Planning Inspectorate
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Hearing Transcript

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Hearing:	Transcript of issue specific hearing 3 (ISH3) - part 2
Date:	11 November 2026

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Speaker 1 00:05
Thank you. The time is now 11:05, and this hearing is resumed. I'm going to pass back to mr. Rigby to carry on with the item we were covering before the break.

Speaker 2 00:16
Thank you, mr. Hunter. I'm now moving on To the Environment Agency submission, which included a representation at Rep 1o 2o, the XA notes that the Environment Agency states in its representation in relation to the recently raised issue concerning PFAS chemicals in watercourses surrounding the site, we explained that we did not have the information available at the hearing, and offered to liaise with Trewell District Council to obtain a clearer understanding of the local issues and provide a written response in due course. So, to the Environment Agency, is this information now available? And if it isn't, when do you expect it to be available?

Speaker 3 01:14
Susie Bateson for the Environment Agency. Yeah, I did refer to those discussions in my previous response in the earlier section, because it's perhaps a much bigger piece of work than than I've previously understood. So it's there. There are lots of other teams at the Environment Agency that are involved with this work. So it's trying to get a fuller picture of that, but those those investigations do relate to the Hayford Park development, so they are kind of adjacent to the work that's going on for this site.

Speaker 2 01:57
Right. So, if that being the case. When do you expect to have information that would assist us in this examination? Same as I said earlier, it needs to be so that it's in time for a cycle of response and response to response. If you understand me,

Speaker 3 02:24
Susie Bateson for the Environment Agency. I can provide an update in our next response, which I think is deadline three.

Speaker 2 02:35
Okay, thanks very much. If you've got some a reasonably solid idea at next deadline and can give us an update as to where you are. That would be useful. Thank you. Also, in response to our XQ1814 in our examination question set, you say that permitting discussions continue in respect of the permit variation, and that the excavation and removal of waste will form part of the remediation scheme for the site. This reprofiling is being agreed in principle, subject to risk assessment. So this covers the position in respect of contamination and remediation relating to the Ardley landfill. Will you be adding to that in respect of PFAS chemicals in respect of any outstanding concerns you may have further across the site?

Speaker 3 03:34
Susie Bateson for the Environment Agency. We will be considering the matter of PFAS once we have heard back from the applicant about our comments on the latest submission, which was Appendix 11

Point 11, which I mentioned earlier, we have some more comments on, which we'd like the applicant to look into. But the matter of the reprofiling and the permitting is not within my remit, and I don't know if Alex Hazel might be able to comment on that one.

Speaker 4 04:14
Alex Hazel for the Environment Agency. That will be with our National Permitting Service, so I will be able to provide an update at deadline three on our position regarding the permitting discussions.

Speaker 2 04:33
Okay, sorry, just checking what you've said on the script there. Yeah, thanks very much. If you can give us an update at deadline three on direction of travel, so we can see how things are going and whether the issues are being narrowed. Thank you very much. Just some questions quickly to the applicant. While we're on this subject about the remediation aspects, the EEO 1998 report that was submitted, I think, at deadline one, it includes recommendations for further investigations. Is it your understanding that the former Upper Upper Hayford Air Base was cleaned up in line with that 1998 report recommendations prior to the development of Hayford Park? And bearing in mind the agricultural grading of the application site, which is chiefly 3B with some 3A. What do you consider the risk level is associated with the Oxfordshire site, for instance, in respect of agricultural use? And finally, if you could explain whether and, if so, how your remediation and earthworks strategy will address PFAS matters and to what extent. So, first off, a throwback to the 1998 report, which was submitted at deadline one.

Speaker 5 06:23
So, Alexander Booth, the applicant. So, yes, it's the question of whether the site was cleaned up in 1998 in line with the recommendations in the report. Secondly, in terms of agricultural use of our site, and thirdly, in terms of proposed remediation strategy, those are essentially the three limbs.

Speaker 2 06:49
Yes, that's right. Yeah, thank you.

Speaker 5 06:51
Okay, well, so I'm going to turn in the first instance to mr. Harley to my right.

Speaker 6 07:01
Thanks, sir. Briefly, on the 1998 report, an apology. Sorry, Steve Hardy, the applicant, who submitted that 1998. So this is this is a report that refers to the Hayford site, obviously not our site. Just to confirm, that's that's that's what you're referring to, and you're asking us whether we understand the Hayford site.

Speaker 2 07:23
Yes, it's a historical thing, but just thinking about the baseline, is is that your understanding that that was what happened prior to the development that's there now?

Speaker 6 07:33
I'm I'm not sure in a position to comment in detail on that, sir. Actually,

Speaker 5 07:37
so I think we can, Alexander. So we can we can make inquiries, but ultimately, that's it's not our site. There's a limit to what we know about.

Speaker 2 07:46

No, that's fine. I understand that. I just I just thought it might help you establish baseline conditions as they are now.

Speaker 5 07:52
Yes, I mean it's potentially something that the examination might want to ask Dorchester about in far as participating. Yes,

Speaker 2 07:58
I presume it's it's also subject matter for the current application they have. Yeah, absolutely. So if you're able to dovetail with that, that's probably going to help us.

Speaker 5 08:08
Thanks.

Speaker 2 08:08
Thanks very much.

Speaker 5 08:09
So the second point then was, yeah, it was the agricultural use point, mr. Harley.

Speaker 6 08:19
Thanks, mr. Steve Harley, the applicant. I think actually, mr. Robinson will pick up the other two points

Speaker 2 08:25
very clearly. Can you speak a bit closer? Sorry,

Speaker 6 08:27
Steve Harley, the applicant. I'll pass to mr. Robinson on these two. I think soils and remediation.

Speaker 7 08:39
Richard Robinson for the applicant. The site has been subject to extensive ground investigation and testing in considering of the sources of contamination which have been identified in the desk study assessments. The majority of the site is agricultural land, as as you set out, and so testing has been undertaken, screening on typical contaminants that that may be found on agricultural land.

Speaker 2 09:21
Thank you very much. The last point about the remediation strategy. Have I missed something?

Speaker 7 09:44
in regards to remediations strategy. Sorry, Richard Robinson for the applicant. There is no known contamination on our site, notwithstanding the the PFAS discussions that we're having at the moment. Otherwise, there is no known contamination on our site. We appreciate ground investigation may not always detect everything, and so the the Kemp and remediation strategy will have strategies in place should previously unforeseen contamination be identified during the the groundworks?

Speaker 2 10:29
You should add something.

Speaker 6 10:30
If you if so, Steve Harley for the applicant. The the technical note that we've been referring to today.

Speaker 2 10:36
Sorry, can you speak close to the mic for the recording?

Speaker 6 10:38
Thank you. So I'm very sorry, Steve Harvey for the applicant, technical note appendix 1111 that we've been referring to all morning, sir, has a section in there, section seven, and that deals. It's entitled development implications and mitigation. So this is the note specifically on PFAS, and I suspect your question is specifically around PFAS, sir. You're finding there, as mr. Robinson just just giving you, you'll find cross references there there to the CEMP, the Construction Environmental Management Plan. The CEMP has been updated at deadline two as well, and now includes explicit references to PFAS as part of the the methods and and and process set out in the CEMP that that all phase-specific camps should follow in dealing with any any contamination on the site, as I say, including including PFAS, and those are fairly those are fairly standard or based on fairly standard approaches that are embedded in various regs, including guidance and best practices from the EA and others around how you deal with contamination, and they they involve measures such as taking contaminated material away, and or treating and or remediating, de-risking to the extent it can be de-risked, and then potentially reusing in some way on on site. So, so in our report, you'll see references to two potential outcomes in terms of contaminated material where PFAS is concerned. That could be, for example, and these are only examples, sir. It's important to stress that the detail of remediation would come would come later in in phase specific camps. But the camp sets a framework within which things like that the removal of contaminated material from, for example, the silts that we know exist in the watercourses that need to be relocated or taken away as part of the watercourse diversions within the site, that material could be stored in a sealed way under bunds, for example, or if that if that was considered following risk assessment to be an appropriate way to deal with it, and we're talking about approximately. We we we say no more than around 200 cubic metres based on the work done so far in terms of silt. If that wasn't considered appropriate, then that sort of material would be taken away. But that that that sequence of exploring various different solutions and and practical measures to remediate or deal with contamination is set out as I say, cross referred to in the in the new technical notes submitted, but but with cross reference to the updated Kemp.

Speaker 8 13:09
Sorry, if I may as well, Laura Beth Ferdinand for the applicant. Just to add that specifically, requirement 10 of the the draft ECO, paragraph two, items L and M also specifically secure approval and the inclusion of details of any groundwater contamination mitigation or prevention measures and an earthwork specification remediation strategy and verification report informed by the ground investigation work. So those items are specifically referenced and secured through the DCO as well.

Speaker 2 13:44
Thank you. So what we're saying here is that a mechanism exists to deal with problems, if and when, but you're not being specific. But EFAS is obviously now on the radar, as it were.

Speaker 5 14:00
So Alexander Booth, the applicant. Yes, that's essentially the position. There are mechanisms; they are in place. And in fact, what would be appropriate and what is necessary is it's not experimental. These are tried and tested methodologies and approaches that mr. Harley has been speaking to. They're secured by way of the DCO and the camp, as Miss Hutton has been speaking to, and PFAS, as you say, is very much on the radar, and that and any other contaminants would be capable of being remediated. In I hesitate to use the term, but is right in the normal way.

Speaker 2 14:39
Thank you very much. I just want to go back to the Environment Agency, please. In your written rep, Rep 1020, you advised that a robust groundwater monitoring and leachate monitoring panel will form part of the environmental permits. In your D2 submission in response to our question 1820, in respect of the Ardley landfill site, that surface water monitoring is undertaken in the Gagle Brook, in accordance with the landfill's environmental permit. Leachate and groundwater monitoring is also undertaken as part of the permit requirements, including requirements relating to leachate levels and quality, and groundwater levels and quality. So, question to the Environment Agency is: Will there be an equivalent monitoring plan forming part of the environmental permitting arrangements for the proposed development as a whole, and if not, what would you expect to see in view of what we've heard this morning?

Speaker 4 15:56
Alex Hazel from the Environment Agency. That matter would be one for our national permitting service. They're still reviewing the applicant's responses to EXQ1, so we'll be able to provide comments on that question you've just asked at deadline three, because they're not available for this hearing today. Not sure if Susie Bateson has any comments to

Speaker 3 16:31
to add. Susie Bates and sorry, Susie Bateson for the Environment Agency. No, I don't have anything to add to that, Alex, because it was a permitting question. So, any groundwater remediation for any contamination would be considered once we've agreed the process for the the PFAS, the appendix 11 point 11. When when we're happy with that,

Speaker 2 16:58
thanks very much. We're just conscious that some matters are relate to permits and some relate to the particular project, and I want to make sure nothing falls through the cracks. So, thanks very much for that response, and we'll look forward to hearing what you have to say at deadline three. Does the applicant want to say anything more while I close out the this part of the agenda?

Speaker 5 17:28
So this is in relation to the PFAS topic. Before we move,

Speaker 2 17:30
yes, in relation to in relation to monitoring generally, as you've already mentioned, CEMP as a mechanism.

Speaker 5 17:40
If anything further? I'm not sure there's anything further that mr. Harley or mr. Robinson want to say about monitoring. Oh, that there may be. I suppose just before I turn to, well, let mr. Robinson address that, and I'm just going to come back very shortly on another matter.

Speaker 7 17:58
Richard Robinson for the applicant. I think it was just worth highlighting that two quite separate points have been raised there in regards to monitoring of Gaggle Brook and the landfill. It's a very separate issue on the PFAS and is a different regime. Just just to highlight that we we don't confuse the two, as you mentioned, we we do will be monitoring the the watercourses during construction, secured in the camp, and just to add that we we understand our position here that the main source is upgradient from our site is conveying through our site. As developer, we we want to be responsible in ensuring that we are understanding the issue and improving the environment, which is where we've identified the silt as

on our site, and we want to ensure that we are being responsible remediating that material and not allowing that to convey further down those watercourses. Thank you.

Speaker 2 19:16
Thank you. Thank you. Anything else? That's if so. If not, I can close this out.

Speaker 5 19:23
Alexander Vu for the applicant. So before we left, EFAS, I thought it best to just say a final word in relation to the issue or the potential for further testing, as raised by mr. Hunter earlier when we were discussing this topic, and the suggestion that the further testing might be appropriate. So, very briefly, I mean, the applicant's position is as follows: We do not consider that further testing is necessary, and we say that because we are entirely confident in the survey work and an analysis that has been undertaken to date. We say that because, as previously stated. The fact that some of the surveys were undertaken in drier conditions would itself lead to and register higher concentration levels than would be anticipated in wetter conditions, and thus we say our position is extremely robust and conservative. However, that said, we are keen to work with the examination, and of course to provide reassurance to the local community. And so, what we are proposing is to undertake, effectively, repeat further surveys in wetter conditions, essentially to copper bottom the analysis and provide that assurance so that the examination is aware of the position, both in terms of drier weather and in terms of wetter weather. So that is what we are proposing to do, mr. Rigby. We heard your very helpful indication that that survey work would need to be provided at an appropriate point during the examination in order to allow for response and count of response, yeah. So on that, what we anticipate is that that further survey work would be provided no later than deadline four, and thus there would be time within the examination for parties to respond as they saw appropriate. So I just provide that by way of update.

Speaker 2 21:26
Thanks. That's that's very helpful. And Albrook, would you like to comment? Do you have a comment to work about? Yes, please.

Speaker 9 21:42
Helen Christie, Gallusbrook Group. I have a quick question. The team, on behalf of the applicant, have suggested that lower flow rates of water and the dry conditions in the streams have led to higher concentrations of PFAS recorded, and we were just wondering what the scientific basis for this opinion is, and could you give us the source material from where this opinion was derived from, please?

Speaker 2 22:10
Thank you for that. Perhaps you be able to include that in your submission relating to what we've just spoken about.

Speaker 5 22:17
Certainly, sir. We'll look to do that. We'll provide an explanation in writing. Thank you, sir.

Speaker 2 22:20
Yeah. Thanks very much. I just want to move on now to the last bit of this item, which relates to groundwater protection, pollution prevention, groundwater protection. I've just got a quick question for the Environment Agency here. In your response to XQ1814, you say that from a groundwater protection perspective, for activities that will not be controlled by the environmental permit, we're working towards solutions with the applicants. A foundation works risk assessment will be included in the CEMP and face-specific CEMPs where required. Now we started on this item with PFAS, but I'm broadening it out

to all sorts of contamination and groundwater protection. In this issue, in this case, I wondered if you could, for the Environment Agency, please update us on where you are on progress with this issue.

Speaker 3 23:34
Susie Bateson for the Environment Agency. I'm aware that the applicant has submitted a revised construction environment management plan, and I, as part of the the one of the CR documents, I haven't reviewed that yet. But I'm hopeful that there is a foundation work risk assessment mentioned within that. But I will respond about that at deadline three.

Speaker 2 24:05
Thank you very much. Does the applicant have a response also on how it sees progress on this issue?

Speaker 5 24:11
Thank you, Sir Alexander B, for the applicant. I'll pass that to mr. Robinson. Thank you.

Speaker 2 24:17
Thank you, mr.

Speaker 7 24:18
Robinson, for the applicant. Yes, the the the issue has has been addressed. It was referenced in the ground conditions environmental statement previously, but it has now been added to the the camp as well. Sorry,

Speaker 2 24:43
could you repeat that, please?

Speaker 7 24:47
So, regarding mr. Robinson for the applicant, regarding the foundation, the requirement for a foundation works risk assessment. It was previously already included in the ground conditions. ES chapter as mitigation and has also been added to the Kemp as well.

Speaker 2 25:08
Thanks very much.

Speaker 6 25:10
If I may, sir, Steve Steve Harvey for the applicant, just in more general terms, and and I think this will hopefully become clear when we move on to water. But you'll you'll know from the reps from the Environment Agency that there are a number of very specific points on often very very precise detailed points in their in their reps, and we're slowly working through that list with them. But there's ongoing dialogue direct between EA and ourselves to try and address all of those. And we hope, and we actually have a strong view that most of what we've most of the remaining unresolved, as they were describing issues, are directly addressed and will be resolved by by our deadline to submission, sir. So this being an example, but there are there are other examples that we'll no doubt talk about when we when we move on to other other items.

Speaker 2 25:52
Thanks. So that's really part of endeavours to agree a comprehensive statement of common ground. I presume. So that's really covering my next item as well. That's very useful. So we can look forward to an update at deadline three on the basis that you are speaking to each other about this anyway. Hopefully, it's possible Environment Agency and the applicant to have your snapshots at the same

time, as it were, rather than having to go ping pong. So, if you can do that, that would be very helpful. Also, just what would assist us in that regard is what I might term best practice. It might be worth adding something to your submissions, Environment Agency and applicant, as to how you see best practice in this context. Because this can't be the only site in England where there's a problem with PFAS, because heaven knows how many airfields that had aircraft on them. So, if possible, that you'd be used to get an insight into what happens at other similar locations where this kind of development is going on. What happens at other airfields that have been sold for housing, for instance? There must be other ones as well. So, if you're able, both parties there to include your understanding as to how you would be fitting in with what is best practice in this area.

Speaker 5 27:35
So, Alexander, for the applicant, yes, noted, and we'll ensure that our written submission addresses that point also.

Speaker 2 27:44
Is that also okay with the Environment Agency? I understand you have separate folks dealing with separate things, but is it something you're able to contribute?

Speaker 4 28:00
Alex Hazel for the Environment Agency. Yes, that's something that we will endeavour to do for the next deadline.

Speaker 2 28:08
Thanks very much. Because I thought you, in particular, you must be coming across this in other places and have some kind of common approach that you have.

Speaker 4 28:20
Yes, that's something that Susie Bateson and our water quality specialist will be looking at as part of this whole package. I would assume, if Susie wants to add anything, then she's welcome to do

Speaker 3 28:35
so. Susie Bateson for the Environment Agency. No, nothing to add. Just to reassure you that we are talking to all the other teams at the EA that are looking into this issue, and we do have a much wider PFAS kind of team as well.

Speaker 2 28:52
Thanks very much indeed. That wraps up item 3.1. As far as I'm concerned, just checking anybody wants to say anything else, say from Charwell or Oxfordshire? Any comments anyone needs to make about this? If not, I shall move on to item 3.2 and hand over 3.7. Yes, sorry. Would you very

Speaker 9 29:19
quickly, Helen Christie? With regard to the last point about remediation at similar sites, we're not really aware of any sites that are similar to the Hayford Park situation in terms of the magnitude of the contamination, and the only comparable planning site we can find is Duncansfold Park in Surrey, where the project has been effectively mothballed due to the difficulty of remediation of the PFAS contamination. Thank you.

Speaker 2 29:47
Thanks very much. Any further response from the applicant to sign? Right. Thanks everyone. That's been really helpful. We got a lot of information.

Speaker 10 30:01
Speaking up on your comment, this Sean

Speaker 2 30:02
speaking to the microphone, please. We can't hear you

Speaker 10 30:05
from Cherwell District Council.

Speaker 6 30:07
Thank you, mr. Speaker. On

Speaker 10 30:08
your comment about looking for comments about best practice, when would you want a response from the authority?

Speaker 2 30:16
Anything that's going on now would be useful to have it as a post-hearing submission at deadline three, and even if there's other information that you know about but can't get in time, at least if you can give us an invitation indication of what it's about and when it would be available. Thanks very much indeed. So we're all done. I understand that we are now taking item 3.7 next. So I'll hand over to mr. Oibarde for item 3.7.

Speaker 1 30:58
Just before, does the applicant and do you need a bit of time to swap your teams over, or are you,

Speaker 5 31:03
sir? I'm I'm I'm grateful. In fact, we don't need time because sat to mr. Robinson's right is, in fact, mr. Robin Green of BWB. I'm just going to flag that, in fact, mr. Green is going to deal with this issue for us. Our water conditions consultant, mr. Matthew Day, is unavailable. He's unwell and cannot attend. So mr. Green is stepping in, and he has familiarity with the project and will doubtless be able to assist the examination. But I do just want to flag that because it's not the project that he has. I mean, it's mr. Day that has had the day-to-day handling of it. Thank you.

Speaker 11 31:44
Thank you, George Goney, Oxford County Council. Similarly, the councils aren't able to bring water environment specialists to the hearing today either. So we'll aim to respond to anything in writing following the hearing.

Speaker 12 31:58
Thank you. Before I begin my questions, I would like to draw the attention of all participants to the updated principal documents that form the basis of my questioning: the the flood risk assessment, flood risk assessment, CR one dash 079. sustainable drainage statement, main site CR1083, sustainable drainage statement, off-site and highways, CR1-085, water framework directory directive assessment, CR1-087, and environment agency submission rep two dash 031. So,

Speaker 1 32:50
just just to step in there, some of those references, of course, are the the change requests, and I think what would be helpful in answering the questions, and this probably relates to ecology as well when we

come to that, and I'll reiterate that helpful to get an indication of the application as is now, but also whether there would be any consequential effects as a result of the change request, which I think we sort of briefly discussed yesterday, and I think the applicant understands that that's how we we look to sort of pursue matters. I think, yeah.

Speaker 12 33:18
Thank you, mr. Hunter. So the EA Environment Agency does have series of concern relating to the aspect of the flood risk assessment. The first one, if I could refer to the EA submission, the one that was submitted by deadline one rep two dash 031. I would like the applicant to explain how the concerns raised by Environment Agency on each of the following areas of flood risk assessment has been addressed. So the first one will be EA 09 freeboard allowance for warehouse finished floor levels, followed by the EA 10 the proposed covert freeboard height, EA 11 hydraulic model representation for Gago and Ash Grove Brooks, EA12 future assessment of Ashgrove Brook diversion and converting, EA13 potential underrepresentation of A43 covert in Padbury Brook hydraulic model. So those are the first set. I would like the applicant to sort of explain to us whether all these have been addressed and EA has agreed with them. Please.

Speaker 5 34:58
Thank you, Sir Alexander Booth, on behalf of the. Applicant, as indicated, I'm going to turn in the first instance to mr. Green. Though it may be that mr. Harley steps in to assist at one or more points. Thank you, sir.

Speaker 13 35:12
Hello, Robin Green, on behalf of the applicant. So, in terms of the first point, you raise EAO nine freeboard allowance for the warehouse finished floor levels. The FRA has been revised at deadline two to include finished floor levels compared against modelled peak flood levels, and to clarify that there is more than sufficient freeboard. For context, a minimum of 300 millimetres freeboard is required, but the development will provide over four metres. I can continue on to EA10. Okay, so in regard to the proposed culvert freeboard heights, so this is the gap between peak flood water level and the top of a culvert. Again, the FRA has been revised to include a table of culverts and modelled peak flood levels to compare freeboard allowances, and this shows that, in accordance with Syria C 786, sufficient freeboard for the size of culverting has been provided.

Speaker 12 36:21
I didn't get the height itself. The freeboard. So

Speaker 13 36:24
the height varies depending on the size of the culvert. So, for example, a culvert that goes up to 1.2 metres, for example, needs to provide a quarter of the diameter for it. And larger culverts require less Freeboard. The analysis has been done against the designed flood event, but also the resilient flood check event. So that is a much larger climate change event, and in each check case, freeboard provision is provided.

Speaker 12 36:56
Would you then confirm that, in your opinion, all these freeboard heights are adequate for all the covert.

Speaker 13 37:05
Yeah, Robin Green for applicant. Yes, I confirm that they are adequate.

Speaker 12 37:14

Yeah, 11. I think that's the next

Speaker 13 37:18
one. Robin Green for applicant. So this refers to the hydraulic modelling that has been undertaken. So, for context, we had engaged with EA before the application was submitted, and we submitted them with our hydraulic modelling, as it can take time to review. They returned review comments. These were addressed, and that formed the basis of the original flood risk assessment, but it's acknowledged that we didn't then include commentary on how the points previously raised by the A had been addressed. So, in the revision of the FRA, that review pro forma has now been included, which sets out how each point, technical point raised by the A, has been addressed.

Speaker 12 38:00
Okay. So

Speaker 13 38:00
to confirm, the original FRA had addressed it, and in the revised, we've now included that confirmation.

Speaker 12 38:07
Okay. Thank you. EA12.

Speaker 13 38:13
This refers to modelling of the Ashgrove Brook diversion and culverting that would be required to facilitate the development, so the intention is to model that when or at the detailed design stage. So the flows that feed the upper reaches of that brook are constrained by a culverted outfall from the airfield, as well as runoff from the site itself. So the flows are very much in our control and can be managed. There's not a an uncertain flow that is coming in. In terms of how we've modelled that for the purpose of the assessment, it's a precautionary approach. So by diverting and realigning the watercourse, it will have a longer flow pathway. So more water can be stored online by inserting the flows downstream of that realigned aspect, we have omitted any of that flood storage that would otherwise be provided, and yet we are still showing that there's no adverse downstream impacts on flood risk.

Speaker 12 39:13
Thank you, EA 13.

Speaker 13 39:17
So, Robin Green, on behalf of the applicant, again, this is very similar to EA 11 in terms this time in terms of the modelling of the Padre Brook and the hydraulic model. So again, the original FRA was based on hydraulic modelling that had been reviewed by the A with the necessary technical changes raised by the A amended, and this time in the revised FRA, we have included the EA's review pro forma with commentary on exactly how each of those points has been addressed.

Speaker 12 39:52
Thank you. I think. Susie, no, no, Sean Holland. Yeah, Sean Holland would like to comment from here. Would like to comment.

Speaker 14 40:11
Hi, Sean Holland. On behalf of the Environment Agency, I'm a flood risk specialist. We haven't had any contact with the applicant since those updated FRI's have been submitted as we only saw them last week, so we haven't had time to pull together comments or have any discussions with the applicant. However, we can confirm that the information that is included in those FRI updates means that EA09,

so the finished floor levels of the warehouses, we now agree that that is completely resolved. However, EA10 we have slightly differing of viewpoints to the applicant when it comes to the design of any crossings of watercourses. So this is looking at putting in new culverts or putting in bridges. We always look for a 600 mil freeboard on any size of culvert, whether it's a small one or a bigger one, this is to allow for 300 mils for any modelling intolerances, or 300 mil and 300 mils for any blockages risk. Some of the structures that the applicant looking to place do not have a 600 millimetre freeboard; they have down to 380 millimetre freeboards to look to see if the applicant could raise them to 600 mils. We would always ask for that. But additionally, if they cannot and they want to look at providing extra evidence for why their structures will be safe, we'd look for the applicant to do additional blockage runs within their hydraulic modelling to show that even if the culvert does become blocked, it's not going to have detrimental impacts off-site. Two bits of their site are going to be put additional risk, and so we kind of look for the applicant to kind of go down one of those routes. And I'm aware that the applicant doesn't know this yet because they haven't received those comments. But that is what we will be commenting in our next response. Additionally, we agree that EA11 is now resolved as well. The updated modelling that they've put into that updated FRA, we are happy that that is sufficient and that is resolved. EA 12 and 13, we are happy with what the actions that the applicant has taken. However, we just want to clarify whether the updates that they have done to the model and the updates that they've previously undertaken from our request have now been included in that up-to-date results that are posted into the FRA. It's more a point of clarification that they have been included, more than a kind of issue. So that one has also moved along quite well. So the only real main issue is that Colvet Freeboard.

Speaker 12 42:38
Okay, thank you. The applicant actually, if I could ask you, the the applicant actually clarified you can go from a minimum level to 1.2 metres. So I just like here to clarify again to explain why that 380 millimetre is not sufficient, and the other point is that is that the relating to only one covert or any other covert because the applicant is proposing quite a number of covert modification there.

Speaker 14 43:19
And so, as a standard, sorry, Shahnahua and Environment Agency. As a standard across all new structures on rivers, we look to have a minimum of 600 millimetres freeboard. That is not dependent on the size of the structure, not dependent on the size of the culverts or anything like that. We, as standard, use 600 millimetres. This is to allow for a 300 millimetre for any model inaccuracies, so everything is based off 600 mils above a modelled flood level. So we add 300 mils for any inaccuracies that might be in that flood level. Additionally, we add an extra 300 mils to bring it up to that 600 for the possibility of debris being blocking any kind of structure. So debris getting caught within the culvert and blocking part of that structure, so the capacity is decreased, which would then raise the water level. And this is across all structures. If this were being a clear brand bridge, we would additionally ask for that 600 mils as well. It is not dependent on the size of the culvert. We, as standard, just ask for the 600 mils. The applicant has shown the freeboard allowance across all of the structures they are looking to place in on through their development. There are two structures that have a freeboard allowance of over 700 millimetres, which we are satisfied with. They are fine. We are happy with that freeboard allowance. However, there are three structures that are below the 600 millimetres. There is one that is 388 millimetres. One that is 410 millimetres, and one that is 441 millimetres. We feel that that is insufficient, and it should be 600 millimetres. If the applicant cannot reach 600 millimetres due to other constraints, we would require to see extra evidence through doing additional blockage runs of those structures to show. If they do become blocked, and you do not have the the space that we would normally build in, it's not going to have huge detrimental impact to the site itself or off-site risk.

Speaker 12 45:11

Thank you. Can I confirm so far that Environment Agency is happy with EA 09 EA 11, EA 12, and possibly EA 13.

Speaker 14 45:28
Sorry for clarification. Sorry, Sean Holland Environment Agency. We have we are happy to resolve EA 09, and we are happy to resolve EA 11, EA 12 and 13, we just need confirmation from the applicant that the changes that they have made to the model have been included within their updated results within the FRA. We're just looking for clarification on those ones. It's not a issue. It's just clarification we need. So yeah, so EA oh nine and EA 11 have been resolved. EA 12 and 13 are looking for clarification, and EA10 as a point of contention.

Speaker 12 46:05
Okay, what about EA13 potential underrepresentation of A43 covered in Padbury Brook hydraulic model? Could EA clarify that as well? Whether it is happy with that?

Speaker 14 46:21
So Sean Holland Environment Agency EA13 again it's the same as EA12 where we are happy with the actions the applicant has taken in the representation of these elements within the model we again just need clarification that the updates they have made to said model have been included in the most recent results posted within the FRA that's recently been submitted. Again, it's just looking for clarification on that one to be resolved.

Speaker 12 46:45
Okay, thank you very much. I will now ask the applicant to respond to the 600 millimetre required by across all the covert freeboard height across all the coverts, please.

Speaker 5 47:06
Alexander B for the applicant. Yes, again, that's one for mr. Green. Thank you.

Speaker 13 47:11
Thank you, Robin Green for the applicant. Yeah, thank you for the comments. So the 600 mil freeboard we're aware of as a requirement on generally EA main rivers, so these are watercourses that are in mained, and on ordinary watercourses, you would not normally expect to work to the same criteria. As I say, we followed the Syria best practice guidance in terms of setting those finish floor levels. If the A finish floor levels, three board levels, apologies. If the A do require blockage scenarios of those culverts, we are more than happy to provide those. I'm very confident that it won't pose a flood risk to the development, and that any impacts can be managed on site.

Speaker 12 47:52
So, for the benefit of the examining authority, can I confirm that you are willing to increase the covert freeboard height to that 600 millimetre as a minimum.

Speaker 13 48:09
So, Robin Green for the applicant. So, we will review what we can, but we will, where that is not achievable, as the A suggested, undertake the blockage scenarios that they've requested to show that that is sufficient in what we can offer.

Speaker 12 48:28
Just to remind the applicant, the EA actually said, if you if there's any problems identified, the applicant needs to justify the reason why the free ball hire cannot be increased

Speaker 13 48:43
from grieved applicant. That's understood.

Speaker 12 48:46
Thank you. Now I would the other points raised by EA Environment Agency, as represented by EA 39, which is outdated and incomplete pollution prevention guidance references. EA 40 water quality monitoring. EA 41 fuel oil and chemical storage controls. EA 42 construction wastewater management, EA 43 foul water management during construction, EA 44 solar photovoltaic materials and operational maintenance, EA 45 operational water quality pollution sources well meted EA 47 operational sustainable drainage system maintenance EA 48 penstock isolation arrangements. If you like to take in in two halves, happy with

Speaker 13 50:07
it. Sure, Robin Green for the applicant. Start with 38 and work our way along. So 38 was a comment relating to the submitted Water Framework Directive assessment. The A requested. a revision to that to include more information on the baseline characterisation and the use of the EA's Explorer dataset. So, at deadline two, a revised WFD assessment has been submitted to include that information.

Speaker 12 50:39
EA 39 outdated and incomplete pollution prevention.

Speaker 13 50:47
I'm apologetic. I haven't got that answer to that one in front of me, so perhaps we can go away and review that. I believe that would have been addressed in the WFD as well. Okay, it wasn't on the agenda, so apologies. That was not one I was reviewed in time for this.

Speaker 12 51:02
Okay, thank you. EA 40 water quality monitoring.

Speaker 13 51:09
So EA 40 again. The CEMP has been enhanced to include more information on the water quality monitoring that we propose to undertake. In brief, because of the phasing that needs to be determined as we come forward, we're proposing that a water quality monitoring strategy, including locations, timings, and parameters, is agreed with the EA and LLFA as required before undertaking any particular phase.

Speaker 12 51:42
Okay. Um, I'll now go to move on to EA 41 fuel oil and chemical storage controls.

Speaker 13 51:53
Robin Green for the applicant. So again, the Kemp has been enhanced to also include more information, greater detail on the measures required to manage that pollution risk. So, in this instance, we've included reference to storing the fuels on impermeable linings so it can't penetrate groundwater, and also building in appropriate bunding to contain a potential breach of the containers.

Speaker 12 52:19
Yeah, for. two construction wastewater management, please.

Speaker 13 52:29

So EA sorry, Ron Green for the applicant. EA 42, I believe, is wastewater treatment from specifically concrete production and wheel washing facilities. So the Kemp again has been revised to include additional detail on that, which includes undertaking it in designated, bundled, and impermeable areas, and undertaking appropriate treatment of the runoff from that area.

Speaker 12 52:53
Okay, thank you. EA 43 foul water management during construction.

Speaker 13 53:01
Robin Green for the applicant. So again, the camp has been updated as requested to include details of how we'll manage that. In brief, there will be self-contained welfare facilities for construction workers to use, and that will be tankered off-site and disposed of at an appropriate facility.

Speaker 12 53:22
Thank you. EF 44 solar photovoltaic materials and operational maintenance.

Speaker 13 53:32
So Robin Green for the applicant. So the specific detail of and supply of the solar PVs is not yet known. However, the applicant is happy to agree that any cleaning of the solar PV panels will be PFAS-free, and that has been added to the camp.

Speaker 12 53:49
Will be added to the camp.

Speaker 13 53:50
It has been added.

Speaker 12 53:51
It has been okay. Thank you. Year 45. Operational water quality pollution sources. I think it Environment Agency said that that's been omitted.

Speaker 13 54:10
Robin Green for the applicant. So yes, I believe this refers to the use of penstocks at strategic locations to essentially isolate the drainage in the event of any spillages or so on. And yes, the applicant has agreed that we can implement the use of penstocks on basins and so on for exactly that purpose. And that has been added to the camp.

Speaker 12 54:33
Okay, thank you. EA 47 operational sustainable drainage system maintenance.

Speaker 13 54:44
Robin Green for the applicant. So the applicant proposes to amend requirement 21 of the DCO to reference maintenance, and so that will be included and submitted at future deadline. Or sorry. Can I pass to Miss Hutton? I may have misinterpreted this.

Speaker 8 55:02
Thank you, Laura Beth Hutton, for the applicants. Yes, that amendment was made to requirement 21 to refer specifically to maintenance in the DCO that was submitted at deadline two, I believe. But we are aware That Oxfordshire County Council have comments on requirement 21 as well, so that is being that is a requirement that is under discussion and review.

Speaker 12 55:32
Thank you, mrs. Martin. EA 48 Penstock isolation arrangements.

Speaker 13 55:43
That's Robin Green for the applicant. So I believe this is very similar to EA 45. As I stated, we are happy to offer penstocks at strategic locations to hold on to pollutants in the event of spillage.

Speaker 12 56:00
Thank you. I will now ask if for environment agency comment. Oh, okay.

Speaker 7 56:11
Richard Robinson, Richard Robinson, the applicant. I could just fill in on EA 39.

Speaker 12 56:17
Okay,

Speaker 7 56:18
point was missed. Reference to outdated and incomplete pollution prevention guidance reference in the the Kemp, just to confirm that that has been updated. The pollution prevention guidance is still a good reference of information, but additional sources of literature on guidance has been added as well.

Speaker 12 56:41
Okay, thank you. Can I ask Environment Agency to comment on each of those concerns, please? If Environment Agency is indeed happy with the applicant's approach so far.

Speaker 15 57:02
Yeah, thank you. Good afternoon, Lucy Houghton for the Environment Agency. So, with regard to EA 38 on water quality data, we are satisfied that that is resolved by an update to the CR one dash 088 WFD assessment. CA 39. It had already been put as resolved, but it was subject to seeing an updated sent, which we have now seen in CR one dash 058. So that was also resolved. With regard to water quality monitoring, which was EA 40, we still believe we wish to discuss some pieces of this with the applicant, we have seen that there is reference to an environmental specialist having kind of visual and olfactory evidence gathering, and we welcome kind of the applicant suggesting that there will be a water monitoring plan produced at a later stage, but in line with other projects at this same point in time, we would still expect to see a commitment to in situ monitoring with kind of handheld devices and also water quality samples that would be sent off to a laboratory as part of a water quality monitoring strategy that would begin pre-construction, continue throughout construction, and go into a post-construction phase. We I. understand that the applicant has updated the SEMP, which is CR 1057, to make reference to the fact that the final testing parameters and locations will be agreed with us, and obviously the local flood authority as appropriate within each PSEMP, but we believe that we want a bit more confirmation on what these kind of details will require. Specifically, as I said, with regard to the methods, so the in situ monitoring and the water quality samples. It's also my understanding, though I believe it will be covered later on this afternoon, that we're currently not named in the requirement, which is the Construction Environmental Management Plan Requirement 10, and again in line with other projects, we typically are named to be consulted on that. So at this point, we're not resolving EA 40, EA 41, which is on fuel, oil, and chemical storage controls, we agree that can be resolved due to updates in the SEMP. There's updates to refuelling, but there's also updates that we requested to do with funding that the applicant has already detailed, so that's resolved. EA42 was to do with our construction wastewater, specifically our concerns around wheel washing water and any water

associated with concrete, and again updates into section 19.3 of the SEMP resolve our wastewater concerns with regard to that. EA 43 was on the topic of foul water specifically during the construction phase, and we note that the. So again, that's CR one dash 057 section 6.6 of that has been updated to say that temporary foul welfare is going to be distraught to temporary holding tanks and then periodically tankered off to a licenced facility. However, we seek a further few updates to that, basically just confirming that that temporary holding facility is definitely going to be sealed, and that there will be no discharge to the water environment, and just essentially how it's going to be decided when to periodically tanker it off. So that is again in line with other projects. We're hoping that's not too much of a ask. Hopefully, just extra updates can be added into that. On the topic of EA 44, which is the solar PFAS kind of panels, we recognise that the applicant has said that they have committed to kind of using PFAS free projects where possible, particularly with regard to the cleaning of it. However, we were uncertain how that is secured. The applicant just then alluded to the fact that it had already been updated in a SEMP. However, we cannot see that referenced in CR one dash 057 on the topic of solar panels, and it's perhaps not the best place for it, given that any solar panels and cleaning will be an operational matter rather than a construction matter. I note that in one of the sustainable drainage statements, I believe CR1-084, it has mentioned that there will be a final operation and maintenance plan. So I wasn't sure if that was going to be an environmental management document. In which case, perhaps that would be better place for securing that there will be no PFAS in the panels there.

Speaker 15 1:01:52
With regard to EA 45, which is the operational water quality pollution aspects, We currently believe this is unresolved because we're unsure, essentially, again, how this is going to be secured. So that's vehicles being on site and any maintenance things that may well again involve storage of materials on site. So we still have an open discussion with the applicant on that topic. EA 46, we believe is resolved. The applicant has now updated wording in the SEMP to say that they recognise that water discharge activities permits will be assessed where required, whereas previously they said they didn't believe they needed them. EA 47 on the operational suds Maintenance. This was initially again around kind of how this suds is going maintenance is going to be secured. We have seen updates in the sustainable drainage manage sustainable drainage statement for the main site, which is CR one dash 084, which says that a management company will be appointed to maintain the drainage network, including SUDS features, but I guess we just were seeking confirmation from the applicant that they believe that that is secured under the requirement 21 of flood risk and surface water drainage. We also note that I think whereas the sustainable drainage statement for the off-site and highways, which is CR one dash 086, includes many tables. Specifically, table 3.4 to table 3.8 has lots of typical maintenance schedules, but that's not included in the one for the main sites. We recommend that that is copied into that just for consistency purposes, and lastly, on for my topics anyway, EA 48 is to do with the penstock isolation. And again, we note that there have been updates to say that there will be a penstock on site within the sustainable drainage statement for the main site CR one dash 084. However, we still believe that the kind of how that is being the maintenance for that is being secured is just a little bit uncertain. So we seek clarity from the applicant on that. So I appreciate that's a lot of information given, and because most of those are CR documents, we haven't yet provided that writing or that information in writing to the applicant, but we were doing that at the next deadline.

Speaker 12 1:04:27
Thank you very much. So basically, if I can clarify, subject to confirmation from the applicant, EA 47 should be okay. EA 45 environment agency still not happy with that. And then EA 43 the same, and EA 40. So it's about three. Of them, so remaining is that correct,

Speaker 15 1:05:06

Lucy Harrington from the Environment Agency. Yes, that's correct. We believe EA 40 water quality monitoring, EA 43 foul water management during construction. We were also seeking clarification on EA 44, which I don't think you mentioned just there, sir, but about how that that commitment is secured because they said it was currently in the cent, but it's not. And then again, the other ones you're correct on. So EA 45 and EA 48. You're you're correct again that EA 47. We we're just seeking some clarification on where that's secured. It's not an outstanding issue.

Speaker 12 1:05:40
Thank you very much. I'll now ask the applicant for their comments.

Speaker 5 1:05:51
I'm going to pass to mr. Green, Alexander Boo, for the applicant. Any response on those four matters?

Speaker 13 1:05:57
Yeah, Robin Green for the applicant. So yeah, thank you for the comments from the EA. I believe, in my view, that our intentions and the A's requirements are fairly well aligned at this point, and it's only a bit of detail in the camp and ways to appropriately secure it that need to be bottomed out. So we are more than happy to work with the A through this and agree the most appropriate way forward, but I don't see any issues in addressing these moving forward.

Speaker 12 1:06:29
Thank you very much.

Speaker 5 1:06:35
So, mr. Harley has a point to add.

Speaker 6 1:06:37
Sorry, sir. At the risk of taking us away from the technical issues, mr. Hunter asked a more general question at the beginning of this item about the status of documents and our reliance on them in terms of or their status in the absence of the change. Just to clarify, albeit the documents you referred to at the outset, helpfully, in terms of that item, were all CR references and therefore categorised as change documents, as you've just heard, the fundamental driver for the changes we've made to the Kemp, although there are there are elements of the Kemp which aren't aren't perhaps as clear cut as what I'm about to say, but it's certainly in terms of the FRA update, the Sustainable Drainage Strategy update, the Water Framework Directive update, they they were updated specifically in in the usual run of run of things in terms of our responses to those EA points, sir. So, although they've been sort of filed in amongst the change application, and I realised there was you know there were a range of documents submitted for different reasons. These documents aren't aren't linked to that, to the to the formal change application, they are, and particularly my experience on these sorts of schemes, the CEMP evolves gradually through the process. Anyway, there's almost always multiple iterations of the CEMP as we go, and and here's a good example where we've directly responded to comments and suggestions or explicit requests from not just the A, actually colleagues across the room as well. So, all of what you've just heard, we would say, is relevant whether or not the change application is is accepted.

Speaker 12 1:08:13
I'd like to know if the county council has any comment.

Speaker 11 1:08:19

Thank you, George Gurney, Officer County Council. It was just a really minor comment in that both the applicant and the EEA have referred to the need to agree things with the LLFA, as we allude to in Annex Three of the Local Impact Report. There is a agency agreement between the District Council (CDC) and the LLFA, and so any agreement with the LFA also needs to be an agreement with the district council. So we would recommend that anywhere where an agreement with the LLFA is referenced, either in the DCO or in any of the other documentation, is referenced as agreement with the LPA in consultation with the LFA to make sure that the elements which are covered by the district and the elements which are covered by the county are adequately covered. Thank you.

Speaker 12 1:09:03
Thank you. Comment from Chowwe District Council, please.

Speaker 6 1:09:12
No further comment from us at this stage.

Speaker 12 1:09:14
Thank you. Is there anyone online that needs to speak. I can't see anybody else. I'll now go on to the next agenda item, Which is transport agenda item 3.2.

Speaker 1 1:09:48
Do you need to ask? I should have two questions for the applicant. One is, do you need a little of time? And two, are you slightly concerned about the sun that might suddenly be about to make an appearance? Thank you

Speaker 5 1:09:58
very much, Alex Honda, for the applicant. If we just have two minutes while we swap around personnel, and given it's November, I'm I'm hoping we can cope with the sun this time. Thank you. So while they're setting up, I'm just going to introduce the new personnel to the examination. They're they're back not new. You had them at ISH two, but beyond mr. Harley, you now have mr. Stuart Dunhill and mr. Simon Heldich, and they will be speaking to transport-related matters. Thank you, sir.

Speaker 12 1:10:51
Thank you. Before I start asking my questions, I would like to draw the participants' attention to the relevant documents: the AS Chapter Three Transport APP-171 Construction Environmental Management Plan CR-1-056, Transport Assessment Part one, AS dash 055, transport assessment part three, AS dash 057, transport assessment part 10, AS dash 064. The applicant's response to ESQ1 Rep2-019 and written representation submitted by several IPs and APs. I will now turn to ES Appendices 3.1 Transport Assessment Part 1, AS-055, Paragraph 9.3 states that Bista transform module was updated and expanded in 2018 to ensure that it was suitable to use to assess the transport impacts of the Hayford Park development, which is located immediately west of the Oxford Strategy Rail Freight Interchange Main Site, the model has a 2016 base year and can be used to provide future forecast years. Could the applicant explain the rationale for using the Vista Transform Model to forecast future traffic conditions. Also, please clarify the model suitability and reliability for assessing the effects of the proposed development, including any calibration, validation, and sensitivity testing undertaken to demonstrate its robustness and fitness for purpose. Please.

Speaker 5 1:13:09
Thank you, Sir Alexander Vu, for the applicant. I think, in the first instance, that's a matter for mr. Duncan. Though I anticipate that OCC may wish to contribute also.

Speaker 16 1:13:22
Thank you. Good morning, Stuart Dunhill for the applicant. the The Vista Transport model is the it's the approved strategic model for use in development control work in this area. So prior to use of that model, we commissioned a further model validation assessment undertaken by Tetra Tech, who maintained the model on behalf of Oxfordshire County Council. So that was undertaken in 2021, and that confirmed that the model is suitable for assessment of the traffic impacts of the OXS RFI scheme, so that validation report is TA Appendix 12, or it's an appendix of that appendix, I should say, and the the reference is AS o5 seven. The The the suitability of the model was agreed with the transport working group as part of the the ongoing dialogue that we've had with the the members of that working group, which are Oxfordshire County Council, Turbo District Council, and National Highways. So, in that regard, it is the it is the approved model for the area, and it is the appropriate tool to use to assess the impacts of the Oxus RFI scheme. I'll also refer, and I'm sure Oxfordshire County Council will come in on this, to the. The joint response from Chirwell District Council and Oxfordshire County Council to the written representations by the Mid Cherwell Neighbourhood Plan Forum, and within that response, which is detailed in Rep Two o2 Nine, OCC have commissioned an independent review of the BIST transport model, and again that review concludes that the BTM is fit for purpose and is the appropriate strategic model to be used for assessment work in the area. You mentioned sensitivity testing, and and I guess it's also helpful to add that, yeah, notwithstanding what I've just said, within the the transport assessment, so ASO five five, yeah, at a more detailed modelling level, as a as an ACRIMP team, we've undertaken additional sensitivity tests to supplement and adjust the BTM data using traffic count, turning count data at key locations. So that sensitivity test work, and again, this was as agreed with the the working group and in consultation with them, include sensitivity tests at M40 Junction 10, at Junction nine along the A43 corridor and at a number of the the wider study area junctions.

Speaker 12 1:16:30
Thank you, mr. Duncan. The just as a follow up, can I ask the applicant to confirm whether the base traffic flows obtained in the Vista transport model would have captured the existing vehicle movements at the adjoining junctions of M40 Junction 10, for instance, including the Chowwell roundabout and other roundabouts around the area, including around M40 Junction 9, will they have captured all the base traffic movements?

Speaker 16 1:17:14
Stuart and Hill for the applicant. So the detail of that, sir, I think is probably the helpful reference is the local model validation report for the BISTA transport model, which is appended to OCCs and Cherwell District Councils' response to the Mid Cherwell Neighbourhood Plan Forum that I referred to earlier. So Rep 2029. So that sets out the the detail of the the base counts that were undertaken from memory. I mean, there's a lot of information in there, but from my memory, that does include Junction 10. Junction 9 was not included specifically, but that in part is why we have undertaken the sensitivity testing based on up to date traffic count data at Junction Junction Nine.

Speaker 12 1:18:05
Did they include the Chowwe roundabout, which is immediately after M40 Junction, more or less part of M40 Junction 10?

Speaker 16 1:18:18
I'd have to come back to that, sir. I think to confirm definitely, my memory is yes, it did. I can see colleagues across the room nodding, so I think that is the case. It's also perhaps important to understand as well that the at the detail modelling level, we have undertaken microsimulation, visim modelling of Junction 10, and as part of that sensitivity test work that I've referred to, the the the process there is to use the BISTA transport model to understand the growth at the junction in terms of

traffic, and perhaps when we get on to talking about the traffic growth, which is a separate point on the agenda. I can I can expand on that a little bit more. But what we do in that work is we take the the base traffic count data from the validated Visim model, and then we apply the growth that is in the BISTA transport model to those base turning counts. So in actual fact, the Visim assessment is based directly on turning counts at Junction 10, and that's included as a sensitivity test in addition to doing a test based purely on the the BTN traffic

Speaker 12 1:19:32
data. Thank you. I now turn to paragraphs three point 5.13 to 3.5.20 of ES Chapter 3, Transport APP-171, Paragraph 3.5.15 states that construction traffic technical note, TA Appendix 37, set. Out the methodology and calculations used to derive construction traffic flows, and at Table 3.21 provides a summary of the average daily two-way construction traffic flows on the highway network for each construction year. Could the applicant explain using year two, for instance, 2029 as an example, how the construction traffic forecast presented for years one to seven in Appendix 37 of ES Appendix 3.1 reported in Table 3.21 of ES Chapter 3 Transport. So how it gets translated to that the one reported in Table 3.21. So you get one set of traffic in one document as one to seven. Then you got the next set of traffic. So I was trying to correlate both how one translates into the other. I couldn't just work that one out.

Speaker 16 1:21:05
Stuart and Health for the applicant. You referred to a number of paragraphs there, so it was 3.51 15. Yeah. So the the ES considers a number of scenarios. The I think the relevant scenario to talk about here is the is the opening year scenario. So we we look at a 2031 opening year, and we look at a 2034 completion year. So in the completion year, by definition, the the construction has been completed. So, in the in the completion year, there there isn't any construction traffic included within the assessment within the ES. In in the opening year assessment, so 2031. I realise you referenced 2029, but in the assessment, that isn't the scenario we specifically assess. Well, well, that is a. I guess go back to that is assessed in terms of we look at the construction traffic effects in isolation, but because there's no operational development, that's included in the review of the isolated construction traffic effects, the in combination effects, which I think serves perhaps what you're alluding to. The the in combination effects of the opening year operational traffic and the construction traffic, which would be ongoing during that opening year, they are assessed in the 2031 year, and the 2031 construction traffic flows are added into the ES traffic flows.

Speaker 12 1:22:56
Thank you. Could the applicant also explain how the forecast daily construction traffic for each year has been assigned and distributed across the surrounding highway network, please?

Speaker 16 1:23:16
Stuart Duncan for the applicant, how it has been calculated and assigned, sir.

Speaker 12 1:23:26
Construction traffic for AGA has been assigned, assigned, and distributed across the adjoining network across the surrounding highway network.

Speaker 16 1:23:37
Stuart Duncall, the applicant. So perhaps I start with the distribution first. So we've distributed it based on the the the the HGV distribution for the for the development traffic, in accordance with the construction traffic management plan and the HGV construction traffic routing, and for the construction staff, we have again used the distribution from the the BTM as a as a proxy. There is within the. Within

our appendix 37 of the TA, calculation of the construction traffic, which is AS dash o6 four. That technical note sets out how we've done the the distribution, sir. So there are tables within that document that sets out the distributions and explain a little bit more detail what I've what I've just said. So that is the distribution, and then the assignment is based on. For the for the employees, it's the yeah the most direct route in in effect, and for the HGV construction traffic, it's in accordance with the HGV construction traffic routing.

Speaker 12 1:25:12
Sorry, I didn't just get the the staff one because the staff one will be very different. You did refer to the BISTA transport model. How did the transport model know how the staff working in this on this project will be able to get to the site based on the origin and destination? Because it wouldn't have known that. So I just like to know how you distribute those traffic, please.

Speaker 16 1:25:44
Minister, I don't know for the applicant. Just bear with me while I just bring up the the note. Stuart Duncan Hill for the applicant, the the construction traffic technical note, which is Appendix Appendix 37 of the TA, which is AS oh six four At paragraph at paragraph 3.3 to 3.5 of that document, we reference the workforce mobility skills and UK construction sector 2022 report that looks at the average mean distance for for workers, so for construction site workers, and that looks. Or the conclusion of that is, is that workers generally commute 17 miles in the most recent survey. 18 miles in 1819. So the most recent survey is 2022, which was 17 miles, 18 miles in 2018, 2019, and 28 miles in 2012. And on that basis, it is we can conclude that construction workers would generally be drawn from the locality, and therefore that, in in my view, meant using the the distribution for light vehicles from the from the BISTA transport model was a reasonable representation for the origins of the construction traffic workers.

Speaker 12 1:28:54
Thank you. Would that have taken into account the the local employment encouragement, because there will be people in the local area that will be encouraged to work on the construction site, would have taken into account the local employment, localised employment.

Speaker 16 1:29:16
The the Vista Transport model is based in terms of the way the distribution works for the light vehicle distribution, it's effectively a gravity model. So it would be it would draw the greater amount of trips from the the the larger areas of population based on a time distance model. So, you know, a big, a densely populated area further away may have a similar or greater weighting than a very lightly populated area close to the to the site.

Speaker 12 1:29:56
Good. Thank you. Now, paragraph 4.10 of Appendix 11, Appendix 11 of Appendix 3.1 AS dash 057 notes that the HGV traffic distribution shown in paragraph 4.8 of the same document is only indicative, as the actual assignment of AGV trips to the road network will be undertaken as part of the BISTA transport model assessment in accordance with the relative cost of using a route. Could the applicant confirm if a cost-based traffic distribution was used, and if so, clarify the difference in the results obtained from the two distributions. E.g., for example, the indicative proportion of traffic on A43 is, as given in the report, is 26.6%. So, would the cost-based traffic distribution give different results.

Speaker 16 1:31:05
So, so the the distribution is the same, sir. And I guess it's this this often in our industry we we confuse and we distribution and assignment. And I realise it's labelled in that table as a distribution, whereas I guess strictly it's an assignment, so the the distribution is is the distribution. So where where the point

of origin is or destination, what we are looking to do in that table is to try and provide the reader in a in a helpful manner a approximation of what we expect that assignment to be, but actually that assignment is undertaken in the strategic model, which is part of the reason for using the strategic model, so that it can look at the the various costs associated with that. I would expect them, sir, to be very similar.

Speaker 12 1:31:54
Thank you. Moving on to section nine of ES Appendix 3.1 Transport Assessment Part One, AS-055. Could the applicant explain how the assessed morning and evening peak hours in the visit model have been identified as representing as representing the worst case, considering also the proposed Saturday operation operation times, and then looking at the adjoining businesses around. Stuart Duncan

Speaker 16 1:32:33
for the applicant. So as part of the the option testing work that we did, which was very extensive, at Junction 10, we we undertook in in collaboration with the with the transport working group a study looking at the the off peak and inter peak times at Junction 10. So the the interpeak period has been between 10 and 4o'clock, so 10 in the morning and 4o'clock in the afternoon, and then the off-peak between being between seven at night to seven in the morning. So that work is referred to at paragraph 1.7 of technical note nine, which is TA Appendix 20, the reference AS061, and as part of that work, we looked at the the traffic flows across the the junction. So using trads data, so using permanent traffic counts that are maintained on the road network, and that demonstrated that the the inter-peak traffic flows were circa 89% of the the peak period traffic flows, and that was actually a comparison to the average peak traffic flow. If you look at the the peak peak traffic flow, which is in this case the the PM peak, the inter-peak is only 83% of of what we assess, and then at the off-peak times, the the traffic flows are 26% of the peak traffic times. So yeah, that allowed us again in in collaboration with the transport working group to to conclude that the yeah the mitigation would provide operational benefits during those peak periods for where we've done detailed assessment, including the the VISN assessment. At other times, traffic would be less, but those operational benefits would would remain. The

Speaker 12 1:34:35
if I can just get the exact time you mentioned 10 to 12, between 10 to 12. The way I understand it, where you assess the transform in transform modelling, you take one peak hour. Is it from 10 to 11, or 11 to 12? That is the highest. And then when you get to PM peak, is it from four to. Five or five to six. That is highest. Then, have you compared that to Saturday? For instance, you have Saturday operation and then adjoining businesses like the that motor services at Junction 10. They operate at all times at all times. So, if we compare that what you go as a PM pick, what I like to know is that the one you pick, those ones that you pick, they are the worst case scenario. They are the highest, even if you compare to Saturday or Sunday, considering all the adjoining business. They are the worst case scenario. That's what I like to know. Please.

Speaker 16 1:35:45
Stuart and Health for the applicant. So just come to your first point, Allen. Just loading something. So the the first point then about the peak hours. So the. The peak house for the Vista Transport model again probably the most helpful reference for that is the the local model validation report that is appended to Chiral District Councils and OCCs comments on the written representations. So that's the appendix to Rep 2o two nine, and section 3.4 describes the the peak hours for the BISTA transport model. So the the AM peak is oh 730 to oh 830. There's an inter peak in the in the BISTA transport model, which is 11 till 3o'clock. That is used in part to derive the the environmental traffic flows, so the ADT traffic flows, but not used in the in the in more detailed TS assessment work. And then there's the PM peak, which is five till eight, five till six. So they're they're the highway network peak. So the the

peak highway network flow. That the BTM also uses a a pass queue function. So what it does is it it it models the preceding peak. So the model itself covers a three hour period. So it's an hour either side of that that network peak, and in the preceding period, any congestion that results in queuing is recorded, and then that is passed over into the into the modelled peak period. So the peak period includes the traffic that is forecast in that highway network peak plus any congestion or any residual traffic that may have been remaining from the preceding peak. So in that sense, it's it's a robust assessment for the the baseline traffic. In terms of the development traffic, then what we have done is we have taken the the peak period development traffic and overlaid that against the highway network peak, so in particular for the for the PM period, we found that actually the the development traffic, the shoulder peak, so the preceding peak, so the the four till five development traffic, was actually greater than the than the highway network five till six peak. So we we added them together. So we we made them coincident, even though they're not. So and again, that provides a robust assessment because we're overlaying the the network peak with the development peak. So again, ensuring that we've we've got a robust assessment in terms of the the point about the the weekend surveys, so those those those factors that we were discussing earlier, where we we were talking about the yeah, where we were talking about the the inter-peak and the off-peak periods being 89% of the peak hour and 26% of the the peak hour, they are assessed against a wee day average. The equivalent figures against a daily, which brings in the weekend, lowers that, so the traffic is is lower on the on the weekend. So those figures on the weekend are actually it's the same for the for the night time. So it's. 25%, but it is only 82% for the for the for the interpeak. So, so sorry, so so just lots of information there. So the the weekend is when you bring in the when you look at the the average annual daily flows, which is a seven day flow basis, as compared to looking at just the weekday flows, which is just a five days weekday. That brings the the volumes down, which means that it's it's less at the weekends because that lowers the average.

Speaker 12 1:40:36
Is it just less or significantly less?

Speaker 16 1:40:40
But less, sir. Yeah.

Speaker 12 1:40:45
Thank you.

Speaker 10 1:40:49
Now,

Speaker 12 1:40:52
could the applicant also explain the traffic growth forecast, including the growth attributable to operational vehicle movements from the base year 2024 to opening year 2031, and from 2031 to the completion year 2034.

Speaker 16 1:41:16
Stuart Duncan for the applicant. So I have I have those figures both with reference to the 2024 base year, so I have 2024 to 2031 and 2024 to 2034. If if that's okay, that's

Speaker 12 1:41:30
fine.

Speaker 16 1:41:30

So the the the growth to from 2024 to 2031 from the BISTA transport model is total growth of 21% in the in the AM peak and 20% in the PM peak, with HGV growth of respectively of 12 and 13% in the so the equivalent figures growth to the 2034 year are 27% in both the AM and PM peak for the total traffic, and then 15% in the AM for HGV and 16% for HGV. So I think it's worth saying that yeah, that traffic growth is substantially higher than temporary growth. It's perhaps two to three times as as high as temporary growth, and and that relates to the substantial amount of development around the Bicester area, and that reinforces, in my view, the the importance and the need to use the BISTA transport model as as a strategic assessment tool because it does represent that that growth. Whereas if you were just applying temporal growth and not using the model, you would have a lot less traffic within the network.

Speaker 12 1:42:46
Thank you. That's useful. I

Speaker 16 1:42:49
mean, if it's helpful, sir, we can submit that information at deadline three. A table of growth factors.

Speaker 12 1:42:56
That would be very useful. Please. Thank you. I now turn to Section Nine of ES Appendix 3.1 Transport Assessment Part One, AS-055. Could the applicant describe how the cumulative traffic effect of the proposed development has been assessed.

Speaker 16 1:43:27
Stuart and health for the applicant. So the the cumulative traffic for the development is explicitly included within the the assessment work undertaken as part of the transport work. So the assessment scenarios are explained at Chapter Seven of the transport assessment, and they take into account committed and consented development and infrastructure as agreed with the working group: so OCC, Childwell, District Council and National Highways, and and those core scenarios include the requirements because National Highways have specific separate requirements. They meet the the requirements of the DFT Circular o1 2022. Also explained at Chapter seven is that the the approach taken takes into account emerging life planning applications which aren't committed or approved as agreed with the with the transport working group. So the the the uncertainty log, which is Appendix A of TA Appendix 14, Library Reference A. AS058. The uncertainty log sets out all of the developments that are included within the the range of scenarios that we look at. And those scenarios, obviously, the opening year, the completion year, the the circular requirements. So then we also. Look at a 2042 future year with with the emerging draft local plan allocations. So they're set out in that forecasting report, and that's a long list of of schemes. Yeah, more extensive than the the list of schemes that is included more generally within the within the within the ES. The uncertainty log is agreed with the with the working group, and that's confirmed in the local impact report, the joint local impact report from OCC and CDC, paragraphs 8.1 point 12 and 8.1 13. So, so that that's that's how the the cumulative assessment works. All of those sites are added into the Vista Transport model, and they contribute to that growth that we we just discussed.

Speaker 12 1:45:52
Thank you. For the benefits of our audience, would you explain? Because it seems the the committed developments in the area, the number is quite limited. Could you explain how many of the committed developments, what the committed developments in the area is, are that you have considered, please.

Speaker 16 1:46:22

So that's that's quite a long list. I I can go to it and read it out, but the that that list is in the the uncertainty log, in the in the in the Vista in the forecasting report for the Vista Transport model, which I just referred to. I mean, I'm happy to read it, sir, if that's helpful.

Speaker 12 1:46:39
That's fine.

Speaker 1 1:46:56
Sorry, I'm just conscious of the time. It'll be going for for a reasonable amount of time, and it feels like I think that might be sort of a logical place, possibly to to stop for lunch. I think I think there, and then then we can do that. So what I'm thinking is we might break till 2o'clock. But I'm also conscious that perhaps other parties haven't had a chance to make any comments. I'm not sure whether anybody has a particular time constraints in terms of hanging around till till after lunch.

Speaker 17 1:47:27
Apologies, Cameron Goff or Value Retail. I do have another appointment this afternoon. I need to get to, so I was wondering if perhaps we could quickly cover off a cumulative impact point, which is what I'd want. I'd like to raise.

Speaker 1 1:47:40
I'm just conscious, yeah, that if you've got to be elsewhere, and I don't know that the county council got people who need to be elsewhere, or no. Well, perhaps if we can take if the applicant's okay with that, and that means we can we can cover that, and then whether you get a chance to respond or we can hold that over till till after lunch, if that's the case. If you're happy with Alex, yeah, thank you,

Speaker 17 1:47:59
thank you, Counteroff For value retail, so we made written representations under before deadline one, so that's rep 105 three. The applicant has since responded in rep 2o two four. We raised two matters. The first being the approach taken to mitigation at the Baynards Green Roundabout, in light of the Tritax and Albion Land schemes that are currently under consideration by the Inspectorate, and what the approach that would be taking the event that those either do or do not go ahead, given that they they include a mitigation scheme for the Baynards Green Roundabout. The applicant has reassured us that the DCO, as it stands now, has a suitable mechanism within it to deal with both scenarios. So we don't want to provide any further representations on that point. The second point is around committed development and cumulative schemes. We've identified two, which are a particular concern, which are Pudafu and the 9000 home Hayford Park scheme. At present, the applicant's assessment does not include those cumulative schemes. We accept that they are speculative in nature, and therefore probably would not be appropriate for inclusion in the applicant's core scenario. However, it is our view that a sensitivity test should be conducted, which assesses both of those schemes, and that there is a reasonable future scenario whereby both of those schemes and the rail freight interchange are permitted, and that currently the examining authority is not able to form a view as to what the traffic impacts of that situation would be. Pointing to Tritax and Albion again, those schemes are actually in a very similar situation, and that those are speculative schemes outside of the local plan. Process and quite rightly, the applicant has prepared a sensitivity test and alternative mitigation proposals that would deal with consequences of those schemes being permitted. So, effectively, what we are asking is that a similar approach be taken to two other major schemes in the area. Thank you.

Speaker 12 1:50:22
Thank you. Would the applicant respond?

Speaker 5 1:50:30
Alexander Booth for the applicant. So, in a minute, I'm going to turn to mr. Duncall. But just taking matters in stages, I think this is essentially the concerns raised by Vista Village. I don't think, in fact, we had any engagement prior to the written rep. I don't believe there was a relevant rep. So the points raised at slightly belatedly, but we note two points raised. The first of those, I don't propose we do address because we understand that what the examination is being told is that they are content in terms of the Baynard's Green, the do and do not. As regards Albion and Tritax, in terms of sensitivity testing, Puedefu and Hayford Park, as I understand it, again what's being said is, it's recognised that those are speculative schemes. It's recognised that it would not be appropriate ordinarily to include those in terms of the cumulative assessment. What we're being asked to do is go above and beyond and undertake some sensitivity testing to allow for the possibility that both of these speculative schemes will in fact come forward. I think, in that context, I'm going to turn to mr. Duncan.

Speaker 16 1:51:54
Thank you, Alex. mr. Duncan, for the applicant. So, we we do provide survey what we say is a proportional assessment of of those schemes. So, ES Chapter Three Section 3.7, which is document App 1o 170, provides an assessment of of those two schemes based on the the information that is available, noting that neither of those schemes have finalised their their transport mitigation package. I mean, in short, that assessment concludes that whilst there would be a reduction in in the benefits associated with the OXS RFI scheme, those benefits would remain, and that there wouldn't be any significant adverse impact. So we say so that we we we have done a proportionate assessment of those, of those schemes, those speculative schemes. Further to that, the applicant has shared freely the the transport modelling that was undertaken. So both the strategic transport modelling and the the detailed microsimulation modelling with with both of those applicants, so that they can undertake, as would be appropriate, their own cumulative assessment to to help inform judgments on those those applications.

Speaker 12 1:53:14
Thank you, mr. Donhiel.

Speaker 10 1:53:26
Thank you, Sir Jeremy Bloom, representing National Highways. I think it's worth adding that National Highways, as you'd expect, is also engaging not only with the applicant here, but also for Poidopoo and for Hayford Park. From the various modelling we've seen from those developers, as well as as from this, we're very comfortable that the the Oxfordshire SRFI mitigation would accommodate the traffic arising from Boyd Fu, so would would work satisfactorily. We're less confident about Hayford Park, and we're working with them to ensure that they are appropriately mitigating their impacts. So it may be that they need to look at additional mitigation at Junction 10, but that's work in progress. They've still got significant work to do to agree the position with National Highways.

Speaker 12 1:54:30
Thank you.

Speaker 1 1:54:31
Just to clarify, they being the applicant for Hayford Park, not they being the people in the room at this stage. Yes, thank you. That's right. Thank you.

Speaker 12 1:54:41
Thank you, mr. Bloom. Is it right?

Speaker 1 1:54:47
I think that seems a good opportunity time to break for lunch. Thank you for that. I suggest we give ourselves an hour. Convenient, we finish at 1o'clock. So this hearing is adjourned till 2pm. Thank you very much.