9C/AS-077) has been updated and has been

		CDC’s Relevant Representation (RR-024). Has the LLFA any comments on this issue?	submitted at Deadline 2. A summary table is provided within Section 6 of the updated report to demonstrate how the drainage design meets the requirements set out in the updated guidance document.

ExQ1 Annex A: Habitats Regulations Assessment (HRA) – Applicant and Statutory Nature Conservation Body (SNCB) position summary table

Responses are due by deadline 2: 26 October 2026

The following table sets out a summary of the ExA's understanding of the applicant's HRA screening exercise, and agreement with Natural England (NE) at the time of publication of ExQ1.

Abbreviations used:

LSE	Likely Significant Effect

Key to table:

C	Construction
O	Operation and Maintenance
D	Decommissioning
LSE	LSE cannot be excluded
No LSE	LSE can be excluded
?	Unclear
N/A	Not applicable

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in-combination, unless otherwise stated.

European site and qualifying feature(s)	Impact pathway	Applicant's conclusions on LSE			NE conclusion on LSE		
		C	O	D	C	O	D
• Annex 1 habitat 6510: Lowland hay meadows (*Alopecurus pratensis, Sanguisorba officinalis*)	Habitat loss	No LSE	No LSE	N/A	No LSE	No LSE	N/A
	Invasive non-native species	No LSE	No LSE	N/A	No LSE	No LSE	N/A
	Hydrological impacts	No LSE	No LSE	N/A	No LSE	No LSE	N/A
• Annex II species 1614: Creeping marshwort (*Apium repens*)	Air pollution	No LSE	No LSE	N/A	No LSE	No LSE	N/A