



GRENDON UNDERWOOD PARISH COUNCIL

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Statement On behalf of the Local Planning Consultee: Grendon Underwood Parish Council

Dated: 25th August 2021.

Pursuant to section 27 of the Localism Act 2011, Grendon Underwood Parish Council (Council) is a designated Consultee of the Local Planning Authority (LPA), Buckinghamshire County Council, and is mandated to provide local comment on planning applications in the parish of Grendon Underwood. Council notes the LPA should take due regard of Consultee comments but is no way obliged to accept them, either in whole or in part. The Council is in receipt of an invitation to consult on the following Outline Planning Application (OPA).

Local Planning Authority Ref: 21/02851/AOP

Case Officer: Danika Hird

Summary: HM Prison Grendon Springhill Road, Grendon Underwood, Buckinghamshire HP18 0TL - Outline Planning Application with all matters reserved for access and scale for the construction of a new Category C prison (up to 67,000 sqm GEA) within a secure perimeter fence together with access, parking, landscaping and associated engineering works on land adjacent to HMP Grendon and HMP Springhill, Grendon Underwood, Edgcott, Aylesbury HP18 0TL.

Time Line:

- Request to comment received by Council; 12th July 2021.
- Closing date for response (by exception); 6th September 2021.
- The OPA was posted to the Buckinghamshire County Council, Aylesbury Vale Ward Planning web site on 12th July 2021 and Council has had sight of all the documentation accompanying the application.

Conclusion of the Planning Balance;

At a properly constituted meeting of Grendon Underwood Parish Council (GUPC) held on 27th July 2021, minute 2107.06, Council weighed carefully the planning balance of this application and concluded that it would have a major adverse impact on the community and that this would significantly and demonstrably outweigh any alleged benefits and that proposed mitigation of these effects are patently implausible and not sustainable.

Therefore, it was duly resolved to oppose the subject application on the grounds summarised and further detailed below.

In Summary -

In arriving at this conclusion, the Council has taken under advisement the considerations outlined below, has followed the NPPF, June 2021, the emerging Vale of Aylesbury Local Plan (VALP) – Draft Plan (2017), its own Planning Response Policy, ref CP16 [available on request & on the web site] and has sought, recorded and taken due regard of the views of local residents, derived from four open remote meetings and three public drop-in exhibitions.

In arriving at this conclusion, Council has weighed all those relevant statutes that the LPA, itself, will be obliged to follow including the NPPF, June 2021, as a whole, all relevant policies of the emerging VALP, the GUPC Planning Response Policy Ref; CP16 (adopted May 2021 & available on the Parish Council's web site), all supplementary planning documents and guidance; and having due regard to the proposals made in the OPA and its supporting submissions, including claimed mitigations, the responses of various Buckinghamshire County Council consultee departments, and an overwhelming negative response by local residents derived from four open meetings & three public exhibitions, it is considered that the adverse impacts of this application would significantly and demonstrably outweigh any economic benefits and contravenes multiple requirements of the NPPF & VALP, both in the development phase and in the longer term operation of a Category C prison of 1440 inmates, some 600-800 staff, some 300 non-retained service staff and many hundreds of visitors at this location.

The proposal would conflict with policy GP35 of the emerging Local Plan and would not constitute sustainable development as to local employment, healthy & safe communities, transport infrastructure, carbon footprint and water & waste.

It would fail to comply with the core planning principles of the NPPF in regard to economic objective, social objective & environmental objective.

In addition, it does not recognise the intrinsic character and amenity of the countryside, and further contravenes the NPPF & the emerging VALP, in so much as it does not conserve and enhance the natural environment, nor does it seek to re-use land that has been previously developed.

Further, the development is of a scale and nature which would intrude into the rural amenities of the countryside at this greenfield site and would unacceptably increase the built form of the current site to the detriment of surrounding character and appearance.

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The elevation of the development would give rise to significant adverse landscape, light and visual impacts over significant distances from all aspects around the site.

In addition, the indicative layout of the development show a separate stand-alone facility which would multiply the harms to sustainability of the current site and fail to complement the existing occupational characteristics of the site to the detriment of its character and impact on the wider community.

The Council believes the mitigations suggested in the OPA over pre-application community engagement presentations, do not recognise the necessary infrastructure for them to be workable just does not exist. It is felt the harms identified are the result of an attempt to shoehorn the ultimate objective into an unsuitable location, regardless of consequences, and the mitigations refer to a location that would not otherwise need mitigation, renders such suggestions unworkable in practice and are made purely to facilitate an approval of a wholly inappropriate application at this location.

The Planning Authority is therefore respectfully requested to refuse planning consent outright.

Please note: Based on previous OPA submissions, by this applicant, at similar prison developments, it is crucial the application be refused in its entirety. A conditional approval will result in multiple subsequent applications to vary, based on a presupposition that a conditional approval at OPA indicates a presumption that further variations will be granted, regardless of whether they contravene conditions or not.

The Council thanks the Planning Authority for its invitation to consult and hopes the views of residents affected will be given considerable weight in the Planning Balance.

Signed: **GRENDON UNDERWOOD PARISH COUNCIL** pp Chair of Council.

Authorised: 24th August 2021

**Statement On behalf of the Local Planning Consultee:
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Dated: 25th August 2021.

Statement Structure:

Section 1. Overview & Context - intended to reflect the duties of a Parish Council, a Planning Consultee and to convey resident feedback.

Section 2. Community Consultation by the Applicant

Section 3. Location.

3.1 Site Selection;

3.2 Site Characteristics

3.3 Outcome of the Balance – Location.

Section 4. Demand.

Section 5. Design.

Section 6. Sustainability

6.1 Local Employment

6.2 Healthy & Safe Communities

6.3 Sustainable Transport.

6.3.1 Considering the NPPF & Local Plan

6.3.2 Considering the Buckinghamshire response

6.3.3 Transport Assessment

6.3.4 Outline Travel Plan

6.3.5 Car Parking Provision

6.3.6 Cycle Parking Provision

6.3.7 Passenger Transport Provision

6.3.8 Site Access/ Egress

6.4 Water & Waste

6.5 Outcome of the Balance – Sustainability

Section 7. Local Character, Heritage, Amenity, Ecology & Environment.

7.1 Character

7.2 Heritage

7.3 Amenity

7.4 Ecology

7.5 Environment

7.6 Outcome of the Balance – Character, Heritage, Amenity, Ecology & Environment.

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Section 1. Overview & Context to the Planning Balance

The prime duty of a Parish Council is to represent the views of its residents.

In addition, a duly mandated Planning Consultee has a further duty to represent those views as accurately and clearly as possible to the Local Planning Authority (LPA) when requested.

The Council understands and accepts the LPA is obliged to conform to all statutes, regulations and legal obligations and its decisions must be limited to Planning considerations. This has been taken into account when formulating this Statement.

Grendon Underwood Parish Council (Council) has provided residents with [information](#) to allow an informed decision as to impact this proposal will have on communities and has sought and obtained those views through 4 public meetings and 3 open, public exhibitions. The views expressed came over loud and clear and indicate a depth of frustration, anger, dread and powerlessness that is unprecedented in the history of this community. Having garnered those views, it is now beholden on Council to convey them in good faith on behalf of the community it represents and does not feel it appropriate to withhold any of them for reasons our residents will not accept.

Whilst understanding the Planning Case Officer is entirely independent, the Consultee is grateful for the support of Buckinghamshire Council, who opposed at a [meeting of Cabinet](#) on 25th January 2021 and our MP, who has tabled some 21 written questions, to Ministers, between 9th July and 28th July 21 and has [spoken in the House](#), and the Buckinghamshire Police and Crime Commissioner, Matthew Barber, speaking to Greg Smith on 16th August, which you can see [here](#).

Council understands the Case Officer is obliged to limit its considerations to the application in front of it. However, the Consultee is under no such obligation and has sought to project the consequences of this application into the **cumulative** effect it will have on top of multiple National infrastructure projects already imposed on this small area of Buckinghamshire.

The Planning Case Officer will, no doubt, be expecting and be prepared for a standard NIMBY approach to objecting. However, the Council makes no apologies for supporting residents in wanting to cherish our ‘backyard’ and see it preserved for future generations. Many residents have lived and worked in this corner of Buckinghamshire for generations, and many have come since precisely for what they find here. There is a feeling that we are the temporary custodians of our ‘backyard’ and we are duty bound to save it for those that follow, if we can.

- We are already hosts to **two** prisons.
- We are subject to the appalling disruption to our daily lives and ecological carnage from HS2, with no local benefit, as well as an imposed construction route, on rural roads, through Grendon Underwood and Edgcott to a permanent maintenance depot.
- We have a construction route through our villages to a separate depot in aid of EWR construction.
- We have one of the largest incinerators in Europe in our ‘backyard’.
- We are regularly subject to the greed of large-scale developers and landowners seeking to ‘land-bank’, thereby exploiting an undeniable housing shortage crisis, as much as they can get away with.

We take lessons from no-one on our ‘backyard’ taking its fair share of abuse from National infrastructure projects, one on top of another. Enough is enough.

Council hopes the LPA will understand this background and will feel such passionately expressed views should be the basis for material consideration in arriving at their harm/benefit Planning Balance decision - such as to reflect the devastating impact this application would have on so many lives and communities.

As it is in Courts of Law, it is felt appropriate that previous relevant activity, by the applicant, is of material concern in informing the Case Officer as to those reasonable expectations as to how the applicant will exploit any granting of this application, either in whole or in part (with conditions). Should the Applicant succeed in gaining any form of approval at OPA, it is reasonable to suppose it will repeat the strategy it has deployed previously at similar builds elsewhere. This will mean multiple variation applications will be submitted, in pursuit of its ultimate objective, many in total disregard of any conditions laid down at OPA.

Finally, for the avoidance of doubt, Council is at pains to make it absolutely clear that it does not, and has never, disputed Government policy on its rationale for its prison expansion programme, its projections for numbers of prison places nor the effectiveness of incarceration over other means of punishment, deterrent & rehabilitation.

This objection is entirely focused on the location of the proposed development, how it was arrived at in preference to alternatives and the extent to which location impacts on local communities and the sustainability of local infrastructure & amenities in the long-term.

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Section 2. Community Consultation by the Applicant -

Whilst appreciating consultations are not mandatory and recognising that holding them during a pandemic is not optimal, residents were incensed at how the applicant has approached & conducted a so-called Community Consultation process in January 2021.

The Council notes the Statement of Community Involvement, June 2021, submitted with the OPA, purporting to suggest communities had been adequately involved. They have not - and Council is keen to ensure this is in no way considered to be an accurate or plausible interpretation of events.

In a remote meeting, held in January 2021, the applicant, on invitation of Council, presented a contribution that was ill-prepared, factually incorrect on several important points, unprofessional, arrogant & bullying, contemptuous of community and just a poorly researched attempt to justify a site selection based solely on a tenuous cost/time expedient. This 'consultation' can be seen in this [EXTRACT of the meeting](#) with comments following from Greg Smith, MP and Angela Macpherson, Buckinghamshire County Councillor for Grendon Underwood.

This sense of outrage has been further exacerbated by the actual OPA perpetuating a long running campaign attempting to convince people, who actually know the area & topography, that building multiple 4/5 storey concrete blocks on top of a hill, in line of sight for miles around and over a natural spring [hence Springhill], can, in any way, be credibly justified [or mitigated].

Further, in a letter, dated 22 June 2021, from Mr Seaton, Programme Director, New Prisons, it was claimed the impact of this proposal on local communities can be mitigated by changes arising between the consultation and the OPA.

"We have made some key amendments to our site plans following agreement to purchase some additional land (subject to planning permission), enabling us to re-design the layout. In the consultation we said we were considering whether to include a seventh houseblock in the proposal; ministers have decided not to pursue this. No Compulsory Purchase Order (CPO) has been used. These changes include:

- Moving the prison site further away from the pond and ecological zone, whilst increasing the biodiversity on the site by at least 10%. This will minimise the impact on local wildlife and retain the existing footpaths around the site;*
- Location of Springhill Prison sports pitch has moved to be further away from local residents (this sports pitch will not be used by prisoners in the new prison);*
- Location of houseblocks moved so that they are not built on the highest point of the land, which will improve the visual impact for the local community, as well as having some ecological benefits. The highest houseblock in the new proposal is 9m – more than half its height – lower than the highest houseblock in the previous proposal;*
- Creation of an additional site access road to the north of Willow Lodge which will lessen the burden of traffic on the existing prison access route."*

To claim these as meaningful mitigation is implausible. The 'rotation' of the main house block complex and moving it further away from the pond actually puts it closer to and in direct line of site of more residents on Main Street, Grendon Underwood. Moving the sports pitch puts it closer to GradeII listed Willow Lodge. The creation of an additional site entrance was in the original proposal so not an amendment at all.

It is also of concern that the Statement of Community Involvement groups Location of Resident Feedback by postcode. Many have interpreted this to be that objections from non-Bucks postcodes will be given less weight than those from within Bucks. Several residents commented that they have relatives living out-of-area (usually sons & daughters) who have genuine concerns over the stress and mental health of relatives resident local to the proposed site (usually elderly parents). It is hoped the Case Officer will give due regard to such objection and they are not disregarded without at least a cursory appraisal for personal involvement.

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Section 3. Location –

The development site is in a rural location in western Buckinghamshire approximately 0.5km east of the village of Edgcott, 10km east of Bicester, and 16km north-west of Aylesbury. A triangulation point on Spring Hill marks the highest point of the Grendon Hall pleasure park at 96 metres. The location gives the development clear line of site to the wider surrounding area for many miles across to Brill Hill, Quanton hill and other elevated positions.

The development site is located to the north of HMP Grendon and HMP Springhill with access via Grendon Road. HMP Grendon is a Category B men's prison which accommodates approximately 200 inmates, and HMP Springhill is a Category D men's prison which accommodates approximately 300 inmates.

To the south of the site access, Grendon Road runs towards Grendon Underwood where it becomes Edgcott Road and forms a priority junction with Main Street and The Broadway. Main Street provides access through Grendon Underwood Village, and The Broadway provides access to the A41. Grendon Underwood is subject to a 30mph speed limit. Approximately 220m south of the priority junction, after leaving the village of Grendon Underwood, the speed limit on The Broadway is 60mph. The Broadway has no cycle provision, formal footway or lighting throughout its length.

The A41 is located approximately 2.7km south of Grendon Springhill. The A41 connects Bicester in the west with Aylesbury to the east. The A41 has no formal footway or lighting provision in the vicinity of the junction with The Broadway and it is subject to a speed limit of 60mph.

Pedestrian access to the proposed development site, Grendon Springhill 2, is provided along Grendon Road (southbound) via an unlit footway facilitating access between the villages of Edgcott to the north and Grendon Underwood to the south. Within a 10-minute walk of the existing HMP Grendon and HMP Springhill entrance, based on a walking speed of 1.4m/s, it is possible for pedestrians to reach the bus stops located on Grendon Road. However, it is not possible to reach Edgcott or Grendon Underwood within a 10-minute walk from the site due to the rural location. [above courtesy of the Outline Travel Plan, Mace, 10/06/21 submitted with the OPA]

Whilst the 'Local Plan' for the Vale of Aylesbury is yet to be formally adopted, the Council has noted the precedents set by previous Government Inspectors when refusing Appeals by Applicants regarding large scale developments in this locality, that the core principles of the Local Plan are valid Planning Considerations and can be applied as such.

Council notes that these considerations were significant criteria resulting in the refusal of an Appeal for a much smaller development immediately adjacent to the site of this proposal. The Council has noted the Local Plan's various underlying planning principles, for small/medium villages in Buckinghamshire, especially as the vision of the VALP is "to secure the economic, social and environmental wellbeing of the people and businesses in the area", with policy based on local needs and priorities. These are felt to be eminently relevant, balanced, sensible and pragmatic in light of imposed development pressures both in the County & Nationally. Therefore, the Council feels the VALP is a material consideration and has given these principles considerable weight in the Planning Balance.

The local plan states in:

Policy S7 that "*development located in Aylesbury Vale will be expected to make efficient and effective use of land, with developers encouraged to reuse previously developed (brownfield) land in sustainable locations, subject to site-specific considerations including environmental value and the impact on local character.*" **This application is in clear contravention of this.**

Policy S5 details the approach to infrastructure and seeks to "*ensure that there is sufficient and appropriate infrastructure to meet the future needs of Aylesbury Vale. All new development must provide appropriate on- and off-site infrastructure in accordance with the Infrastructure Delivery Plan to avoid placing additional burden on the existing community whilst mitigating any adverse social, economic and environmental impacts associated with development*". **This application is in clear contravention of this.**

Policy T5 states "*an appropriate amount of vehicle parking should be provided. This is determined by the accessibility of the site including the availability of public transport and the type, mix and use of development. The design of new development must also enable and encourage the maximum use of sustainable modes of transport, including provision for cyclists and low-emission vehicles where possible*".

The OPA claims to have addressed this in the included Travel Plan but fails to appreciate the lack of infrastructure capable of realistically accommodating the alternative non-car modes of transport it proposes, both local to the site and in the wider area.

The case for notices in public areas, restricting car parking and car sharing schemes, all purely voluntary, being credible incentives for alternative means of travel, when the infrastructure to make them practical for most users is non-existent, is not made. They are seen as gesture statements designed purely to facilitate approval.

It should be noted that Council accepts that it and the Case Officer must take into account other relevant ministerial policy, statutes and guidance as to the core planning principles set out in the National Planning Policy Framework (NPPF), revised June 2021, especially since the Local Plan is yet to be formally adopted.

Therefore, Council feels site selection is a valid planning consideration in two regards:

- How the site was arrived at in the first place combined with -
- The inherent characteristics of the site itself.

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3.1 Site Selection-

3.1.1 In fairness, the Applicant has consistently advised its selection of the site has always been based on the fact that the proposed site is big enough to realise most [but not all] of its objectives and that it already owns the land, thereby facilitating its intention to build faster and cheaper.

Having admitted this, the original proposal and subsequent OPA then go to great lengths to justify building six 4/5 storey high concrete blocks on top of a hill, over a live spring based on other outrageously improbable grounds, however preposterous and implausible in the context of this location.

It is the Council's view that the applicant seeks to make the proposal fit the outcome and not to make the proposal fit the facts. The site has been selected in direct contravention of the base principles of the NPPF and many clauses in the VALP, and the Applicant has chosen to override any duty to consider community concerns, human (both local and 'customers'), environment, health, heritage, cost and sustainability considerations in favour of an imposed imperative based on a short-term cost/ time expedient.

It may be worth noting that, whilst the applicant has repeatedly advised there "are no plans for Compulsory Purchase", they have since expanded the site significantly by way of 'voluntary' purchase (subject to planning permission) of further green field land.

3.1.2 Consideration of Alternative Locations – Grendon Underwood & Edgcott Parish Councils have sent over 100 Freedom of Information (FoI) requests to various National & Local Government authorities, including the Ministry of Justice, the National Audit Office and all local authorities across the Southeast Region, asking what, if any, attempts had been made, by this applicant, to identify alternative sufficiently large brown field sites suitable for this project.

Replies from the Ministry - In an answer to a written question in the House, submitted 25 January 2021, Lucy Fraser, Secretary of State for Justice, wrote "*the Ministry of Justice considered land it owns and sought information from other major land-owning government departments for detail on land potential suitable for a new prison site. An external search of suitable privately owned land was also conducted. Following this exercise, land that was suitable and available was considered by the MoJ for use.*" "*The remaining list of shortlisted sites cannot be published because this is commercially sensitive information which, if shared, may undermine our ability to deliver*" "*We considered brown field sites in England and Wales as part of the site selection process, but are unable to disclose a list as this is commercially sensitive information and may hinder future development requirements, as we deliver our commitment for 18000 additional prison places*"

In a FoI response dated 20 May 2021, the MoJ Disclosure Team advised "*we do not hold details of any other pre-planning discussions held with other Local Authorities relating to alternative sites considered for the Grendon and Edgcott location.*"

However, in a letter dated 11 March 2021 from Gary Badley, Executive Director, Prison Supply Directorate, in response to a request from the GUPC Chairman, he advised "*We have considered brownfield sites in England and Wales as part of the site selection process, but are unable to disclose a list of sites we have looked at, as this is commercially sensitive information and may hinder future development plans, as we deliver on our commitment to 18,000 additional prison places announced in the recent Government Spending Review.*"

He also confirmed "*There is no doubt that HMP Grendon and Springhill - and the location of our proposed new prison - is in a rural setting.*"

Replies from Local Authorities all advised that the Ministry had not contacted them. Several did advise that they had suitable brown field sites.

So Council is again dismayed by Ministry claims to have considered alternative locations and yet choosing not to provide even the most basic information to enable corroboration. It is not credible to suggest identifying how many alternative locations were considered and the criteria for rejecting them is in any way "commercially sensitive".

Planning Balance - In weighing Site Selection in the Planning Balance, Council notes the obfuscation, contradictions and lack of transparency displayed by the Applicant and concludes Site Selection represents a considerable harm to the communities and has given it major negative weight.

3.2 Site Characteristics –

3.2.1 Overview - This construction of a new Category C prison will occupy up to 67,000 sqm GEA within a secure perimeter fence together with access, parking, landscaping, and associated engineering works on land adjacent to HMP Grendon and HMP Springhill. The location is a green field site, on top of a hill, over a live spring. A triangulation point on Spring Hill marks the highest point of the site at 96 metres.

The elevated position of the development puts it in clear line of site to the wider surrounding area for many miles across to Brill Hill, Quanton hill and other elevated positions.

The light pollution from the current prisons is already unacceptable and detrimental to wildlife.

The spring feeds the River Ray, which skirts around the base of the hill. The site is already prone to flooding and the disruption of a live spring will have unpredictable consequences which could reasonably be supposed to continue the desperate misery and danger to health of residents still further.

3.2.2 Considering the NPPF - Taking due regard of the NPPF, June2021, it is noted:

Section 1, 5 says: "*The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended)* [although this is limited to

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energy, transport, water, wastewater, and waste.] *and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework).*”

Notwithstanding the absence of any ‘specific policy for national infrastructure projects’, Council does note the well-publicised ‘**national policy statements**’ to “level up” and “build brown field before green field”. This proposal clearly & demonstrably contravenes both of these, and Council does not accept attempts to try to convince anyone to the contrary. There has to be solid action with defined outcomes behind such policies to make them meaningful and to give them credibility

Also whilst noting the absence of any ‘specific policy for national infrastructure projects’, Council does consider the overarching principles for Achieving Sustainable Development, described in Section 2. 8. of the NPPF, are “other matters that are relevant” and do represent important considerations in the Planning Balance. These are:

“a) an economic objective – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*”

Council suggests the type of land is not right, is not in the right place nor is the proposal at the right time and will not go towards supporting NPPF objectives and that the proposal is entirely focused on achieving the objectives of the Applicant alone.

Moreover, the OPA ignores the fact that it does not ‘ensure’ infrastructure but more likely it will overload it to breaking point thus rendering it impossible to support the objectives.

“b) a social objective – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;*”

This is further reinforced in the NPPF under Section 8, Promoting Healthy & Safe Communities para. 92 says - “*Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:” b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes” ... “and c) enable and support healthy lifestyles”*”

We are only too familiar with living with a couple of prisons – albeit relatively small ones, so far. There is already general disquiet and perceived insecurity (however accurate) arising from absconding, visitor related degradation of environment, drug dealing and foul language from sports fields. Council deplores the likelihood of the extent to which this will be exacerbated by an imposition of an additional 1440 ‘neighbours’.

Parents are already banning their children from cycling & walking due to the volume & proximity of HGV traffic from HS2 & EWR so dangerously close to pedestrians & cyclists on roadways, walkways and non-paved grass verges. This will only make it worse. It should be noted that the HS2 depot, with its associated traffic, is to be permanent.

Council believes, far from supporting “strong, vibrant and healthy communities”, any granting of this OPA will actively degrade all such ideals. It represents an overwhelming risk to all the objectives of this principle both for current residents and for future generation to come. It is not well designed for a rural environment; it is not beautiful; it will not be safe. It is most definitely not accessible or open.

“c) an environmental objective – *to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”*

The NPPF further reinforces this principle at Section 15 - Conserving & enhancing the natural environment 174 a), 179 [Habitats] and in Section 16 - Conserving & enhancing the historic environment

This is further developed under Section 7 below.

The Applicant claims exemplary carbon management during operation but fails to recognise how this is offset by the carbon overhead generated from high volume car traffic [in spite of voluntary mitigation schemes] derived from staff, visitors and other ‘through the gate’ traffic and queuing at local junctions.

The applicant claims a 10% net gain in biodiversity and this would be welcome if it was achievable and if it was achieved without the irrecoverable loss of uniquely important habitat & heritage.

However, Council believes these can safely be downgraded in the planning balance on the grounds of credibility, viability and time to realisation. [ref: lack of detailed vehicle movement modelling & HS2 contravening multiple ecological directives]

The Council is mindful that Section 2, para 10 of the NPPF stipulates “*that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)*”, albeit with the intention of increasing the National housing stock, such that planning permission should be granted **unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits**, when assessed against the policies of the NPPF taken as a whole.

Council considers this application does represent a major adverse impact on the community and does significantly & demonstrably outweigh any alleged benefits

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3.2.3 Considering the VALP - Section 3. para 15 of the NPPF stipulates “*the planning system should be genuinely plan-led*” and Section 4, para 48 says “*Local Planning Authorities may give weight to relevant policies in emerging plans*”.

Council has considered the emerging VALP and notes, whilst the local plan is scheduled for adoption later in 2021, certain basic principles are considered to be relevant to this application and have given them considerable weight in the balance.

Notwithstanding any other consideration, the VALP makes no provision for a development of this nature, of this scale nor of such devastating impact on local communities, landscape & biodiversity.

Similarly, Council notes the Planning Practice Guidance (PPG) published by Government, and revised and updated from time to time, especially in regard to whether the proposal delivers sustainable development.

Council also takes under advisement the Aylesbury Vale Housing & Economic Land Availability Assessment v.3 (HELAA), May 2016 formerly known as the Strategic Housing Land Availability Assessment (SHLAA) as required by the NPPF using guidance in the PPG – should this become a material planning consideration for such a proposal.

Planning Balance -In weighing Site Characteristics in the Planning Balance, Council notes an unwillingness, by the applicant, to recognise the inherent characteristics of local topography, elevation and green field status inherent to this site to satisfy its own external objectives.

Consequently, Council concludes Site Selection represents a considerable harm to the communities and has given it major negative weight.

Considering the Mitigation - In a letter, dated 22 June 2021, from Mr Seaton, Programme Director, New Prisons, in response to questions from the GUPC Chairman, has advised “*We have made some key amendments to our site plans following agreement to purchase some additional land (subject to planning permission), enabling us to re-design the layout.*”

The inference being that certain changes made to the original outline proposal would somehow credibly mitigate some (not all) previously raised concerns. Whilst it is accepted that some responses to the ‘consultation’ meeting on 19th January probably did inform a minor review of the original plan, it should be noted that any suggestion that they were ‘developed with local communities’ would not be factually correct.

He advised – “*We have made some key amendments to our site plans following agreement to purchase some additional land (subject to planning permission), enabling us to re-design the layout. In the consultation we said we were considering whether to include a seventh houseblock in the proposal; ministers have decided not to pursue this. No Compulsory Purchase Order (CPO) has been used. These changes include:*

- *Moving the prison site further away from the pond and ecological zone, whilst increasing the biodiversity on the site by at least 10%. This will minimise the impact on local wildlife and retain the existing footpaths around the site;*
- *Location of Springhill Prison sports pitch has moved to be further away from local residents (this sports pitch will not be used by prisoners in the new prison);*
- *Location of houseblocks moved so that they are not built on the highest point of the land, which will improve the visual impact for the local community, as well as having some ecological benefits. The highest houseblock in the new proposal is 9m – more than half its height – lower than the highest houseblock in the previous proposal;*
- *Creation of an additional site access road to the north of Willow Lodge which will lessen the burden of traffic on the existing prison access route.”*

He also advised “*A separate proposal for expansion of the existing category D prison, HMP Springhill, is still being considered. More information will be made available as the proposals are taken forward. Any expansion of the existing site will be subject to a separate planning application.*”

It is difficult to appreciate how moving the prison site, by an unspecified amount, further away from the pond would be conducive to increasing biodiversity by 10%. Nor is any advice given as to the knock-on effects of the relocation within the site.

Council is concerned that the location of the soccer pitch may not improve noise pollution for near residents. Indeed, the noise abatement mitigation suggestion here is an acoustic barrier far too low to have any material effect. To achieve adequate acoustic mitigation would require a high acoustic barrier all around the pitch - thus replacing a noise impact with a visual impact.

By re-locating the houseblocks down the hill somewhat, this ‘re-design’ claims to adequately reduce the maximum ‘visual impact’ height by some 9 meters. Council says lowering buildings some 18 meters high, on top of a hill 96 meters high, by 9 meters, is a derisory attempt at mitigation and will have a negligible effect on the overall visual aspect of the complex. Nor will it materially improve the visual impact mitigation necessary to ‘cover it up’.

In addition, the suggestion requires a ‘rotation’ of the main prison complex, around the North-East end of the plan, incidentally, requiring supplementary acquisition of greenfield amenity. This, in fact brings the main prison block **more** into direct line of site of **more** residents along Main Street in Grendon Underwood.

The creation of an additional access road has always been in the plan so is not an amendment.

In addition, he says “*In the consultation we said we were considering whether to include a seventh houseblock in the proposal; ministers have decided not to pursue this. No Compulsory Purchase Order (CPO) has been used.*”. Council welcomes this consideration but maintain it does not represent any form of meaningful reduction in local impact.

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He did advise “A separate proposal for expansion of the existing Category D prison, HMP Springhill, is still being considered. More information will be made available as the proposals are taken forward. Any expansion of the existing site will be subject to a separate planning application.”

It is now confirmed (ref letter, 16th August 21, from Alex Chalk, Parliamentary Under-Secretary of State for Justice to Greg Smith MP, Buckingham) that “We have now completed a pre-planning application enquiry to determine the local planning authority’s position on the principle of the proposed development. I am able to inform you that we now intend to submit planning application for expansion at HMP Springhill.” Council regrets that the Parish has been excluded yet again from pre-planning application enquiries and deplores the LPA has not seen fit to involve the Parish at any time.

“We anticipate this planning application will be submitted in late September and I will update you once the application is determined. Please note, however, that this continues to be progressed separately to the planning application for the proposed new prison at the Grendon Springhill site. We continue to consider the overall cumulative impact of the expansion and the new prison and will not be submitting planning applications concurrently”

Why is it to be progressed separately from this OPA? Is it to ensure the Planning Case Officer does not consider it as material to this OPA? Surely the overall cumulative impact of both applications should now be material considerations for each of them.

“Our intention is to deliver a total of 120 additional places at HMP Springhill. The two new units will be two storey houseblocks within the existing prison grounds each occupying 60 prisoners. Further ancillary work to support the increase in places including additional car parking, a kitchen extension and new modular staff offices, will also form part of the application”.

This would seem to indicate plans are well advanced and the Council is extremely concerned about the ramifications this will have on the subject proposal and the lack of community involvement by all parties. Indeed, it would be reasonable to suppose a combined need for further compulsory purchase of more green space could be forthcoming, either for this OPA or the expansion.

The BC Heritage response to the OPA states “It is noted that whilst some additional planting mitigation and screening is proposed, this will take some years to grow. Even as illustrated this is insufficient to fully obscure the taller elements of the development (housing blocks) or to eliminate the potential impact of lighting proposals. Due to the topography of the landscape and the scale of the site these elements of the scheme are anticipated to be highly visible from some distance.”

3.3 Outcome of the Balance – Location.

Overall, Council has concluded that the Location proposed, both in terms of Site Selection and Site Characteristics, is entirely inappropriate for the scale and purpose of this application.

Proposed mitigations, alleging to compensate for such significant adverse natural topography and ground structures, are wholly implausible, non-viable and unsustainable.

Council considers the permanent destruction of landscape and visual amenity for future generations to be unacceptable, inconsiderate and disrespectful of local community and resident health & safety.

Consequently, it has given ‘Location’ major negative weight in the Planning Balance.

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4. Demand –

Council makes no comment on the demand for prison places claimed by the Applicant, nor does it comment on the justification for this demand. The proposal will undoubtedly provide at least 1440 (maybe more) prison places. However, it is the Council contention that this demand would be far better served at more appropriate locations, especially on brown field sites, in areas of good transport links, high unemployment, high crime and adequate housing.

Within the pre planning consultation document the MoJ stated '*A new facility in Buckinghamshire also responds to demand, with an expected requirement for prison places in the North West and in South East of England, linking directly to the large urban centres located there*'.

Council agrees the solution to the demand should be 'linked directly to major conurbation centres'. The main 'customer base' for such a facility is and will be for the operational life of the facility, derived from major conurbations, especially London, far distant from the proposed site. It makes no sense in terms of cost, pollution and infrastructure loading to put prisoners so far from their most likely home postcodes and families.

From a [recent study](#), in terms of meeting a demand for prison places and where they are needed, it is worth noting that there are already 11 prisons within 40 miles of the proposed site, with a combined operational capacity of 7,804 prison places, (when HMP Five Wells is opened later this year). In England and Wales there are currently 80,671 'useable' operational spaces and the addition of Grendon Springhill 2 and Five Wells, would make a total capacity of 84,031 places. So, if the build goes ahead, concentrated within a 40 mile drive of the site would be 9484 prison places or **circa 11.3% of the existing prison capacity of the whole of England and Wales within 40 miles from Grendon Underwood.**

In addition, Council would request further information on the impact, on this proposal and on current facilities, of new proposals to add a further 120 places at HMP Springhill and a further 250 places at HMP Bullingdon.

Buckinghamshire is a relatively low crime area and the solution to prison numbers would be better focused where they are more relevant - in higher crime areas and close enough to home postcodes to facilitate the maintenance of family ties. The Ministry projection for a catchment area around a prison is that it should be within a travel time of up to 90 minutes. It is reasonable to suppose this is a conservative estimate for this site. Given the lack of any viable public transport options [in spite of claims made by the Applicant], the majority of visiting journeys will have to be by private car, and given the already inadequate local infrastructure, many could be up to 2 hours, each way, in duration. This represents a significant risk to an already overloaded infrastructure and an unacceptable degree of CO2 emissions, severely offsetting the CO2 overhead the Applicant claims for the operation of the facility.

In practice, this means family visits will become impossible for those on low incomes being curtailed by distance, time and cost, thereby representing a real threat to prisoner wellbeing, rule compliance and mental health.

Outcome of the Balance – Demand.

This is unreasonable and for the reasons of prisoner welfare, infrastructure impact, travel costs and CO2 overhead, Council has given 'Demand', in this location, negative weight in the Planning Balance.

5. Design -

The NPPF Section 12 - Achieving well-designed places. Para 127 states "*Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics.*"

Council has noted the Site & Context Analysis contained in the Design & Access Statement, Pick Everard, 9 June 21, in the OPA. Professional advice has led Council to believe the 'horseshoe' layout, with a pinch point in the middles, is impractical and would be highly susceptible to major security risk and inefficiencies in operation.

At a presentation given by the Applicant at an open meeting convened by GUPC, on 19th January 2021, it was stated that the design of the concrete main blocks was entirely appropriate for an urban location.

However, the MoJ has subsequently confirmed "*There is no doubt that HMP Grendon and Springhill - and the location of our proposed new prison - is in a rural setting.*" (ref: letter dated 11 March 2021 from Gary Badley, Executive Director, Prison Supply Directorate)

This goes towards a lack of professionalism and site familiarity that give rise to concerns as to the credibility of claims made across the OPA and exposes a lack of objective consideration of community impact.

Outcome of the Balance – Design.

Whilst not claiming to be expert in managing and operating prisons, and in the absence of any definitive control systems in the OPA, objective professional advice leads Council to conclude the design is an attempt to 'shoehorn' the required occupancy into a wholly inappropriate location and would, therefore, render the complex difficult & costly to run. A significant security risk associated with prisoner management during movement throughout the site is indicated and this will require higher than anticipated staffing levels.

Therefore, the potential security risk to staff & community has resulted in Council giving 'Design', in this location, negative weight in the Planning Balance.

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6. Sustainability –

Council notes the Energy & Sustainability Statement for OPA, Mace, 10 June 21, referring to certain saved policies within the shortly to be superseded Aylesbury Vale District Local Plan (2004).

Council accepts the running and management of this facility is for the Applicant (& Treasury) alone. However, it has every right to comment on how those arrangements will impact on the amenities & sustainability of the community.

6.1 Local employment – the Applicant claims there will be considerable opportunity for local employment and Council notes the Socio-Economic Statement submitted with the OPA. It claims some 16 (net) indirect & induced jobs (local and regional) at construction phase and 519 staff employed directly (487 residing within 40 ml radius) in the operational phase. A further 197 indirect jobs could accrue (39 locally).

However, there is no objective basis for this relating to any comparison in operational parameters between Grendon Underwood and other prison facilities. Other locations are more urban, have greater housing stock and greater unemployment. Even if these numbers were realised in a rural situation, they would be from the extreme limits of the 40 mile zone and would be a ridiculously high price to pay for the overwhelming harm the site poses at this location. Council is also advised that local staff spend would be minimal as all requirements are provided internally and of no benefit to local business.

It has long been a concern, that seems to be overlooked in the OPA, that staffing, retention and recruitment to maintain safe & humane levels of operation is already problematic. HM Prison Service must already recruit some 329 prison officers nationally just to keep up with losses. HMPs at Grendon Underwood, Springhill & Bullingdon are grossly understaffed, (with high overtime overhead) and are already finding it difficult to recruit especially in competition with London based facilities attracting London weighting.

Suitable local housing is grossly inadequate now and the majority of staff (employed and ‘through the gate’) will have to come from neighbouring conurbations remote from site and ill-served by public transport.

Council remains sceptical that staffing levels will be kept at operationally safe levels for both staff & community.

6.2 Healthy & Safe Communities - The NPPF, Section 8. Promoting healthy and safe communities, para 93 states “*To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*”

“We need prisons but we need them in the right places” - Police and Crime Commissioner, Matthew Barber. He goes on to say “already in the Thames Valley we have a significant prison estate and that has a real impact on local policing. All of the crime that takes place within the wire has to be investigated. That is a draw on police resources that should be spent policing our communities outside the wire. And so another prison will just put more pressure on Thames Valley’s resources. And that is why I think this is a wrong decision by the Ministry of Justices.”

In addition, the Deputy Chief Constable of Thames Valley Police advises “Due to the volume of crime investigation generated by these prisons (HMYOI Aylesbury, HMP Springhill & HMP Grendon), Thames Valley Police have dedicated Prison Crime investigation Teams (PCIT). **They are currently at capacity** and with all 3 prison populations looking to be similar in numbers to the new proposal, this will increase demand on the team. Over the last 3 months (April/May/June) there have been 197 recorded offences involving inmates from HM prisons within Thames Valley Police. These range from violence against a person to sexual offences, all requiring different time scales and expertise to investigate. Unfortunately, the reality is that an additional prison will put pressure on our scarce resources and **will involve an increase in reported crime**

Council believes this proposal represents a dangerous degradation of police capacity and will constitute ‘*unnecessary loss of valued facilities and services*’ and ‘*reduce the community’s ability to meet its day-to-day needs*’

6.3 Sustainable Transport-

6.3.1 Considering the NPPF & VALP

Council notes the directive in the NPPF, Section 9. Promoting sustainable Transport.

Para. 104 states “*Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed;*” –

Council understands that several meetings with Bucks Highways were conducted prior to the OPA with no local involvement. So we can only assume this conforms in so much as ‘issues’ have been ‘considered’ but it is also clear from the proposal that issues are not adequately addressed.

“*b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*” – the scale & density of development do not seem to have been considered at all.

“*c) opportunities to promote walking, cycling and public transport use are identified and pursued;*” –

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such claims are made in the abstract (not pursued) but even a cursory examination of the environs of this site makes it obvious there is no viable public transport and an availability of user-friendly cycle ways & walkways such as to incentivise travellers to use them, is non-existent.

“d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;

“e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places”.

The parking capacity data in the OPA considers directly employed staff, visitors, electric vehicle use, car sharing and disabled users. But takes no account of other ‘through the gate’ indirect employee traffic or services traffic. Given the projected numbers of staff & visitors, it is reasonable to surmise the pinch point will be at shift changeover, and will result in a capacity shortfall. [ref: HMP Berwyn] which could result in off-site overflow parking. How this has been modelled in the OPA is not clear. (see Council modelling below)

In addition, Council notes the requirements of local policies:

Buckinghamshire's Local Transport Plan 4 2016-2036 (2016);

Vale of Aylesbury Local Plan 2013-2033 – Draft Plan (2017); and

Sustainable Travel Plans, Guidelines for Developers, BC (2020) to

Encouraging sustainable travel by;

- Lessening traffic generation and its detrimental impacts;
- Reducing carbon emissions and climate impacts;
- Improving road safety; and
- Reducing the need for new developments to increase existing road capacity or provide new roads and

Policy 13: a development will encouraging cycling;

Policy 19: outlines how new developments must provide the appropriate parking levels.

6.3.2 Considering the Buckinghamshire Planning, Growth & Sustainability (BPGS) response to the OPA

Council has weighed the response of BPGS to the OPA, dated 2nd August, and regrets that at no time did the applicant or the LPA seek the views of the Consultee prior to submission of the OPA, even though there has been some ten MoJ/ BCC meetings, including two with Highways, prior to the submission. It is understood BPGS is obliged to follow strictly laid down assessment methodology. Regrettably, however, the response seems to be, in the main, a regurgitation of the claims made by the applicant in the OPA with no substantive or objective assessment as to their validity as a basis on which the Case Officer can rely. Therefore, its contribution to the planning balance is somewhat tenuous.

Council notes that there were some 10 unilateral pre-application meetings, from August 20 to March 21, between Buckinghamshire County Council and MoJ, including 2 with Highways in January 21 & March 21. It is worrying therefore as the motive of the applicant when choosing to submit an OPA that requires further information on 16 inadequately addressed items.

The response advises six areas with which the BPGS is “satisfied” based on inconclusive assumptions:

1. One is based on “information used in previous planning applications for HMP sites” - when a simple scrutiny of such applications shows them to be unreliable (Ref: HMP Berwyn, see below);
2. One is based on prison regulations - this is repetition of the OPA and is not in dispute;
3. One is based on 2011 census travel distribution data – this is a decade out of date and is clearly and demonstrably tenuous at best;
4. One is based on EWR traffic count data from 2015-19 – this is entirely irrelevant both as to what is already happening now ([traffic count data in Edgcott, taken in May 21](#)) and as to effect on peak time traffic, rather than spread-over-the-day traffic [even with traffic plans in place];
5. One is based on the *absence* of a standard for the number of parking spaces required for a prison;
6. One expresses satisfaction whilst still subject to comments from the Council’s Travel Plan Officer on the OTP.

And 16 shortfalls in the information provided by the applicant. These are:

1. awaiting justification for the new access,
2. explanation for two accesses,
3. input from the Rights of Way Officer,
4. mismatch between development AM & PM peak hours and highway AM & PM peak hours,
5. future year of opening mismatch with Department for Transport guidance on Transport Assessments,
6. assessment of the Edgcott Road/ Broadway/ Main Street junction,
7. a Stage 1 Road Safety Audit of the proposed mitigation alterations at A41/ Broadway junction.
8. investigation of tree removal at A41 junction.
9. further advice from BPGS pending further investigations.
10. provide information on scope for some staff to live in the local area and walk to and from the prison, potentially drawing on evidence from existing HMP sites including HMP Grendon and HMP Springhill.
11. Possible relocation of bus stop to be discussed with Local Authority’
12. await comments from the Council’s Passenger Transport Team.
13. await comments from the Council’s Travel Plan Officer

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14. potential measures for staff to live locally and use sustainable travel modes, cycle and public transport improvements and Travel Plan measures need to be investigated.
15. clarify discrepancy between TA parking analysis and site block plan.
16. the applicant to provide Framework Construction Traffic Management Plan (CTMP).

And one contradiction.

“the majority of traffic (80%) is likely to travel to and from the prison along The Broadway and the A41 based on Census 2011 Journey to Work data. As such, this route could cater for the additional traffic associated with the proposed prison without adverse highway safety impacts”.

Yet it is later noted *“The results of the standalone junction capacity modelling demonstrate that the A41 / The Broadway junction already operates over acceptable thresholds of capacity”.*

Based on actual, real-world experience of living with current traffic volumes, potentially made worse by this proposal, the Council respectfully remains unconvinced as to the mismatch between a seeming BPGS acceptance of the applicant’s claims, thereby laying the groundwork for approval but with conditions, and what our residents experience every day on local roads. Hence council remains sceptical as to any conclusions that may be forthcoming and sincerely hope this is will not be used as a convenient reason to grant the OPA but with conditions. Based on previous applications, made by this applicant, to gain OP approval for other similar prison projects in different jurisdictions, it is imperative this OPA is refused unconditionally.

With 16 matters outstanding, 6 ‘satisfactions’ based on unreliable assumptions and one contradiction, Council has given the lack of any substantive or reliable conclusion anywhere in the BPGS response neutral weight in the balance. In addition, it is deeply concerned the later provision of outstanding data, however implausible, could be made into conditions such as to enable a conditional granting of the OPA. It is imperative this OPA is refused outright.

The Council conclusion as to the usefulness of the BPGS response is further substantiated below:

“Notwithstanding the above, the Highway Authority has a presumption against new accesses onto classified roads, and a new access in this location may have adverse landscape, visual and heritage impacts, and there is also a highway ditch across the site frontage. The applicant has not provided justification for the new access and an explanation as to whether the existing access serving HMP Grendon and HMP Springhill could be used to serve the new prison is required. In addition, the proposed access has been designed to cater for a 16.5m long articulated vehicle as shown on the drawings within Appendix D of the TA and incorporates a pedestrian refuge across the access due to the access width. The proposed access is over-engineered compared with the existing access serving HMP Grendon and HMP Springhill, and if this new access is justified, then I would recommend that the size of the largest vehicle using the access is clarified and that the access is scaled down. The new access would impact on a public right of way as drawing: GREN-ATK-HGN-A41-DR-D-001-P3 notes, ‘permanent diversion required for existing public footway’. Also, the TA includes an assessment of public rights of way and you may wish to seek the views of the Council’s Rights of Way Officer”.

“The TA identifies the potential traffic generation of the proposed prison based on information used in previous planning applications for HMP sites and given this is a specific use which is not included within TRICS®, I am satisfied with this approach.”

This is really disappointing. Has any objective review of previous applications for HMP prison sites been carried out, at all? It would be helpful to see it if so. Even a cursory review would have shown multiple misleading mismatches between claims made at OPAs and what materialised on site. It has been custom & practice for this applicant to gain approval at OPA, with conditions, and to subsequently follow this up with multiple applications to ‘correct’ spurious claims at OPA, some in direct contravention of specific conditions laid down at approval. Ref: HMP Berwyn – the original car parking allocation was 420. This has subsequently been revised upwards by 192 places – **a 46% error** - the Local Council picking up the bill. In addition, assumptions made in car park provision resulted in a delay in completion of 4 months from start of operation resulting in large scale offsite parking for considerable periods of time.

Nor does there seem to be any consideration of shift end/start ‘backup’. All parking spaces will be occupied when a full complement is on shift. Occupied parking places will not be vacated until after a shift ends; cars for the following shift start arrive up to an hour before shift. What happens in that transition hour when double the car park capacity is in the car park at the same time? Overflow parking is inevitable and no-one will come out again to move cars once they have started work.

Staff & Visitor movements - *“Therefore, it is estimated that staff will arrive between 07:00 – 08:00 and leave between 17:30 – 18:30 for main uniform shifts, and arrive between 07:30 – 08:30, and leave between 16:30 – 17:30 for the early non-uniform shift.*

“For the visitor trips and legal visits, it has been assumed that all trips will be made by private car. The visitor trip rates are based on the two visits per months allowance for prisoners in a Category C Prison and on an assumption that visits are spread evenly across the month, this could equate to 98 visits per day. It is assumed that there are two visiting periods per day, Monday to Thursday and Saturday, 09:30 – 12:30 (2 x 90 minute slots), and 14:30 – 16:30 (2 x 90 minute slots), and one visiting period on

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Friday and Saturday between the hours of 09:30 – 12:30. Additionally, evening visits take place twice a week between the hours of 17:00 – 19:00. For a typical weekday, this results in four visiting periods each day. It is assumed that daily visits are spread evenly across these visiting periods. Each prisoner can be visited by a maximum of three people and it is assumed that the visitors of each individual prisoner will all travel together. Therefore, each prisoner will only generate a single visiting trip. It is further assumed visitors will arrive in the hour before the start time of the visiting period. In addition to visitor trips, there will also be ad-hoc legal visits utilising five legal visit rooms. **These trips are unlikely to generate material traffic volumes or occur during the peak hour, however for robustness these trips have been added to the visitor trips. I am satisfied with these assumptions as they are based on prison regulations”**

Trip Distribution – in the BPGS response, “The estimated trip distribution for the proposed prison was derived using Census 2011 Journey to Work data for journeys to MSOA Aylesbury Vale 010 and the trip distribution was calculated using online journey planning software to determine which route a vehicle would take from each MSOA along the local highway network to the proposed prison. The resultant distribution used in the assessments is 20% along Perry Hill, 33% along the A41 (West) and 47% along the A41 (East). The applicant notes that there is the potential that some car trips generated from staff at the prison would use Main Street, Grendon Road to access the A41, however it is considered robust to assume that all staff and visitors will use the A41 / The Broadway Junction to access the A41. **I am satisfied with the methodology for the trip generation, trip distribution, and traffic assignment associated with the proposed prison.”**

Presumably, ‘being satisfied’ is based on some sort of objective analysis of the applicant’s figures in the OPA? Council would appreciate sight of any such analysis, should it exist.

“It is forecast that the proposed development would generate 192 and 217 two-way vehicular trips during the development AM and PM peak hours respectively. The vehicle trips have been determined using existing travel characteristics for the local area, so reflect the current options for journeys undertaken by sustainable transport at this location. The TA assesses the traffic impacts of the proposed development and it is acknowledged that it has not been possible to undertake recent traffic surveys due to COVID-19. **The applicant has therefore used traffic count data from East West Rail Phase 2 (EWR2) which was collected between 2015 and 2019 and applied traffic growth factors extracted from TEMPro v7.2 to the traffic count data to establish a 2020 baseline and a 2025 future baseline which I consider acceptable”.**

How is this acceptable? It is clearly and manifestly out of date and irrelevant to conditions now. Has the traffic count carried out on the main through route in Edgcott, a narrow, two-way rural road, over a two-week period in May 2021, using road tubes and available on request, been considered? This actually recorded a range from 3709 to 3973 vehicles per day, including from 203 to 274 trucks (as defined by FHWA classification) directly through the village. Is this considered acceptable?

Compare this to projections in the Transport Assessment (TA) in regard to Trip Generation, however compromised by the lack of available data from the applicant. Indeed, Council shares the frustration in extracting accurate data from the Ministry for understandable reasons. However, Council does feel it is able to comment based on the real-world experience of residents.

Given staff numbers estimates for HMP Springhill Grendon 2 vary throughout the Consultation/OPA process from 550 to 750 on top of some 600 across HMP Grendon and HMP Springhill, it would seem reasonable to expect to have been provided with a projection of staff flux, through the gates, as it would relate to that proportion of a total of 1300 staff coming on/off site at various times throughout the day, especially at shift change.

Using the shift patterns described in the OPA and one third of staff being non-uniformed & two thirds uniformed and staff arrive/depart within 1 hour of start and finish times-

Of uniformed staff:

22% travel in for the early shift from 06.00 to 07.00; 48% travel in for the main shift from 07.00 to 08.00; 23% travel in for the late shift from 12.30 to 13.30; 6% travel in to the night shift from 19.00 to 20.00; 22% of staff travel home from the early shift between 12.30 to 13.30; 48% of staff travel home from the main shift from 17.30 to 18.30; 23% of staff travel home from the late shift from 20.30 to 21.30; 6% of staff travel home from the night shift from 07.00 to 08.00.

Of non-uniformed staff:

48% travel in for the early shift from 07.30 to 08.03; 52% travel in for the main shift from 08.30 to 09.30; 48% travel home from the early shift between 16.30 and 17.30; 52% travel home from the main shift between 17.00 and 18.00.

In the absence of any modelling from the applicant or scrutiny by BPGS, Council has generated modelling analysis using the same assumptions as provided in the OPA. [This analysis](#) projects traffic movement, through the gate and onto/off Grendon Road, on weekdays, for all three prisons and visitors at some 1167 between roughly 07.00 and 09.00 and some 1175 between roughly 16.00 and 21.00. This will have an unacceptable impact on local peak time traffic and be exacerbated by HS2/EWR construction traffic.

In the absence of any modelling, in the OPA, based on a total directly employed staff force of some 1300 for all three prisons and the shift patterns in the OPA, and estimates of visitor movements, Council modelling indicates vehicle movements; between 06.30 and 09.30 at 1167, between 12.00 and 13.30 at 415 and between 16.30 and 20.30 at 1175

It is claimed, elsewhere, a reasonable estimate for **additional** vehicle movements related to services and other ‘through the gate’ staff & contractors would be in the region of 300 per day.

The cumulative effect arising from a proposed expansion of HMP Springhill by 120 prisoners is estimated, elsewhere, to generate an **additional** 130 staff & visitor traffic movements (65 in; 65 out) per day.

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All in all, it becomes perfectly clear that this represents significant congestion at the entrances, both inside the prison and onto Edgcott Road, especially at shift change times but also throughout the day and also represents a major security risk. This is wholly unacceptable on such roads and at such times. Council is only too pleased to be corrected on any of these assumptions should they be forthcoming.

The majority of all such traffic will need to come from/to major conurbations at Aylesbury, Bicester, Milton Keynes and Oxford “*EW2 and High Speed 2 (HS2) have permission to use the local highway network in the vicinity of the proposed prison, and whilst the construction programme for both EWR2 and HS2 indicates that the construction works at this location will be completed by 2025, the construction traffic associated with both EWR2 and HS2 has been included in the baseline traffic flows used in the traffic assessments.*”.

This does not seem to recognise that the HS2 depot is a permanent one.

And “*In addition, there are proposals to expand the existing HMP Springhill site, and whilst this would be subject to a separate future planning application, it has been included within this assessment for sensitivity test purposes only.*”

It seems the applicant is trying to slip this into this application as an aside. Council hopes the Case Officer will not consider this to be giving the applicant grounds in support of any future application on this site.

“I do a number of queries regarding the traffic assessments. Firstly, the development AM and PM peak hours of 07:00 – 08:00 and 17:00 – 18:00 represent peaks for the proposed prison whereas the highway AM and PM peak hours are 08:00 – 09:00 and 17:00 – 18:00. Secondly, a 2025 future year of opening is not five years after the planning application has been submitted, which is recommended in line with Department for Transport guidance on Transport Assessments. Thirdly, the Edgcott Road / Main Street, Grendon Underwood Junction has not been assessed, and given that 80% of development traffic passes through this junction, I would have thought this should be assessed. I would like these matters to be clarified.

Junction Capacity - “*Notwithstanding the above, the TA includes a capacity assessment of the new site with Grendon Road which confirms that it would operate satisfactorily in all of the 2025 assessment scenarios, with no queuing anticipated.*”

“The results of the standalone junction capacity modelling demonstrate that the A41 / The Broadway junction already operates over acceptable thresholds of capacity in the 2020 Base during the AM peak with an RFC of 1.11. The performance of the junction is forecast to reduce in the 2025 Opening Year with Development. The cumulative scenario indicates that if the proposed expansion to HMP Springhill occurs in addition to the proposed Grendon Springhill 2 Category C Prison, then the performance of the A41 / The Broadway junction is further reduced. Highway Mitigation The junction capacity modelling demonstrates that the proposed prison could further exacerbate the performance of the A41 / The Broadway Junction and that mitigation is required.

“Whilst it is acknowledged that the junction scheme aims in part to improve highway safety, these are changes to a classified principal road junction, and I would seek that the applicant undertakes a Stage 1 Road Safety Audit of the proposed alterations at this stage.”

“In addition, there is a highway tree on The Broadway which is to be removed for the localised widening and the applicant ought to investigate whether or not this tree can be removed.”

“There may well be other local highway improvements which the applicant should support and fund, and I will advise once I have had opportunity for further investigated this.”

“Sustainability and Travel Plan - *The site is not in a very accessible and sustainable transport location and the limited opportunities available for undertaking trips by sustainable transport modes at this location are reflected within the 80% car driver / passenger in the Census 2011 Journey to Work data.*

Walking - “*There are footways connecting the proposed prison with the villages of Grendon Underwood and Edgcott which can be reached within acceptable walking distances, though these offer a limited origin and destination for trips to and from the prison and other locations are too far afield on-foot.*

Also, the area is unlit. There may however be scope for some staff to live in the local area and walk to and from the prison, and it would be helpful if the applicant could provide information on this, potentially drawing on evidence from existing HMP sites including HMP Grendon and HMP Springhill.”

It is agreed that further information on staff living locally would be helpful, but its absence is of concern as to why it is not already part of the submission. It is unclear how staff can possibly live locally in any meaningful numbers. There is little or no local affordable housing. It is also noteworthy that the 600 meters from road to site are up the side of a hill and not to be considered lightly.

Travel will need to be by car and across considerable distances with an associated CO2 overhead fatally compromising the claims made by the applicant in regard to its carbon footprint.

Cycling - “*Cycling is an option for journeys further afield including Calvert, Marsh Gibbon and Kingswood, however there is no formal cycle infrastructure provision along these routes and therefore cycle journeys would be undertaken on the local highway*

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network. Cycle parking and other facilities, e.g. showers / changing facilities, and cycle purchase schemes are to be provided for the development which will encourage cycling.”

Cycling is not a safe or viable option given the infrastructure available and it being shared with HS2 & EWR. Local parents are already preventing children cycling access to local roads.

Public Transport - Bus stops “are around 600m walk from the entrance to the proposed prison which is a similar distance for HMP Grendon and HMP Springhill. Drawing GREN-ATK-HGN-A41-DR-D-001-P3 notes, ‘existing bus stop shelter. Possible relocation to be discussed with Local Authority’, however it is unclear why this bus stop shelter would need to be relocated and I would like the applicant to clarify this.”

“Also, public transport improvements may be sought and I await comments from the Council’s Passenger Transport Team.”

“The applicant has provided an OTP as part of this planning application, which commits the proposed development to a minimum reduction of 10% in single occupancy vehicle journeys within the first five years of occupation. To achieve this reduction, the OTP sets out a range of measures for both staff and visitors, which are intended to encourage the uptake of sustainable travel and I await comments from the Council’s Travel Plan Officer.”

Council finds the voluntary incentives suggested in the OPA and resulting claim to be lip service to an NPPF objective and do not believe they will be workable, given the infrastructure available to incentivise users to change their preferred means of travel.

“It is acknowledged that a development of this nature requiring a large site area is generally located in less accessible and sustainable transport locations such as, however potential measures for staff to live locally and use sustainable travel modes, cycle and public transport improvements and Travel Plan measures need to be investigated.”

Council agrees further investigation is needed. It is unclear how staff can possibly live locally in any meaningful numbers. There is little or no affordable housing locally. Travel will need to be across considerable distances and the resultant CO2 overhead will compromise the claims made by the applicant in regard to its carbon footprint.

“The TA notes that it is proposed to provide a total of 453 parking spaces to serve the proposed development. This is based on evidence from other similar facilities and takes account of the availability of existing public transport, and the existing travel characteristics at this location. Specifically, operating / visiting times have been used to determine the arrival and departure times of uniform staff, non-uniform staff, and visitors, and overlapping during shift changes to inform the potential parking accumulation within the site. This analysis indicates that the maximum car parking accumulation is 430 vehicles. **In the light of this and given that the Council does not have parking standards for the number of parking spaces required for a prison, I am satisfied with this approach.**”

“I do however note that 454 parking spaces are indicated on the Proposed Site Block Plan (drawing: 441830-0000-PEV-GNX0011-ZZ-DR-A-9013-P04) and it would be helpful if this minor discrepancy could be clarified.”

“Within the site dedicated parking areas for 389 staff parking spaces and 65 visitor parking spaces including a total of 23 disabled parking spaces are indicated on the Proposed Site Block Plan. Also, the TA notes that electric charging stations of a minimum of 3kW will be provided for 10% of the total car parking capacity, this equates to 45 electric vehicle charging spaces. Furthermore, 5% of the total car parking capacity are to be allocated for car sharers, therefore it is proposed to provide 23 car sharing spaces. The electric vehicle parking spaces and the car sharing parking spaces are not indicated on the Proposed Site Block Plan though a revised parking plan could be secured via planning condition.

Whilst I am generally satisfied that this level of on-site parking would not result in over-spill parking on the highway, and the provision of car sharing spaces is welcome, this high level of parking is likely to encourage car trips and may not support travel plan aspirations and targets. I await comments from the Council’s Travel Plan Officer on the OTP.

“I will require justification for the creation of a new permanent access to the proposed prison. The TA indicates that the applicant has prepared a Framework Construction Traffic Management Plan (CTMP) in support of this planning application and further details in relation to the construction phase of the development are provided in the Framework CTMP, however I am unable to find this document on the planning portal. **I would be grateful if the applicant could provide this document, as it would be useful to understand how construction traffic for the proposed prison would be managed along with construction traffic for EWR and HS2.**”

6.3.3 Transport Assessment - the OPA includes a Transport Assessment, Mace, 10/06/21, submitted with the OPA, being informative to the Travel Plan proposal.

Council has compared the TA with how other OPAs have actually materialised at other prisons in the overall MoJ programme. These are the findings:

Prison	Prisoner Places	Estimated Number of Direct Staff at OPA	Estimated Number of Indirect Staff needed	Car Parking Spaces at OPA	Car Parking Spaces actually needed
HMP Berwyn	2,100	764	300 (not disclosed at OPA)	420 (300 for staff)	+194 = 46% error
Five Wells	1,680	800*		400*	
Glen Parva	1,680	809		418	

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Full Sutton	1,440	508		279 (388)	
GU proposed	1,440	500-734	Not disclosed	453 (371 for staff)	500+ ??

[The numbers for Five Wells are estimates as the OPA was not clear as to numbers.]

If the differences between claims made at OPA, and as accepted by the Local Planning Authority, for these establishments are anything to go by, Council finds it hard to rely on the claims made in this OPA. Specifically:

HMP Berwyn – the original car parking allocation was 420. This has subsequently been revised upwards by 192 places – **a 46% error**.

Delay to car park provision from start of operation – 4 months.

Total number of staff 764, roughly two thirds uniformed & one third non-uniformed, with 74% on site (565) at any one time (day).

Visitors 120 at a time, in 40 discreet groups of 3 - assumed to travel together but provided with 120 out of the 420 car parking spaces in the OPA - for 2100 prisoners. So 120 places for 40 vehicles? At the very least this seems to show some attempt at confusing the issue at OPA. Using the same ratios:

HMP Springhill Grendon 2 - For SG2, the 453 places at OPA would be divided into 371 for staff and 82 for visitors. An allocation of 371 spaces for 700 staff, 74% or 518, of which on site at any one time would mean chaos at shift change.

Given a current Journeys to Work Mode, by car, of some 80% of staff and 100% of visitors, council cannot accept a notice in a common area or restricting car parking places will, to any meaningful extent, 'encourage' the use of alternative transport.

Council accepts the data in the TA in regard to PIA Analysis – council notes a steady increase from 2016 to 2019. Of course, 2020 is exceptional as roads were generally deserted. There has been a significant rise in RTI in 2021 since the lifting of lockdown as more community traffic mixes with increasing HS2 & EWR traffic. This will only get worse.

In 5.2.1.1 “existing modal splits for the area reflect the existing sustainable transport options, and the limited opportunities for trips to be undertaken by public transport. These modal splits have been applied to daytime staff but have been amended (*) for those working late shifts as it is considered that these staff are not likely to walk, cycle, or use public transport”. Given 98% of staff and 100% of visitors travel to/from site by car, it becomes clear that any significant shift in preferred mode of travel will be all but impossible to achieve.

Section 5.5 concludes “It is forecast that the proposed development would generate 192 and 217 two-way vehicular trips during the development AM and PM peak hours, respectively.”

Section 7. Development Impact assessment does claim to have incorporated traffic derived from HS2 & EWR in support of their construction depots. However, there is no recognition that the HS2 depot is designated for permanent operation post-construction.

6.3.4 Outline Travel Plan - The OPA includes an Outline Travel Plan, Mace, 10/06/21 in which it is claimed Travel Plans will be put in place to promote use of public transport, encourage walking & cycling. It also gives the impression they are in any way credible or workable in this rural location with current opportunities to credibly encourage non-car transport. Also, Council has bitter experience of 'Travel Plans' generated by HS2 claiming to mitigate the impact of their HGV construction routes and personnel movements through our villages when, in fact, residents wishing to cycle or walk are driven off local roads for fear of proximity of large volumes of HGV traffic. We see no evidence of these being implemented, policed or sanctioned when contravened. Nor does there seem to be any co-ordination with EWR construction traffic also using the same route past the prison gates.

We do, however, see car & van depot traffic using rural back roads as 'rat runs' to avoid congestion they themselves cause at the A41/ Broadway junction.

Consequently, these have fallen into disrepute and the proposal itself clearly shows a lack of appreciation of the local area, the lack of alternative provision for walking & cycling and the current loading on its infrastructure. Council believes they are unreliable, unworkable and, consequently, do not consider them a viable means of mitigation and has afforded them negative weight in the Planning Balance.

The Travel Plan underestimates the extent to which the viability of proposals will be compromised by highly location specific factors and by assumptions that significant numbers of employees will, or will be encouraged to, live within walking or cycling distance and, even if they do, that there is a safe infrastructure available to them. These represent a false premiss on which to base the Travel Plan.

The lack of affordable housing, no dedicated cycleways and minimal safe walkways will result in the vast majority of personnel having no option but to travel from out of area and by private car.

NPPF Para 105. “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions

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and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.” –

Travel time for family visits will be long and arduous, far from home post codes, and on rural infrastructure and inadequate public transport. Council sees no evidence of focus on location, of sustainability being considered as a credible option, of any appreciation of actual choices of transport modes - all being to the detriment of emissions, air quality & public health. Council does not accept the mitigations proposed have been considered credibly at all in relation to the practical conditions pertinent to this rural location. The proposal, therefore, is also contrary to the requirements of policies in the emerging VALP and the objectives of the National Planning Policy Framework to promote “sustainable transport”

In addition, Council believes the added pressure on local infrastructure would, and will increasingly, exacerbate these objections, over time, and will contribute to a progressive, cumulative, adverse effect on sustainability for both new and current residents alike.

6.3.5 Car Parking Provision –

The Outline Travel Plan refers to the provision of car parking, based on the Transport Assessment.

The Transport Assessment in summary suggests “*It is proposed to provide a total of 453 car parking spaces at the proposed development for use by staff and visitors, including provision for disabled users, electric vehicle charging points, and car sharing. This provision considers the maximum parking accumulation associated with the site, meeting the predicted parking needs so that neither staff nor visitors would need to park off site*”

Of these 453 places, “10% (45) will be segregated for electric vehicle charging spaces” and “5% (23) segregated for car sharing spaces”.

However, the Travel Plan, at para 3.4.1, states “*A parking accumulation exercise has been undertaken and takes into account operating and visiting times. It is proposed that 430 on-site car parking spaces will be provided for use by staff and visitors to the development and an additional 23 car parking spaces for use by disabled users of the site would be provided*”.

Taking both sources, this would leave 362 places freely available to that proportion of c700, non-car sharing staff going on/ coming off shift at a time & visitors.

Council would like to have sight of the BPGS verification modelling in support of the view that “*neither staff nor visitors would need to park off site*”. Given the number of proposed non-segregated parking spaces that will be available to staff and the fact that staff on shift have to wait until shift end before they can vacate a parking place whilst staff coming on shift arrive during the hour before their shift starts, what does the modelling show happens at this time? It is inevitable staff coming on shift will arrive to fully occupied spaces and will have to park somewhere else until they are able to move into a parking space at some other time. So, Council has grave concerns over the reliability of such projections on three grounds: (a) the number of staff varies throughout the OPA from 450 to 734, (b) there seems to be no modelling of car parking at shift change over and (c) the debacle that was parking provision at the similar HMP Berwyn site. Due to late completion, an underestimate of staff numbers and an unrealistic assessment of ‘through the gate’ traffic at shift changeover, that application (granted at OPA) resulted in an urgent need for an additional 194 parking spaces, a 46% increase over the original OPA, and wide spread parking chaos on surrounding roads with the local council having to provide mass parking from their own estate.

There is no reason to suppose things would be any different at Grendon Springhill 2. In fact, parking spilling over onto Grendon Road at shift change would have a serious knock-on effect, not only on local traffic, but also act to exacerbate the cumulative impacts of HS2/EWR HGV traffic passing the gate.

Therefore, Council contends the provision of corroborating car parking data, in the OPA, is woefully inadequate and is not borne out by experience at other prison sites and, therefore, does not constitute a reliable basis on which to make credible estimates - as they would relate to the traffic that can reasonably be expected to be generated by this facility on top of normal local traffic at peak times.

6.3.6 Cycle Parking Provision –

The Travel Plan “*estimates the number of cycle parking spaces required on site, based on the estimated number of cycle trips is 12 bicycles. This value has been determined by considering the availability of public transport, and the existing travel characteristics at this location.*” This seems to suggest an agreement with Council claims that local public transport and existing travel characteristics at this location do not offer a workable alternative to car based travel.

“*However, to encourage a modal shift towards sustainable transport and to meet BREEAM Tra02 criteria which specifies one cycle parking space for every 10 staff, it is proposed to provide 74 cycle parking spaces on the site*”. This suggests an accommodation of some 740 staff cycling to site at any one time, on local roads. Absolutely preposterous. And to suggest staff and visitors will somehow be incentivised to leave cars at home and use local infrastructure instead is ridiculous. It is also noteworthy that the 600 meters are up the side of a hill and not to be considered lightly

6.3.7 Passenger Transport Services –

Bus - There are 9 services daily towards Aylesbury, past the prison gates, Monday to Friday, 7 on Saturday & 0 on Sunday. No buses run to/from Bicester.

The OPA notes bus stops “*are around 600m walk from the entrance to the proposed prison which is a similar distance for HMP Grendon and HMP Springhill*” It is also noteworthy that the 600 meters are up the side of a hill and not to be considered lightly.

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Rail – nearest station is Bicester Village (London Marylebone/ Oxford), 12.5 km from site & no bus service.

Next nearest is Aylesbury (London Marylebone), 20 km from site (35 mins by bus plus 5 min walk from bus station to Train station).

Council has weighed current provision of public transport and concluded additional traffic from the prison may increase service provision but a general under resource works to dis-incentivise travel by public transport.

6.3.8 Site Access/ Egress - Given even a cursory examination of the proposed alterations to the new main access to the site from Edgcott Road, as outlined in the Preliminary Site Access Design, Mace, 27/05/21 and in the Outline Travel Plan, Mace, 10/06/21, submitted with the OPA, it is obvious the ‘holding area’ for security checks on the carriageway, just inside the junction with Edgcott Road, is too short to allow for more than one or two vehicles to be checked at a time. Nor does there seem to be any holding area set aside for further examination of suspect vehicles.

This will mean standing traffic, primarily from the A41, queuing on the main highway of Edgcott Road. This will also impact HS2 & EWR construction route traffic.

Nor is it clear as to any provision for traffic leaving the site queuing to turn right towards Buckingham.

If the new proposed access is to be common for all staff, visitors and services traffic, there would be major concerns over operational impact on local roads. Considerations of capacity at the junction and safe segregation of vehicular, cycle & pedestrian traffic are not apparent and may even result in further compulsory purchase of more green-field land adjacent to the new entrance to accommodate it.

Current local traffic at peak times, especially in Grendon Underwood Combined School term time, already results in congestion along Main Street and at the A41 junction. Has this been modelled at all?

6.4 Water & Waste – Council notes the BC Minerals & waste submission in the OPA identifying “Thames Water have identified that capacity does not exist and upgrades to the water network will be required. Works are on-going to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development doesn’t outpace the delivery of essential infrastructure.” And “The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.”

Council urges outright refusal to avoid the applicant assuming multiple conditions-busting applications to vary a conditional approval would be granted.

6.5 Outcome of the Balance – Sustainability - Having regard to the non-sustainable location of the site and its lack of accessibility for staff, suppliers and visitors by non-car/van travel modes, together with an unclear parking accumulation exercise for projections for parking capacity and cycle storage and public transport, Council has taken the view the proposal, in this location, will, in practice, encourage non-sustainable transport.

In addition, the mitigations, as proposed in the Transport Assessment, such as a non-enforceable Travel Plan, parking capacity restrictions, notices in public areas and subsidised cycle purchase are not credible or enforceable and fail to address the objectives of the NPPF and the Local Plan.

In weighing the credibility & workability of the OPA Transport Assessment, the OPA Travel Plan and, with real-world experience of the workability of formal ‘Travel Plans’ agreed by Bucks County & HS2 & EWR on the access route to the prison and the debacle that was the parking provision projection at HMP Berwyn, Council is not confident claims made can be relied on as material considerations in the balance.

Therefore, taken overall, the proposal clearly contravenes the NPPF and the VALP as regards to the sustainability of Local Employment, Healthy & Safe Communities, Sustainable Transport and Water & Waste and Council has afforded ‘Sustainability’ significant negative weight in the planning balance.

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Section 7. Local character, heritage, amenity, ecology and environment –

7.1 Local Character-

The site is a greenfield site and does not comprise previously developed land. The development would give rise to significant adverse landscape and visual impacts for many kilometres around and the Council has afforded this significant negative weight. In addition, the Council notes precedent for refusal of a previous Appeal as “The design.....bears no relationship with its rural surroundings, the local vernacular.”

The proposal will concrete over a Medieval Ridge & Furrow Cultivation for a car park near the entrance from Edgcott Road.

Council has given special regard to the statutory test of preserving the setting of listed building and conservation areas under sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty.

Council has weighed the advice of Natural England to the effect it has no objection based on the plans submitted. “Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.”

7.2 Heritage-

Archaeology – Council has weighed the Buckinghamshire Council Archaeological Service response to the OPA, 26th July 21, who note that the following records are relevant and that “If planning permission is granted for this development then it is likely to harm a heritage asset’s significance”. Council would urge the outright rejection of the proposal and that the suggestion of approval with conditions is an abject dereliction of any duty and responsibility to our archaeological heritage.

HER reference	Designation Status*	Description
0569900000	HER	SPRINGHILL PRISON GROUNDS: Neolithic or Bronze Age flint tool found by chance
MBC29144	PLN	Grendon Underwood: Portable Antiquities Scheme find provenance information: late Iron Age findspot
MBC21946	PLN	Grendon Underwood: Portable Antiquities Scheme find provenance information: late Iron Age findspot
0634600000	PLN	Grendon Underwood: Medieval Ridge and Furrow Cultivation

Heritage - Council has weighed the heritage assets listed in the Buckinghamshire Council Heritage response to the OPA, 30th July 21, requesting further information in order to complete necessary assessments of harm in regard to:

“The development has the potential to impact a range of heritage assets as detailed below:
The enquiry site contributes to the setting of the following designated heritage assets:

Immediate vicinity (and included in the submitted Heritage statement) -

GII Gate piers and railings at the current entrance to HMP Grendon.

GII Grendon Hall and its curtilage listed walled garden

GII Lawn House, Lawn Lane, Edgcott

GII Lower farm, Grendon Rd, Edgcott

To the north of the application site -

GII Old Manor House, Old Manor Cottage and listed barns, Buckingham Rd, Edgcott

GII Lower Barn & Upper Barn, Rectory Farm & Rectory Barn, Church Lane, Edgcott

GII* St Michael’s Church, Edgcott

To the south of the application site -

Grendon Underwood Conservation Area

GII The Old Rectory, Broadway, Grendon Underwood

GII* Shakespeare House, Main Street, Grendon Underwood

GII* St Leonards Church, Broadway, Grendon Underwood

GII Daffodil Cottage, Main Street, Grendon Underwood

Ref: BC Heritage –

1. The heritage assessment has only considered a small number of assets in the immediate vicinity of the application site. As previously discussed the impact of a large development of the scale and nature of the proposal, and within the topography and

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landscape setting of the application site, requires a wider assessment radius. **The assessment should as a minimum take consideration of views, and light pollution from all the assets listed above.**

2. No proposals have been put forward for the repair and appropriate preservation of the GII Listed gate piers, railings and gates to Grendon Hall. These have been allowed to fall into a poor state of repair and neglect of this asset which falls within the wider site is unacceptable.

3. It is noted that whilst some additional planting mitigation and screening is proposed, this will take some years to grow. Even as illustrated this is insufficient to fully obscure the taller elements of the development (housing blocks) or to eliminate the potential impact of lighting proposals. Due to the topography of the landscape and the scale of the site these elements of the scheme are anticipated to be highly visible from some distance.

4. Whilst some basic 3D modelling has been provided this is a single close up view and **does not provide a suitable appreciation of the final development within the wider landscape or from the heritage assets detailed above. Multiple views would be necessary to better understand the impact.**

In addition, “The heritage assessment does not take into account impact from the proposed lighting schemes which will not be eradicated by preserved or additional planting. While basic lighting plans are provided with the submission documents no illustrative information has been included on how the new lighting will be perceived from the heritage assets listed above and the Heritage Statement does not consider impact from the lighting scheme and buildings at all.” And ...

“A topographical analysis of the site and proposed buildings has been provided but is confined to the application site itself. As such it does not provide an analysis of the visibility and impact of such large-scale development from the higher ground at Perry Hill, and the heritage assets situated to the north.”

Similarly, in a [report by the Buckinghamshire Gardens Trust Research & Recording Project](#), March 2021, updated June 2021, it was found this application would seriously impact the Grade II listed building Grendon Hall and degrade its associated historical pleasure park. “This site is one of several hundred designed landscapes county-wide identified by Bucks County Council in 1998 (including Milton Keynes District) as potentially retaining evidence of historic interest, as part of the Historic Parks and Gardens Register Review project carried out for English Heritage (now Historic England) (BCC Report No. 508)”

“The north boundary then follows the field line parallel to Edgcott, skirting Lawn House (formerly The Rookery, Grade II) to the north. It then turns south as the east boundary, through the centre of the prisons.

The main entrance lies 450m west of the Hall and was created when the house was built in 1882. The gateway (listed Grade II) stands on the east side of Edgcott Road Grendon Hall (listed Grade II) is situated near the east boundary of the roughly oval site.”

7.3 - Amenity-

Council has weighed the Sports England submission with the OPA and noted their concern regarding their exception policy E4, that the proposed new playing field does not adequately compensate for the field that would be lost.

7.4 Ecology –

Council has noted the confidential Ecological Impact Assessment, Ramboll released MoJ, June 21, in the OPA. As Council does not have the ‘express written consent’ of Ramboll, it makes no further comment.

In a [Literature Review Examining the effects of Traffic Noise & Light on Wildlife](#), Dr Marianne Sinka, Dept. of Zoology, University of Oxford., May 2021, covering bats, birds, invertebrates, frogs, mammals & habitat loss, it is noted “During both the construction phase and the operation of the proposed prison the noise and light pollution would be substantial; due to the proximity of much of this to the ecology area and other nearby sources of nature, the impact on the local wildlife could be highly significant.

7.5 Environment –

Council notes the Landscape & Visual Impact Assessment, Pegasus, June 21, especially Appendix A, submitted with the OPA and indicating several Major Adverse visual impacts and extremely concerning line representations of visual impacts from several aspects around the proposed site. It would be helpful if the applicant could provide full CGI representations of these. **In light of the extreme obtrusive impact on visual impact, Council is not convinced any suggested mitigation is practical, viable or credible.**

Council has noted the Noise & Vibration Impact Statement, Hydrock, 17/06/21, submitted with the OPA, stating “Mitigation is required with respect to development generated road traffic noise, noise from the proposed sports pitch and noise from the proposed car park” and has weighed in the balance “It is considered that there is no reason for refusal of planning permission, on acoustic grounds.”

Council remains sceptical that, for anything to be sufficiently adequate to effectively mitigate noise pollution, it would, in itself, need to be intrusive and replace noise impact with visual impact.

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Council notes the BC Directorate for Planning, Growth & Sustainability determination as to whether an Environmental Impact Assessment (EIA) is necessary, dated 16th December 2020, and fails to understand its conclusion that one was not required.

7.6 Outcome of the Balance - Local character, heritage, amenity, ecology and environment

Due to the proximity of several listed buildings, disruption to wildlife & habitat, light & noise pollution and visual impact, the OPA contravenes the overarching Environmental Objective for Achieving Sustainable Development, described in Section 2. 8. of the NPPF, and Council has given 'Local character, heritage, amenity, ecology and environment' significant negative weight in the Planning Balance.