

**Oxfordshire County Council response to consultation on proposals for
the redevelopment of MoD Bicester (application no.11/01494/OUT):
Detailed Comments**

Housing

- 1) The land at Graven Hill has been included on a list published by Government setting out key public sector land which is to be released for housing.
- 2) The site is not currently a preferred option for the draft Cherwell Core Strategy. The draft NPPF states that local planning authorities should work with the MoD's Strategic Planning Team to ensure that they have, and take into account, the most up to date information about defence and security needs in their area. The residential element of these proposals is needed to help fund the consolidation of the MoD's logistics operations on C site.
- 3) A piece of work is being undertaken by CDC and OCC to look at the future of Bicester, taking account of the various strategies for the town, emerging development proposals and the infrastructure required to support employment and housing growth. This work will take into account the MoD's proposals for all its land holdings in and around Bicester.
- 4) Housing completions in Bicester have been well below the level required to deliver the SE Plan housing figure of about 4,900 between 2006-26 due to delays in the start of construction at SW Bicester and development at Gavray drive stalling. Permission for housing development on this site would potentially increase house building rates from 2014 onwards and increase housing choice.

Transport

Graven Hill (sites D & E)

a) Transport Assessment (TA)

- 5) The proposed access arrangements for Graven Hill (Sites D & E) will be via an improved A41/A4421/B4100/Graven Hill roundabout; and a new roundabout at the A41/Pioneer Road junction replacing the existing ghost island priority junction. These improvements must be designed to the appropriate DMRB standards. The improved A41/A4421/B4100/Graven Hill roundabout is to be signalled to promote pedestrian, cyclists and public transport movements.
- 6) The existing A41 underpass is to be improved to encourage pedestrians and cyclists to use this route. The improvements proposed are to include ground surfacing, entrances spaces, vehicle access restraints, wall and ceiling finishes with lighting. The highway boundary plan showing the A41 underpass confirms that the structure i.e. underpass is within the

ownership/maintenance of Oxfordshire County Council as the Local Highway Authority. However, the routes to and from the underpass are not shown as public highway and have been assumed as private. Further investigations into who is the land owner and which third parties have a right of way along this route is required if this route can be dedicated for adoption as a public right of way/route; or if any restrictions/improvements such as the vehicle restraints, resurfacing will be allowed. The dedication of this pedestrian and cycle route is required to secure a direct link to the town centre, the alternative route i.e. crossing the A41 is undesirable and raises a highway safety issue.

- 7) Any improvements to the underpass we understand will be subject to a S278 Agreement as they are considered as off-site works. The details of the improvements will need to be agreed and formally approved by the County Council's Bridges/Structures Engineers.
- 8) A new Toucan crossing is proposed for pedestrians and cyclists over the A41 around 165m away from the A41/A4421/B4100/Graven Hill roundabout. This controlled crossing is proposed as there is evidence that this location is used as an informal crossing point by local residents and current occupiers of the MOD Graven Hill site. This crossing will be accessed via a section of the private access road that leads to Langford Park Farm. This crossing point provides a connection to an existing footway along the southern side of the B4100. While the proposed Toucan crossing will provide a safer crossing point for pedestrians, a highway safety concern remains with promoting pedestrian and cycle movements across the A41 which is a fast and busy classified road.
- 9) There is an existing road that serves the warehousing area to south of the Graven Hill site. The road width of this route is currently around 6.3m and will be used to provide a limited number of accesses into the employment area of the development via a number of ghost island priority junctions. As part of the 2nd phase of the development this road will be upgraded, possibly up to 10m in width to facilitate a (potential) future south east perimeter road from the A41 Aylesbury Road in the north east of the site to the A41 Oxford Road in the south west of the site. The south east perimeter road is not included as part of this application and is to be an Oxfordshire County Council lead scheme in the future. It should be noted that discussions are ongoing between the MoD, the County Council and Chiltern Railways regarding the bridge works to the southwest of the site.
- 10) The existing freight tracks within the site are to remain within the southern part of the Graven Hill site to potentially serve the commercial warehouse and storage elements of the development. It is stated within the TA that no details of upgrading these tracks or any re-aligning works are to be considered until the development enters the reserved matters application stage.
- 11) A review of the accident data for the area has been carried out, which found incidents had occurred; looking at the information provided the

incidents involved were down to driver error rather than the characteristics of the highway network.

b) Traffic Generation, Distribution & Modelling

12) The traffic generation figures quoted for the Graven Hill development have been assessed and checked using TRICS and appear reasonable.

13) With regards to traffic distribution from the proposed development onto the existing highway network, the Traffic Models that have been used are COTM (Central Oxfordshire Traffic Model) and the Bicester Saturn Model. The modelling results provided show that the following junctions will require capacity improvement works to accommodate the Graven Hill development:

- Junction 9 – (M40A34/A41) – the A41 links to the M40 will require significant improvements for the development to go ahead i.e. Phase II of Junction 9 improvements, which will need funding and the agreement of the Highway Agency and the County Council for such works to go ahead.
- Junction A41/B4030 roundabout will go over capacity on two of its existing arms with the proposed development and will require improvement works to accommodate the additional traffic movements. The mitigation works proposed are widening to the roundabout arm of the Oxford Road (B4030) for southbound traffic.
- Junction B4030/Middleton Stoney Road Roundabout could require improvement works. The proposed works include an improvement to the existing mini roundabout to a 28m ICD roundabout.
- Junction A41/Graven Hill Road/B4100/A4421 will exceed capacity with the proposed development, therefore improvement works must be provided to accommodate the additional traffic movements in this area. The proposed improvements include widening works and the introduction of signal controls to increase the capacity of the roundabout and provide pedestrian and cycle crossing points. It should be noted that the proposed layout of the improved roundabout is likely to require further alterations to enable a bus (and/or cars) to have a more direct route towards the town centre.
- The existing priority junction of the A41/Pioneer Road is to be upgraded to a roundabout which is to improve access into/out of the development site and ensure a second access is retained and to an acceptable standard to accommodate the increase in traffic.
- Capacity improvements between the A41 and the roundabouts of A41/B4030 and the Graven Hill roundabout have been proposed i.e. partial dualling of the A41 with reduction of speed limit to 40mph and a toucan crossing.

- 14) The modelling results shown have yet to be validated by the County's Transport Strategy Team; therefore the improvements works proposed will require further discussions before these off-site works are to be formally agreed (as well as other improvements works that have not been identified as part of the submitted TA).
- 15) In addition to further discussions for the off-site improvements, a robust investigation into the highway boundary and land ownerships must be carried out by the applicant to ensure the appropriate land is available to carry out any of the identified highway works and for dedication purposes. Guidance and advice for public highway boundary queries can be sought from the County Council's Land & Highway Records Team on 01865 815700.
- 16) It appears that the neighbouring villages of Ambrosden, Arncott and Wendlebury do not appear to have been considered by the TA for the development in terms of traffic distribution or impact. This issue will require further thought by the applicant.

c) Public Transport

- 17) To meet the objectives of PPG13 and the overall sustainability objectives of the site (and consider the aspirations of Bicester's "One Shared Vision") the Graven Hill development layout has tried to provide a public transport route that will be no more than 400m walking distance from any property, which is desirable. The public transport route being proposed will use a circular loop road around the site with the appropriate infrastructure provided i.e. shelters, RTI, bus gates with camera enforcement etc.
- 18) It is stated that all public transport services associated with the development are likely to focus around the Local Centre as the main stopping location; other key stopping locations are expected to be in the employment areas etc, but will need to be agreed with the Local Highway Authority.
- 19) The public transport services being proposed will serve the development site and link up to key locations such as the town centre and the two rail stations. Two services will be provided at the Graven Hill development; one will be a new service, the other a diversion of the S5 Stagecoach service into the northern part of the site. Such a diversion will provide an essential link between Graven Hill and C site as well as the city of Oxford. The diversion of the S5 will be via both the main access into the site and secondary one via Pioneer Road.
- 20) The frequency of these services is to be every 15-20 minutes. The new bus service's route would be via the town centre and the train stations and would comprise of a mini bus type vehicle during the early stages of the development; this service would then be upgraded to a larger vehicle type as the development progresses. This service will link up to the train timetables at both stations.

21) It has been agreed in principle that the new bus service will only serve the employment/commercial areas during the peak times and at lunch time. However, Oxfordshire County Council will require such an arrangement to be annually reviewed in case demand for this bus services increases.

22) Both the new bus service and the diversion of the S5 service will be provided at the applicant/developer's expense (over an agreed period) and subject to a S106 Agreement which is to include the appropriate safeguards in case these services fail.

d) Parking Strategy

23) The car parking space dimensions stated in the TA (paragraph 4.5) are acceptable and take into account the design aspects expected from the Local Highway Authority (paragraph 4.5.3). The level of residential car parking being offered is:

- 1 bed unit = 1 cycle space and 1 car space + visitor;
- 2/3 bed unit = 2 cycle spaces and 2 car spaces + visitor;
- 4+ bed unit = 2 cycle spaces and 2+ car spaces + visitor;

24) The residential car parking being provided (paragraph 4.5.8 onwards) is set to a maximum standard and will be subject to "accessibility zones" criteria of the lowest levels to the highest levels to combine with the standards quoted above – this is encouraging and meets the aspirations of Bicester's "One Shared Vision" and will help the development meet the objectives within PPG13 and the Local Transport Plan 3.

25) The lowest level of parking is proposed around the local centre and other central areas of the development; the medium level of parking is proposed next to the local centre with the highest level to be located away from the local centre. While this "accessibility zone" is encouraging, a more robust description/definition of lowest, medium and highest is needed i.e. how many metres from the local centre triggers each zone?

26) With these accessibility zones the design (in line with MfS) and mitigation measures required to manage/control the car parking within the development is essential to deter any misuse of parking areas, streets, footways etc. As this application is for outline only such details are expected to be in a future Design Code for the Graven Hill development.

27) For the non-residential car & cycle parking levels i.e. Local Centres, it is proposed to combine the different use classes i.e. grocery store, local shops & community hall parking together to avoid providing too many parking spaces in these areas. This approach is acceptable in principle, but will require careful consideration during the design of the development at the reserved matters stage. The mixed use level of parking spaces proposed is acceptable in principle.

- 28) The primary school car & cycle parking levels will require input from the County Council's Property Section; however, only an operational use level of car parking is expected at this site with an appropriate servicing and bus/coach pick & drop lay-bys/areas – the County's Property Section will require consultation on this element of the school's layout.
- 29) The employment parking levels proposed in for the B1 uses and B8 uses are acceptable in principle.
- 30) The disabled parking levels proposed are in line with the British Standard of 5% of the total level being provided for the local centre and the employment/commercial areas.
- 31) The cycle parking levels being proposed for the development meet the required standards (and are above in places).

e) Layout Comments

- 32) The proposed street hierarchy (paragraphs 4.3.3 to 4.3.19) is acceptable in principle but must be part of the future Design Code for the Graven Hill development.
- 33) The proposed access road dimensions, junction geometries, 3m width of pedestrian and cycle links to serve the employment area of the development are acceptable in principle.
- 34) The parking types proposed to be used for the Graven Hill development of on-street, housing squares and on-plot are acceptable in principle, but will be subject to design, street types, garage dimensions, landscape treatments, character areas etc. Such parking types are expected to be in a future Design Code for the Graven Hill development.
- 35) The car parking space dimensions stated in the TA (paragraph 4.5) are acceptable and take into account the design aspects expected from the Local Highway Authority (paragraph 4.5.3).
- 36) A tracking plan(s) will be required for the reserved application stage for the whole of the site demonstrating a refuse (and emergency) vehicle can enter and leave the site in a forward gear and carry out collections with ease.

f) Drainage

- 37) The County Council's Drainage Team are in favour of the SUDS proposals. However the information that has been submitted does not demonstrate that the proposed drainage strategy will work i.e. pipe networks should be kept to a minimum. The main concern raised is that the Drainage Design for the site should be completed prior the position of buildings & other structures being confirmed. Without this work the

developer may have to re-design the development if they do not get this right.

g) Trees

38)The County's Arboricultural Team has stated that the development should only use the tree types that are quoted on Appendix 4 of the County Council's current Residential Design Guide (<http://www.oxfordshire.gov.uk/cms/content/residential-road-design-guide>). Other trees types to be planted on land to be offered for highway adoption will be considered, but a higher commuted sum may be required towards maintaining these.

39)Landscaped areas to be offered for highway & SUDS adoption will require further discussions.

h) Rights of Way

40)Although there are no public rights of way on this site the County's Rights of Way Group are keen to see onsite provisions for walkers and cyclists - as well as off site provisions for walkers, cyclists and equestrians to offset the impact of increased dwellings and commercial use. The measures outlined in the DAS on p76 (2.1.37) are supported by the Rights of Way team.

41)In addition (please see attached plan) there are a number of footpaths and bridleways in close proximity to the site that would benefit from off-road links to try and make the access safer for all non-motorised users.

- Point A - provide onsite walking/riding link into development site from the bridleway to enable recreation;
- Point B and C - ensure safe crossing facility of the A41 through contribution;
- Point D - provide for safer crossing of A41 through contribution;
- Point E - secure safer linking route for all users through contribution;

i) Travel Plan (TP)

42)A full travel plan will need to be developed with the final site occupiers prior to occupation as part of the reserved matter application – an outline of the current travel data, targets and actions are already included but these will need to be updated when a full travel plan is produced.

43)There is a good level of information on existing travel opportunities around Bicester and potential opportunities for the Graven Hill site. However, there is a need to include information on parking provision, both car and levels of cycle parking.

- 44) There is also a need to include isochrone maps for walking / cycling showing distance or time of travel (i.e. – 15 mins rings or 1km radius etc) and the key walking and cycling routes.
- 45) The site design needs to be such a way that it provides direct walking and cycling links across the sites especially between the residential areas and the employment sites and in to the existing network and trip generators.
- 46) The targets and measures proposed in the plan need to be more detailed and SMART and be linked back to the how they meet the objective of the plan. The action plan needs to have more detailed measures that will be used to promote sustainable travel.
- 47) Targets will be used for monitoring – and may be the basis of setting bonds/incentives with Highways Development Control.
- 48) The monitoring of travel patterns against the targets will occur biennially.
- 49) The plan include the need for a travel plan coordinator role and that this will be part of a role from MOD staff, however it does not identify what role this will be, whether it will be linked with other MOD developments in the area or how long they will be in post for. Further discussions will be needed with the County Council on this to agree the details.
- 50) The management of the plan needs to be linked in with other travel behaviour work that is being carried out as part of the Eco-Bicester Travel Behaviour Project.
- 51) The TP should be updated at 50% occupancy of phase 1, phase 2 and phase 3.

C Site

a) Transport Assessment (TA)

- 52) Vehicles generated by C Site access the site via two routes. Existing HGV traffic is routed via Palmer Avenue to deter such large vehicles travelling through the villages of Arncott and Ambrosden. This HGV route is signed and leads HGV traffic to the junctions of Palmer Avenue/B4011 and then the junction of the B4011/A41. Palmer Avenue is subject to a 60mph speed limit. Commuter traffic to C Site generally comes via the villages of Ambrosden and Arncott.
- 53) The redevelopment of C Site will take place in the northern section of the site and will mean the demolition of five large workshop/warehouse buildings along with several smaller support units. The proposed warehouse building will be around 70,400m² with areas provided for docking, storage, access, circulation, parking and queuing within C Site.

- 54) A total of 620 personnel will be employed at C Site and it is expected that up to 250 people will be on site at one time during each of the three shifts over a 24 hour period. A skeleton level of staff will occupy the site over weekends and bank holidays. The three shifts are made up of the following times: Early shift 0600 to 1415 (260 staff), Late shift 1400 to 2215 (260 staff) and Night Shift 2200 to 0615 (100 staff). While these shifts miss the standard traffic peak times there appears to be no security provided that such shift times will not change and affect the standard AM and PM peaks in the future, which is something the applicant will need to give further thought to.
- 55) Staff Travel surveys have been carried out of existing staff on C Site; this has shown around 20% of staff currently travel to their place of work via a sustainable mode of travel. The Travel Plan that has been proposed proposes that this level is increased to a maximum of 75% over 5 years of C Site opening. Such an objective is seen as a realistic target by the applicant, but will need to be part of a S106 Agreement and will require a financial incentive to meet this target.
- 56) HGV deliveries are expected to be around 110 to and from the site throughout a day i.e. 220 in total (in & out trips). It is stated that the majority of these trips will take place between 0600 and 1300 hours (inbound trips). Outbound trips will leave C Site between 0500 and 0900, and 1700 to 2200.
- 57) With the consolidation of the MOD logistics from Graven Hill onto C Site it is expected that there will be an overall net reduction of traffic generation from this land use i.e. traffic movements from two sites reduce to one. However, there will be an increase in HGV movements which must be carefully considered and an assessment of the junctions of Palmer Avenue/B4011 and the B4011/A41 must be carried out due to the HGV movement increase throughout the day. Such an assessment does not appear to part of the submitted Transport Assessment and must be submitted for by the applicant for the Local Highway Authority to review at the earliest opportunity.
- 58) Access to C Site for all vehicles, pedestrians, cyclists etc will be via the existing northern access point due to security reasons. The access will be re-modelled with the security gate being moved back from its current position of 46m from the road to just over 60m. This will increase the waiting/queuing capacity of HGV traffic within the base to deter any detrimental impact to the public highway.
- 59) There will be a number of internal changes to C Site with regards to the existing access road etc; such changes will be down to the needs of the MOD for C Site and are to remain private. Similar issues for the existing freight rail tracks.

- 60) The rail interface will be separate to the main warehouse. The Bicester International Freight Terminal at Graven Hill will be replaced by a new Road Rail Transfer Area located on the north-west edge of C Site.
- 61) A review of the accident data for the area has been carried out, which found incidents had occurred; looking at the information provided the incidents involved were down to driver error rather than the characteristics of the highway network.

b) Travel Plan

- 62) At present the TP refers to a 'Framework' TP. A full travel plan will need to be developed with the final site occupiers prior to occupation as part of the reserved matter application – an outline of the current travel data, targets and actions are already included but these will need to be updated when a full travel plan is produced.
- 63) There is a need to include a map that places 'C' site in the wider context of Oxfordshire. The plan should include the estimated number that will be employed at 'C' site once the development is fully occupied.
- 64) Data from current site users if the site and / or organisation already exists. At present the current users travel information is included – this is sufficient for the frame work but will need to be updated when the final occupiers move on to site and should include the AM / PM peaks and variations in levels of travel throughout the day.
- 65) The targets and measures proposed in the plan need to be more detailed and SMART and be linked back to the how they meet the objective of the plan. The action plan needs to have more detailed measures that will be used to promote sustainable travel.
- 66) Targets will be used for monitoring – and may be the basis of setting bonds/incentives with Highways Development Control.
- 67) The monitoring of travel patterns against the targets will occur biennially.
- 68) The plan include the need for a travel plan coordinator role and that this will be part of a role from MOD staff, however it does not identify what role this will be, whether it will be linked with other MOD developments in the area or how long they will be in post for. Further discussions will be needed with the County Council on this to agree the details.
- 69) The management of the plan needs to be linked in with other travel behaviour work that is being carried out as part of the Eco-Bicester Travel Behaviour Project.
- 70) The TP should be updated at 50% occupancy of phase 1, phase 2 and phase 3.

Legal Agreements

- 71) A S106 Agreement will be required to secure appropriate financial contributions, funding for services, off-site works etc.
- 72) Within Cherwell District Council's Planning Obligations Draft Supplementary Planning Document contributions from developments towards the transport strategy for Bicester (in addition to public transport enhancements/new services and off-site works etc) are to be sought. A Draft S106 Heads of Terms has been submitted as part of this planning application and consideration will be given to both documents to determine the appropriate financial contributions to the transport strategy of Bicester.
- 73) Please note the contribution offered to the Highways Agency would have to be secured by Oxfordshire County Council as the Local Highway Authority as the Highways Agency cannot enter into S106 Agreements i.e. HA is not a Local Authority.
- 74) For any off-site works i.e. roundabout improvements a Section 278 Agreement(s) will be required between the developer/applicant and OCC to work upon the public highway. In addition to this legal agreement(s) a bond will be required to cover the construction costs of the any works as well as there being a supervision fee of 9%. This agreement will be part of a S106 Agreement for this development.
- 75) The infrastructure within the site i.e. footways, roads, streets, bus only links, street lighting will need to be designed & constructed to OCC specifications and is expected to be offered for adoption by the developer/applicant via a Section 38 Agreement – this agreement will also require a bond as well as there being a supervision fee of 9%.
- 76) It is accepted elements of the development will wish to remain private, which will require a Private Road Agreement between the developer and OCC.
- 77) For areas of drainage it is likely easement areas will be required as OCC will need access to maintain the highway drainage system – these will need to be covered in the S38 (and possibly S278) Agreement. Dedication plans will be required for both agreements at some stage. Guidance on the processes of a S278 Agreement, Section 38 Agreement and Private Road Agreement can be sought from the Road Agreements team on 01865 815700.
- 78) As the Flood and Water Management Act 2010 has been delayed in coming into force, the non-highway SUDS features of the development can not be adopted by Oxfordshire County Council and will have to be maintained privately by the developer/applicant. Within the S106 Agreement the County Council's specifications for the construction of SUDS is to be included as well as an option for Oxfordshire County Council to take on the non-highway SUDS features at the appropriate time.

- 79) The Travel Plan is to be part of the S106 Agreement with obligations for monitoring, providing a Travel Co-ordinator early on in the development etc. Travel Plan incentives for the TP targets are yet to be negotiated i.e. soft measures, financial contribution etc.
- 80) A Routeing Agreement will be required for employment/commercial HGV traffic and construction traffic for the Graven Hill development site - details to be confirmed and agreed with OCC.
- 81) A new Routeing Agreement will be required for HGV traffic associated with C site.

Social and Community Infrastructure

a) S106 requirements

- 82) Advice on the range and scale of contributions that the County would require to social and community services has been sent to the applicant. A bond will be required for the school. In addition we would seek to cover administrative and legal fees

b) Primary School

- 83) In terms of OCC facilities, the proposals for co-location of facilities is supported (sports pavilion and community facilities).
- 84) The proposals mention provision of a joint use MUGA on the school site which is good, provided the long term maintenance implications are addressed. It is also proposed that one of the 7 pitches needed for community use is on the school site. As the school site is 3.4ha it is likely that this could be more readily accommodated, albeit it would rely upon the co-operation of the school governing body – see guidance School Site Requirements for Residential Developments (attached)
- 85) The proposals imply that the school would be 2 storey: this would need to be resolved at a later date. If a 3FE is required to accommodate pupil numbers, it is likely that we would want it be 2 storey in part but not necessarily the whole footprint due to the desire to create direct external access from the classrooms.
- 86) It notes on page 152 of the Design and Access Statement that the parent drop off for the school is remote from the main parking area – from a sustainability point of view in practice parents will tend to drop off at the village centre (to link a visit to the shop with pupil drop off) so we would wish to ensure the route for children through this area is safe and 'designed in'. It is not clear where the sports pavilion would go and how the parent drop off parking area might relate to the sports pitch access routes (multi-use of parking facility).

87)The County Council would like to see a cycle routes drawing particularly showing how the routes connect through to the existing Bicester cycling routes such that children accessing other schools (particularly secondary schools) have safe and convenient routes to school.

c) SEN provision

88)Para 9.1.19 of the Environmental Statement main report states that “There are currently no special educational needs schools within the study area, however, it is expected that 1.1% of all pupils in Oxfordshire will attend special schools.” It should be noted that Bardwell School in Bicester provides for pupils with Severe Learning Difficulties. We anticipate that 1.1% pupils will need places in a special school or unit. However, these schools are not catchment based. Pupils would attend the school that is most appropriate to meeting the individual child’s specific educational needs.

d) Potential significant effects of the development

89)para 9.6.2 refers to the ‘Potential effects on existing residents in Ambrosden ward as a result of an increased demand on local services (health, housing and education) from the increased demand on Graven Hill - If services are currently operating at or near to full capacity, any increase in the local population may have a negative effect’.

90)Residents of Graven Hill would look to Bicester rather than Ambrosden for many County Council services including secondary and primary education, youth provision, library, adult social care etc. If there is insufficient capacity now and/or sufficient extra capacity isn’t provided to cope with the extra demands from Graven Hill residents, the impacts would be on the population of the wider Bicester catchment area, not just of Ambrosden.

91)The County Council has provided a list of s106 requirements to mitigate the impacts of the development on local County Council services and facilities

Ecology

92)The Cherwell DC Ecology Officer should provide comments on the details regarding protected & notable species and priority habitats on the site.

93)The County ecologist planner is generally happy with the ecological surveys which have been carried out and the EIA. However, there are concerns about the deliverability of the management of Graven Hill Local Wildlife Site and the creation & management of the other habitats on site.

a) **Creation of new habitats:**

- 94) The Environmental Statement, Main Report Biodiversity Chapter, para. 12.8.6 states '*A habitat creation plan detailing the environmental measures to be incorporated within detailed design of the proposed development will be written by a suitably qualified ecologist at the reserved matters stage of the development. This will provide a detailed specification of the habitats to be created, together with a programme or works. It is likely that this will be implemented by the developer.*'
- 95) The applicant's proposal is that the MoD will sell the Graven Hill site with outline planning permission. If the site is sold off in parcels to different developers, it will be difficult to ensure that all the proposed new habitat is created. A plan should be submitted by the applicant outlining which areas of habitat are to be created as part of each phase (or parcel) of development. This will ensure the developers are clear as to their obligations for habitat creation.

b) Management of Graven Hill LWS and new habitats:

- 96) para. 12.8.6 also states '*Additionally an integrated recreation and habitat management plan covering Graven Hill Wood CWS and the newly created areas of habitat will also be written by a suitably qualified ecologist, and subsequently implemented. It is likely that an agreement with the BBOWT would be made whereby the Wildlife Trusts are responsible for the long term management of the habitats and species on-site in perpetuity, albeit this will require funding. This will set out management practices designed to manage optimal areas of habitat for legally protected and priority species including badgers, roosting and foraging bats, dormouse, polecat, GCNs, reptiles, invertebrates and breeding birds.*'
- 97) It will need to be clarified whether BBOWT would be willing to take on the management of an isolated piece of land (even with funding).
- 98) There is currently no mention of management arrangements in the Heads of Terms for the S106. In order to demonstrate the viability of the development, costs for managing the LWS and other habitats should be included in the application and secured through a S106 legal agreement. This will ensure that whoever takes on the management in the future will have the funds to do so.

c) Information required prior to application being taken to Planning Committee:

- 99) A plan outlining which areas of habitat are to be created as part of each phase (or parcel) of development.

100) Costings for management of Graven Hill LWS and green space should be set out in a document and sent to ecological consultees (CDC, OCC, BBOWT, EA, NE) and agreed by them before the application is taken to planning committee. The costings should include the following:

- Production of detailed management plan for each phase plus Graven Hill LWS
- Production of annual work programme
- Capital works to implement work programme
- Staff time for the organisation & supervision of capital works for management and monitoring.
- Surveys for monitoring of species and habitats
- Staff time for the organisation of and attendance at annual meeting with steering group to summarise work carried out the previous year and propose work for the following year.
- Staff time for the annual review and update of management plan (based on results of monitoring and steering group input)

d) Information required for S106 legal agreement:

101) A Management Plan Outline to be appended to the S106.

102) An accurately calculated figure for the management, maintenance and monitoring of the Graven Hill LWS and green space in perpetuity.

103) A clause and plan outlining which areas of habitat are to be created in each phase / land parcel.

e) Pre-commencement of development planning conditions (if permission is granted)

104) The following documents will be required prior to commencement of development:

- Construction Mitigation plan
- Habitat creation plan
- Management plan (in perpetuity)

Archaeology

105) The area concerned lies within an area of some archaeological interest with Graven Hill itself located approximately 500m east of the Roman Town of Alchester (SM 18). The line of the Roman Road from the town to Verulamium is thought to cross the northern side of Graven Hill. Evidence for Roman and Saxon settlement of the area has been recorded in a number of locations around the site. A geophysical survey of the Graven Hill site recorded a number of possible archaeological features including ditches a trackway and a possible ring gully (EOX 2987). The development at Graven Hill is therefore likely to encounter further archaeological deposits related to this period.

106) We would therefore recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of an archaeological monitoring and recording action to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative conditions along the lines of:

a) Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

i) Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with PPS5: Planning for the Historic Environment

b) Prior to any demolition on the site and the commencement of the development and following the approval of the Written Scheme of Investigation referred to in condition 1, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

i) Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with PPS5: Planning for the Historic Environment

107) If the applicant contacts the County Archaeologist, we would be pleased to outline the procedures involved, provide a brief upon which a costed specification can be based, and provide a list of archaeological contractors working in the area.

S106 and viability

108) The applicant has been advised of the range and scale of contributions that the County are seeking towards new and improved transport, education and other social and community services infrastructure required to mitigate the impacts of their development proposals.

109) The following items should be added to the draft s106 heads of terms submitted with the application:

- SUDs

- Commuted sums for monitoring, management and maintenance of infrastructure and green space
- Administrative and legal costs

110) At the time of writing these comments, negotiations are on-going. It is hoped that through partnership working with CDC the list of infrastructure items will be prioritised and compromise can be reached with the applicant on the scale and phasing of contributions to enable the proposed development to be delivered.

111) In addition to the legal agreement(s) a bond will be required to cover the construction costs of the any works. This agreement will be part of a S106 Agreement for this development.

22.11.11
Linda Currie