

Direct Tel: +44 (0) 121 212 7700
Direct Email: s.roberts@waterman-group.co.uk

Our Ref: EED10658.103.C.003.SR
Your Ref:

Date: 6 August 2010

Mrs Charlotte Frizzell
Lead Environmental Planning Officer
Natural England
11 Fenlock Court
Blenheim Office Park
Long Hanborough
Oxfordshire
OX29 8LN

Dear Mrs Frizzell

Proposed Development of Heyford Park: Environmental Impact Assessment (EIA) Scoping Opinion

Waterman has recently received the Environmental Impact Assessment (EIA) Scoping Opinion of Cherwell District Council with respect to the above proposed development. The Scoping Opinion sets out verbatim the response from yourself on behalf of Natural England. We have considered the comments and provided our response to these below.

Sites of Special Scientific Interest (SSSIs)

We confirm that we will undertake an assessment of the direct and indirect effects on these sites and recommend appropriate mitigation where significant effects are identified. As part of this we will consider the impact on air quality during the construction phase of development. However, we do not propose to carry out an assessment of air quality effects for the operational phase of development as it has already been shown that there would be no significant effects in respect of human health as set out in the EIA Scoping Study Report (Section 4.4). Given the lack of significant effects on human health and extremely good air quality predicted to be experienced in the surrounding area of the site, it is considered that there would also be no significant effects on the features of special interest within the SSSIs.

Appropriate Assessment

It is understood that Natural England have identified that the proposed development could have a significant effect on the internationally designated site, the Oxford Meadows Special Area of Conservation (SAC), and therefore requires an Appropriate Assessment to be undertaken by Cherwell District Council. Your response to the Scoping process on behalf of Natural England raised concerns that the site may have an effect on the hydrology of the Oxford Meadows SAC through potential links with the Oxford Canal.

We have investigated the potential for links with the SAC with our drainage specialists who are responsible for the Water Resources EIA Component including the Flood Risk Assessment and for designing the Drainage Management Plan for the application Site. Assessment of Ordnance Survey mapping, confirmed through the Flood Estimation Handbook, shows that the Site would not have an impact upon the Oxford Meadows SAC as water flows do not drain to this location. Watercourses leaving the Site discharge into Gallos Brook which flows into the River Ray. The River Ray enters the River Cherwell and then the River Thames downstream of the Oxford Canal. As a result, water runoff from the Site would have no impact on the hydrology of Oxford Meadows SAC.

It is therefore our conclusion that there would be no hydrological effects on the Oxford Meadow SAC as a result of the proposed development and an Appropriate Assessment is not required.

Protected Species Surveys

Natural England advises that a habitat survey (analogous to Phase 2) is carried out on the site as well as ornithological, botanical and invertebrate surveys. A Phase 1 Habitat Survey and data search have already been carried out across the entire Site by qualified ecologists to inform the Phase 2 Survey requirements. As a result of this process, it was considered that Phase 2 surveys would not be required based on the evidence in accordance with standard guidance. As a reminder, please refer to the attached plan which shows the extent of the site under consideration for the purposes of the EIA Scoping Opinion. Note that the proposed development site does not include the area of the former Airbase referred to as the 'Flying Field' for which Phase 2 Surveys were undertaken as part of the 2007 planning application.

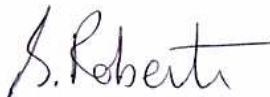
The Phase 1 Habitat Survey and data search process did confirm that protected species surveys for great crested newt, reptiles and bats are required and these have either been completed or are currently underway.

Remaining Comments

All remaining comments made by Natural England are noted. Those relating to the role of the EIA will be addressed in the Environmental Statement and those comments relating to design aspects of the proposed development have been passed to the design team on the project and the applicant for their consideration.

I trust that the above is of assistance and I would be grateful if you would consider these comments and confirm that Natural England is satisfied with our approach and in particular, that an Appropriate Assessment is not required. Should you wish to discuss or require any clarification, please don't hesitate to contact me.

Yours sincerely



Suzanne Roberts
Principal Consultant

For and On Behalf Of Waterman Energy, Environment & Design Ltd

Enc. Site Boundary Plan

Cc. Andrew Lewis, Planning Officer, Cherwell District Council

Date: 25/08/2010
Our ref: SEG.56.02.010
Your ref: EED10658.103.C.003.SR



By email only, no hard copy to follow

Dear Suzanne Roberts,

Proposed Development of Heyford Park: Environmental Impact Assessment (EIA) Scoping Opinion

Thank you for your letter of 6th August 2010 regarding our scoping request response.

Sites of Special Scientific Interest (SSSIs).

Natural England is pleased to have the confirmation that direct and indirect effects on the surrounding SSSI's will be assessed. However, if significant effects are predicted to occur due to the development, the design should be revisited to see if the effects can be avoided rather than mitigated for. If significant effects cannot be avoided then mitigation must be recommended.

We are also encouraged to see that the impact on air quality will be assessed during construction. However Natural England would like to see this extended to operational impacts on air pollution. Section 4.4 of the EIA Scoping Study Report shows that there will be no significant effects in respect of human health. However human health objectives and critical levels for habitats are different. For example the air quality objective for Nitrogen Dioxide as an annual mean is $40 \mu\text{g m}^{-3}$, whereas the critical level for calcareous grassland (a feature of Ardley Cutting and Quarry SSSI) is $30 \mu\text{g m}^{-3}$. Therefore the a lack of significant effect on human health does not indicate a lack of significant effects on habitats within designated sites and so this needs to be assessed separately.

Appropriate Assessment

Based on the information provided on your letter Natural England is happy that there is no hydrological link between the site of the proposed development and Oxford Meadows SAC. Therefore an appropriate assessment will not need to be undertaken.

Protected Species Surveys

Natural England is encouraged to see that surveys for great crested newts, reptiles and bats are either completed or underway.

In terms of Biodiversity Action Plan habitats and species the presence of these should be identified and protected and where possible enhanced. Natural England would also strongly endorse the creation of BAP habitat as part of the development. There should be an overall gain in biodiversity as a result of the development.

I trust these comments are helpful but please do not hesitate to contact me if you require any other information, or would like to discuss any of your plans further, for example the design of the green infrastructure and BAP habitats on the site.

Yours Sincerely



Mrs Charlotte Frizzell
Senior Environmental Planning Adviser
Western Area Government Team, South East Region
Tel: 0300 060 1925
Email: charlotte.frizzell@naturalengland.org.uk

Cc. Andrew Lewis, Planning Officer, Cherwell District Council

Direct Tel: +44 (0) 121 212 7700
Direct Email: s.roberts@waterman-group.co.uk

Our Ref: EED10658.103.C.004.AH.SR
Your Ref:

Date: 13 September 2010

Mrs Charlotte Frizzell
Lead Environmental Planning Officer
Natural England
11 Fenlock Court
Blenheim Office Park
Long Hanborough
Oxfordshire
OX29 8LN

Dear Mrs Frizzell

Proposed Development of Heyford Park: Environmental Impact Assessment (EIA) Scoping Opinion

Waterman recently received a response from yourself on behalf of Natural England in relation to the scoping of the EIA for the above Site (Letter Ref: SEG.56.02.010, dated 25/08/2010). The response includes the following request:

"We are also encouraged to see that the impact on air quality will be assessed during construction. However, Natural England would like to see this extended to operational impacts on air pollution. Section 4.4 of the EIA Scoping Study Report shows that there will be no significant effects in respect of human health. However human health objectives and critical levels for habitats are different. For example the air quality objective for Nitrogen Dioxide as an annual mean is $40\mu\text{g}/\text{m}^3$, whereas the critical level for calcareous grassland (a feature of Ardley Cutting and Quarry SSSI) is $30\mu\text{g}/\text{m}^3$. Therefore a lack of significant effect on human health does not indicate a lack of significant effects on habitats within designated sites and so this needs to be assessed separately".

The First EU Air Quality Daughter Directive set limits values for NO_x and SO₂ to protect vegetation and ecosystems. The UK Air Quality Strategy 2000 adopted these, with the current objective for the protection of vegetation and ecosystems for NO_x of $30\mu\text{g}/\text{m}^3$, as an annual average. However, this objective only applies in certain locations; the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 (Volume 2) states that:

"The areas where the UK vegetation and ecosystem air quality objectives apply are based on the monitoring criteria for the vegetation and ecosystems limit values set under the 1st Air Quality Directive [as follows]:

- more than 20km from an agglomeration (i.e. an area with a population of more than 250,000);*
- more than 5km away from industrial sources regulated under Part A of the Environment Act 1990 (and/or Part A1 sites under the PPC regulations);*
- more than 5km away from motorways; and*
- more than 5km away from built up areas of more than 5,000 people."*

The Ardley Cutting and Quarry SSSI is located approximately 1km from the M40 motorway and therefore, on the basis of the above, the $30\mu\text{g}/\text{m}^3$ NO_x objective does not apply in this location. Therefore, we consider that the conclusion within the EIA Scoping Study that: "any impact on air quality as a result of changes in traffic flows would be insignificant and this issue is therefore scoped out of the EIA" is applicable in relation to human health **and** habitat receptors.

Nevertheless, we acknowledge that it is Natural England's policy to apply the annual mean NO_x 30µg/m³ objective on a precautionary basis. We therefore provide further commentary on this issue below.

Volume 11, Section 3 'Air Quality' of the Design Manual for Roads and Bridges (DMRB) provides guidance in relation to whether there are likely to be significant impacts on local air quality from roads affected by a project (i.e. development). It states that only Designated Sites (e.g. SSSIs) within 200m of roads affected by development and for which the designated features are sensitive to air pollutants, need be considered.

The majority of Ardley Cutting and Quarry SSSI, which extends to an area of approximately 40.12 hectares in total, is located more than 200m of the nearest road likely to be affected by the proposed development (i.e. the B430 Station Road), with only approximately 2.4 hectares of the old railway cutting area of the SSSI located within 200m of the B430 Station Road (i.e. 5.98% of the SSSI). The part of the SSSI nearest to the B430 Station Road which is designated for its lowland calcareous grassland habitat appears to comprise largely of shrub and bare ground with little actual grassland. In addition, Natural England's 'Nature on the Map' identifies the condition of this part of the SSSI as 'unfavorable recovering' (defined as recovering and not fully conserved, although management measures are place). It is therefore assumed that the main importance of the SSSI is not based on this area closest to the B430, but on the main grassland area approximately 360m from the B430 (and the geological interest elsewhere).

Its location close to the M40 motorway means that the whole of the Ardley Cutting and Quarry SSSI is in an area where the UK vegetation and ecosystem air quality objectives do not apply. In any event, given that the majority of the SSSI lies more than 200m of a road likely to be affected by the proposed development, any impact on the calcareous grassland arising from changes in the nutrient status of the habitat due to elevated NO_x concentrations as a result of the proposed development is likely to be insignificant.

I trust the above is of assistance and I would be grateful if you would consider these comments and (if appropriate) confirm that Natural England is satisfied that the impact of air quality on Ardley Cutting and Quarry SSSI during the operation of the development can be scoped out of the EIA. Should you wish to discuss or require any clarification, please don't hesitate to contact me.

Yours sincerely



Suzanne Roberts
Principal Consultant

For and On Behalf Of Waterman Energy, Environment & Design Ltd

Cc. Andrew Lewis, Planning Officer, Cherwell District Council

Date: 30/09/2010
Our ref: SEG.56.02.010
Your ref: EED10658.103.C.004.AH. SR



By email only, no hard copy to follow

Dear Suzanne Roberts,

Proposed Development of Heyford Park: Environmental Impact Assessment (EIA) Scoping Opinion

Thank you for your letter of 13th September 2010 regarding our scoping request response.

Sites of Special Scientific Interest (SSSIs).

Natural England is satisfied that the impact of air quality on Ardley Cutting and Quarry SSSI during the operation of the development can be scoped out of the EIA.

I trust these comments are helpful but please do not hesitate to contact me if you require any other information, or would like to discuss any of your plans further, for example the design of the green infrastructure and BAP habitats on the site.

Yours Sincerely

A handwritten signature in blue ink, appearing to read "C Frizzell".

Mrs Charlotte Frizzell
Senior Environmental Planning Adviser
Western Area Government Team, South East Region
Tel: 0300 060 1925
Email: charlotte.frizzell@naturalengland.org.uk

Cc. Andrew Lewis, Planning Officer, Cherwell District Council

From: [Liat Wicks](#)
To: [Marion Thomson](#);
cc: [Roberts, Suzanne](#);
Subject: RE: Heyford Park Ecology Surveys
Date: 27 July 2010 15:06:40

Dear Marion,

Having had the chance to review the approach to the bat surveys and additional information sent previously relating to bats at the site, I am happy with the approach to survey and satisfied that the information yielded will be sufficient to assess impacts and support the application.

The approach is well thought out, robust and focused. Although not every access point/structure of interest can be covered thoroughly, I concur with the 'ring fencing' approach using transects, using this information to home in on hot spots of bat activity and confirmed roosts. Care should be taken when outlining mitigation and approach to demolition works, to follow the precautionary principle where information maybe lacking.

On sites as complex as this, with multiple buildings, often a phased and strategic survey approach is required that might not always accord strictly to survey guidelines. The combination of historic data review, building assessment, driven transects, targeted dusk and dawn surveys will provide valuable up to date information on the status of bats on the site currently.

In this instance, I do not think a site visit with respect to bats is necessary, unless you would think this valuable?

With regards to the other ecology issues on site (GCN, badger, reptiles..), should you wish to discuss any matters relating to these species do not hesitate to contact me again. I would be happy to meet on site to discuss other aspects of ecology if this is considered useful, alternatively a summary of proposals relating to each species can be submitted for comment.

Kind Regards
Liat

Dr Liat Wicks
Ecology Officer

01295 227912
liat.wicks@cherwell-dc.gov.uk

From: Marion Thomson [mailto:Marion.Thomson@thomsonecology.com]
Sent: 27 July 2010 11:13
To: Liat Wicks
Cc: s.roberts@waterman-group.co.uk
Subject: Heyford Park Ecology Surveys

Liat

As promised, I have attached a map of the site at Heyford Park which shows the bat potential of the buildings to be demolished, the driven transects showing bats recorded and the surveyor locations used both at confirmed roosts and targetted by the building potential and Transect 1 results. Transect 2 is also shown and the surveys for these will take place starting tomorrow again, targetted to the results of the transect. I hope you find this useful. Please feel free to contact me later this afternoon (I should be in after 3.30pm) if you wish to discuss this further.

Kind regards
Marion

Marion Thomson BSc (Hons) MIEEM
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Thomson Ecology Ltd
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From: [Roberts, Suzanne](#)
To: [Roberts, Suzanne](#);
Subject: Upper Heyford - Settlement Area LVIA Photoviewpoints
Date: 25 August 2010 16:10:19
Attachments: [image001.png](#)

From: Linda Rand [mailto:Linda.Rand@Cherwell-DC.gov.uk]
Sent: 17 August 2010 17:10
To: Croot, Ben E
Cc: Andrew Lewis
Subject: Upper Heyford - Settlement Area LVIA Photoviewpoints

Ben

I am sorry I have not been able to reply to you earlier on this but for various reasons I have just now had the opportunity to discuss this with Andrew Lewis the case officer. It seems to me that the main thing we need to establish is the landscape and visual impact of Dorchester's proposals where they differ from those approved by the Secretary of State in the appeal decision. Therefore, whilst for completeness most of your vantage points are useful, it would be most important to focus in addition on areas of change, specifically

- the western extension of housing south of Camp Road including the retention of the existing gym building
- the treatment of the edge of the housing area south of Camp Road where the bungalows are being retained instead of 2 storey housing
- the treatment of the edge of the housing area south of Camp Road where new development also extends up to the site boundary.

Therefore I suggest that a couple of changes be made to your proposed vantage points to build up this particular picture:

- Vantage point 10 could be relocated further north along the minor Kirtlington Road so it looks due east to the new housing on the recreation area and the retained gym to assess the major area of change
- Vantage points should be provided from the footpath that runs NW -SE from Upper Heyford village to Caulcott and The Gorse, as none is provided from here at present to assess this same area
- Additional vantage points should be added along the B4030 through the several field gates or gappy hedgerow to development along the southern boundary (this should be straightforward as much will remain as is)
- Viewpoint 7 should be relocated to sit actually on Chilgrove Drive, which is the PRWay.

I would also be interested to understand how you will assess night time and winter visual impacts.

I hope this is helpful and I am happy to discuss

Linda

Linda Rand
Design and Conservation Team Leader
Cherwell District Council
01295 221845

From: Croot, Ben E [mailto:b.e.croot@waterman-group.co.uk]
Sent: 16 July 2010 11:48
To: Linda Rand
Cc: Humphries, Alice; Roberts, Suzanne
Subject: Upper Heyford - Settlement Area LVIA Photoviewpoints

Dear Linda

Upper Heyford – Landscape and Visual Assessment

Further to our telephone conversation of the 12th July, please find attached the proposed photoviewpoint

locations to be used for the landscape and visual assessment for the settlement area at Upper Heyford for comment. Also included for information is the GIS visual analysis plan.

The photoviewpoint locations are based on GIS analysis, policy context, field assessment and those used within the 2007 ES for the whole of the Upper Heyford airfield and represent a variety of receptors at a range of distances from the site. Due to the factors just mentioned, the smaller area of the settlement area in relation to the airfield as a whole and the retention of large parts of the existing built form within the site, we would therefore anticipate comments to be minor, if at all.

Waterman feel that actual visual representation photomontages would not be appropriate, or indeed provide any further insight, at this juncture due to the outline nature of the proposals - although may provide useful in future design iteration. We would therefore wish to agree to scope them out at this stage, an approach I trust you find acceptable?

Due to the timescales involved, your swift response to the above would be much appreciated.

Should you have any queries regarding any of the above please do not hesitate to contact me.

Yours sincerely

Ben Croot
Landscape Consultant
Waterman Energy, Environment & Design Ltd

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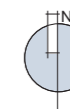
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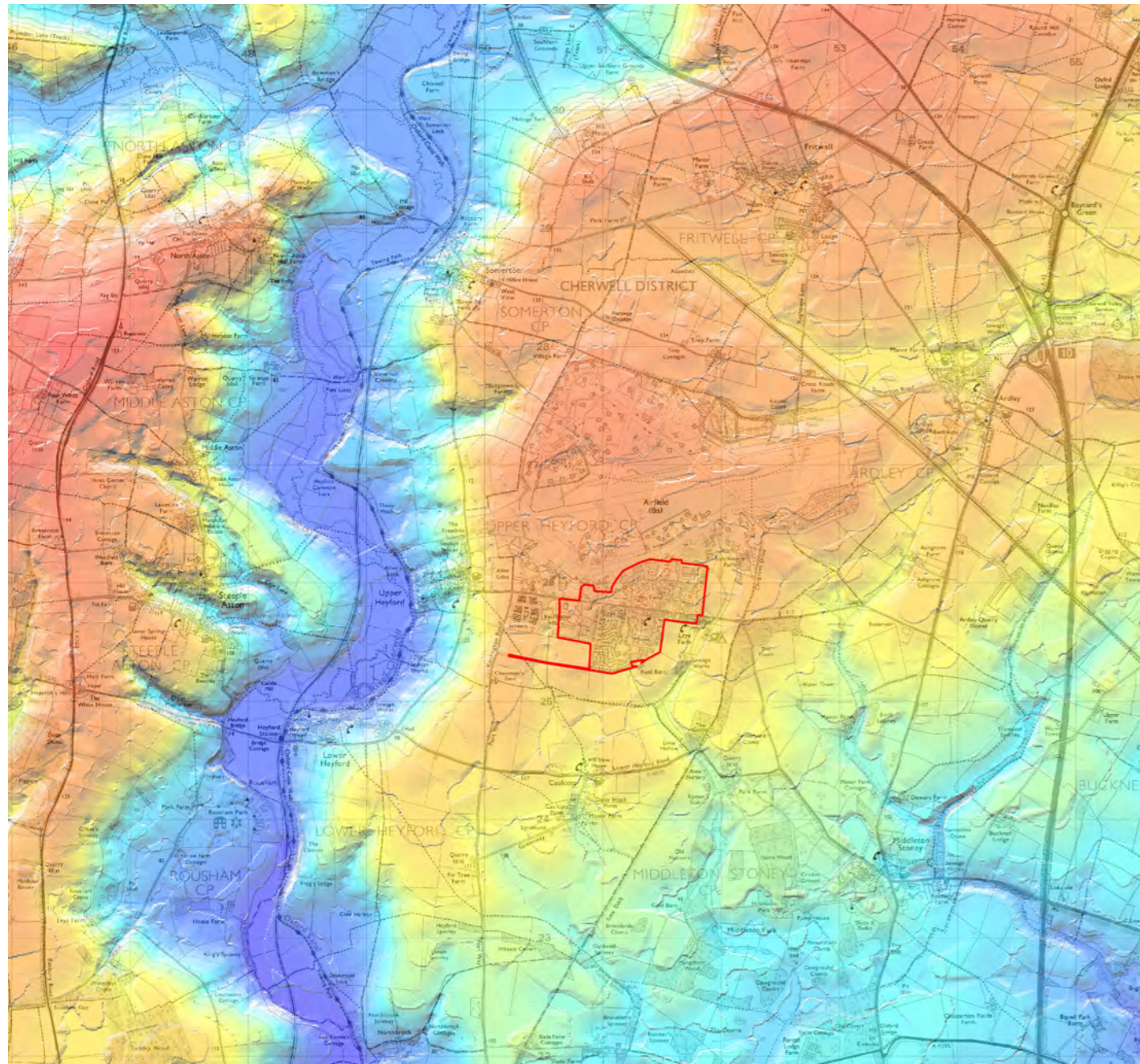
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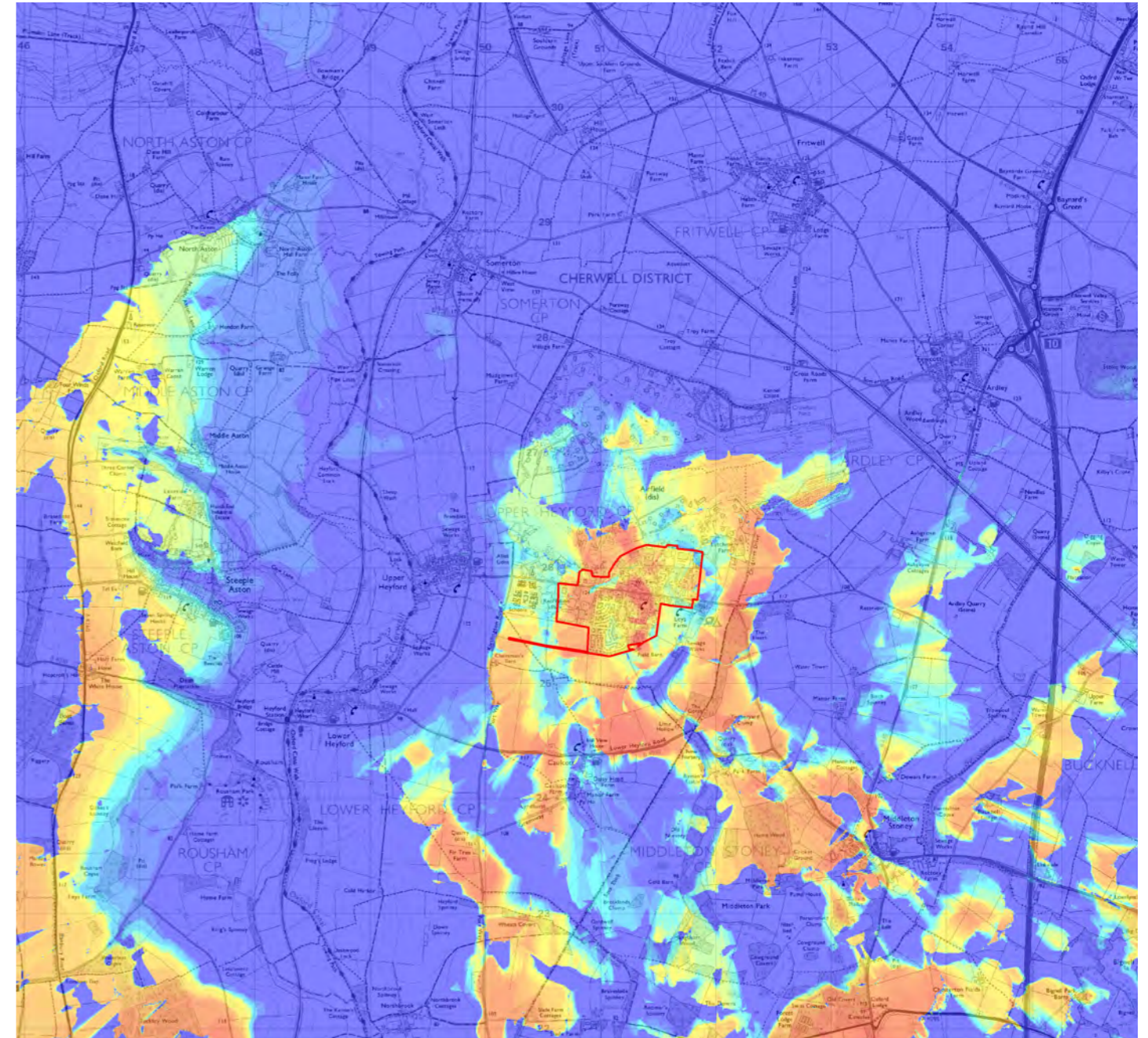


-  Site Boundary
-  Photoviewpoint Location
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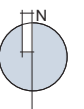
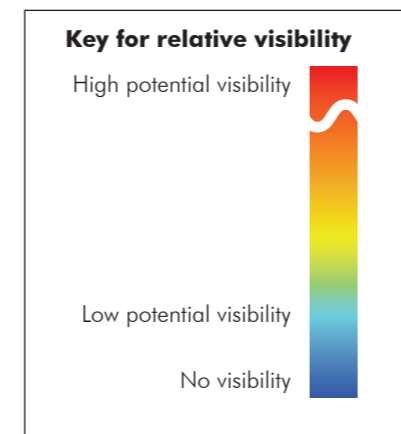
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| Project Details | E10658-103: Upper Heyford |
| Figure Title | Figure x.4: Photoviewpoint Locations |
| Figure Ref | E10658-103_GR_LVIA_x.4A |
| Date | July 2010 |
| File Location | \\nt-lngp2weed\projects\10658\100\graphics\lvia\issued figures |



Topography



Visual Analysis - GIS Analysis of Visual Envelope



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| Project Details | E10658-103: Upper Heyford |
| Figure Title | Figure x.2: GIS Analysis |
| Figure Ref | E10658-103_GR_LVIA_x.2A |
| Date | July 2010 |
| File Location | \\nt-lnpq2weed\projects\10658\103\graphics\l\issued figures |

From: [Croot, Ben E](#)
To: [Linda Rand](#);
cc: [Andrew Lewis](#); [Roberts, Suzanne](#);
Subject: RE: Upper Heyford - Settlement Area LVIA Photoviewpoints
Date: 26 August 2010 09:07:25
Attachments: [image001.png](#)

Dear Linda

Thank you for your response in relation to the LVIA for the Settlement Area of Upper Heyford.

Your comments will be taken into account and used to inform the LVI assessment.

To reiterate, we are not producing photomontages at this stage but do not rule out their production at a later date when the detailed design becomes clear and where photomontages will provide a more useful visual resource.

Yours sincerely

Ben

From: Linda Rand [mailto:Linda.Rand@Cherwell-DC.gov.uk]
Sent: 17 August 2010 17:10
To: Croot, Ben E
Cc: Andrew Lewis
Subject: Upper Heyford - Settlement Area LVIA Photoviewpoints

Ben

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Subject: Upper Heyford - Settlement Area LVIA Photoviewpoints

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Due to the timescales involved, your swift response to the above would be much appreciated.

Should you have any queries regarding any of the above please do not hesitate to contact me.

Yours sincerely

Ben Croot
Landscape Consultant
Waterman Energy, Environment & Design Ltd

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Email correspondence between the County Archaeologist and Oxford Archaeology

In March 2007 R.Oram, Oxfordshire Planning Archaeologist wrote regarding the Settlement Area:

From: Oram, Richard - Environment and Economy

[mailto:Richard.Oram@Oxfordshire.gov.uk]

Sent: 15 March 2007 12:43

To: klara spandl

Subject: RE: raf upper heyford

Dear Klara

We did agree that the settlement area would not require any further work as the development in this area, although piecemeal, has been fairly dense and what little might have survived would be in a very fragmentary and isolated state. I think this is probably the same for the recreation area as well. Although the plans show it as a green and flat area I would suspect that this is after some harsh landscaping.

OA contacted him again for the purposes of this report. His response was:

I can confirm that this statement still stands for the settlement site.

I think the risk of any significant archaeology being present that would require a change of route for the access road on the SW side to be altered is fairly low and would therefore not be looking for any further evaluation of the area in the ES. This can be carried out later.