

**Proposed Roundabout Access To Graven Hill
And Wretchwick Green London Road Bicester**

21/02177/DISC

Case Officer: Rebekah Morgan

Recommendation: Approve

Applicant: Graven Hill Village Development Company

Proposal: Discharge of condition 3 (Construction Environment Management Plan) 6 (Great Crested Newt Method Statement) 8 (Biodiversity Net Gain) 9 (Surface Water Drainage) 10 (Archaeological Written Scheme of Investigation) 11 (Archaeological Evaluation (Part Discharge) 12 (Tree Re-planting Scheme / Landscaping Design) of 20/01830/F

Expiry Date: 18 August 2021

Extension of Time: 21/10/2022

1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT

- 1.1. The application site comprises a section of the A41 (and adjoining land) adjacent to the Graven Hill development site in Bicester. The land within the red line boundary is a combination of adopted highway and land owned/controlled by the Graven Hill Development Company.
- 1.2. The section of road formed a T-junction at the A41 and Pioneer Road, providing an existing access to Graven Hill and the existing MOD barracks. The land is relatively flat across the site. Within the existing verge to the northwest and southeast of the existing Pioneer Road junction are several mature trees.
- 1.3. Application 20/01830/F granted consent for the provision of a four-arm roundabout junction to provide access to both the Graven Hill and Wretchwick Green developments on the south and north sides of the A41, respectively.
- 1.4. It is noted that the construction works for this development have now been completed. The application has been with the Local Planning Authority awaiting amended information. This is due to the fact that during construction it was discovered that drainage amendments were required, and a field access closed, which required amended plans. The work has now been completed in accordance with a Section 278 agreement with the Local Highway Authority and the requisite amended plans detailing those final approved works now provided.

2. CONDITIONS PROPOSED TO BE DISCHARGED

- 2.1. Condition 3 – Construction Environment Management Plan:
 - Construction Environmental Management Plan (CEMP) dated July 2021 prepared by Waterman Infrastructure and Environment Limited.
- 2.2. Condition 6 – Great Crested Newt Method Statement:
 - ‘Precautionary Method of Working in Relation to Great Crested Newts’ report dated 5 May 2021 prepared by Waterman Infrastructure and Environment Limited.
- 2.3. Condition 8 - Biodiversity net gain:
 - ‘Technical Note: Biodiversity Net Gain Assessment’ dated July 2021 prepared by Waterman Infrastructure and Environment Limited.

2.4. Condition 9 – Surface Water Drainage:

- Drawing number WIE-A41-90-551 rev E03 – [Drainage Layout];
- Drawing number WIE-145-92-500 rev A04 – [Drainage Strategy];
- Drawing number WIE-145-92-501 rev A02 – [Flood exceedance Conveyance Plan];
- Drawing number WIE-A41-90-2605 rev A03 – [Drainage Standard Details Sheet 1];
- Drawing number WIE-A41-90-2606 rev A03 – [Drainage Standard Details Sheet 2];
- Drawing number WIE-A41-90-2607 rev A02 – [Drainage Standard Details Sheet 3];
- Drawing number WIE-A41-90-2608 rev A01 – [Drainage Standard Details Sheet 4];
- Drawing number WIE-A41-90-553 rev A03 – [Drainage Catchment Plan];
- Drawing number WIE-A41-90-552 rev A03 – [Drainage Long sections];
- ‘Water Quality Management During Construction’ document prepared by Careys;
- ‘Sustainable Drainage Maintenance Manual’ dated April 2021 prepared by Waterman Infrastructure and Environment Ltd;
- A41 Roundabout Drainage Compliance report dated May 2021 prepared by Waterman Infrastructure and Environment Limited;
- A41 Roundabout Drainage Strategy dated June 2020 prepared by Waterman Infrastructure and Environment Limited;
- SuDS Flows and Volumes – LLFA Technical Assessment Pro-forma.

2.5. Condition 10 – Archaeological Written Scheme of Investigation:

- Written Scheme of Investigation for an archaeological evaluation dated May 2021 and prepared by Waterman Infrastructure and Environment Limited;
- Detailed Method Statement for Evaluation Trenching dated May 2021 prepared by John Moore Heritage Services.

2.6. Condition 11 – Archaeological Evaluation:

- ‘An Archaeological Evaluation at A41 Pioneer Roundabout, Graven Hill, Bicester’ dated July 2021 and prepared by John Moore Heritage Services.

2.7. Condition 12 – Tree re-planting scheme/landscape design:

- Drawing number WIE-11386-145-XX-ZZ-DR-74-1001 rev C03 – [Landscape GA 1 of 3];
- Drawing number WIE-11386-145-XX-ZZ-DR-74-1002 rev C03 – [Landscape GA 2 of 3];
- Drawing number WIE-11386-145-XX-ZZ-DR-74-1003 rev C03 – [Landscape GA 3 of 3].

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered to be directly relevant to the current proposal:

20/01830/F	Proposed Roundabout Access to Graven Hill & Wretchwick Green, A41 London Road, Bicester.	Approved
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4. RESPONSE TO CONSULTATION

- 4.1 OCC ARCHAEOLOGY: The applicant has submitted an overarching written scheme of investigation from Waterman for the first phase of the staged programme of archaeological investigation required by condition 10 of permission 20/01830/F.

This WSI sets out the first phase of the programme, an archaeological evaluation, and further phases or work may need to be undertaken depending on the results of this first phase. The WSI does however state that further phases of work may be required and is acceptable. This WSI therefore meets the requirements of condition 10 and we are therefore satisfied that this condition (10) can be discharged.

Condition 11 however requires that 'development shall not commence until a programme of archaeological evaluation and mitigation for the site has been carried out'.

The evaluation detailed by the WSI has been undertaken but the report has not yet been produced. This evaluation report will need to be provided to us for our comments before a final copy is submitted as part of this planning application as set out in this WSI. A programme of further mitigation may also be required on the site, but this can only be determined once the report has been agreed and the results of the evaluation are known. Condition 11 would only be met once the final work has been completed and should therefore not be discharged at this stage.

Additional comments received following the submission of the archaeological evaluation pursuant to condition 11:

We have agreed this report and it demonstrates that no archaeological deposits survive within the site. As such this condition can be discharged but we will respond to the formal consultation. (No further response has been received).

- 4.2 LOCAL LEAD FLOOD AUTHORITY:

Initial response raised an objection. Detailed comments have been provided and requests the applicant submits a Surface Water Management Strategy in accordance with the guidance set out in the response.

- 4.3 OCC TRANSPORT:

A revised version of the plan dated July 2021 was submitted informally, and I considered this acceptable.

- 4.4 OCC TRANSPORT (LANDSCAPE COMMENTS):

The drawings submitted to discharge the condition are as per the drawings approved as part of the S278 submission for the roundabout works and are therefore considered acceptable.

- 4.5 CDC ENVIRONMENTAL PROTECTION: I have reviewed the CEMP provided and have no further comments to add.

- 4.6 CDC ECOLOGY OFFICER:

With regard to condition 6 (Great crested newt precautionary working methodology) I am happy for this condition to be discharged on the basis of the documents submitted.

Similarly – condition 8 (Biodiversity Net gain) is generally fine however I was slightly unclear as to whether, given the proposed off site compensation land is already part of the wider site, whether this was already land destined to be planted in this way as part of the wider site proposals and obligations? If it is this would not represent a true gain for biodiversity. Is there an easy way of checking this? Otherwise as long as management of this area is included within any LEMP I am happy for this condition to be discharged also.

Officer comment: The proposed area for BNG is situated on the hill and not within an area of 'landscaped open space' on the site and does not form part of the existing planting scheme. The Council's ecology officer confirmed that she was happy with this position.

Comments received following amended information: This amended (July) technical note shows an alternative landscaping layout giving a higher net gain in habitat units and a lower gain for hedgerows than was given in the previous (June) document. I assume this one supersedes the former. Overall, it is acceptable and I don't have any particular issues with the proposals which demonstrate a good level of gain. There are times when going just off site for some of the gain makes better sense ecologically and I concur with their reasoning here.

5. APPRAISAL

5.1 Condition 3 (Construction Environment Management Plan):

An amended version of the Construction Environment Management Plan (CEMP) was submitted during the consideration of the application. OCC Highways have confirmed the July 2021 version is acceptable. CDC Environmental Protection team have raised no objection to the submitted information.

On the basis of the above advice, the condition is recommended to be discharged.

5.2 Condition 6 (Great Crested Newt Method Statement):

The Council's ecologist has advised that the submitted report is satisfactory and adequate to discharge the condition. On the basis of this advice, the condition is recommended to be discharged.

5.3 Condition 8 (Biodiversity Net Gain):

The Council's ecologist has advised that the proposals for net biodiversity gain are acceptable and represent a good level of gain. On the basis of this advice, the condition is recommended to be discharged.

5.4 Condition 9 (Surface Water Drainage):

Discussions regarding drainage have been on-going throughout the time the application has been with the Local Planning Authority. Additional detailed information has been submitted at the request of the Lead Local Flood Authority.

The construction of the roundabout is now complete and this has been done in accordance with a Section 278 agreement with the Local Highway Authority (Oxfordshire County Council), who are also the Lead Local Flood Authority. The applicant has submitted that the latest 'construction' drawings are the same details that have been approved as part of the Section 278 agreement.

As the works are complete and the roundabout has been constructed in accordance with a Section 278 agreement, ready for adoption by the Local Highway Authority, we are now in a position to discharge the condition in accordance with these plans.

5.5 *Condition 10 (Archaeological Written Scheme of Investigation):*

The County Council Archaeologist has advised 'this WSI sets out the first phase of the programme, an archaeological evaluation, and further phases or work may need to be undertaken depending on the results of this first phase. The WSI does however state that further phases of work may be required and is acceptable. This WSI therefore meets the requirements of condition 10 and we are therefore satisfied that this condition (10) can be discharged'.

On the basis of the above advice, the condition is recommended to be discharged.

5.6 *Condition 11 (Archaeological Evaluation):*

The applicant has submitted an archaeological evaluation report. The County Council Archaeologist has agreed the report and notes that no archaeological deposits survive within the site.

The archaeological evaluation meets the requirements of condition 11 and is therefore recommended for approval.

5.7 *Condition 12 (Tree re-planting scheme/landscaping design):*

The proposed areas to be landscaped and planted with replacement trees are either within the existing highway or on areas of land that will become adopted highway. The proposed landscaping has been agreed with Oxfordshire County Council as part of the Section 278 agreement and they will be the Local Highway Authority that adopt the land. Furthermore, a commuted sum has been secured through the Section 278 agreement for future maintenance of the land.

As OCC will be adopting the land and are happy with the proposed landscaping, the condition is recommended for approval.

5.8 The original application to which this discharge of conditions request relates was a subsequent EIA application. Cherwell District Council, as the Local Planning Authority is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this subsequent application.

6. RECOMMENDATION

That Planning Conditions 3, 6, 8, 9, 10, 11 and 12 of 20/01830/F be discharged based upon the following:

Condition 3

Construction Environmental Management Plan (CEMP) dated July 2021 prepared by Waterman Infrastructure and Environment Limited.

Condition 6

Precautionary Method of Working in Relation to Great Crested Newts' report dated 5 May 2021 prepared by Waterman Infrastructure and Environment Ltd.

Condition 8

'Technical Note: Biodiversity Net Gain Assessment' dated July 2021 prepared by Waterman Infrastructure and Environment Limited.

Condition 9

- Drawing number WIE-A41-90-551 rev E03 – [Drainage Layout]
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- A41 Roundabout Drainage Compliance report dated May 2021 prepared by Waterman Infrastructure and Environment Limited.
- A41 Roundabout Drainage Strategy dated June 2020 prepared by Waterman Infrastructure and Environment Limited.
- SuDS Flows and Volumes – LLFA Technical Assessment Pro-forma

Condition 10

Written Scheme of Investigation for an archaeological evaluation dated May 2021 and prepared by Waterman Infrastructure and Environment Limited.

Condition 11

'An Archaeological Evaluation at A41 Pioneer Roundabout, Graven Hill, Bicester' dated July 2021 and prepared by John Moore Heritage Services.

Condition 12

Drawing number WIE-11386-145-XX-ZZ-DR-74-1001 rev C03 – [Landscape GA 1 of 3]

Drawing number WIE-11386-145-XX-ZZ-DR-74-1002 rev C03 – [Landscape GA 2 of 3]

Drawing number WIE-11386-145-XX-ZZ-DR-74-1003 rev C03 – [Landscape GA 3 of 3]

Note:

1. **EIA Subsequent Application** – In accordance with Regulations 3 and 8 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), Cherwell District Council as Local Planning Authority in this case, is satisfied that the environmental information already before it remains adequate to assess the environmental effects of the development and has taken that information into consideration in determining this conditions application.

Case Officer: Rebekah Morgan

DATE: 21 October 2022

Checked By: Andy Bateson

DATE: 21st October 2022
