

Planning, Housing & Economy

John Hoad Strategic Director Planning, Housing and Economy

Jameson Bridgwater Dip. TP MRTPI
Head of Development Control & Major Developments

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Waterman Energy, Environment And Design
Ltd
Ms Suzanne Roberts
Civic House
156 Great Charles Street
Birmingham
B3 3HN

Bodicote House • Bodicote
Banbury • Oxfordshire
OX15 4AA

Telephone 01295 252535
Textphone 01295 221572
DX 24224 (Banbury)

www.cherwell.gov.uk

Please ask for **Andrew Lewis** Our ref **10/00003/SCOP** Your ref
Direct Dial **01295 221813** Fax **01295 221856** Email **Planning@cherwell-dc.gov.uk**

23.06.2010

Dear Madam

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND & WALES) REGULATIONS 1999 (AS AMENDED)

REQUEST FOR SCOPING OPINION

Application No: 10/00003/SCOP
Applicant's Name: Waterman Energy, Environment And Design Ltd
Proposal: Scoping Opinion - Proposed Redevelopment of Heyford Park
Location: Heyford Park Camp Road Upper Heyford
Parish: Upper Heyford

Further to your letter dated 19th May 2010 and the submitted attachments, I have consulted with relevant colleagues both in Cherwell and the County Council, together with other statutory authorities. Their responses are set out below, largely in full, and in some cases this may have include matters that go beyond the site boundary. However under the circumstances I have left their responses intact so you can see the full response.

The Environment Agency:

Flood Risk and Land Drainage

We expect a detailed Flood Risk Assessment (FRA) to be submitted with the Environmental Impact Assessment (EIA). Although we acknowledge that the development site is entirely in Flood Zone 1, the FRA should assess all other forms of flood risk. We agree with Section 4.6.2 of the report which indicates that that the main focus of the FRA is likely to be on the management of surface water flood risk.

With a site of this size, it essential that the management of surface water is considered early in the design of the development, as a key



component of the site layout, in accordance with the guidance of PPS25.

Section 1.1 of the Scoping Report states that the applicant is seeking to obtain outline planning permission. Even if all matters are reserved, the design of the surface water drainage system should have been progressed to a reasonable level of detail by the time of application for planning permission. Best practice SUDS techniques store and convey water above ground and therefore have a land-take requirement. It is imperative that indicative locations of the main surface water drainage infrastructure are submitted.

Although this site is partially developed, there are still large greenfield areas. With this in mind, as well as the reports of surface water flooding issues in the vicinity of this site, we believe it is reasonable to expect the development to attenuate surface water discharge rates back to those of the site in its greenfield state

The surface water management scheme should ensure that the proposed development will not have a negative flood risk impact from increased rates and volumes of surface water discharge, across a range of storm events up to and including the 1 in 100 year storm with an allowance for climate change (the design storm event). Further to this, the surface water drainage system must not flood during storm events up to and including the design storm event. Alternatively, it can be acceptable for some flooding of the system to occur beyond the 1 in 30 year storm event, provided that all flooding up to and including the design storm event can be safely contained on site. Guidance on climate change allowances can be found within Annex B of PPS25.

The scheme should be carried out in accordance with PPS25 and its associated practice guidance, giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.

The drainage system should fully utilise best practice SUDS techniques at each stage of the SUDS management train, from source to discharge. This approach will maximise the benefits that SUDS can offer in terms of flood risk management, water quality improvements and amenity/biodiversity enhancements. This is in accordance with the *SUDS Management Train* (CIRIA C609) and the *SUDS Manual* (CIRIA C697).

The FRA should:

- investigate the current drainage regime on the site, showing an understanding of the main flow routes
- calculate existing and greenfield runoff rates for the site using the loH 124 method
- Include the findings of BRE 365 compliant infiltration tests
- propose maximum post development surface water discharge rates from the site
- provide an indicative surface water drainage layout which:
 - mimics the natural drainage of the site as closely as possible
 - shows the location of the site and regional attenuation devices, sized to discharge surface water at the agreed rates
 - shows the main conveyance routes
 - demonstrates the use of best practice SUDS techniques
- include a surface water drainage masterplan for the development, which outlines for each individual development parcel:

- the source control attenuation volumes that the developer will be expected to provide
- the range of SUDS techniques that the developer will be expected to employ in individual development parcels
- demonstrate that the future adoption of the surface water drainage scheme has been fully explored.

Although there are no main rivers which cross this site, there is several ordinary watercourses. These should be identified as part of the investigation of the current drainage regime on the site. Any culverted sections of watercourses should be returned to open channel wherever possible and buffer zones should be left adjacent all watercourses.

As the Environment Agency's flood map does not cover flooding from smaller watercourse catchments, historic flooding from watercourses on the site should be investigated as part of the FRA. Where issues are identified, some further investigation may be required.

Please note that no soakaways should be constructed in contaminated land. This should be investigated to find a suitable location for SUDS on site.

Water Quality and the Water Framework Directive

Under the Water Framework Directive (WFD) water bodies need to attain Good Ecological Status (GES) and there can be no deterioration in status. The EIA needs to take this into account and ensure that no aspect of the development will cause deterioration or prevent GES from being attained. Details on the WFD requirements and the waterbody for this development can be found on our website.

The EIA needs to consider the impacts from the new development on the waste water treatment plant currently on site. The development has the potential to significantly increase the volume of effluent into the watercourse and therefore have an impact on water quality. The EIA needs to assess what this impact may be.

Groundwater and Contaminated Land

The Waterman EIA Scoping Report (May 2010) addresses the potential for mobilisation of any existing contamination within the former settlement area during the demolition and construction phases. The report also addresses the impact from waste produced from the same activities and whilst soil contamination will be addressed separately, it concludes that the impacts are likely to be insignificant.

However, just the other side of the northern boundary of the outline area is the fuel entry compound of the former airbase. This is centred around POL stations 21 A B and C where historic leaks have been reported. The tanks and ring main of the POL system currently contain petroleum hydrocarbon contaminated water and 85 mg/l was measured in POL 21A. The National fuel pipeline also runs along the eastern boundary of the application site. There are streams that flow directly to the south of this former settlement area and whilst groundwater monitoring has been carried out for some years, the monitoring borehole in this part of the site (BH6) is not hydraulically down gradient of the fuel entry compound. The fuel entry compound lies within the blue outline area of land owned by the applicant and therefore the applicant would be liable for any contamination that may have migrated laterally within soils.

We would like to see the EIA address the possibility of contamination having migrated from the adjacent airfield and the impact on groundwater within the Principal Aquifer that lies under the site.

Environmental Management

We refer to the following sections in the Scoping Report:

4.5.1 - We need to know what will happen to any water present in the oil pipeline and how it will be disposed of.

4.6.3 - What is the status of the Sewage Treatment Works status and its capacity? Will it be adopted by Thames Water?

5.1.2 - We agree with this section and look forward to receiving the Site Waste Management Plan.

British Waterways:

Refer to Oxfordshire Structure Plan policy H2(c), Cherwell local Plan R4 and PPS13 with regard to accessibility to jobs, leisure, walking and cycling generally.

Heyford Park would enhance and improve existing rights of way to surrounding settlements.

Sustainable transport links to and from the proposed settlement are important particularly to Lower Heyford Station for work, leisure and recreation. This could well be achieved by using the Oxford canal towpath for which an upgrade could be proportionately funded by a section 106 contribution.

The scoping report prepared by Waterman mentions that the ES must be focused on the most potentially significantly environmental issues (P6). Transportation is one of the most significant issues identified and potential impacts are listed in paragraph 4.2.2 of the report. One of these (bullet point 6) is improved movement through the site and surrounding area for pedestrians and cyclists. However, there is no reference to the canal and its towpath or proposed improvements to signage and access to the towpath. Sustainable transport initiatives and proposals are essential to make this settlement as sustainable as possible. Government policies and recent publications strongly support this in particular PPG13 and Delivering sustainable low carbon travel and essential guide for Local Authorities (November 2009). As the costs of emissions rise with time, projects that reduce emissions will be increasingly favoured especially as such projects are potentially highly cost effective

In conclusion, we feel that transport is rightly a key issue for the scoping report but it is too narrow in focus and does not consider opportunities for sustainable transport beyond its boundary fully. There are currently proposals only for road improvements and a bus service. We see the canal towpath, its bridges and access to and from this large site as an important and material consideration. There is potential to enhance sustainable transport for many journey purposes for the Oxford canal towpath offering a safe, attractive and sustainable route to and from the site.

Thames Water Utilities

Thames Water welcomes the proposed approach and methodology outlined in section 4.6.3.

For clarity the following observations are made:

It is unclear at this stage what the net demand on our infrastructure will be as a result of the development. Thames Water is concerned the network may be unable to support the demand anticipated from the development. The developer needs to consider the net increase in water and waste water demand to serve the development and also any impact the development may have off site further down the network if no/low water pressure and internal/external sewage flooding of property is to be avoided.

Any EIA report should consider:

The developments demand for water supply and network infrastructure both on and off site and how it can be met.

The developments demand for sewage treatment and network infrastructure both on and off site and how it can be met.

The surface water drainage requirements and flood risk of the development both on and off site and how it can be met.

Natural England

Case law¹ and guidance from the Office of the Deputy Prime Minister² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Natural England therefore advises that the Environmental Impact Assessment (EIA) should give full consideration to:

1. Sites of Special Scientific Interest (SSSIs).

The development site is close to the following designated nature conservation sites:

- Ardley Cutting and Quarry SSSI
- Ardley Trackways SSSI

The development site also has potential hydrological links with:

- Weston Fen SSSI
- Otmoor SSSI
- Oxford Meadows SAC, with its SSSI's Port Meadow with Wolvercote Common, Wolvercote
- Meadows, Cassington Meadows, Pixey and Yarnton Meads.

Further information on the SSSIs can be found at www.natureonthemap.org.uk or by request from this office (Natural England). The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects. As part of this Natural England would wish to see air quality

included as one of the potential effects on the nearby SSSI using the relevant critical levels and loads.

European sites (e.g. designated SPAs) fall within the scope of the Habitats Regulations 1994. Government policy, stated in PPS9 and Ramsar Sites in England: A Policy Statement (DETR 2000)⁴, stipulates that Ramsar Sites be treated as if they are fully designated European sites for the purpose of considering development proposals that may affect them.

Under Regulation 48 of the Habitats Regulations an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. In this case the proposal is not directly connected with, or necessary to, the management of a European site and in our view it is likely that it will have a significant effect on internationally designated sites and therefore will require an appropriate assessment. We recommend that there should be a separate section of the Environmental Statement to address impacts upon European and Ramsar sites entitled 'Information for Appropriate Assessment'. Natural England is concerned that the site may have an effect on the hydrology of Oxford Meadows SAC through potential links with the Oxford Canal.

2. Landscape Character and Designated Areas

To ensure that the proposed scheme does not adversely affect the character of the surrounding countryside, we recommend that consideration should be given to the following aspects in the environmental impact assessment:

- The potential impact of the scheme on the landscape character and visual amenity of the surrounding area.
- The detailed design of the proposed improvements should seek to respect and enhance local character and distinctiveness, and use appropriate materials and designs in all new built features.

Landscape and visual impacts

Natural England would wish to see details regarding local landscape character areas mapped at a scale appropriate to the development site and any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects on the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We strongly advocate the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2002. We are encouraged to see that this has been included in the methodology. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed. Guidance on LCA, published by the Countryside Agency and Scottish Natural Heritage, is available at:

http://www.countryside.gov.uk/LAR/Landscape/CC/landscape_character_assessment.asp.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England would encourage all new development to consider the character and distinctiveness of the area, with the design and outlay of all elements of a proposed development reflecting local design characteristics and wherever possible using local materials. The Environment Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

3. Access and Recreation

Natural England would encourage any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks or urban fringe areas should also be explored to help promote the creation of a wider green infrastructure.

4. Local Wildlife Sites

Our records indicate that the development site is close to the following Local Wildlife Sites:

- RAF Upper Heyford County Wildlife Site
- Rush Spinney County Wildlife Site
- The Gorse and The Heath County Wildlife Site

Local Wildlife Sites are identified by the Berks, Bucks and Oxon Wildlife Trust and are of county importance for wildlife. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife interests of the sites identified above. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the wildlife trust for further information.

5. Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation (Natural Habitats &c.) Regulations 1994 (as amended).

We strongly recommend that surveys for protected species (including, for example, great crested newts, reptiles, water voles, badgers and bats) should be carried out within the area affected by the development. It is noted that previous surveys have shown potential for the presence of bats, great crested newts and reptiles.

If any protected species are found the Environmental Statement should include details of:

- . The species concerned;
- . The population level at the site affected by the proposal;
- . The direct and indirect effects of the development upon that species;
- . Full details of any mitigation or compensation that might be required;
- . Whether the impact is acceptable and/or licensable.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out by suitably qualified and where necessary, licensed, consultants.

The great crested newt, dormouse and all species of bats are European protected species such that it is illegal to intentionally kill, injure or otherwise disturb them. If any of these species are found to be present you should also consult Natural England's Wildlife Management and Licensing Unit in Bristol (Tel. 0845 6014523) about licensing implications before any work can proceed.

6. Other features of nature conservation interest, e.g. habitats and species identified within the UK and Oxfordshire Biodiversity Action Plans.

Natural England advises that a habitat survey (analogous to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether BAP priority habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should avoid adversely impacting the most important wildlife areas within the site, and should if possible provide opportunities for overall wildlife gain.

7. Cumulative and in-combination effects.

The EIA should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. To carry out the assessment of cumulative and in-combination effects, the following types of projects should be included. (Subject to the availability of information):

- a. Existing completed projects
- b. Approved but uncompleted projects
- c. Ongoing activities
- d. Plans or projects for which an application has been made and which are under consideration by the consenting authorities
- e. Plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Notes:

- 1 Harrison, J in R. v. Cornwall County Council ex parte Hardy (2001)
- 2 Note on Environmental Impact Assessment Directive for Local Planning Authorities (April 2004)
- 3 The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)
- 4 http://www.ramsar.org/wurc/wurc_policy_uk_england.htm

Berks, Bucks and Oxon Wildlife Trust

We welcome that the EIA will be prepared following the IEEM 'Guidelines for Ecological Impact Assessment in the United Kingdom' (2006). Whilst some base line data is presented in the scoping report, it is unclear whether a data search has been requested from the Thames Valley Environmental Records Centre – we suggest that this is included as part of the desktop study to inform the scope of the EIA.

In addition to considering protected species and designated sites, we recommend that the EIA should assess the presence of, and any impacts on, habitats and species of principal importance as listed under Section 41 of the NERC Act 2006.

We also suggest that the EIA identifies opportunities to enhance biodiversity, in line with the guidance in PPS9, which states: 'Plan policies and planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests.'

The application site lies near to the Upper Cherwell Conservation Target Area. Conservation Target Areas (CTAs) identify the most important areas for wildlife conservation in Oxfordshire, where targeted conservation action will have the greatest benefit. We recommend that opportunities should be taken to secure biodiversity enhancements that will help achieve the aims of the Upper Cherwell CTA, which include lowland meadow management and restoration and wet grassland restoration to improve the area for waders and wildfowl.

Oxfordshire County Council- County Ecologist, Countryside Services:

Landscape and Visual Impact

This chapter should involve close liaison with the consultants writing the ecology/ nature conservation/ biodiversity chapter, as proposed mitigation strategies and compensation/ enhancement measures may affect the resulting landscape and restoration scheme.

This chapter should cover the following:

- Elements of the development and its construction, operation and decommissioning pertinent to the particular assessment topic
- Planning context
- Assessment methodology
- Baseline conditions
- Identification and evaluation of likely significant effects (including cumulative effects)
- Mitigation and enhancement

- Long-term management and monitoring

Planning Context

Planning policies and other documents relevant to this chapter include the following:

Southeast Plan

- CC8 Green Infrastructure
- NRM5 Conservation and Improvement of Biodiversity

Oxfordshire County Council

- Oxfordshire Biodiversity Action Plan, available from <http://www.oncf.org.uk/biodiversity/biodiversity.html>
- Oxfordshire Wildlife and Landscape Study (OWLS), available from <http://owls.oxfordshire.gov.uk>
- Local Wildlife Sites Project, available from <http://www.bbowt.org.uk>
- Biodiversity and Planning in Oxfordshire guidance available from <http://www.oxfordshire.gov.uk/naturalenvironment>
- Conservation Target Areas Report (Upper Cherwell CTA), available from <http://www.oxfordshire.gov.uk/naturalenvironment>
- Rights of Way Improvement Plan, available from <http://www.oxfordshire.gov.uk/countryside>

Baseline conditions

A landscape character assessment, considered within the context of the Oxfordshire Wildlife and Landscape Study (accessible from <http://owls.oxfordshire.gov.uk/>) should be carried out.

Landscape features (listed below) within the development site should be identified.

- Hedgerows
- Trees (juvenile, mature, and veteran)
- Watercourses (streams and ditches)
- Small woodlands
- Linear features
- Field boundaries

Assessment methodology

Landscape Character Assessment (LCA) should be carried out based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2002.

Mitigation and enhancement

Landscape planting schemes for enhancement and mitigation should follow guidance from the Oxfordshire Wildlife and Landscape Study (OWLS) to ensure they are appropriate to the area.

Proposed planting schemes should include:

- Species (characteristic of the area)
- Sizes
- Planting distances
- Design layout

Integrated Green Infrastructure

In addition to appropriate mitigation and compensation, the development should result in a net enhancement in landscape, biodiversity and public access. The development should include green infrastructure to retain a mosaic of habitats and linear features to ensure that structural diversity and habitat connectivity throughout the site is maintained. A sensitive directional lighting scheme should be implemented to ensure that additional lighting does not impact on the retained green corridors across the site.

Biodiversity enhancements such as SUDS, hedgerow and tree planting, creation of ponds, creation of habitat for bats in buildings and bird boxes, creation of hibernacula for reptiles and amphibians and creation of wildflower grasslands should be included in the development design in line with planning policy (PPS9 and SE plan policy NRM5) and the NERC Act which places a duty on local authorities to enhance biodiversity. Provision should be made for the long term management of these areas.

All of these elements are part of Green Infrastructure. More information is available from the Natural England [SE GI framework](#).

The site is 800m away from the Upper Cherwell Conservation Target Area, so the development should contribute towards meeting the targets for the CTA, which are:

- Wet grassland restoration to improve the area for waders and wildfowl.
- Lowland meadow management and restoration

Long-term management and monitoring

Provision should be made by the developer for the long term management of any green space, particularly for habitat and/or species for which mitigation or compensation/enhancement measures have been proposed and/or land being used for amenity/nature conservation purposes.

The EIA should include head of terms for a management plan with the full management plan to be submitted after permission is granted (if granted). The costs of implementing the plan should be met by the developer and cover the costs of annual monitoring and an annual review of the management plan for the entire site (not just for protected species) in addition to the work itself.

Continuous monitoring will be needed to determine the actual impacts of the development on the biodiversity of the site. Monitoring should also provide information on the success of the mitigation strategies implemented for the protected species and feed into the management plan to allow it to be altered as necessary.

A single plan for management and monitoring of both biodiversity and landscape elements of the development would be sensible to minimise resource expenditure and ensure cohesion between landscape and biodiversity requirements.

Ecology/ Nature Conservation/ Biodiversity

This chapter should also involve close liaison with the consultants writing the landscape and visual chapter, as proposed mitigation strategies and compensation/enhancement measures will affect the resulting landscape and restoration scheme.

This chapter should cover the following:

- Elements of the development and its construction, operation and decommissioning pertinent to the particular assessment topic

- Planning context
- Assessment methodology
- Baseline conditions
- Identification and evaluation of likely direct and indirect significant effects (including cumulative effects)
- Mitigation and enhancement
- Long-term management and monitoring

Planning Context

Planning policies, legislation and other documents relevant to this chapter include the following:

European

- Habitats Regulations 2010

UK

- Countryside and Rights of Way Act 2000
- Wildlife and Countryside Act 1981
- Badger Act 1992
- PPS9

Southeast Plan

- CC8 Green Infrastructure
- NRM5 Conservation and Improvement of Biodiversity

Oxfordshire County Council

- Oxfordshire Biodiversity Action Plan, available from <http://www.oncf.org.uk/biodiversity/biodiversity.html>
- Oxfordshire Wildlife and Landscape Study (OWLS), available from <http://owls.oxfordshire.gov.uk>
- Local Wildlife Sites Project, available from <http://www.bbwt.org.uk>
- Biodiversity and Planning in Oxfordshire guidance available from <http://www.oxfordshire.gov.uk/naturalenvironment>
- Conservation Target Areas Report (Upper Cherwell CTA), available from <http://www.oxfordshire.gov.uk/naturalenvironment>
- Rights of Way Improvement Plan, available from <http://www.oxfordshire.gov.uk/countryside>

Baseline Conditions

The EIA should identify protected or priority species, designated sites, important habitats or other biodiversity features on or adjacent to the development site. Desk study information is available from the Thames Valley Environmental Records Centre (<http://www.tverc.org/>). Habitat and species surveys should be carried out by suitably qualified personnel. A list of ecological consultants is available on the IEEM website (www.ieem.net).

2km radius of proposed development site

- Desk study data search (using data from TVERC)

500m radius of proposed development site

- Extended phase 1 habitat survey.

- Scoping survey for potential habitat for protected species, species of conservation concern, rare and notable species and UK Biodiversity Action Plan (UKBAP) species.
- Full survey for protected species, species of conservation concern, rare and notable species and UK Biodiversity Action Plan (UKBAP) species where potential habitat has been identified.
- Phase 2 habitat survey where potential UK BAP priority habitat has been identified in the phase 1 survey
- Landscape features.

Identification and evaluation of likely significant effects

All ecological reports should include the following:

- a) What biodiversity is present
- b) How biodiversity impacts can be avoided
- c) If it is not possible to avoid impacts, how they can be mitigated
- d) If there is no way of mitigating impacts, compensation measures should be identified
- e) How the application can result in overall enhancement in biodiversity

Mitigation and enhancement

Any disturbance to species and/or loss of habitat should be minimised through appropriate location and timing of works.

If any protected species are found, a mitigation strategy will need to be prepared and submitted in discussion with Natural England and Oxfordshire County Council and it may be necessary for the applicant to obtain a licence from Natural England.

Mitigation strategies for any other protected species, species of conservation concern, rare and notable species or UK BAP species that could be potentially impacted by the development will be needed.

Any impacts of the development which cannot be minimized to a negligible level through mitigation will need to be compensated for. This could be via on and/or off site enhancement of existing biodiversity resources and/or the creation of new habitat. The type of compensatory habitat should be appropriate to the surrounding habitat and species present in the area. The biodiversity strategy and guidelines outlined on the OWLS website and the CTA project can be used as guidance for the enhancement of ecological areas and their future management.

Integrated Green Infrastructure

In addition to appropriate mitigation and compensation, the development should result in a net enhancement in landscape, biodiversity and public access. The development should include green infrastructure to retain a mosaic of habitats and linear features to ensure that structural diversity and habitat connectivity throughout the site is maintained. A sensitive directional lighting scheme should be implemented to ensure that additional lighting does not impact on the retained green corridors across the site.

Biodiversity enhancements such as SUDS, hedgerow and tree planting, creation of ponds, creation of habitat for bats in buildings and bird boxes, creation of hibernacula for reptiles and amphibians and creation of wildflower grasslands should be included in the development design in line with planning policy (PPS9 and SE plan policy NRM5) and the NERC Act which places a duty on local authorities to enhance biodiversity. Provision should be made for the long term management of these areas.

All of these elements are part of Green Infrastructure. More information is available from the Natural England [SE GI framework](#).

The site is 800m away from the Upper Cherwell Conservation Target Area, so the development should contribute towards meeting the targets for the CTA, which are:

- Wet grassland restoration to improve the area for waders and wildfowl.
- Lowland meadow management and restoration

Long-term management and monitoring

Provision should be made by the developer for the long term management of any green space, particularly for habitat and/or species for which mitigation or compensation/enhancement measures have been proposed and/or land being used for amenity/nature conservation purposes.

The EIA should include head of terms for a management plan with the full management plan to be submitted after permission is granted (if granted). The costs of implementing the plan should be met by the developer and cover the costs of **annual monitoring** and an annual review of the management plan for the entire site (not just for protected species) in addition to the work itself.

Continuous monitoring will be needed to determine the actual impacts of the development on the biodiversity of the site. Monitoring should also provide information on the success of the mitigation strategies implemented for the protected species and feed into the management plan to allow it to be altered as necessary.

A single plan for management and monitoring of both biodiversity and landscape elements of the development would be sensible to minimise resource expenditure and ensure cohesion between landscape and biodiversity requirements.

Oxfordshire County Council-as Strategic Planning Authority

The development would comprise the creation of a new settlement which would include up to 1075 dwellings. To provide this, much of the existing military housing would be retained and refurbished as well as new build residential development. The proposals also include the provision of new employment uses (Class B1 - B8), again comprising a mix of change of use of existing buildings and the erection of new buildings.

Archaeology, ecology and transport have responded to you under separate cover. We would like to add that transport and containment is linked with socio economics. We would need to know what type of people the housing would attract, and what type of employment would be provided by the commercial development because that will affect the socio-economic balance of the site and the transport patterns that might arise.

Oxfordshire County Council-as Highway Authority

If a new application was to be made for the whole of the site then I would expect that the Transport Assessment of 2007 should be updated. This would reflect any changes in land use proposal proportions and absolute numbers (e.g. number of dwellings, revised HGV access etc), and any changes in base traffic levels. All

impacts and mitigation for all modes of transport would be expected to be highlighted and explained. In addition I would expect updated travel plans for the commercial land uses and residential travel plans for the domestic housing.

Along side the transport assessment I would expect that all of the proposals for junction amendments are also reviewed to check if the proposed changes are still valid and fit for purpose.

Given that discussions seem to have indicated that alternative designs of Camp Road and some other roads through the existing ex airbase that design book type concepts will be required in order to ascertain the function of such roads. These designs may well affect the transport assessment and vice versa.

There are a number of public rights of way around the site. Some existing rights of way are affected and need to be addressed either by diversion or amending the development shape, and, some rights of way changed prior to the runway being installed need to be re-established. I would expect these are taken into account and appropriate actions taken.

I am not sure that rights of way come under the built area as there are no public rights of way across the housing development site as MoD would have got rid of them all. There are plenty of footways and pavements associated with the internal estate roads and these must be designed to form part of a journey to the wider countryside access network.

All rights of way and associated countryside access mitigation measures were all covered under the approved outline PP for the Flying Field and the development in general - and are covered under the s106 Agreement. If a new application was lodged then all of this information would need to be checked before being included in the new consent.

Specific points linked to the housing development in addition to the flying field measures are:-

1) The developer will need to create a gate/gap access point in the fence line at the south west corner of the site to enable an off-site footpath link to be created with adjacent landowners between points D and P.

2) The developer will need to create a bridleway link on the western edge of the development between points 6 and 66. This will also need to have equestrian gateways or gaps installed at each end so that access can be gained onto Camp Road and across to Portway. The specification for this is set out in the s106 and discussions.

3) The developer will need to work with OCC Transport to ensure that the roundabout provision at Chilson Drive/Camp Road/Ardley Road interchange (point N) makes provision for walkers, cyclists and equestrians who will be using Aves Ditch bridleway and the reinstated route of Aves Ditch across the flying field. This might include a controlled signalled 'pegasus' type crossing or it may be design and verge/signing/speed/visibility measures that make this crossing point as safe as possible.

The internal layout will need to be designed to ensure that the desire lines for pedestrians and cyclists are catered for. This will apply to the links between the main features of the site i.e. school, sports facilities, employment, local centre and the various groups of dwellings etc All footways, footpaths and roads will need to be built to adoptable standards.

Public transport provision to the development is currently inadequate for the demand of the new development. Contributions will be required to establish a better public transport service to the development from Oxford and Bicester. A bus route will be required through the site to improve access within 400m of dwellings and employment areas. This route must be built to adoptable standards with appropriate bus stop provision.

With respect to the local centre, the surrounding design will need to be carefully considered to cater for pedestrian access, bus access, and deliveries.

Commercial and employment areas will remain dispersed around a large site. This makes it difficult to provide effective access by modes other than the car. As stated above I would expect Travel Plans to be introduced where applicable. Large HGV access remains a concern. HGV routing through the centre of the new development should be avoided and hence alternative routes will be required.

Care must be taken to encompass the planning application for the conversion of temporary housing to permanent housing. This is only in respect of the internal road network and more importantly the bus route.

The new application will need to address the emerging requirements of the Flood Management Bill. This means that surface water drainage to all impermeable areas will need to be achieved using sustainable methods and in many cases will have to be built to the Councils standards and also adopted.

County Archaeologist:

We broadly support the provisions for the Archaeological and Cultural Heritage section of the EIA set out in Chapter 4.8 of the EIA scoping report.

Should an Environmental Impact Assessment be required on this application then we would recommend that the measures set out in this document for identifying the potential impact on this development on archaeological deposits and other aspects of the cultural heritage should be undertaken and included in the EIA.

English Heritage have been consulted but not commented.

Cherwell District Council- Urban Design and Conservation Officer

I have read the scoping report and consider that in terms of impacts on landscape and heritage there are the following omissions:

Para 2.1 There is reference to the Conservation Area and Scheduled Ancient Monument but no reference to listed buildings or locally listed buildings. Either the terminology should be changed to reflect PPS 5, ie to *Heritage assets*, or these

should be specifically referred to here, which for the avoidance of doubt, would be more useful in my view.

Para 3 There are other local groups who have been involved in the planning debates about the future of the site for 15 years and I suggest they should also be consulted. Particular omissions include local Parish Councils and The Oxford Trust for Contemporary History, who gave evidence at the last Public Inquiry.

Para 4.7.1 Key views from within RAF Upper Heyford Conservation Area and from the surrounding area should be agreed with the LPA. The Tree survey will need updating as well as reviewing, as trees will have grown / may have died.

4.8.1 Again there is no reference to listed buildings. There are both statutorily and locally listed buildings on the site.

4.8.2 As well as buildings and structures, it is the historic spaces and routes etc that are important and make up the historic landscape (eg Trident road layout, Parade Ground etc) and the impact of the development on the wider historic landscape including in particular agreed key historic features should be assessed.

It would be helpful also if we could agree the relative importance / sensitivity of the heritage assets to enable the impact of the proposals to be assessed in the same way as the severity of the impact is assessed against the sensitivity of receptors and frequency of views.

Cherwell District Council-Rural Development & Countryside Manager

The EIA should consider effects on existing rights of way (transportation, cultural heritage, landscape) and where there is scope to make new connections into the network so that residents of the new development can easily access the surrounding countryside on foot and by bicycle (transportation, landscape).

Cherwell District Council-Landscape Architect

The visual impact of development on the surrounding Cold war landscape and buildings adjoining the application site boundary in the Environmental Statement must be assessed (visual appraisal/mitigation to be agreed with CDC). Furthermore there is a visual impact of existing cold war buildings on surroundings, for example, the Inspector's Appeal Decision 20 July 2009, para 19.60 where the impact of views of Cold War buildings from Somerton/Ardley Road is mentioned.

Distinctive visual character areas exist within the development site which should be considered as manageable portions in the ES: visual impact and mitigation measures. These appraisals to include the settings to the Scheduled Monuments and the Quick Reaction Alert Area etc.

The cat proof fence originally proposed in the RCPB to protect ground nesting birds in the adjacent County Wildlife Site must be presented in detail so as to ascertain its usefulness as a deterrent to cats and dogs, its impact on other protected species, and its visual appropriateness with landscape mitigation. An assessment of the amount of acceptable human activity in regard to the County Wildlife Site and visually

appropriate security fencing and maintenance access routes. The visual impact of security fencing, old and new is an issue to be addressed in the ES.

There was mention of the reinforcement of existing planting along Chilgrove Drive as part of the reconnection of Aves Ditch footpath - Para 19.62 of the Appeal Decision.

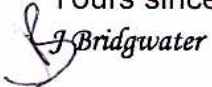
The ecological / landscape management of the wider Cold War landscape such as the flying field needs to be addressed, (I am not sure of ownership with the transfer of Park to the Dorchester group from NOC), and it is essential to consider the historical setting of the park. We require the appropriate POS, sports pitches allocations on site in accordance with CDC's requirements, but with consideration of the impact of pesticide application on the surrounding ecosystems and aquifer. The recent EU Directive 2009 128 EC framework sustainable use of pesticides must be consulted in this regard.

The most appropriate locations for play areas, informal public open space, sports pitches with pavilions are to be considered in the ES.

It is essential to protect retained trees in accordance with BS5837:2005 trees in relation to construction. The exiting tree survey carried out the Cooper Partnership in November 2006 is to be considered by Watermans. Please liaise with Jon Brewin, Cherwell District Council's Arboricultural Officer-South on the tree issues, and appropriateness of the Cooper Partnership tree survey.

Some comments have taken a while to be received and I therefore apologise for the delay in responding. Any further comments received will be forwarded. In the meantime I trust this information is of assistance to you in the formulation of the Environmental Statement and should be treated as the Council's formal scoping opinion made under the EIA Regulations 1999, Circular 02/99 and the Town and Country Planning (General Development Procedure) Order 1995.

Yours sincerely



Head of Development Control
and Major Developments

WATERMAN STRUCTURES	
PROJECT:	
ACTION TO BE TAKEN:	
19 JUL 2010	
CIRCULATE TO:	SIGN/DATE: