

EDGCOTT PARISH COUNCIL

18 August 2021

Development Management
The Gateway
Gatehouse Road
Aylesbury
Buckinghamshire HP19 8FF

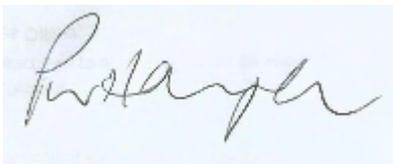
Att: Ms Hird

21/02851/AOP | Outline Planning Application with all matters reserved except 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. | HM Prison Grendon Springhill Road Grendon Underwood Buckinghamshire HP18 0TL

Dear Ms Hird

The attached objection from Edgcott Parish Council to the above planning application is forwarded for your attention.

Kind regards

A handwritten signature in blue ink, appearing to read 'Peter Harper', is centered on a light blue rectangular background.

PETER HARPER
Chair, Edgcott Parish Council

CLERK

Carole Jackman, 1 Darley's Close, Grendon Underwood, Aylesbury, Buckinghamshire HP18 0SE
Tel: 01296 770568

edgcottparishclerk@gmail.com

FAO Ms Danika Hird, Senior Planning Officer

Re: Outline Planning Application with all matters reserved except 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 (application reference 21/02851/APP). Applicants being the Ministry of Justice (MoJ).

Dear Ms Hird,

Further to the recent notification Edgcott Parish Council **STRONGLY OBJECTS** to this planning application for the numerous and robust planning reasons set out in this statement. We would also respectfully invite Buckinghamshire Council to refuse planning permission at the earliest available opportunity.

As a starting point, the Parish Council can confirm that it has reviewed the application documentation including all associated plans and technical reports. Equally, the Parish Council has also reviewed consultation material provided by MoJ which predates the application submission.

In response to a Freedom of Information (FOI) request to MoJ, the Parish Council has also seen a pre-application letter dated 8/10/20 (Council reference 20/02358/COMM) between Officers at Buckinghamshire Council ("the LPA") and Cushman and Wakefield, the agents acting for MoJ. The letter expresses informal Officer views but nevertheless identifies the policy context for assessment of the proposal.

In particular, the pre-application letter confirms that the development of a green field site within the open countryside in order to provide a resettlement prison would fail to comply with both national and local policies. This conflict would remain following the adoption of the emerging Vale of Aylesbury Local Plan (VALP). MoJ were therefore invited to adduce material considerations to justify a departure from the Development Plan before submitting a planning application.

We will attach appropriate and robust evidence on a topic by topic basis as numbered **Appendices** to this statement. The evidence will include rebuttals of the application particulars where appropriate.

Site Location and description

The proposed scheme seeks the erection of a Category C Resettlement Prison adjacent to HMP Springhill and HMP Grendon ("The Prison complex"). The Prison complex is situated within the Parish of Grendon Underwood, close to the Springhill housing estate and in the open countryside approximately half a mile away from Edgcott, with the intervening land being open and undeveloped.

The Prison use commenced in the 1950s although Grendon Hall, part of the Prison complex, was not listed until 1985 (Grade II). The remaining prison buildings are a variety of heights and styles and are served by a number of ancillary features (e.g. fencing, hardstanding etc). The Prison complex does, however, form part of a settled, mature landscape, which will be amplified in this statement.

The Prison complex is located in the highest part of the site, which then falls in all directions, including towards Grendon Road. The significance of this topography will be considered in more detail later, particularly in the context of landscape impact. There is also an extensive and well used footpath network in the vicinity of the site, where the Prison complex can be seen at close quarters, sometimes through intervening vegetation.

The Springhill residential estate is located to the immediate east of the site and comprises houses which were originally constructed for Prison staff. The estate shares a common point of access with

the Prison onto Grendon Road. Beyond this, Grendon Underwood lies just under a mile to the south of the site, at an appreciably lower level than the current application site.

Additional information relating to the site and its surroundings is also cited in the various Appendices accompanying this objection.

Brief Outline of the Proposal

When the application was initially submitted it was in outline form with access specified. All other matters are reserved for subsequent approval. However, we understand that the MoJ has since confirmed that siting and scale are defined at this stage, leaving external appearance and landscaping for external Reserved Matters approval. This means that the majority of effects of the development, together with its associated significant harms, can be understood and quantified at this stage.

The development would significantly consolidate the quantum of built development on site, enveloping much of the existing Prison complex, including the Grade II Listed Grendon Hall, its walled gardens and associated gates. The north west boundary of the extended site would also project up to Lawn House, a Grade II Listed Building located at the eastern end of Lawn House Lane in Edgcott. A detailed analysis of heritage impact is considered later.

The main features of the proposal are as follows.

1. 6 x 4 storey house blocks, with the capability of additional plant in the roof, in the north east portion of the site
2. Various supporting buildings of between 1-3 storeys
3. A new access from Grendon Road and the provision of extensive car parking on higher ground to the north east. The new access would run almost parallel with the existing access road with a new football pitch located between the two (see point 5 below)
4. The provision of high security perimeter fencing and a patrol road
5. The relocation of an existing football pitch to the existing open field bordering Grendon Road
6. Associated engineering work (e.g. drainage) and provision of associated lighting

Planning Policy Context

Development Plan

The Development Plan includes the Aylesbury Vale District Local plan (**AVDLP**), which was adopted in 2004, had an end date of March 2011 and has expired. However, a number of policies were “Saved” by direction of the Secretary of State in 2007 and are still operative. **For the purposes of this application, a number of Saved policies are considered to be consistent with the NPPF and directly relevant to this proposal, attracting full weight.** These most relevant policies are listed in full as follows.

GP8 (Protection of the Amenity of Residents)

Planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of nearby residents when considered against the benefits arising from the proposal. Where planning permission is granted, the Council will use conditions or planning obligations to ensure that any potential adverse impacts on neighbours are eliminated or appropriately controlled.

GP35 (Materials and Design Details)

The design of new development proposals should respect and complement:

- a) The physical characteristics of the site and the surroundings.
- b) The building tradition, ordering, form and materials of the locality;
- c) The historic scale and context of the setting;
- d) The natural qualities and features of the area; and
- e) The effect on important public views and skylines

GP 38 (Planting and soft landscaping)

Applications for new development schemes should include landscaping proposals designed to help buildings fit in with and complement their surroundings, and conserve existing natural and other features of value as far as possible. Hard landscaping should incorporate materials appropriate to the character of the locality. New planting should be with predominantly native species. Conditions will be attached to relevant planning permissions to require the submission of landscaping schemes and implementation of the approved arrangements.

RA 2 (Coalescence of settlements)

Other than for specific proposals and land allocations in the Local Plan, new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements. In considering applications for building in Rural Areas the Council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to coalescence between settlements.

Emerging Local Plan ("VALP") 2013-2033

In terms of VALP, it is understood that adoption is anticipated before the end of 2021. The emerging Local Plan is therefore a material consideration at present.

The Plan has been the subject of Examination although the Inspectors comments in relation to a number of issues are awaited. In terms of weighting of emerging policies, we understand that the well-established approach taken by Officers is as follows.

Limited weight: if there is a new and untested policy introduced by a main modification and subject to consultation.

Moderate weight: where there are objections and the Inspector has requested main modifications and therefore objections can be regarded as being "resolved".

Considerable weight: where there are objections but the Inspector has not requested main modifications (and as such the policy will not be changed in a material way) and the objections can therefore be regarded as being “resolved”.

Significant weight: where there are no objections and no modifications. These policies are not going to be changed and the next step will be adoption and very significant weight.

With these points in mind, the policies that are directly applicable to the proposals and their respective weightings are as follows;

S1 Sustainable Development for Aylesbury Vale Considerable weight

All development must comply with the principles of sustainable development set out in the NPPF. In the local context of Aylesbury Vale this means that development proposals and neighbourhood planning documents should:

Contribute positively to meeting the vision and strategic objectives for the district set out above and fit with the intentions and policies of the VALP (and policies within neighbourhood plans where relevant). Proposals that are in accordance with the development plan will be approved without delay unless material considerations indicate otherwise. The council will work proactively with applicants to find solutions so that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

a. Where there are no policies relevant to the application then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (2012) taken as a whole, or
- specific policies in the NPPF (2012) indicate that development should be restricted.

In assessing development proposals, consideration will be given to:

- b. providing a mix of uses, especially employment, to facilitate flexible working practices so minimising the need to travel
- c. delivering strategic infrastructure and other community needs to both new and existing communities
- d. giving priority to the reuse of vacant or underused brownfield land.
- e. minimising impacts on local communities
- f. building integrated communities with existing populations
- g. minimising impacts on heritage assets, landscapes and biodiversity
- h. providing high-quality accessibility through the implementation of sustainable modes of travel including public transport, walking and cycling
- i. providing access to facilities including healthcare, education, employment, retail and community facilities
- J. meeting the effects of climate change and flooding.

T1 Delivering the sustainable transport vision Moderate weight

The strategy to deliver sustainable transport in Aylesbury Vale is based on encouraging modal shift with greater use of more sustainable forms of transport and improving the safety of all road users. The council, Buckinghamshire County Council and, where appropriate, Highways England, will work together to achieve this strategy and those improvements required to deliver it. The Council will seek to ensure that development proposals will deliver highway and transport improvements to ensure new housing and employment development identified in the Local Plan period does not create a severe impact on the highway and public transportation network and encourages modal shift with greater use of more sustainable forms of transport. The council will assist in delivering the pedestrian, cycle, public transportation and public realm improvements to deliver the Aylesbury Garden Town initiative as well as any required improvements to the transportation network in Buckingham and other areas of the district as required to deliver sustainable, healthy and thriving communities.

T4 Delivering transport in new development Limited weight

New development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development

T5 Delivering transport in new development Moderate weight

Transport and new development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development. This will be achieved, as appropriate, through:

- a. The submission of a transport statement or assessment and the implementation of measures arising from it
- b. Ensuring that the scale of traffic generated by the proposal is appropriate for the function and standard of the roads serving the area
- c. The implementation of necessary works to the highway
- d. Contributions towards local public transport services and support for community transport initiatives
- e. The provision of new, and the improvement of existing, pedestrian and cycle routes
- f. The provision of a travel plan to promote sustainable travel patterns for work and education related trips.

BE1 Heritage Assets Considerable weight

The historic environment, unique in its character, quality and diversity across the Vale is important and will be preserved or enhanced. All development, including new buildings, alterations, extensions, changes of use and demolitions, should seek to conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible. Proposals for development shall contribute to heritage values and local distinctiveness. Where a development proposal is likely to affect a designated heritage asset and/ or its setting negatively, the significance of the heritage asset and the impact of the proposal must be fully assessed and supported in the submission of an application. The impact of the proposal must be assessed in proportion to the significance of the heritage asset and supported in the submission of an application. Heritage statements and/or archaeological evaluations will be required for any proposals related to or impacting on a heritage asset and/or known possible archaeological site. Proposals which affect the

significance of a non-designated heritage asset should be properly considered, weighing the direct and indirect impacts upon the asset and its setting. There will be a presumption in favour of retaining heritage assets wherever practical, including archaeological remains in situ, unless it can be demonstrated that the harm will be outweighed by the benefits of the development.

The Council will:

- a. Support development proposals that do not cause harm to, or which better reveal the significance of heritage assets
- b. Require development proposals that would cause substantial harm to, or loss of a designated heritage asset and its significance, including its setting, to provide a thorough heritage assessment setting out a clear and convincing justification as to why that harm is considered acceptable on the basis of public benefits that outweigh that harm or the four circumstances in paragraph 133 of the NPPF all apply. Where that justification case cannot be demonstrated proposals will not be supported, and
- c. Require development proposals that cause less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal, including securing its optimum viable use.

Developments affecting a heritage asset should achieve a high quality design in accordance with the Aylesbury Vale Design SPD and the council will encourage modern, innovative design which respects and complements the heritage context in terms of scale, massing, design, detailing and use.

BE2 Design of New Development Moderate weight

All new development proposals shall respect and complement the following criteria:

- a. The physical characteristics of the site and its surroundings including the scale and context of the site and its setting
- b. The local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials
- c. The natural qualities and features of the area, and
- d. The effect on important public views and skylines.

More guidance on the detail for the application and implementation of this policy will be provided in the Aylesbury Vale Design SPD

BE3 Protection of the amenity of residents, Considerable weight

Planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of existing residents and achieve a satisfactory level of amenity for future residents. Where planning permission is granted, the Council will use conditions or planning obligations to ensure that any potential adverse impacts on neighbours are eliminated or appropriately controlled.

NE1 Biodiversity and geodiversity Moderate weight

Protected Sites Internationally or nationally important Protected Sites (SACs and SSSIs) and species will be protected. Avoidance of likely significant adverse effects should be the first option. Development likely to affect the Chiltern Beechwoods SAC will be subject to assessment under the

Habitat Regulations and will not be permitted unless any significant adverse effects can be fully mitigated.

Protection and enhancement of biodiversity and geodiversity will be achieved by the following:

b. A net gain in biodiversity on minor and major developments will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources. These gains must be measurable using best practice in biodiversity and green infrastructure accounting and in accordance with any methodology (including a biometric calculator) to be set out in a future Supplementary Planning Document.

c. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted. Mitigation, compensation and enhancement measures must be secured and should be maintained in perpetuity development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of principal importance or the habitats of species of principal importance will not be permitted except in exceptional circumstances where the need for, and benefits of the development significantly and demonstrably outweigh the harm it would cause to the site, and the loss can be mitigated and compensation provided to achieve a net gain in biodiversity/geodiversity

e. The Council will, where appropriate, expect ecological surveys for planning applications. These must be undertaken by a suitably qualified person and consistent with nationally accepted standards (BS 42020: Biodiversity – Code of Practice for planning and development) as replaced

f. Where development proposals affect a Priority Habitat (As defined in the Buckinghamshire Biodiversity Action Plan or UK Biodiversity Action Plan) then mitigation should not be offsite. Where no Priority Habitat is involved then mitigation can be offsite. When there is a reasonable likelihood of the presence of protected or priority species or their habitats, development will not be permitted until it has been demonstrated that the proposed development will not result in adverse impacts on these species or their habitats. The only exception will be where the advantages of development to the protected site and the local community clearly outweigh the adverse impacts. In such a case, the council will consider the wider implications of any adverse impact to a protected site, such as its role in providing a vital wildlife corridor, mitigating flood risk or ensuring good water quality in a catchment.

h. Development proposals will be expected to promote site permeability for wildlife and avoid the fragmentation of wildlife corridors, incorporating features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value on site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors including water courses should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity

i. Planning conditions/obligations will be used to ensure net gains in biodiversity by helping to deliver the Buckinghamshire and Milton Keynes Biodiversity Action Plan targets in the biodiversity opportunity areas. Where development is proposed within, or adjacent to, an opportunity area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a biodiversity opportunity area from being achieved will not be permitted. Where there is potential for development, the design and layout of the development should secure biodiversity enhancement and the council will use planning conditions and obligations as needed to help achieve the aims of the biodiversity opportunity

area. A monitoring and management plan will be required for biodiversity features on site to ensure their long-term suitable management (secured through planning condition or Section 106 agreement).

i. Development proposals adversely affecting a local nature reserve will be considered on a case-by-case basis, according to the amount of information available about the site and its significance, relative to the type, scale and benefits of the development being proposed and any mitigation. Any mitigation strategy will need to include co-operation with the nature reserve managers.

NE4 Landscape character and locally important landscape Moderate weight

Development must recognise the individual character and distinctiveness of landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. Development should consider the role characteristics of the landscape character area by meeting all of the following criteria:

- a. minimise impact on visual amenity
- b. be located to avoid the loss of important on-site views and off-site views towards important landscape features
- c. respect local character and distinctiveness in terms of settlement form and field pattern, topography and ecological value
- d. Carefully consider spacing, height, scale, plot shape and size, elevations, roofline and pitch, overall colour palette, texture and boundary treatment (walls, hedges, fences and gates)
- e. minimise the impact of lighting to avoid blurring the distinction between urban and rural areas, and in areas which are intrinsically dark and to avoid light pollution to the night sky
- f. ensure that the development is not visually prominent in the landscape, and
- g. not generate an unacceptable level and/or frequency of noise in areas relatively undisturbed by noise and valued for their recreational or amenity value

The first stage in mitigating impact is to avoid any identified significant adverse impact. Where it is accepted there will be harm to the landscape character, specific on-site mitigation will be required to minimise that harm and, as a last resort, compensation may be required as part of a planning application. This reflects the mitigation hierarchy set out in paragraph 152 of the NPPF (2012). Applicants must consider the enhancement opportunities identified in the LCA and how they apply to a specific site.

The Policies Map defines areas of attractive landscape (AALs) and local landscape areas (LLAs) which have particular landscape features and qualities considered appropriate for particular conservation and enhancement opportunities. Of the two categories, the AALs have the greater significance. Development in AALs and LLAs should have particular regard to the character identified in the report 'Defining the special qualities of local landscape designations in Aylesbury Vale District' (Final Report, 2016) and the LCA (2008). Development will be supported where appropriate mitigation to overcome any adverse impact to the character of the receiving landscape has been agreed. Where permission is granted, the council will require conditions to best ensure the mitigation of any harm caused to the landscape.

I4 Flooding Moderate weight

Management of flood risk In order to minimise the impacts of and from all forms of flood risk the following is required:

- a. Site-specific flood risk assessments (FRAs), informed by the latest version of the SFRA, where the development proposal is over 1ha in size and is in Flood Zone 1, or the development proposal includes land in Flood Zones 2 and 3 (as defined by the latest Environment Agency mapping). A site-specific FRA will also be required where a development proposal affects land in Flood Zone 1 where evidence, in particular the SFRA, indicates there are records of historic flooding or other sources of flooding, e.g. due to critical drainage problems, including from ordinary watercourses and for development sites located within 9m of any water courses (8m in the Environment Agency's Anglian Region⁵⁶)
- b. All development proposals must clearly demonstrate that the flood risk sequential test, as set out in the latest version of the SFRA, has been passed and be designed using a sequential approach, and
- c. If the sequential test has been satisfied, development proposals, other than those allocated in this Plan, must also satisfy the exception test in all applicable situations as set out in the latest version of the SFRA.

Flood risk assessments

All development proposals requiring a Flood Risk Assessment in (a) above will assess all sources and forms of flooding, must adhere to the advice in the latest version of the SFRA and will:

- d. provide level-for-level floodplain compensation and volume-for-volume compensation unless a justified reason has been submitted and agreed which may justify other forms of compensation
- e. ensure no increase in flood risk on site or harm to third parties and ensure there will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event, with an allowance for climate change (the design storm event)
- f. does not flood from surface water up to and including the design storm event, or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site
- g. ensure development is safe from flooding for its lifetime including an assessment of climate change impacts
- h. ensure development is safe from flooding for its lifetime (and remain operational where necessary) including an assessment of climate change impacts
- i. ensure development is appropriately flood resistant, resilient and safe and does not damage flood defences but does allow for the maintenance and management of flood defences
- j. take into account all sources and forms of flooding
- k. ensure safe access and exits are available for development in accordance with Department for Environment, Food and Rural Affairs (DEFRA) guidance⁵⁷. Access to "safe refuges" or "dry islands" are unlikely to be considered safe as this will further burden the Emergency Service in times of flood
- l. provide an assessment of residual flood risk
- m. provide satisfactory Evacuation Management Plans, where necessary, including consultation with the Emergency Services and Emergency Planners Sustainable drainage systems (SuDS)

- n. Ensure development layouts are informed by drainage strategies incorporating SuDS
- o. All development will be required to design and use sustainable drainage systems (SuDS) for the effective management of surface water run-off on site, as part of the submitted planning application and not increase flood risk elsewhere, including sewer flooding. All development should adopt exemplar source control SuDS techniques to reduce the risk of flooding due to post-development runoff. SuDS design should follow current best practice (CIRIA Manual 2015 or as replaced) and Buckinghamshire County Council guidance on runoff rates and volumes to deliver wider environmental benefits. Where the final discharge point is the public sewerage network the runoff rate should be agreed with the sewerage undertaker.
- p. Where site-specific FRAs are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems
- q. In considering SuDS solutions, the need to protect groundwater quality must be taken into account, especially where infiltration techniques are proposed in considering a response to the presence of any contaminated land. The Environment Agency need to be consulted where infiltration is proposed in contaminated land. SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. Opportunities will be sought to enhance natural river flows and floodplains, increasing their amenity and biodiversity value and a watercourse advice note is being prepared for further guidance
- r. Applicants will be required to provide a management plan to maintain SuDS in new developments, and a contribution will be required for maintenance of the scheme/SuDS
- s. Onsite attenuation options should be tested to ensure that changing the timing of peak flows does not exacerbate flooding downstream, and
- t. Only in exceptional circumstances will surface water connections to the combined or surface water system be permitted. Applicants will need to demonstrate in consultation with the sewerage undertaker that there is no feasible alternative and that there will be no detriment to existing users.

Applicants will be required to liaise with the lead local flood authority, Internal Drainage Boards, and the Environment Agency on any known flood issues, and identify issues from the outset via discussions with statutory bodies.

Climate change

- u. Climate change modelling should be undertaken using the relevant allowances (February 2016) for the type of development and level of risk
- v. Safe access and egress should be demonstrated in the 1 in 100 plus climate change event, and
- w. Compensation flood storage would need to be provided for any land-raising within the 1 in 100 plus appropriate climate change flood event

Other Material Considerations

In terms of other material planning considerations which must be taken into account in determining this application, the National Planning Policy Framework (NPPF) applies, which was recently revised on 20/07/21. The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7). Paragraph 8 states that in pursuance of this objective, the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the

different objectives; economic objective , a social objective and an environmental objective. At the heart of the NPPF is a presumption in favour of sustainable development.

NPPF then provides detailed guidance on a range of matters, including promoting healthy and safe communities (Section 8), promoting sustainable travel (Section 9), achieving well designed places (Section 12), meeting the challenge of climate change, flooding and coastal change (Section 14), conserving and enhancing the natural environment and conserving and enhancing the historic environment.

Section 12 and its associated paragraph 126 state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The mismatch between this objective and the current proposals is amplified in subsequent paragraphs.

Summary of Key Planning Objections

In essence, our key objections are summarised as follows;

- 1. The significant adverse impact of the proposals on the character and appearance of the countryside, existing settlement patterns and associated open space; and**
- 2. The significant adverse impact of the proposals on the landscape, with reference to the submitted Landscape and Visual Impact Assessment; and**
- 3. The significant and adverse impact on heritage assets, which is not outweighed by the alleged public benefits of the proposal; and**
- 4. The significant and adverse impact on archaeology; and**
- 5. The unsustainable location of the site and the inadequacy of proposed mitigation measures; and**
- 6. The significant adverse impact of the proposals on highway safety and convenience in terms of access and inadequacy of car parking; and**
- 7. The significant adverse impact of the proposals on the residential amenities of residents; and**
- 8. The significant adverse impact on ecological interests and biodiversity; and**
- 9. The significant adverse impact on drainage and flooding; and**
- 10. The significant adverse impact of the proposed building design, completely at odds with the 'building beautiful' agenda, now embodied in NPPF; and**
- 11. Any additional harms, including those identified in consultation responses**

These harms are irreversible and cannot be mitigated against.

After dealing with each source of harm in turn and associated conflict with the Development Plan, we consider the material considerations presented by the MoJ to justify the development in the overall planning balance. The assessment of the MoJ case will focus on the *alleged* need for the development and the inadequacy of the *site selection process*. The latter has prevented any rational assessment of harms versus benefits attributed to different locations. In other words, how can this be the ‘optimum’ site in planning terms?

Each of the above harms is considered in turn, with reference to the relevant Appendices.

- **The significant adverse impact of the proposals on the character and appearance of the countryside, existing settlement patterns and associated open space**

As stated earlier, the site is located in open countryside between the established settlements of Edgcott and Grendon Underwood. The site comprises the existing Prison complex which in turn abuts an isolated residential estate. Taken together, the adjoining developments are nucleated and well contained within the gently undulating landscape, glimpsed through tree screens and field boundaries, as opposed to an abrupt visual interface. This is despite the fact that the northern part of the Prison complex is elevated and many of their constituent buildings are utilitarian and, in some cases, bulky. In addition, there are significant parcels of open land which surround the existing Prison complex which both act as a visual foil and equally, a meaningful buffer between the Prison complex and Edgcott beyond. These areas of open, undeveloped space provide a green ‘lung’ which both provides a physical ‘full stop’ to the Prison complex and allows the settlement of Edgcott to breathe and enjoy its own social, historic and environmental identity.

The attached **Appendix 1** details the nature and function of the site within the established landscape, which has been formally assessed by the Council as part of its Landscape Character Assessment (2008). In addition, the Appendix identifies the historic association between Grendon Hall and the current application site and identifies a series of harms, which relate to countryside impact and beyond. Heritage and landscape impacts are also considered in detail later.

Appendix 1 also usefully cross references the MoJ’s Traffic Assessment which alludes to its aspirations for increased capacity for Springhill. Whilst the current application has to be determined on its merits, we would respectfully request that the Council urgently seek clarification from the MoJ on this point.

In essence, the current proposal would significantly consolidate the quantum of built development on site, enveloping much of the existing complex of buildings, including the Grade II Listed Grendon Hall, its walled gardens and associated gates. The existing visual effect of the Prison complex would be significantly magnified by its spatial sprawl, introduction of large, bulky house blocks on an elevated part of the site, an enormous car park, provision of workshops and other utilitarian buildings.

These effects would be appreciable from a number of public vantage points, including the well-used public footpath network in the locality and also Grendon Road, where two parallel access roads would scar the existing hillside, creating an effect similar to a multi lane motorway, with a football pitch between them. Regular, if not constant, use of these features by motorists, prisoners, staff and visitors would simply magnify and reiterate the countryside impact of these features.

It is also important to emphasise that ancillary features would cause additional harm. In particular, an array of lighting in and around the site would draw attention to the intensified institutional use, especially at night-time where an intrusive halo effect would arise, especially in damp conditions. In addition, utilitarian walling, fencing and other institutional means of enclosure would bound the site,

which would be compounded by significant vehicular and general disturbance, including verbal exchanges associated with the relocated football pitch.

The net result is that the effects cited above would have a significant adverse impact on the character and appearance of the countryside. In particular, the proposal would significantly reduce open and green land which mitigates both the effect of the Prison complex and acts as a meaningful buffer between the Prison and Edgcott. In addition, the intervening land acts an attractive open setting for Edgcott as a self-contained settlement in its own right. We are also aware from the Councils pre-application letter to MoJ reference, in this statement, that Officers raised the matter of coalescence as a determining issue at that stage.

The proposal would consolidate existing sporadic development in the countryside and create visual and spatial coalescence with Edgcott, contrary to AVDLP Policies RA2 and GP35. The proposal would also be contrary to Policy S1(d) and (g) of VALP as it patently gives sequential priority to greenfield land as opposed to vacant or underused brownfield land, and Policy BE2. In addition, the environmental harm would also be contrary to NPPF.

- **The significant adverse impact of the proposals on the landscape, with reference to the submitted Landscape and Visual Impact Assessment**

As indicated above, the Council undertook a Landscape Character Assessment (LCA) in 2008. **Appendix 2** explains the role of the site in the context of the gently undulating Poundon – Charndon Settled Hills Landscape Character Area, including its sensitivity to change.

The LCA was admittedly undertaken before the implementation of the energy waste plant situated in the valley to the east of the site and HS2. The cumulative impacts of these strategic developments are adverse and well documented. These developments do not, however, alter the fact that the open land around the Prison complex makes a material contribution to the character and appearance of the locality and a wider patchwork of fields and vegetation. To permit the current proposal would simply magnify the impact of the recent, incoming urbanising features in the landscape.

In visual terms, the proposed buildings are essentially located just below the highest part of the site when compared to the existing prison. Despite this, the six house blocks would each be around 17.5m in height (with capability for ancillary equipment on their roofs) and would appear as bulky, utilitarian structures, completely at odds with their mature and settled host landscape.

This impact would be particularly pronounced on neighbouring footpaths, although the visual development will also be appreciable from further afield, most notably along Main Street, Grendon Underwood and its hinterland of fields and footpaths to the north. In addition, the provision of hedgerow and woodland screening (deciduous) around the perimeter of the site would take many years to establish and will never mitigate the enormous scale and visual impact of six accommodation blocks, nor the associated workshops and ancillary buildings. Equally, coniferous planting would appear alien in its own right and would also fail to mitigate the visual impact of the proposal.

The proposed car park would also appear as a harsh, uncompromising feature on the site with its impact reinforced by continuous vehicular activity, headlights at night and so on. The matter of lighting is also amplified in **Appendix 2** which shows existing night time effects. The provision of the new access road, in tandem with the retained road, would also cause significant visual harm which, again, could not be satisfactorily mitigated.

Given the above comments, we consider that the proposal would have a significant adverse impact on the local and wider landscape within the defined LCA. The proposal is therefore contrary to AVDLP GP35 and VALP policies S1 (d) and (g), BE2 and NE4 and the environmental objectives of NPPF.

We are aware that the application particulars contain a Landscape and Visual Impact Assessment and that consultation comments are awaited from the Councils Landscape Architect. We reserve the right to make additional representations once in receipt of that information.

- **The significant and adverse impact on Heritage Assets**

The application site is not located nor is it within proximity to a Conservation Area. There are a number of listed buildings within the vicinity of site which include the Grade II Gate piers and railings at the current entrance to HMP Grendon, GII Grendon Hall (within the site) and GII Lawn House (Lawn House Lane). A number of Listed Buildings are located in the wider locality, including the two Grade II* Churches of St Michael's (Edgcott) and St Leonard's (Grendon Underwood).

On a procedural point, we note that the proposal has the potential to affect views of and between both Grade II* Listed Churches and their respective settings. **Given this, we would seek urgent confirmation that Historic England has been consulted on the proposals.** In addition, we have seen the consultation response from Joanna Horton dated 30/07/21 which requests additional information in terms of the heritage impact on both Churches and other heritage assets in the locality and would support that request.

In the absence of this information, **Appendix 3** contains our detailed comments in relation to heritage and 'above ground' assets on and in the immediate vicinity of the site. The Appendix confirms that the site has a number of strong historical associations and that a number of heritage assets (far in excess of what the MOJ has identified) will be adversely affected by the proposals and in different ways.

Grendon Hall lies within the application site and was listed in 1985. It dates from around 1882 and is served by mature attractive parkland and garden, as referenced in the *Report by Bucks Garden Trust dated March 2021, revised June 2021*. This is despite physical incursion into its setting in the mid-1950s by the Prison complex and the associated residential estate. In other words, if Grendon Hall had been listed at the time, the impact of those contemporary developments on its setting would have been material consideration. **With this point in mind, we would respectfully invite Ms Horton to reconsider the impact on Grendon Hall.**

This statement has already described settlement patterns and the fact that the Listed Lawn House lies in mature grounds on the eastern edge of Edgcott Village, which would be subsumed by the proposed and sprawling Prison complex.

Appendix 3 demonstrates that multiple harms would arise to the settings of both Grendon Hall and Lawn House, including destruction of the mature landscape setting around both assets, erosion of the link between the two assets, (where they once fell in the same ownership), noise, light and traffic impacts, the juxtaposition of bulky functional buildings and swathes of hard surfacing and so on. The urbanising effect of the new access point and the significant estate road on the neighbouring GII Gate Piers also needs to be considered as part of the assessment of harm.

We would also respectfully submit that the introduction of additional harms in response to widening the scope of the MOJs Heritage Assessment would raise the matter of cumulative impact which according to Historic England standing advice should be avoided. The MoJ's aspirations for HMP Springhill also need to be clarified by the Council as they are also relevant to the question of cumulative impact.

As part of the Heritage Assessment, the impact of the proposal on *archaeological interests* also has to be considered. **Appendix 4** comprises our assessment on this matter and we have also seen the Council's internal consultation response dated 26/07/21. In response, we have demonstrated that the western part of the Prison complex is a remaining part of the Park and Pleasure Gardens serving Grendon Hall, comprising Medieval – post medieval ridge and furrow, which is one of the last remnants of this field system in the locality. For example, as of 1995 only 26% of the ridge and furrow in the adjacent Grendon Underwood Parish remained which highlights the scarcity of this heritage asset.

The proposal would materially worsen this position and result in additional, irreversible loss of ridge and furrow. In addition, the provision of additional deciduous planting beyond the proposed football pitch, presumably to contribute towards BNG, will cause additional incursion into the ridge and furrow and associated harm. The issue of cumulative harm, in the context of other projects in the locality, including HS2, also has to be considered. It is also noteworthy that the MoJ has also limited its archaeological search to within 1 km of the site, which significantly underplays the possibility of locating Roman artefacts on the application site.

In conclusion, it is considered that the impact of the proposals would result **in less than substantial harm to heritage assets, albeit at the *upper end of the spectrum* for consideration as part of the NPPF heritage balance. This harm is *not* considered to be outweighed by the alleged public benefits, a topic which we will return to later.**

In addition, we reserve the right to make further representations in the event that the MoJ accede to Ms Hortons request and increase the scope of the Heritage Assessment. In view of this overall conclusion the proposal is considered to be contrary to policy BE1 of the emerging VALP and paragraph 202 of the NPPF.

- **The unsustainable location of the site and the inadequacy of proposed mitigation measures**

As stated earlier, the site lies in the open countryside outside of the established settlements of Edgcott and Grendon Underwood, being poorly related to services (other than the prison) and non-car modes of travel. More detailed commentary on this matter is found in the attached **Appendix 5**, which demonstrates that 600-700 staff could be employed at the new Prison and that, in addition to locational disbenefits, the proposal would result in a significant quantum of carbon being emitted per annum.

The local housing stock is limited and the majority of residents on the neighbouring Springhill estate are not employed in the Prison sector, with few properties available for rent. The net result is that the vast majority of staff who would be employed at the proposed Prison, plus visitors, would be totally reliant on the private car, which would be contrary to paragraph 105 of NPPF which states that “...*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, of course, highlights the fact that the MoJ have failed to adopt a robust sequential search, which should have started with ‘brownfield first’ so as to avoid the associated policy conflict with VALP policy S1 (d) cited in earlier paragraphs.

In addition to this fundamental locational issue, the rights of way network in the locality inhibits potential sustainable transport options, as highlighted in the pre-application letter from Officers to MoJ. This point is also demonstrated by the photographs in the attached **Appendix 5** which show significant risks to pedestrians as they traverse narrow footways in the vicinity of the site.

It may be theoretically possible for a tiny amount of prison employees (assuming vacant accommodation is available) to walk to work from the clusters of houses to the north-west along Grendon Road, sharing the vehicular access to Lawn House then into the site along GUN/17/1. A walking commute from Grendon Underwood, with a larger population, may be realistic in summer, but the rural, unlit nature of the rights of way network means this is less likely in winter months. As such, network improvements for sustainable transport are not proposed, which reinforces the core problem of site unsustainability. In terms of visitor trips, there is one bus per hour on Monday to Saturday only from the Grendon Road to just one destination, Aylesbury. There is no connectivity to local rail stations at Bicester or Milton Keynes.

It is important to note that the unsustainable nature of this location, which gives rise to reliance on the private car has been independently acknowledged by two independent appeal Inspectors who dismissed residential schemes on land at Edgcott Road (PINS reference 3255772) and South of Springhill Road (PINS reference 3185166) respectively. Verbatim extracts from both appeal statements are found at **Appendix 5** and the same criticisms now apply, save that the scale of the current MoJ proposal and its associated car use is *significantly* greater.

Turning to proposed mitigation of the above effect, MoJ have provided an Outline Travel Plan to encourage modal shift away from the private car, to sustainable modes. This approach is fundamentally flawed in that it cannot change the isolated location of the site (well documented on previous appeals) and the dearth of non-car opportunities for travel. Moreover, the proposed 'information board' would simply reiterate the dearth of non-car options for the site, including the very limited bus service with intermittent connectivity to Aylesbury and its train station.

In view of this, staff surveys following an initial baseline will simply capture ongoing reliance on the private car, as opposed to tackling its impact, including carbon output. The exercise is therefore futile and the proposal is therefore considered to be contrary to VALP policy T5 (e) and (f) and NPPF insofar as it would significantly increase reliance on the private car.

- **Impact on highway safety and convenience**

We are aware that highway comments are awaited from Officers in relation to the application and its associated Transport Assessment. In the interim, we would respectfully you direct Officers to **Appendix 6**.

The current volume of traffic travelling through Edgcott on weekdays as measured in May 2021, over a two-week period using road tubes, ranged from 3,709 vehicles per day to 3,973 vehicles per day. This included a range of 203 to 274 trucks (as defined by the FHWA vehicle classification) per day. The total vehicle numbers include all vehicles from motorcycles up to the largest HGVs.

Based on the vague assumptions made in the Transport Assessment submitted as part of the Outline Planning Application, the number of vehicles travelling through Edgcott could increase by around 30%. In addition, the number of vehicles passing from the A41 junction with the Broadway, down the Broadway and past the outskirts of Grendon Underwood and Hall Cottages could increase by a much greater volume. This would be both during the construction and the operational phases.

The proposed site access in the Outline Planning Application is located close to the existing prison complex entrance as well as being close to a sharp bend and the road narrowing at the entrance to Edgcott as well as the two bus stops for the number 16 bus service. **Appendix 6** discusses the significant potential issues with this proposed site entrance.

From the information submitted in the Outline Planning Application, and the data shown above from the MoJ site at Five Wells (obtained from an FOI request) , it is considered that the additional traffic likely to be generated by the proposal, both during the construction and the operational phases, would adversely affect the safety and convenience of road users, contrary to paragraph 111 of the National Planning Policy Framework, VALP policies T1 and T5, and aims and objectives of Buckinghamshire's Local Transport Plan. In addition, given the *severe impact* (the NPPF test) which would result on the safety and convenience of users of the highway, in tandem with HS2 and other traffic, it is considered that this matter should be afforded significant negative weight in the planning balance.

In addition to the above effects, **Appendix 6** also confirms that the proposed parking is likely to be inadequate and will generate additional danger and inconvenience to pedestrians and road users, in a context where modal choice is essentially non-existent.

Appendix 6 also demonstrates that the range of car parking spaces required for staff alone ranges from 370 to 555 (based on staff numbers ranging from 500 to 750). The proposal has used the lower end of this range and therefore underplays the actual number of parking spaces that will be required to serve the new prison. If this is the case, which is an entirely reasonable proposition in itself, where would any further car parking spaces be located? Would the additional spaces be on the field where the football pitch is located, or would more land be purchased?

To reiterate the point, parking associated with the new Prison at HMP Berwyn near Wrexham has led to well documented and demonstrable car parking problems. These are the main reported effects at HMP Berwyn:

- The car park was not completed for four months after the prison opened and so there was nowhere for the staff to park. Chaos followed until arrangements were made with local companies on the nearby industrial estate for spaces to be allocated for the prison staff.
- Once the prison fully opened it was clear that the number of car parking spaces had been underestimated. This was because the parking allocation had not taken into account the number of non-directly employed staff that would also work at the prison.
- Approval was sought from the Local Authority to establish a temporary car park on some land at the site which was available and later this was converted to a permanent car park with an additional 194 spaces.
- **The significant adverse impact of the proposals on the residential amenities of existing residents**

The foregoing paragraphs confirm that the proposal would significantly consolidate the amount of development on the site and result in an intrusive incursion of urbanising development into the countryside, contrary to both local and national policies. The existing Prison complex dates from the 1960s and has a settled relationship with residential properties in the locality, where both uses co-exist as neighbours. This situation is unchanged despite the fact that the majority of residents on the Springhill Estate no longer have associations with HMP Springhill or Grendon.

The proposal will, however, significantly alter the existing equilibrium and result in a significant loss of residential amenity to residents, especially the properties nearest the site, namely those at the northern edge of Park Road and Springhill Road in the Springhill estate and in all of Edgcott (including the GII Listed Lawn House). The impact of the development on residential amenity is also amplified at **Appendix 7**.

The existing atmosphere of rural tranquillity in the locality, which has already been eroded to a considerable extent by the HS2 and incinerator projects, would be shattered by the proposals. The constant coming and going of staff, delivery, service and visitors vehicles would fundamentally change the ambience of the area which would be reinforced by the bulky, overbearing buildings proposed (particularly the house blocks), vehicular disturbance, lighting, high walls and other brutal means of enclosure. In addition, the location of the football pitch in close proximity to properties on the Springhill estate would expose existing residents to additional noise and disturbance, including colourful and animated language.

The net result is that the development would result in significant harm to the residential amenities of a number of local residents, reducing their residential amenities to a level below which they could reasonably expect to enjoy. This harm is not considered to be outweighed by the alleged benefits of the proposal, which are examined in more detail later. The development is therefore contrary to AVDLP Policy GP8.

- **The significant adverse impact on ecological interests and biodiversity**

Appendix 8 contains our assessment of the impact of the proposals on both ecology and biodiversity. We also note from the consultation that Natural England raise no objection to the proposals **and we would therefore respectfully invite the Council's ecologist, Mr Holton, to consider the matter in the light of his extensive experience of the site.**

In terms of *ecology*, the MoJ owns land around Grendon Hall and the two current prisons which is open and bounded by mature hedgerows. On one part of the site is an ecological area consisting of a large pond and a wooded area which lies adjacent to further woodland which is part of the grounds of a Grade II listed property, Lawn House. The ecological area has been built up over time (with the Prison and Council's valuable input) and a public footpath runs past it.

The locality is rich in wildlife and includes 65 species of birds including 15 on the red list and 13 on the amber list. GCNs are also present in the pond on the site as well as in a large number of surrounding ponds recently surveyed. In addition, nine species of foraging bats were recorded including two rare species (Bechstein's and Barbastelle). The site is also located c. 0.9km North West of Grendon and Doddershall Wood SSSI and c.1.5km south west of Sheepphouse Wood SSSI, which are known to support these bat species.

In essence, the proposal would result in additional and irreversible habitat loss, in a context where extensive habit has already been lost in the locality due to the HS2 and incinerator projects. The development would involve a construction phase of 2-3 years, up to 1,000 contractors on site each day with associated traffic movements in addition to the heavy goods vehicles that will be involved throughout the project. The sole current access to the part of the site where the buildings would be located is directly adjacent to the prison ecology area, hence this area will be subject to constant and intensive traffic movements and noise pollution for up to three years.

Following completion of the building the proposed plan is to make the main entrance to the prison site run directly past the ecology area into the car park which will be located just beyond and adjacent to the ecology area. Hence there will be a permanent and significant level of traffic movements with associated noise through this area on a daily basis.

In humans, noise pollution has been shown to cause a range of health problems from stress, poor concentration, productivity losses in the workplace, and so on, explained in **Appendix 8**. In many cases, humans can take some action to mitigate the effect of noise pollution. Wildlife, however, has

fewer options and noise pollution affects animals in many quantifiable ways.

Although the main ecology area will be left in place, the noise, light pollution and general disturbance from the construction traffic, and in due course when the prison is operational, staff, visitor and delivery traffic will cause significant disruption to the wildlife and some of it may be permanently displaced from the site. No amount of mitigation could prevent for example, the displacement of birds, bats and some other wildlife.

The proposal will also result in an estimated loss of 780m of hedging and trees that are located in the hedgerows. Furthermore, there would be a loss of at least 60 acres of green field space across the whole site. This is a valuable source of habitat that will be irreversibly lost to wildlife and cannot be fully mitigated. In addition, digging up this green field space will release approximately **8,014 tons of carbon** currently locked up in the fields.

On the matter of *Biodiversity Net Gain (BNG)*, attention is again drawn to **Appendix 8**.

The proposal would result in the removal of significant swathes of trees and hedges in addition to the loss of at least 60 acres of open, undeveloped land which 'reads' as green space. The loss of this open land would result in the release of significant amounts of the carbon trapped within the fields.

The field where the new site entrance and road are proposed was part of the Historic Park and Gardens of Grendon Hall reported (*Ref: Report by the Bucks Garden Trust on Grendon Hall, March, 2021, revised in June 2021*). In addition, it contains the remaining part of historical ridge and furrow which used to be part of a much larger area covering the whole of the prison site and beyond. Unfortunately, this historically important cultivation has been decimated by the development of the existing Prison complex.

The previous developments on this cultivated land are no justification for further construction activities. The proposed plan would destroy most of the remaining ridge and furrow by construction of the new site entrance and road and relocating the football pitch to this field. In addition, the planting in this field would almost completely wipe out any remaining ridge and furrow. The planting is proposed to counter the destruction of the current habitat and achieve BNG by 10%. This approach may notionally achieve the biodiversity target but this is patently *at the expense of the existing ridge and furrow, a heritage asset*. This harm also needs to be read in conjunction with the significant adverse effects to heritage assets identified in earlier paragraphs.

In conclusion the proposed plans to achieve the biodiversity net gain are completely contrived. They should be abandoned and an alternative approach to this aspect be considered and developed.

In conclusion, the proposal would cause significant harm to ecological interests and would fail to make satisfactory BNG provision, contrary to VALP policy NE1 and the NPPF.

- **The significant adverse impact on flooding and drainage**

Appendix 9 relates to this matter. It is acknowledged that the site lies within FZ1 with a low *probability* of flooding, however there are significant issues with standing water in the area exacerbated by run off from the elevated prison site. Run-off already occurs from the prison site to areas including land adjacent to Lawn Hill/Quinton Road, Lawn House gardens, Buckingham Road and Grendon Road in Edgcott and causes standing water issues in each of these areas. The field adjacent to Willow Lodge proposed for the location of the new site entrance and road to the main development site regularly suffers from standing water due to the site and topographical circumstances. **Appendix 9** contains photographs taken over the last year to illustrate the problem, together with foul drainage issues.

In terms of surface water drainage, there is evidence that water that runs from the current prison site flows down the hill via ditches from different parts of the site. One ditch runs close to the pond in the ecological area, past the rear of Lawn House and across the fields to meet the ditch that runs parallel to Grendon Road, Edgcott. There is a second ditch which runs a bit further towards the Grendon Underwood direction and this also runs down the fields and meets up with the ditch by Grendon Road. The flow rate of water in these ditches from the prison site has at times overflowed causing flooding along parts of Grendon Road close to the road narrowing on the southern edge of Edgcott, and the footpath in that location.

There is also a small ditch that runs along the road side of the field adjacent to Willow Lodge that is in a poor state of upkeep and has not been cleared out by the MoJ for many years. This regularly contains standing water which spills out into the road and runs down to the prison gates and results in standing water either side of the gates and causes flooding in the garden of Willow Lodge.

Rain water also drains from some parts of the current prisons and passes down the southern side of the main road leading to the existing prisons and flows into the ditch the other side of the gate piers. The **Appendix** also raises a host of additional queries in relation to both foul and surface water disposal.

The net result is that there is an existing and demonstrable issue with surface water both in and around the vicinity of the site. Whilst the views of the LLFA and Thames Water (as statutory undertaker) are presently awaited on the drainage and flooding aspects of the proposal, we would respectfully request that a holding objection is made by the LPA on a precautionary basis, in the context of a large institutional proposal. We also reserve the right to make additional representations in response to the LLFA's comments.

- **The significant adverse impact of the proposed design, completely at odds with the 'building beautiful' agenda embodied in NPPF**

Section 12 of the recently amended NPPF and its associated paragraph 126 state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The mismatch between this objective and the current proposals is amplified in subsequent paragraphs and in more detail at **Appendix 10**.

In this case, MoJ are seeking to justify the design aspects of their current proposals by reference making, fractional concessions to criticisms of their original proposal which arose during public consultation.

Good Design requirements must apply to every facet of the current proposals in the context of the high 'building beautiful' bar established by the revised NPPF. The proposal offers a purely functional response to the MOJs alleged accommodation requirements, and fall well short of the design bar in a number of material respects, set out in detail in **Appendix 10**. These design objections augment our earlier objections relating to countryside and landscape impact and so on.

As a starting point, site selection is clearly inadequate, as proven by the need to "acquire" more land to make any of their layouts work. The current proposal also dominates the site with built development and associated engineering works.

MoJ also propose a cut and fill exercise to create levels needed to accommodate their construction needs, but these will not conceal a range of tall, overbearing buildings which will tower over the proposed screening and landscaping, which will be primarily deciduous. There will also be a need for

significant retainment to support the plateau effect which will be formed in the attempt to accommodate a car park on open land which contributes to the setting of Grendon Hall.

Site access will create a significant new road junction in the village, which will be in constant use day and night, 7 days a week, 365 days a year, all adjacent to an existing prison access road and serving a housing estate. This effect will severely impact on the relative tranquillity of the locality. In addition, no consideration of light pollution or associated mitigation has been made in terms of countryside impact or residential amenity.

In terms of scale, Edgcott and Grendon Underwood are communities of primarily two storey buildings, with very occasional higher buildings. The Landscape is dominated by mature deciduous broadleaf trees, mature hedges and thickets with the existing Prison complex being part of the established and settled landscape. In contrast, the proposal would transport large, bulky monoliths into the countryside creating harsh urbanising features.

The new complex would comprise accommodation blocks, office buildings, workshops, vehicle compounds and the like, up to effectively five stories in height and 17.5 metres (58 feet) in height (Ref: Design and Access Statement). These buildings would individually and collectively intrude into the countryside and landscape and are considered to be in conflict with both the up-to-date NPPF advice and VALP policy BE2. This harm will not be mitigated to any material degree by landscaping or external appearance, both matters being reserved for future consideration.

- **Additional harms, including those identified in consultation responses**

We understand that Sport England (SE) has formally objected to the proposals by way of an e-mail dated 05/08/21. The existing playing field on the site is around 3 ha in size and has been used for a variety of pitch sizes. A much smaller single playing pitch is to be provided. Notwithstanding the inappropriate location of the proposed pitch we have identified in close proximity to established residential dwellings, the new pitch provision is extremely limited and has clearly been incorporated into the scheme as an afterthought. We support SE's current objections and would respectfully request that this matter is afforded significant negative weight in the planning balance.

- **Summary of impacts**

The foregoing paragraphs and supporting documentation confirm that the proposal will result in a range of irreversible and significant adverse impacts. Taken together, they are patently contrary to the most relevant policies in the adopted Development Plan. In addition, they are contrary to well advanced policies in the emerging VALP and also NPPF.

- **Material considerations identified by MoJ to justify the proposal in the planning balance**

As a starting point, it would be useful to provide a verbatim extract from the pre-application advice letter provided to the MoJ which sets the evidential bar for permitting a very significant and unneighbourly proposal at odds with its adopted and emerging Development Plan. "...given the nature and scale of the proposed development it is recognised that it would be difficult to find an appropriate site within an existing settlement. Furthermore, whilst an entirely separate prison, the proposed development would be situated adjacent to an existing prison site which provides some logic to the location of the development sought. Nevertheless given this conflict with both national and local policies, any future application must be supported by information outlining the site selection process and criteria, including why other sites within the region were discounted, and the functional/operational reasoning for selecting this site. The submitted cover letter states that the Ministry of

Justice has identified that two new prisons are required in the south east of England and therefore an understanding of why this site has been selected over others is required in order to justify a possible departure from policy..." - With these points in mind, we review the MoJ's case below.

- **Alleged economic, employment and social benefits claimed by MoJ**

The supporting documentation produced by Cushman and Wakefield for the MoJ incorrectly apportions substantial weight in the planning balance to the alleged economic and social benefits arising from the proposal which artificially skews the assessment of the proposal, in the context of the very significant and irreversible harms arising from the proposal. A detailed critique of the MoJ's arguments on this matter is provided at **Appendix 11**. The artificial analysis by MoJ and their agents is also compounded by an absence of alternative site selection options and associated assessments and harm.

Put simply, the analysis undertaken by MoJ does not accurately reflect or forecast the impact of what is proposed at this location. It fails to take account of significant local factors and uses generic assumptions drawn from other prison proposals that are not comparable to the Grendon Prison complex.

The MoJ case focusses on attributing financial value to forecast benefits, mainly at the local and regional level. It does not provide any insight at the macro level of the cost benefit balance of the proposals. The benefits claimed at local level are minimal for a project of this size and would attract little, if any positive weight. In addition, no attempt is made to assess the impact of project cost overruns (even by incorporating a contingency) and this, and other omissions, has the potential to further skew the cost benefit balance.

The methodology used extrapolates forecasts from base assumptions that, when inaccurate, produce outcomes and benefits that are significantly overstated. In this case the calculations of economic benefits for the local economies, particularly, cannot be credibly claimed.

Defining the local area to which the alleged economic benefits are claimed as with a 40-mile radius of the location, this provides an entirely misleading perspective to the LPA. Such a radius encompasses a significant portion of Oxfordshire and parts of Northamptonshire, Bedfordshire and Wiltshire. The report is fundamentally unreliable by defining the local area of impact but drawing economic data from only part of that area.

The MoJ case offers no insight into the relative cost benefit assessment of alternative sites considered in the site selection process, which is also cross referenced in our additional site selection critique referenced later on. Moreover, it does acknowledge that Buckinghamshire has below average unemployment and crime rates and low rates of deprivation. Regional and national benefits from the prison programme would bring greater benefits in areas experiencing greater prison demand, higher unemployment and greater deprivation as well as contributing to the Central Governments 'levelling up' agenda.

The MoJ's own criteria require new prison locations to be in areas of identified future need and demand. The planning statement then identifies the area as the South East (Para 7.26). There is no unmet or forecast unmet demand from the local area. As at 31 December 2020 (latest data available), there were 7 prisoners held across HMPs Grendon and Springhill who had a recorded home address in a Buckinghamshire local authority area.

As at 31 December, there were 371 sentenced male and female prisoners aged 18 and over held in other prisons and young offender institutions in England and Wales who had a recorded home address

in a Buckinghamshire local authority area (Source FOI request). In 2020 there were 34,437 crimes recorded in Buckinghamshire compared with 699,722 in the South East and 850,410 in London. It is therefore clear that the proposed expansion at this location will not house prisoners close to the areas where they are expected to resettle or where their families live.

The result is that inmates and visitors will need to travel from areas of origin and to where they will resettle. This will further reduce the alleged economic benefits put forward by MoJ by reducing the operational efficiencies and adding to pressure on support services, exacerbating the economic harm that results from the unsustainable location.

Incomplete and generic economic modelling is being used to claim benefits that will not be achieved at local level. Benefits forecast at regional (defined as the whole of the South East) and national level should not be used to justify the Grendon and Edgcott location and are unreliable and incomplete.

In conclusion, any suggestion that the alleged socio- economic effects of the proposal (which in themselves should be afforded minimal weight) would outweigh the multiple and irreversible harms in this statement is demonstrably incorrect. The similarly flawed site selection process is considered next.

- **Inadequacy of site selection by MoJ and associated harm v benefit analysis**

Site selection and justification are key aspects in the planning balance, as was made patently clear by Officers in their pre-application advice. In response to this, and the cursory information adduced by MoJ we have undertaken our own review of the situation (see **Appendices 12 and 13**).

From those documents, it is clear that the site at Grendon Underwood and Edgcott fails to satisfy many of the MoJ's own site selection criteria, which have been previously placed in the public domain on Prison proposals elsewhere.

The ownership of the land (and the immediate proximity to existing prisons), which should be attributed little if any weight in planning balance considerations, has been used as a 'default' position to artificially outweigh many key and irreversible planning harms, including sustainability, heritage, landscape and visual impact, transport, ecology, residential and amenity space.

The MoJ's site selection is an exercise in tokenism and reverse engineering as the solution to the Grendon Underwood and Edgcott location. Freedom of Information requests submitted by representatives of Edgcott Parish Council to 107 Local Authorities in the South East of England have failed to identify any other pre-planning discussions regarding alternative sites. The MoJ have confirmed that there have been no such discussions in respect of alternative sites.

It is not credible to suggest that no other sites within the South of England have the potential to fulfil the MoJ's own selection criteria sufficiently to warrant pre-planning discussions and thorough analysis of comparative harms against the Grendon Underwood and Edgcott site. In particular, no evidence has been provided that sites such as HMP Feltham, Swaleside, HMP Rochester, many redundant ex MoD sites (including nearby Bullingdon), have been diligently and seriously assessed as more suitable alternatives. Investigations of potential alternative sites, especially brownfield land in existing urban areas, have been cursory in nature.

There will be many other brown field sites across the South East Region that would be more suitable to accommodate this significant development and that will not have such a catastrophic effect on a rural community that has already been badly affected by the construction of HS2, the East West

Railway and a new incinerator. The proposed site is in Buckinghamshire, which has some 3% unemployment compared to over 7% in some of the deprived areas which have been promised to gain the advantage of “levelling up” (Source: ONS statistics). This proposal clearly is in contradiction to this Government objective.

The applicants have provided no credible evidence that they have undertaken a thorough, robust and genuine search in the South of England for alternative and more sustainable sites. Similarly, no evidence has been provided that a proper and required cost/benefit versus harm analysis has been undertaken on any other site that would result in reduced harm within the MoJ’s operational area of search. Investigations of potential alternative sites have been cursory in nature. The MoJ’s approach also flies in the face of very clear application advice provided by Council Officers.

- **Expansion of HMP Springhill**

In the OPA Traffic Assessment, Appendix L, it is very clear that, in addition to building a new ‘mega’ prison on the Grendon Underwood site, the MoJ intends to expand HMP Springhill by 120 places. In fact a letter was received on 17th August by our MP from the Parliamentary Under-Secretary of State for Justice confirming that a pre-application meeting had taken place with Buckinghamshire Council and that an application for the expansion of HMP Springhill will be submitted in late September. The letter also stated:

“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.

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.”

It would seem that the MoJ do not want to risk jeopardising the application for the new mega prison by allowing the cumulative impact of the expansion of HMP Springhill to be taken into account. This is the reason for the two applications not being submitted concurrently. This is typical MoJ tactics.

Although no application has yet been submitted for this extension, it is justifiable to consider the further harm that would be caused to many of the aspects covered in previous paragraphs. The cumulative harm is covered in the relevant appendices.

Conclusions

We conclude that the proposal is contrary to the most relevant policies in the Development Plan and that material considerations, including the flawed arguments put forward by MoJ to justify the proposal do not justify the grant of planning permission for this proposal, which would result in multiple and irreversible harms. We would respectfully request that the application is refused at the earliest opportunity.

On a related point, we have read the supporting Planning Statement (“PS”) dated June 2021 From Cushman and Wakefield. Paragraph 7.2 to 7.4 of the PS correctly states that as a matter of law, applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Section 38(6) of the Planning and Compulsory Purchase Act 2004 applies.

The PS then goes on to state, amongst other things, that the Development Plan does not have any up to date policies on development outside of settlement limits and there are no relevant policies in the Development Plan that relate to new prisons.

In addition, the PS states that in such circumstances paragraph 11 d) of the NPPF advises that where there are no relevant Development Plan policies, or the policies which are most important in the determination of an application are out of date, planning permission should be granted, unless clear protection is provided by the application of policies in the NPPF, or the adverse impacts of granting permission would demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 7.4 of the PS asserts that the ‘tilted balance’ is engaged in relation to this proposal. We strongly disagree with this conclusion and would respectfully submit that the ‘tilted balance’ is not engaged in this case.

To assist, we would refer the Council to appeal decision dated 25/04/19 relating to a site at Berton, just outside Aylesbury (PINS reference 3202280). The appeal involved the application of both Saved policies cited on the LPA decision notice, namely GP 35 and RA2. Paragraph 7 of the decision letter refers.

The Inspector did *not* engage the ‘tilted balance’ for the reasons set out in paragraph 9 of the decision letter. The appeal was dismissed following the application of S 38(6). Admittedly, he went on to ‘cover off’ the tilted balance in paragraph 36 to insulate the decision from legal challenge. The decision was not challenged however and his approach regarding the application of S. 38(6) is a matter of public record. In the case of the current application, there are a larger number of the most relevant Development Plan policies at play compared to the Berton Case.

An earlier appeal decision dated 09/11/18 relating to a site off Wendover Road Aylesbury (PINS reference 3189046) is also relevant to the application of Saved policies. In paragraph 46 the Inspector concluded that whilst there are no Saved policies within the Development Plan relating to spatial strategy, settlement boundaries or (in that case) the supply of housing, policy GP35 is not out of date and that the ‘tilted balance’ was *not* engaged.

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APPENDIX 1

Analysis of Impact on Countryside, Settlement Pattern and Open Space with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Countryside and Settlement Pattern

The site of the proposed new mega prison is located within the 'Poundon – Charndon Settled Hills' Landscape Character Area (LCA 7.1) and the 'Woodland Rolling Lowlands' Landscape Character Type as defined by the Aylesbury Vale Landscape Character Assessment 2008. It is a predominantly pastoral area with limited woodland, although there are trees on top of the small rounded hills which are a feature. The LCA assessment of the 'Poundon - Charndon Settled Hills' concludes that the condition of the LCA as a whole is 'Moderate', with 'Moderate' sensitivity. The landscape is unified by hedgerows and the settlement pattern, with few visual detractors, this therefore makes the area strongly unified and settled in terms of landscape character. Overall the landscape has a distinctive character and a good sense of historic continuity. However, Grendon and Springhill prisons are visual detractors at the far southern end.

The main part of Grendon Underwood is located in the LCA 7.4 Kingswood Wooded Farmland (LCT 7). The landscape character is of gently sloping or undulating landform with some small hills. It is predominantly pastoral with large areas of ancient woodland. The south of the area was once part of the medieval hunting forest of Bernwood. Hedgerows are generally strong and clipped with fine mature oak trees adding to the sense of a landscape with good tree cover. To the south of Grendon Underwood there is a line of small hills. Although there is settlement within the area it is mostly at the edges, much of the area retains a slightly forgotten character with areas of less intensive management and narrow curving lanes.

The area within the prison site boundary represents the significant coherent remains of the original designed landscape. This is the Historic Park and Gardens (*Report: Bucks Gardens Trust, Site Dossier: Grendon Hall, Aylesbury Vale Area March 2021, revised June 2021*) for the 1880s country house, Grendon Hall, included terracing, informal lawns with mature trees and shrubberies, and the parkland with a straight main drive framed by an avenue. The layout survives considerably intact, except for a 7 ha housing estate in the south park and prison buildings in the pleasure grounds around the Hall to the east and south. The area within the site boundary represents the significant coherent remains of the designed landscape. The rural setting enjoys views over the Vale of Aylesbury but has been **damaged** by the large prison development immediately to the east of the Hall.

The proposal for a new mega prison would not accord with the design, character and appearance requirements of policy GP35 of the LP and paragraphs 170b and Chapter 12 of the Framework. Furthermore, there would be similar conflict with the design, character and appearance requirements of policies BE2, S1, S2 and NE4 of the VALP, given the consistency of these policies with the Framework. The proposal for a new 'mega' prison would have significant harmful impacts on the character and appearance of the landscape and the setting of Grendon Underwood and Edgcott and is, therefore, contrary to LP Policy GP.35 and relevant provisions of the Framework. In addition the site is nucleated, rural in nature and the proposed development would not respect or complement the existing characteristics of the landscape base line and therefore is in conflict with saved policy GP35 of the Aylesbury Vale Local Plan (AVLP).

The proposed development would conflict with policy GP35 of the Aylesbury Vale District Local Plan and would not constitute sustainable development. It would fail to comply with the core planning principles of the NPPF to recognise the intrinsic character and beauty of the countryside, to conserve and enhance the natural environment and to reuse land that has been previously developed. The

development is of a scale, nature and location on top of a hill which would intrude into the rural amenities of the countryside at this green field site. As a result it would unacceptably increase the built form of this site to the detriment of its character and appearance and result in a harmful incursion into the local landscape with a significant and irreversible level of urbanisation. The development would give rise to significant, adverse harm to the landscape and visual impacts on the landscape itself.

Policy RA2 states that other than for specific proposals and land allocations in the Local Plan, new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements. In considering applications for building in Rural Areas the Council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to coalescence between settlements. The proposed development would reduce the open land on the prison site by around 60 acres, destroy the form and character of the area due to the vast scale, size, height and form of the buildings and associated services and fencing planned. In addition it will contribute to coalescence of the area between Edgcott and Grendon Underwood. These factors should be given considerable weight in the planning balance.

Significant harm would be caused to the character and appearance of the locality if a new site entrance and road to the development site, as well as the relocated football pitch and significant planting was placed in the field adjacent to Willow Lodge. As detailed in Appeal Ref: APP/J0405/W20/3255772, Land at Edgcott Road, Grendon Underwood HP18 OTQ, Paragraph 29 describes the setting in this part of the site as *“one of the positive and defining characteristics of the immediate area is one where, in the main, the land is devoid of trees/vegetation and where the essentially open and rural landscape adds positively and distinctively to the character and appearance of the area.”* The development in the proposal for this area would appear particularly intrusive and out of place and would have an undesirable urbanising effect on the local landscape and would result in the permanent loss of the countryside.

The new site entrance seems out of place in this location where the current prison gates and fencing, Grade II listed, are reminiscent of a grand entrance to a stately home through parkland. It feels unnatural for this type of development to be even considered. This harm would be particularly evident and highly visible from the highway, from the footpath and from both Willow Lodge and the Springhill housing estate as the field slopes upwards towards Grendon Hall and hence could not be effectively screened.

A major concern is that the proposed development will lead to an extension of urbanisation into the open countryside, which would decrease the rural experience and approach when travelling from Grendon Underwood from the south, from Edgcott in the north and from Quainton and Buckingham from the east and north of Edgcott. The field designated for location of the new site entrance, road to the new site and the football pitch forms a green edge to the Springhill housing estate and the impression one gets when driving along the main road and past the site is an area which is rural and open in character. Given the open and green nature of the site it contributes positively to the prevailing character and appearance of the immediate area.

The residential property, Willow Lodge, located at the entrance to the Springhill estate, and properties on the northern part of the Springhill housing estate itself, are highly sensitive receptors and would experience significant and irreversible adverse visual harm if the development were to proceed, due to their close proximity to the proposed site entrance, new road and football pitch. No landscape mitigation could detract from this matter and the resulting harm that would be caused.

Night time visual effects in a rural context also have to be considered. A development of this scale within an area of mostly undeveloped countryside would have major adverse effects on the

surrounding landscape in terms of night time visual experience with the significant level of lighting required for the operation of a 'mega' prison. Due to the main part of the site being on a hill and visible from most directions, the night time visual effect would be highly significant. The lighting of the new road into the site and football pitch, especially during the darker months of the year would cause a major adverse effect on the Springhill estate and other properties in Edgcott, Quainton Road/Lawn Hill Edgcott and those in Main Street of Grendon Underwood.

In summary it is considered that the current site, both the field adjacent to Grendon Road, and the area to the north of Grendon Hall currently contribute to a sense of place and belongs to a network of open fields in the surrounding landscape. The development of a new 'mega' prison would **not** represent the natural evolution of the existing settlement. The site is widely prominent and the visual impact of the proposal would be apparent from public vantage points from around the whole area, from roads and from the residential properties near the site and in particular to the north and east of the site.

The proposed development of the new 'mega' prison would result in significant adverse landscape character and visual impacts to the immediate site and the surrounding countryside. As such the development would be contrary to policy GP35 of the Aylesbury Vale District Local Plan and to the aims of the NPPF and this matter should be afforded significant negative weight in the planning balance. Furthermore the development would lead to an extension of development into the open countryside. As a result, this would not be in keeping with the settlement pattern as described in the LCA assessment, nor would this contribute to or enhance the physical characteristics of the site and its surroundings.

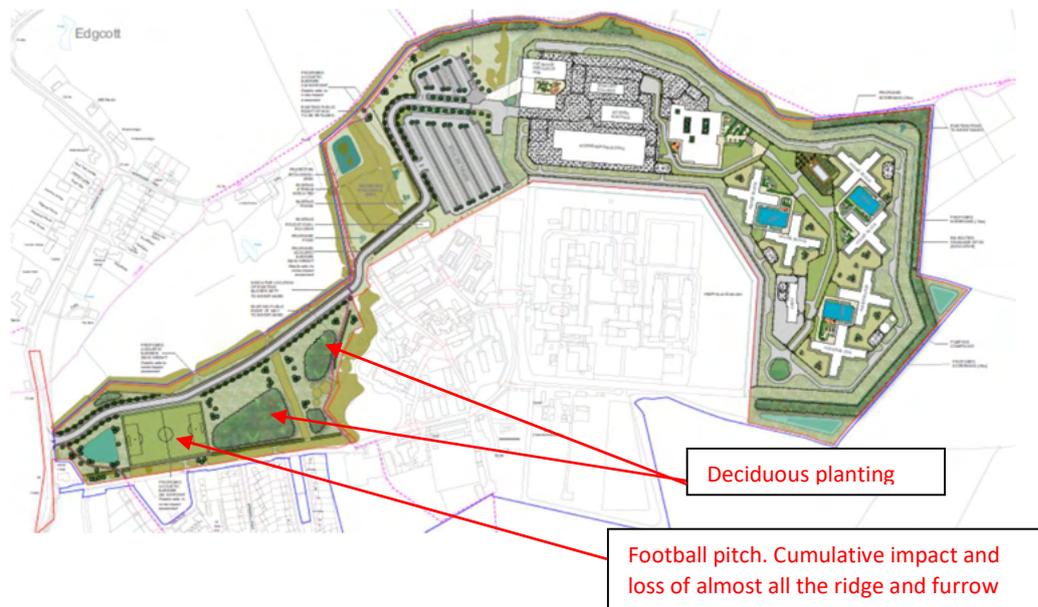
Open Space

The green field area proposed for the new site entrance and road into the site, as well as the location for the football pitch, consists of historically important ridge and furrow land. This particular field used to be connected to a more extensive region of ridge and furrow on Springhill and Mill Hill and behind Grendon Hall before the two prisons and the Springhill housing estate were built in the 1950s and 1960s. This field is also part of the Historic Park and Gardens associated with Grendon Hall (*Report: Bucks Gardens Trust, Site Dossier: Grendon Hall, Aylesbury Vale Area March 2021, revised in June 2021*). Hence this green field area used to be part of a much larger area (160 acres) of historically important green field space and should be preserved.

The above mentioned field provides a tranquil and countryside setting of open space for residents of the Springhill housing estate and forms a green edge to that estate. The impression one gets when driving along the main road and past the field is an area which is more rural and open in character and where any limited built form is sporadically located and more rural in appearance. Given the open nature of the site, it contributes positively to the prevailing character and appearance of the immediate area. The open space also provides a valuable amenity aspect for local residents using the adjacent footpath and the public rights of way that cross the field.

Constructing a new site entrance and long road into the proposed construction site, as well as locating the football pitch in the above mentioned field would destroy the current open nature of that open space and cause considerable harm to the site. It would also not accord with the design, character and appearance requirements of policy GP35 of the Local Plan and paragraphs 170b and Chapter 12 of the Framework. Furthermore, there would be similar conflict with the design, character and appearance requirements of policies BE2, S1, S2 and NE4 of the VALP.

In an attempt to overcome the loss of habitat due to the building of a new mega prison a considerable amount of deciduous planting is proposed at the top of the field next to Willow Lodge (see plan below). This planting is to help increase the biodiversity by the required 10% across the site. However, the planting would destroy a further section of the ridge and furrow cultivation which is a special feature of this area. Furthermore it would have a negative impact on the current open character of the area leading up to Grendon Hall on the hill at the top of the field.



It is clear that the football pitch has been located in the field opposite the Springhill housing estate due to the selection of an inappropriate site to construct a new mega prison. There is insufficient room to locate the football field anywhere else on the site and hence it has been placed where indicated on the proposed plan. This proposal is inappropriate from a number of aspects.

- Firstly a football pitch located here would appear particularly intrusive and out of place in the landscape setting when viewed from parts of Edgcott/Grendon Road and from parts of public right of way GUN/16/1 as well as the northern part of the Springhill housing estate.
- The impact on the local amenity space would be significant for residents on the Springhill housing estate, for Willow Lodge and Edgcott, both along the footpaths and public rights of way. In addition residents will not even be able to enjoy even their own space in their gardens whilst football matches are ongoing.
- The noise and light pollution would not only impact on the residents on the Springhill housing estate and Willow Lodge but a much wider area including much of Edgcott, Hall Cottages and parts of Main Street Grendon Underwood.
- The 2m high acoustic fencing to be fitted down the side of the football pitch facing Springhill housing estate is purely a gesture and will have little impact on the noise pollution generated.

Below are some photos showing the current open field space (c. 12 acres) between the footpath close to where the new site entrance would be located, and Willow Lodge and Grendon Hall at the top of the field. These highlight the tranquil, rural, open countryside landscape that this space brings to the area, space which will be destroyed by the proposed plans hence causing significant and irreversible harm to this landscape.



The field in winter highlighting the ridge and furrow



Aerial photo highlighting the open space and the ridge and furrow of the field



Panoramic view of the open space in the field from the LVIA docs submitted showing the area where the new site road and football pitch would be located

In addition to the loss of the open space in the above mentioned field, a further c.70 acres of open space (including the agricultural land to be purchased) will be lost on the main site where the new prison would be constructed. This space forms part of the setting of Grendon Hall and Lawn House, both Grade II Listed properties. Although the public do not have access to the whole of this space, there is a public right of way which passes in front of Grendon Hall, around the ecology area on the prison site and enters the main part of the green lung the other side of the ecology area. This public right of way then follows the northern hedge of this area until it leads into the adjacent field via a stile. The public viewpoint as the path enters this green lung is one of open, rural countryside with only distant evidence that a prison is present on this site. The green, open tranquil nature of this viewpoint is shown below in the following two photos.



The open, green lung from the public right of way having just passed the ecology area and looking at the current landscape

If the new prison was constructed this 'green lung' would be replaced with a large 'Supermarket like' car park (453 spaces) and that would be the first visual aspect that the public would see at this point. Beyond the car park would be the main ancillary buildings of the prison which range in height from 1-3 storeys. Beyond those buildings would be the six accommodation blocks which are four storeys in height with various services on top making them even taller.

The prison site is in a rural location and surrounded by open space which forms a natural green edge to the Springhill housing estate, to Willow Lodge, to the public rights of way and benefits the whole community whether walking or driving along the road from Grendon Underwood to Edgcott. In addition the current open space forms a natural green edge in the wider panoramic viewpoint. All of this visual, amenity aspect and wellbeing contribution to the local area would be irreversibly destroyed if the new mega prison was constructed. The open space would be lost to the new site entrance, the new road, a football pitch in a totally inappropriate location and approximately 50 acres of urbanisation through the construction of concrete buildings on top of a hill which would dominate the landscape for evermore.

The Expansion of HMP Springhill

From reading the Outline Planning Documentation (OPA) (Traffic Assessment Appendix L) it is very clear that, in addition to building a new 'mega' prison on the Grendon Underwood site, the MoJ intends to expand HMP Springhill by 120 places. The expansion of HMP Springhill was mentioned in the second consultation document issued in December 2020 as a possibility which was being considered. However, there is now clear evidence in the OPA that the HMP Springhill expansion will be the next development on this site.

In fact a letter was received on 17th August by our MP from the Parliamentary Under-Secretary of State for Justice confirming that a pre-application meeting had taken place with Buckinghamshire Council and that an application for the expansion of HMP Springhill will be submitted in late September. The letter also stated:

"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.

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."

It would seem that the MoJ do not want to risk jeopardising the application for the new mega prison by allowing the cumulative impact of the expansion of HMP Springhill to be taken into account. This is the reason for the two applications not being submitted concurrently. This is typical MoJ tactics.

Although no application has yet been submitted for this extension, it is justifiable to consider the further harm that would be caused to the Countryside settlement pattern and open space as a result of the cumulative impact of the new prison and the extension of HMP Springhill. In fact HMP Springhill is closer to both Grendon Hall, Lawn House and the public right of way that passes to the west and north of Grendon Hall.

APPENDIX 2

Analysis of Landscape and Visual Impact with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Landscape Setting

The site proposed for the new mega prison is located within the *'Poundon – Charndon Settled Hills'* Landscape Character Area LCA7.1 and the *'Woodland Rolling Lowlands'* Landscape Character Type, LCT7, as defined by the Aylesbury Vale Landscape Character Assessment 2008. The site, comprises a series of low domed hills, forming a slight ridge across the surrounding lower vale landscapes. It is largely in agricultural use and fields are small or medium sized and defined by generally well-maintained hedgerows. Tree cover is limited to small fragments of woodland and isolated hedgerow trees. Settlement is dispersed with three small settlements: Poundon, Charndon and Edgcott. There are relatively well-used minor roads cross the area and a freight railway runs south-west to north-east across the LCA. There are expansive views across the surrounding countryside to the north-east. HMP Springhill and HMP Grendon are already intrusive built elements in a largely rural setting. The landscape condition is fair due to the detracting influence of the Poundon mast and prison buildings. The presence of the prison, noise from local roads, and lighting from settlements means that tranquillity is medium. If the proposed prison were to go ahead the level of tranquillity would suffer from significant harm.

The main part of Grendon Underwood is located in the LCA 7.4 Kingswood Wooded Farmland (LCT 7). The landscape character is of gently sloping or undulating landform with some small hills. It is predominantly pastoral with large areas of ancient woodland. The south of the area was once part of the medieval hunting forest of Bernwood. Hedgerows are generally strong and clipped with fine mature oak trees adding to the sense of a landscape with good tree cover. To the south of Grendon Underwood there is a line of small hills. Although there is settlement within the area it is mostly at the edges, much of the area retains a slightly forgotten character with areas of less intensive management and narrow curving lanes.

Paragraph 174 of the National Planning Policy Framework (the Framework) requires planning decisions to protect and enhance valued landscapes recognise the intrinsic character and beauty of the countryside. Policy GP.35 of the Aylesbury Vale District Local Plan 2004 (LP) requires proposals to respect and complement the physical characteristics of the site and its surroundings, the historic scale and context of the setting, the natural qualities and features of the area and important public views and skylines. There is nothing to suggest that this policy is not consistent with the Framework or applicable to outline planning applications. Policy GP.38 requires development to include landscape proposals to help buildings fit into their surroundings and conserve natural features. Policy GP.40 presumes against the loss of trees and hedgerows of landscape value. The proposed new mega prison development could hardly be described as meeting any of the above mentioned factors.

Policy RA2 states that other than for specific proposals and land allocations in the Local Plan, new development in the countryside should avoid reducing open land that contributes to the form and character of rural settlements. In considering applications for building in Rural Areas the Council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to coalescence between settlements. The proposed development would reduce the current open land on the prison site by around 70 acres, destroy the form and character of the area due to the vast scale, size, height and form of the buildings and associated services and fencing planned. In addition it will contribute to coalescence of the area between Edgcott and Grendon Underwood. These factors should be given considerable weight in the planning balance.

Scale of the Proposed Development

Despite the clear harm to the countryside as a result of the building of HMP Springhill and HMP Grendon in the 1950s and 1960s, these two prisons are relatively small in nature and somewhat screened by their location and scale. The proposed new prison would occupy a total of around 80 acres of land in a horse shoe shape (including the land to be purchased) which would be wrapped around Grendon Hall and the existing prisons. The size, scale, height and location on top of a hill of the proposed new prison would dominate the landscape in every direction. The proposed development would result in a major degree of urbanisation with resultant harm to the open countryside, both in front of Grendon Hall and in the space behind the current prisons. In addition the additional lighting required for the operation of a new prison would dominate the landscape at night time and result in significant harm to the rural countryside as well as impacting on wildlife.

The current prison site is an area which is rural and open in character and where any limited built form is sporadically located and more rural in appearance. Given the open and green nature of the site it contributes positively to the prevailing character and appearance of the immediate area. As a result the proposed new 'mega' prison would result in irreversible and significant harm to the landscape and the visual impact in the area and as an amenity space. Furthermore the development would have an undesirable urbanising effect on the local landscape and would result in the irreversible and permanent loss of countryside.

The field where the new site entrance and road will be located as well as the football pitch, consists of historically important ridge and furrow land. This particular field used to be connected to a more extensive region of ridge and furrow in the area including on Springhill and Mill Hill before the two prisons and the Springhill housing estate were built in the 1950s and 1960s. It would be extremely harmful to irreversibly destroy the remaining part of the ridge and furrow land in the vicinity of Grendon Hall. The building of the new entrance, the new road and locating the football pitch would severely distract from the landscape and current visual impact as well as causing significant harm to the historic ridge and furrow cultivation area.

The above mentioned field is also part of the Historical Park and Pleasure Gardens of Grendon Hall which were completed by the late 1880s (Ref: *The Buckinghamshire Gardens Trust Research & Recording Project, Grendon Hall March 2021, modified in June 2021*). As a result this land forms part of the Historic Park of a Grade II listed property and hence this factor should be given significant weight in the planning balance.

In an attempt to mitigate the intrusive nature of the proposed development, planting of new areas of trees and other planting is described. However, this appears to be all deciduous planting and hence will only offer some moderate screening during the summer months. In addition the planting will take a minimum of fifteen years to reach some level of maturity. This means that the landscape character and visual impact will be blighted by the size, scale, urban design and height of the proposed development beyond the lifetime of many residents.

In relation to landscape and visual matters, Section 12 of the NPPF mentions that achieving well-designed places aims to ensure that developments are sympathetic to local character (including the surrounding built environment and landscape setting). Section 15 of the NPPF addresses on 'conserving and enhancing the natural environment' stating that policies and decisions should contribute to this by 'protecting and enhancing valued landscapes (noting that this should be commensurate with a statutory status or identified quality identified in a development plan) and also recognising the 'intrinsic character and beauty of the countryside'. The NPPF also notes the

importance that designs evolve in response to local issues and to the views of the community. The proposed development fails to meet any of these criteria.

Firstly such a huge development located on top of a hill would not be sympathetic to the local character, in fact it would be the exact opposite. Secondly the proposed development would not protect and enhance the valued landscape or recognise the character and beauty of the local countryside, it would do the exact opposite and cause significant and irreversible harm. Finally the planned prison does not represent a response to local issues and it is very clear that the views of the local community are vehemently against the proposal rather than in favour.

It is claimed in the outline Planning Application that the new prison buildings would be screened from view with the addition of some additional planting. The planting proposed is deciduous and would take many years, probably decades to reach a maturity level which might form some level of screening but only during the summer months. The wire frame diagrams included in the proposal highlight how imposing the accommodation blocks in particular would be on the surrounding landscape. Please see below.



View from public right of way west of Prune Farm; the existing prison buildings can be seen just above the hedgerow



Poor quality image from the OPA submission but a view (in blue) from a public right of way (public footpath), Lawn Hill, looking south



View from a public right of way south of Lawn Hill Farm (public footpath), looking south-east.

Light Pollution

Within the Landscape and Visual Impact Assessment documentation in the OPA the following images show the night time visual appearance of the current prison site. The first two rather poor quality photos are taken from the application, The second two images were taken by a resident and are of a much higher quality. All these images clearly show the current level of night time light pollution. However, the latter two images in particular highlight this aspect of current pollution. The increased light pollution from a new mega prison would be magnified several times over compared to the already significant light pollution. Comparing the wireline images with the images below gives some indication of how widespread the light pollution would be across the landscape. It is almost unbearable to imagine what the future level of light pollution would be like if the development was approved. This impact can hardly be argued as enhancing the local landscape or something that is in response to a local community requirement.

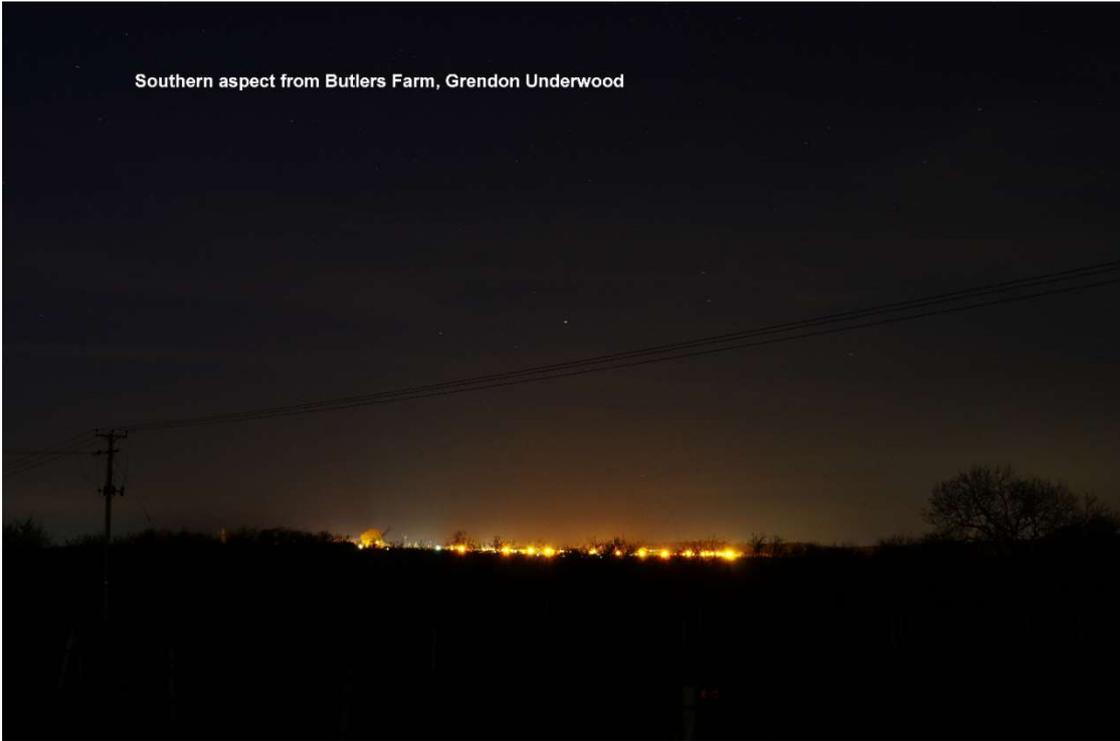


Current night time light pollution from Perry Hill



Current light pollution from the Marsh Gibbon Road

Southern aspect from Butlers Farm, Grendon Underwood



Current light pollution from Butlers farm, Grendon Underwood

Northern aspect from Lawn Hill



Current light pollution from Lawn Hill

APPENDIX 3

Analysis of Heritage Impact with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Site History and Heritage Assets

In heritage terms the history of the site is important. The early history of the site has strong associations with the Forest of Bernwood. Potential for the evidence of Roman occupation is high, given the proximity to Akeman Street and archaeological evidence nearby along the route of HS2. The medieval Forest of Bernwood provides this area with a unique heritage, many of the features and place names being a direct legacy of the ancient royal forest. There is potential for evidence associated with the forest particularly related to banks, routes, boundaries and buildings. The area is rich in historic ridge and furrow and potential exists for former features related to the designed landscape since the 1880s such as buildings, paths, beds, terraces, boundaries, and the lost north drive of Grendon Hall.

There are a number of heritage assets that will be impacted by numerous aspects of the proposed new prison (see the table below) including noise and light pollution, landscape impact on their settings and increased traffic. However, the heritage assessment in the planning application has not considered all the Heritage assets in the immediate vicinity of the application site, including two Grade II* Churches, nor has it considered the harm that will be inflicted by the full range of aspects, for example proposed lighting schemes, viewpoints and full impact on settings.

Due to the lack of a full assessment by the Heritage Statement in the application, this objection will focus solely on the two main heritage assets included in the heritage assessment (Grendon Hall and Lawn House). Further planning details are required to provide a wider radius assessment of the impact on other heritage assets. Once this is available a further submission will be made.

Property	Location	Listing
Grendon Hall	Springhill, Grendon Underwood	II
Gate Piers, gates and railings to Grendon Hall	Edgcott Road, Grendon Underwood	II
Lawn House	Lawn House Lane, Edgcott	II
Lower Farm	Grendon Road, Edgcott	II
St Michael's Church	Church Lane, Edgcott	II*
Old Manor House	Church Lane, Edgcott	II
Manor House Cottage	Church Lane, Edgcott	II
Rectory Farmhouse	Church Lane, Edgcott	II
Lower and Upper Barn	Church Lane, Edgcott	II
Rectory Farm and Barn	Church Lane, Edgcott	II
St Leonard's Church,	Grendon Underwood	II*

There are other properties listed in Edgcott which were originally farm barns but these have been converted to dwellings for human occupation. In addition to the heritage assets in Edgcott, there are a number of listed buildings in Grendon Underwood. These include St Michael's Church (Grade II*), Lower Greatmore Farm and Barn (Grade II), the Old Rectory (Grade II), Shakespeare House Grade II*) and Daffodil Cottage Grade II). There are several other listed buildings spread down Main Street, Grendon Underwood (all Grade II listed) and those on the north side of Main Street in particular will

be exposed to the change in landscape plus significant light pollution resulting from the construction of a new, mega prison.

Grendon Hall and Lawn House

Grendon Hall (Grade II listed in 1985) is a gabled, Jacobethan, red brick house and is dated 1882 on a beam in the chapel. The Hall grounds were laid out alongside the new house at this time and in any case by the late 1890s. The layout comprised a largely typical ensemble of pleasure ground and park (of about 160 acres) for a country house developed in the 1880s, including terrace, informal lawns with mature trees and shrubberies, and parkland. The details of this park have recently been reported (*Ref: Report by the Bucks Garden Trust on Grendon Hall, March, 2021, updated in June 2021*). The 1880s design incorporated hedgerow trees as specimens in the new park and a straight main drive was framed by an avenue. Some of the early specimens survive enclosing the informal lawns within the modest pleasure ground. Elements lost to past developments include the 7 ha housing estate in the south park and prison buildings east and south of the Hall. The rural setting enjoys views over the Vale of Aylesbury but has been damaged by the large prison development immediately to the east of the Hall. See Fig. 1 below for an old map of the Historic Park and Gardens of Grendon Hall.

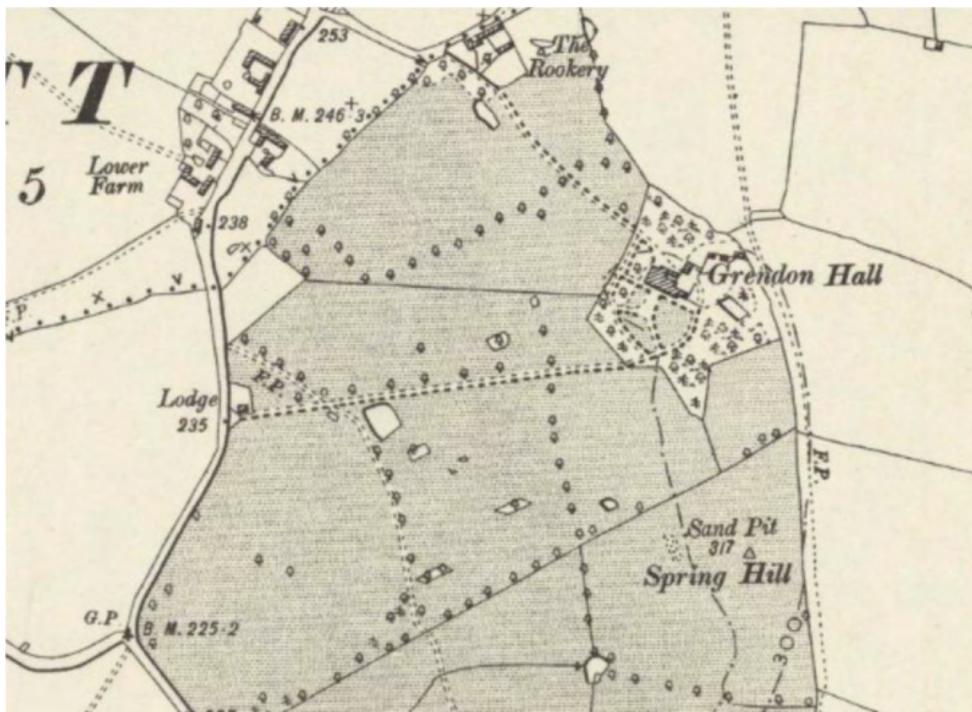


Fig. 1: OS Map published in 1900. The shaded area represents the Historic Park and Garden of Grendon Hall (Note in this period Lawn House was known as The Rookery). This map also shows the proximity of and the relationship between Grendon Hall and Lawn House (previously The Rookery)

During World War II the prison site was requisitioned by the Government, initially it was used by MI5 and from January 1942 as Station 53 of Special Operations Executive; here new radio communications were developed in conjunction with the new radio station at nearby Poundon House. Towards the end of the war the estate was also used as a fire training centre and then as a school for the daughters of displaced Polish people until 1951. To accommodate more than 300 staff the pleasure grounds to the north of the house were used for accommodation huts, recreation facilities and stores with about ten more in the field beyond, this now forms part of the area occupied by the prisons.

Grendon Hall site was purchased in 1953 by the Prisons Commission and HMP Springhill (Category D) became the UK's first open prison. In 1962 HMP Grendon (Category B) opened on the adjacent site.

In the 1960s Springhill housing estate was built in the area to the south of the approach road to house prison staff. **These developments all took place prior to Grendon Hall being listed in 1985 (Grade II). It is inconceivable that the two existing prisons, and the Springhill housing estate, would have been constructed if Grendon Hall had been listed prior to their development.** Grendon Prison to the east was noted in 1994 as *having bleak buildings of 1962 by the Ministry of Works* (Pevsner, N. *The Buildings of England - Buckinghamshire* (1979), 148.).

Past Harm

The past construction of HMP Springhill and HMP Grendon, as well as the Springhill housing estate has already caused considerable harm to the setting of Grendon Hall, the Historic Park and Gardens of Grendon Hall but also the setting of Lawn House. This harm includes:

- Significant harm to much of the landscape setting surrounding the two assets;
- Loss of green field space and a 7 ha area of the Historic Park of Grendon Hall to a housing development;
- Loss of character of the countryside surrounding the two assets, including some archaeological ridge and furrow land;
- Urbanisation of a very rural area;
- Loss in the nature of the relationship in the setting between the two heritage assets (although built first, Lawn House was once owned by the owners of Grendon Hall);
- Unsightly buildings constructed so close to the two heritage assets;
- Loss of trees and hedging as well as allowing trees and hedge to destroy the intended views from Grendon Hall across the surrounding area;
- Noise, light and traffic pollution from the operation of the prison and the housing estate;
- Loss of wildlife that was present prior to the developments;
- Poor upkeep of the Historic Park and parts of the gardens;
- Increase in smells from the prison kitchens;
- The regular use of 'drop-offs' in the grounds of Grendon Hall and Lawn House to feed the drug and other requirements of inmates;

Lawn House is a seventeenth century timber-framed house with late nineteenth and twentieth century alterations. It was previously known by the names Grendon Hall Farm and The Rookery and appears on old maps by the different names. The house was Grade II listed in 1985.

At one point Lawn House and its grounds were part of Grendon Hall and the Historic Park and Gardens associated with the Hall. However, today the grounds of Lawn House extend to 12 acres of garden, a grass field and a wooded area. There are three ponds and the grounds are registered as a great crested newt site. On two sides of the grounds belonging to Lawn House, the site shares a boundary with the prison site. The distance from Lawn House to the nearest prison site boundary is just 115m. From the outbuildings of Lawn House the prison boundary is just 80m away.

Harm due to the Proposed Development

Since the construction of the two existing prisons and the Springhill housing estate in the 1950s and 1960s no further significant developments have taken place on the prison site or the surrounding area. Hence this area has been a settled environment and landscape for around 60 years. The original and Historic Park and Gardens of Grendon Hall would have initially represented the setting for this listed property. However, as described in *Historic England document The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 2017*, **"The extent and importance of setting is often expressed by reference to visual considerations. Although views of or**

from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance. When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.

'Change over time': Settings of heritage assets change over time. Understanding this history of change will help to determine how further development within the asset's setting is likely to affect the contribution made by setting to the significance of the heritage asset. Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance but settings which have changed may also themselves enhance significance, for instance where townscape character has been shaped by cycles of change over the long term. Settings may also have suffered negative impact from inappropriate past developments and may be enhanced by the removal of the inappropriate structure(s).

'Access and setting': Because the contribution of setting to significance does not depend on public rights or ability to access it, significance is not dependent on numbers of people visiting it; this would downplay such qualitative issues as the importance of quiet and tranquillity as an attribute of setting, constraints on access such as remoteness or challenging terrain, and the importance of the setting to a local community who may be few in number. The potential for appreciation of the asset's significance may increase once it is interpreted or mediated in some way, or if access to currently inaccessible land becomes possible."

Hence the whole of the current prison site can now be considered to be part of the 'setting' of both Grendon Hall and Lawn House. Hence construction of a new 'mega' prison on the land behind the two current prisons (see Fig 2. Below), plus the placement of a new site entrance, new access road and the football pitch in the field between the current prisons and Grendon Road in Edgcott, would have a significant, irreversible and harmful impact on the settings of both Grendon Hall and Lawn House. In particular the proposal would bring new development much closer to Lawn House. The new prison would be effectively in the 'rear garden' of Grendon Hall and would only be separated by some of the much lower buildings belonging to HMP Springhill, built prior to the listing of Grendon Hall.

The green field where the new site entrance and road, plus the relocated football pitch are to be located, is part of the Historic Park and Gardens of Grendon Hall as well as being part of a historic area of ridge and furrow cultivation area.

In addition there would also be harm to the setting of the Grade II listed gate piers and metal fencing at the current entrance to the prison site. The proposed new site entrance and road, and the location of the football pitch in the same area, would significantly devalue the historic importance of the listed gate piers.

The harm related to these historically important heritage assets may be regarded in planning matters as *less than substantial* but it would be in the 'upper spectrum' of harm and would outweigh the perceived public benefits. The harm would, for both properties, be as follows:

- The scale of the proposed development, the size, number and height of the buildings and the urban nature of the buildings that would be constructed;
- A significant urbanising effect by constructing a new mega prison so close to these two heritage assets;

- The scale of the new mega proposed prison site would irreversibly destroy the landscape and green field space currently in place and forming the setting of the two assets;
- The scale of the car park area close to the two heritage assets would have a harmful impact on both properties in terms of landscape, noise and light pollution;
- Light pollution from the significant increase in lighting that would be required for the operation of a new mega prison;
- Noise pollution from the significant increase in noise during both the construction phase and the operation of a new prison, both from the prison itself and from the car park and the resulting significant increase in traffic;
- The proposed acoustic fencing adjacent to parts of the boundary with Lawn House is merely a gesture and would have little impact on reducing the noise pollution for this asset or Grendon Hall;
- The increase in smells due to the operation of the prison;
- An increase in drug and other 'drop offs' for inmates in the surrounding locality, especially when HMP Springhill is expanded (see below);

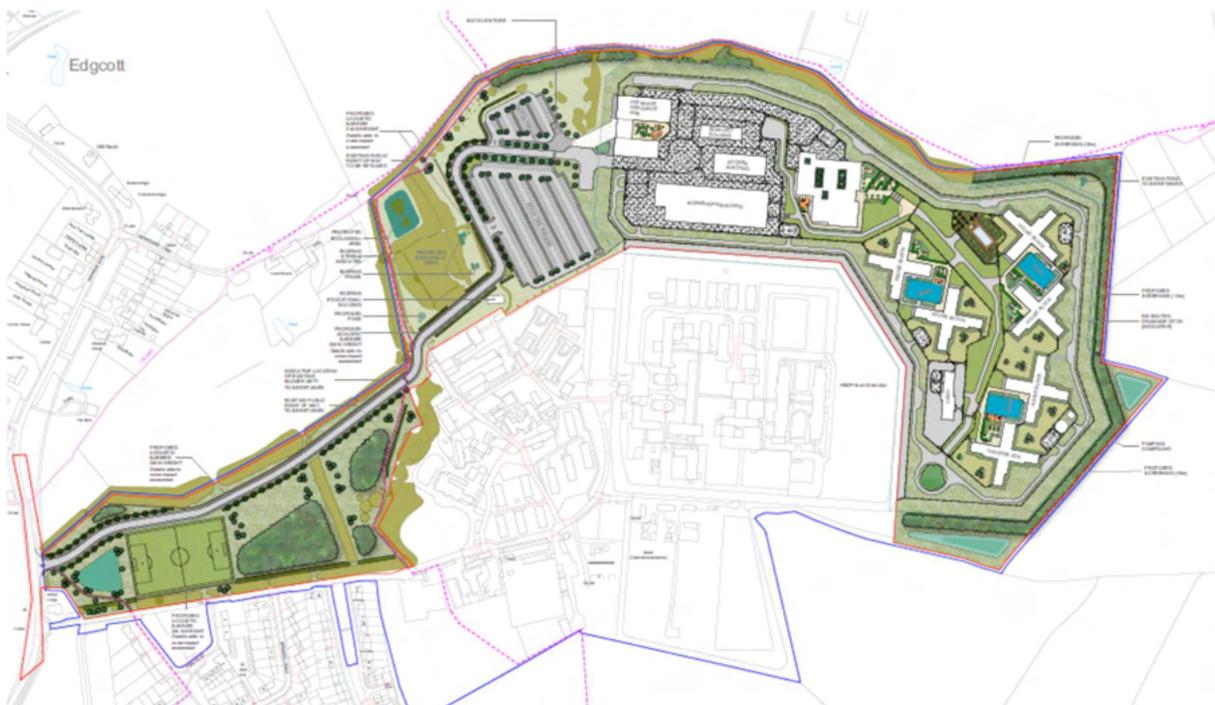


Fig. 2: Illustrative Layout of the proposed 'Mega' Prison

The access road to the new mega prison would run up the northern edge of the field between Grendon Road and Grendon Hall and this is part of the Historic Park and Gardens of Grendon Hall. Both during construction and afterwards during operation of the prison, the road would run adjacent to land belonging to Lawn House and 180m from the house itself. The new road would run just 110m from Grendon Hall itself. The noise and light pollution for both Lawn House and Grendon Hall would be considerable and have a further irreversible, detrimental and harmful impact on the setting of the two heritage assets and the Historic Park and Gardens of Grendon Hall.

It is evident that building a new mega prison and the associated site access and road, plus relocating the football pitch, would cause further harm to the Historic Park and Gardens of Grendon Hall, and the setting of Lawn House, Grendon Hall and the gate Piers and railings as well as other surrounding heritage assets. As stated in the *Historic England Document* (see Page 4 heading 5, *The Setting of*

Heritage Assets 2017), **“the cumulative impact of harm to the settings should be avoided and due consideration should be given, to accord with NPPF policies, as to whether additional change will further detract from or enhance the significance of the asset.”** Hence the planned proposal is contradictory to Historic England Guidance and should be rejected.

In addition, the following Historic England statement is also relevant in this case.
Cumulative impact (From Historic England Document: The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) 2017)

28: The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies. Negative change could include severing the last link to part of the history of an asset or between the asset and its original setting. Conversely, positive change could include the restoration of a building’s plan form or an original designed landscape.

It is quite evident that the proposed new prison, and the expansion of HMP Springhill (see below), would have a negative and harmful impact on both Grendon Hall and Lawn House. As a result this would further compromise the unsympathetic developments previously carried out in their setting.

The construction of a mega prison and car park so close to both Grendon Hall and Lawn House can hardly be described as enhancing the setting of these locally significant heritage assets and would result in further irreversible harm. In addition, constructing a new site entrance and relocating the football pitch as planned on the remaining ridge and furrow land between Grendon Road and Grendon Hall would destroy this remaining section of the important historical ridge and furrow landscape as well as impacting on the Historic Park of Grendon Hall.

Expansion of HMP Springhill

From reading the Outline Planning Documentation (OPA) (Traffic Assessment Appendix L) it is very clear that, in addition to building a new ‘mega’ prison on the Grendon Underwood site, the MoJ intends to expand HMP Springhill by 120 places.

Furthermore the most recent update is that a letter was received on 17th August by our MP from the Parliamentary Under-Secretary of State for Justice confirming that a pre-application meeting had taken place with Buckinghamshire Council and that an application for the expansion of HMP Springhill will be submitted in late September. The letter also stated:

“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.

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.”

It would seem that the MoJ do not want to risk jeopardising the application for the new mega prison by allowing the cumulative impact of the expansion of HMP Springhill to be taken into account. This is the reason for the two applications not being submitted concurrently. This is typical MoJ tactics.

Although the plans for this expansion are not included in the application, there is a clear justification in considering the **cumulative impact** of both the new prison proposal and the expansion of HMP Springhill. In this objection.

As HMP Springhill is situated even closer to Grendon Hall and Lawn House than the proposed new 'mega' prison will be, any extension to that prison would undoubtedly cause further significant harm to the setting of both properties. The expansion of HMP Springhill would also impact on public amenity space, landscape and visual impact, as well as landscape and character of the site and the need for additional car parking (not taken into account in the submitted application).

APPENDIX 4

Analysis of Archaeological Impact with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Background and Historical Records

Planning policy regarding Archaeology is covered in the Adopted VALP Policies under GP 59 as follows:

'In dealing with development proposals affecting a site of archaeological importance the Council will protect, enhance and preserve the historic interest and its setting. Where research suggests that historic remains may be present on a development site planning applications should be supported by details of an archaeological field evaluation. In such cases the Council will expect proposals to preserve the historic interest without substantial change. Where permission is granted for development involving sites containing archaeological remains the Council will impose conditions or seek planning obligations to secure the excavation and recording of the remains and publication of the results.'

The value of archaeology in creating a sense of place and local character is recognised in the NPPF as is its value in contributing to our understanding of the past.

'Archaeological Interest is defined in the NPPF as a heritage asset which holds, or potentially could hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.'

There is potential for evidence of Roman occupation on the current prison estate given the proximity to Akeman Street and archaeological evidence nearby along the route of HS2. The medieval Forest of Bernwood provides this area with a unique heritage, many of the features and place names being a direct legacy of the ancient royal forest. There is also potential for evidence associated with the Forest particularly related to banks, routes, boundaries and buildings.

Below is a table of local findings shown below from the Buckinghamshire Historical Environment Record (HER).

HER reference	Designation Status*	Description
0569900000	HER	SPRINGHILL PRISON GROUNDS: Neolithic or Bronze Age flint tool found by chance
MBC29144	PLN	17 th century to late Iron Age finds recovered during a metal detecting rally
0042700000	PLN	Field survey of medieval moat
0042500000	SAM	Medieval moat recorded in field survey

* COA = conservation area; LB = listed building; RPG = registered historic park; SAM = scheduled monument; PLN = planning notification area (undesigned area of archaeological interest); HER = historic environment record

Other findings in the locality include:

- Late Saxon and medieval activity including graves, building work and pottery in St Leonard's graveyard;

- Undated shallow ditches, probably 19th century 760m north east of the site;
- Roman coins within 1 km of the site;
- Saxon stirrup mount 880 m to the west of the site;
- Evidence of mediaeval settlement at Edgcott and Grendon Underwood;
- Brooch and two coins within the search area;
- Two sandpits post medieval and 11 metal finds;

Grendon hall Historic Park and Gardens and Ridge and Furrow

The western part of the current prison site is a remaining part of the Park and Pleasure Gardens belonging to Grendon Hall (see Fig. 1 below). The historical details of this park were reported in 2021 (*Ref: Report by the Bucks Garden Trust on Grendon Hall, March, 2021, updated in June 2021*). This part of the Historic Park consists of medieval-post medieval earthwork ridge and furrow cultivation (see Fig. 2 below) which is part of a large and important survival of the open field system of Grendon Underwood Parish. There is evidence from old maps and photos that the current prison estate used to be part of a large area of historic ridge and furrow (see Fig. 3 below). It appears that Grendon Hall and the two current prisons, as well as the Springhill housing estate, were built on ridge and furrow land before such areas were protected. Hence the field where the proposed new site entrance and the football pitch will be relocated is a remaining and important part of ridge and furrow cultivation in the western part of the site. Grendon Underwood parish was enclosed in 1769. In 1995 there was only approximately 26% of the original ridge and furrow land remaining. More has disappeared since then and hence any remaining parts of the historic earthworks should be preserved and protected from further harm and not irreversibly destroyed.

In addition to the new road and relocated football pitch, a significant amount of new planting (deciduous) is planned beyond the proposed position of the football field. This planting is presumably part of the effort to increase Biodiversity by at least 10% but in fact will cause more harm overall as the planting will cause further harm to the ridge and furrow land. The cumulative parts of the proposed plan would essentially wipe out all of the historic ridge and furrow in this part of the locality. This is not a factor that should be controlled by a number of conditions but is one of many reasons why the new prison planning proposal should be rejected outright.

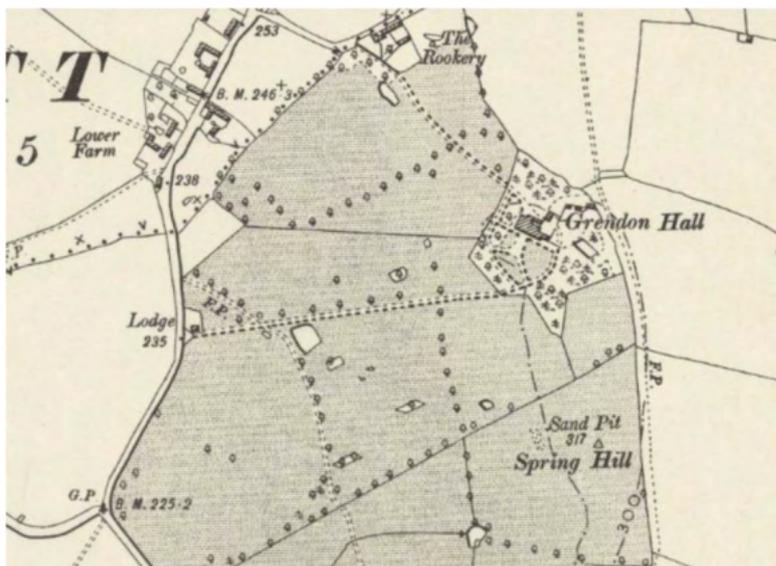


Fig. 1: OS Map published in 1900: The shaded area represents the garden and park land of Grendon Hall (Note in this period Lawn House was known as The Rookery). This map also shows the proximity of and the relationship between Grendon Hall and Lawn House (previously The Rookery).



Fig. 2: Clear evidence of the ridge and furrow between Grendon Road and Grendon Hall, Jan 2021



Fig. 3: Image from c. 1950 showing Ridge and Furrow to the East, West and South of Grendon Hall

Due to the construction of the new site road, and the location of the football pitch in the area of ridge and furrow adjacent to Willow Lodge, there is a potential for loss of artefacts hidden beneath the site.

In addition there would be a cumulative impact on the loss of archaeological value of the area if the new mega prison went ahead due to the current infrastructure projects like HS2 and East West Rail.

There is potential for effects associated with the setting of two designated heritage assets, comprising the Grade II listed Grendon Hall and Lawn House. In relation to these assets, the site represents part of the wider agricultural hinterland of Grendon Underwood with ridge and furrow earthworks providing evidence for the cultivation of the landscape that dates to at least the medieval period. As such the site may be considered to make a contribution to the historical interest of the listed buildings by reflecting the previous agrarian economy and livelihood of the village in an area which borders its historic core and is visible from highways and public rights of way.

Potential Artefacts

The MoJ has limited their archaeological search to within one kilometre of the site which therefore excludes reference to the nearby A41 which is a Roman Road known as Akeman Street. Furthermore no reference has been made to the local discoveries during HS2 construction work. No consideration appears to have been given to the ancient Bernwood Forest which covered this area and parts of which still remain at Doddershall and Grendon Woods to the east of the site and Sheephouse Wood and Finemere Wood to the north east. An extract from the Buckinghamshire Gardens Trust report on Grendon Hall and the Historic Park and Gardens confirms the significant archaeological interest at this location as follows:

“Potential for evidence of Roman occupation is high, given the proximity to Akeman Street and archaeological evidence nearby along the route of HS2. The medieval Forest of Bernwood provides this area with a unique heritage, many of the features and place names being a direct legacy of the ancient royal forest. Potential for evidence associated with the Forest particularly relates to banks, routes, boundaries and buildings. The park is rich in ridge and furrow. Potential exists for former features related to the designed landscape since the 1880s, such as buildings, paths, beds, terraces, boundaries, and the lost north drive”

The Archaeological Assessment commissioned by the MoJ states:

“A review of the available evidence has confirmed that the study site has a low potential to contain finds and features from all periods.”

It is clear from other findings in the locality from a wide range of periods that there is significant potential for the discovery of important discoveries on the prison site, especially with regards to its history. Just because no metal detector studies have been carried out on the prison land does not mean that there are no important findings to be made.

The MoJ Assessment also refers to the study site being located within the agricultural hinterland of medieval and post medieval settlement and is known to contain medieval/ post- medieval ridge and furrow at the south west of the study site. *“Therefore, archaeology is unlikely to be a design constraint to the proposed development”*.

It is unclear why the medieval ridge and furrow together with the agricultural hinterland of medieval settlement should possibly preclude archaeology from being a design constraint to the proposed development. The Assessment goes on to say: *“Consequently, based on the available evidence, should further archaeological work be required, such work can be secured by a suitably worded condition attached to the planning permission.”*

This may well be a false economy as should any significant finds be unearthed during construction work then the investigation work will stop construction and may even result in parts of the site being

preserved. A full archaeological investigation of the site should be carried out before any construction work commences.

Appendix 5

Analysis of Sustainability of the Site with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Rural Location

The location of the proposed development site is such that it has only limited access by non-car modes of travel. The absence of an adequate infrastructure and the site's remoteness from major built up areas are such that staff employed at the new prison, and visitors, will be almost totally reliant on the use of the private car. This would be contrary to the National Planning Policy Framework which seeks to focus significant development in locations which are or can be made sustainable and to the aims of Buckinghamshire's Local Transport Plan 4. It would also fail to align with the Government's low carbon agenda and the claims made in their manifesto.

If the project went ahead, in each year of operation, there would be tens of thousands of journeys to and from Edgcott and Grendon Underwood, which would negate many times over the claimed sustainable construction advantages outlined in the application. The Ministry should be locating a project of this size close to a larger population centre with good connectivity to rail and motorways as is the case at Leicester and Wellingborough. The Grendon Underwood project is locationally unsustainable and should be abandoned.

Based on 600 staff being employed at the proposed new prison, using Certified Institute of Building Service Engineers calculations, and assuming that 50% of the staff will commute from Aylesbury and 50% from Bicester, this would result in excess of 1,095 tonnes of carbon emitted per annum. Many of the staff may well commute from further afield which of course would increase the level of emissions. This situation is in complete contrast with Government aspirations to significantly reduce carbon emissions. These levels will be further increased by the hundreds of visitors each month, most of whom can be assumed to make the journey to the site by car. This is a result of the folly in proposing a rural site for a new mega prison.

The notion that even a small proportion of staff will cycle or walk to work is misguided. Apart from the fact there is a shortage of affordable housing already in this area, it is a rural community and there is limited housing stock. All major housing areas are approximately nine miles away as a minimum, for example in Bicester or Aylesbury or further afield. Of the prison officers employed at the existing prison, only seven live within the Grendon Underwood Parish. Furthermore none of the current staff car share to work unless they are partners living in the same household and work the same shift pattern, overall a very rare event.

There is also likely to be further impact from additional visitors traveling to the site which is hard and expensive to reach via public transport; there is just one bus per hour Monday to Saturday only and no direct public transport connectivity between the site and train stations in Bicester, Aylesbury Vale or Milton Keynes.

The proposal would be in conflict with paragraph 103 of the Framework which seeks to focus significant development in locations which limit the need to travel and offer a genuine choice of transport modes. For the same reasons it would also be in conflict with the aims of Buckinghamshire's Local Transport Plan (2016 to 2036) (LTP4).

Note that in Appeal Ref: APP/J0405/W/20/3255772, Land at Edgcott Road, Grendon Underwood, HP18 OTQ (land located just inside the existing prison site entrance and opposite Willow Lodge), the

Inspector dismissed the appeal related to the building of 65 houses. The main reason for dismissing the appeal was given as shown below.

“49. I have found that the proposal would not be sustainably located and that there would be great reliance on the private motor vehicle for a high proportion of journeys. This is a matter to which I afford very significant weight in the planning balance, particularly as it is proposed to erect 65 dwellings on the site. In addition, moderate harm would be caused to the character and appearance of the area and this weighs against allowing the appeal.”

In addition in Appeal Ref: APP/J0405/W/16/3185166, Land South of Springhill Road, Grendon Underwood (land behind Hall Cottages), the Inspector dismissed the appeal related to the building of up to 60 dwellings. One of the main reasons for dismissing the appeal was given as shown below.

“27. That said, in my view, the occupiers of 60 new dwellings, even with the public right of way improvements and transport planning obligations in place, would more likely than not utilise private motorised transport to meet the majority of their day to day services, facilities and employment needs.

28. Private motorised transport is the least sustainable travel mode and in this regard the proposal would be harmful to sustainable transport objectives. That harm would not be outweighed by the benefit in terms of encouraging the existing residents of Springhill to use alternatives to private motorised modes of transport.”

These two appeal cases highlight the clear unsustainability of the area adjacent to the prison site and hence very significant negative weight should be applied to this parameter in the planning balance.

Road Network and Current Volumes

The current volume of traffic travelling through Edgcott on weekdays as measured in May 2021, over a two week period using road tubes, ranged from 3,709 vehicles per day to 3,973 vehicles per day. This included a range of 203 to 274 trucks (as defined by the FHWA vehicle classification) per day. The total vehicle numbers include all vehicles from motor cycles up to the largest HGVs.

Based on data from a Freedom of Information request to the Secretary of State for Justice, the following details are related to the most advanced of the new prisons, Five Wells in Northamptonshire.

- Between January 2021 and end of June 2021 – 8,916 HGVs made deliveries to the site.
- The number of car and van movements into the site when work started in May 2019 was around 100 vehicles per week. This increased to around 3,500 vehicles at the peak in October 2020. Currently the level is around 2,500 vehicles per week.
- The workforce on site when work started in May 2019 averaged 100 people per day. The workforce built up over time and peaked in November 2020 with approximately 1,000 people per day for a two month period. In July 2021 the site was running with approximately 750 people per day during the working week.
- To date at the new mega prison being constructed at Five Wells, 15,183 pre-constructed concrete panels have been incorporated into the installation. This averages to delivery of 290 panels per week.

From the information submitted in the Outline Planning Application, and the data shown above from the site at Five Wells, it is considered that the additional traffic likely to be generated by the proposal, both during the construction and the operational phases, would adversely affect the safety and flow of users of the existing road network. This is contrary to the National Planning Policy Framework and

the aims of Buckinghamshire's Local Transport Plan. Given the level of severe harm which would result on the safety and convenience of users of the highway, it is considered that this matter should be afforded significant negative weight in the planning balance.

By private car any connection to the proposed site is primarily by a rural road network. The prison is served by a single carriageway road running north to south. This road is currently, and for the next several years, burdened with heavy traffic from HS2, and East West Railway construction. Thereafter, it will carry operational traffic associated with two major rail networks and 24/7 maintenance installations. From the south, is a singular road from the A41, which is already signposted by the Local Authority as an accident blackspot route.

The proposal for the new mega prison essentially forces the use of private road transport for prison visitors and staff alike. The notion of car sharing does not exist in the current prison staff arrangement: work shift patterns are 24/7 every day of the year, starting and stopping at any times that prison needs dictate, and thus, will exist in the future. However, if the new proposed prison was in operation, the numbers of staff and visitors involved will be significantly and irreversibly increased from the current levels.

Visitors

Family visits are important for the welfare and rehabilitation of inmates. Locating a new mega prison in a remote location with no realistic option for the use of public transport means that visitors will have no choice but to use private car to reach the site. The only possible alternative for them would be to use a much more costly form of public transport, and one which takes a significantly longer period of time, which would likely limit the number of times that they would be able or willing to make visits.

Outline Travel Plan

The plans for an Outline Travel Plan (OTP) are unworkable in a rural location like the proposed site. The roads are too dangerous for many people to even consider using a bicycle and staff members will be coming from a wide range of destinations hence making it impractical for car sharing. This plan is a non-starter. Furthermore, buses are infrequent. The only bus service that passes the current prison is the 16 bus. This service only covers part of the day, Monday to Saturday, on an hourly basis and as a rural service to connect the villages, it takes a very circuitous route which means it is not practical to use for staff or visitors on a regular basis. Therefore, using a bus service to reach the site by employees is untenable.

To re-enforce the inappropriateness of the Outline Travel Plan, of the current prison staff based at HMP Springhill and HMP Grendon, only seven prison officers live in the parish of Grendon Underwood and none live in Edgcott. Furthermore all current staff use private car as their means of transport and none walk or cycle to work. In addition, although there is a car sharing policy in place, the only staff that car share are ones that are couples who live together and happen to work the same shift patterns. It is inconceivable that this Travel Plan will change the means of travel to the site and resulting in the site being unsustainable and does not comply with Government policies to minimise carbon emissions.

The Outline Travel Plan suggests that staff will be 'encouraged' to use other more sustainable forms of transport. This is purely a gesture, staff will use the form of transport most suitable to them and will want freedom of choice and convenience in the way they commute to work. The level of car sharing at the current prisons is very low and only undertaken by people who live together and work the same shift patterns.

The Outline Travel Plan states “An effectively tailored Outline Travel Plan (OTP) can deliver a significant impact upon travel patterns of staff and visitors, in favour of the use of sustainable modes (walking, cycling, public transport and car sharing). Therefore, the overall aim of this OTP is to reduce the reliance on the private car, through promoting and encouraging the use of sustainable travel modes.”

The specific OTP objectives for this site are to:

- Promote sustainable travel at the site;
- Encourage the use of public transport amongst staff and visitors;
- Encourage car sharing amongst staff and visitors; and
- Manage car parking.

This is purely a gesture and hollow words. How can you encourage more sustainable travel to a rural site when the workforce is scattered over a very wide area and there is no public transport system in place except for a single and irregular bus service? This is an unsustainable site and no travel plan, however, encouraging it might seem, is going to make a significant difference to the way in which staff commute to this site. The evidence regarding the way that staff commute to the two current prisons is clear evidence that this OTP is purely gesturing.

The OTP contains a job description for a ‘travel plan coordinator’ to be employed by the prison operator, clearly a cut and paste from other planning applications. This is a token role which is detailed in an attempt to convince the local authority that this location can be sustainable. Furthermore, to provide details of a ‘steering group’ is absolutely meaningless. The prison will be built, the irreversible damage will have been done and whilst a future Public Enquiry might identify that all of the associated objections were raised during the planning process, the reality is that the civil servants driving this development do so in full knowledge that the site is unsustainable and they will never be held to account.

The visitor transport information board will say the only method of public transport to reach the prison is an hourly rural bus service. So, if you live in London and have a family member serving a prison sentence, unless you can access a car or can pay for taxis visiting will be problematic. Which given that the majority of prisoners will be from London and that maintaining good family relationship is significant in terms of reducing re-offending, this is a negligent act on behalf of the MoJ.

The OTP has a section titled ‘Public Transport Strategy’ on page 23. When they use the term ‘Public Transport Strategy’ what they are describing, in its totality, is the Number 16 Bus.

The Outline Travel Plan states “Baseline surveys will be carried out six months after initial occupation. The survey should be distributed in a communal area or for staff via an online questionnaire. For staff, the survey would seek to understand the following:

- Current mode of travel and reasons for use;
- Willingness to use alternative modes;
- Incentives to encourage the use of sustainable modes; and
- Other transport related issues. “

This aspect of the OTP is another gesture and more hollow words. Anyone can write a plan to include such gestures but in reality staff will be already using the form of transport which is most convenient for them and are extremely unlikely to be persuaded from changing that transport mode.

The Outline Travel Plan (OTP) states “Provide a public transport information system in a publicly accessible area, to allow building users access to up-to-date information on the available public transport and transport infrastructure. Including information on the nearest bus stop, nearest railway station, connectivity information, relevant timetables and fare information for key destinations.

- Include signposting from the site to public transport, cycling, walking infrastructure, and local amenities
- Investigate the possibility of providing bus ‘taster tickets’ for employees. This would allow staff to trial their journey to work by bus to see whether it is a feasible option for them.
- Investigate the possibility of providing increased services to correspond with shift times.”

The authors of this report are really struggling and clutching at straws. How can you provide information on services that don’t exist? They can advertise where train stations are and the timetables but staff or visitors have to travel from the site to the stations. The best advert they could place would be a list of taxi companies in local towns with an estimated prices list depending on time of day.

- What use would the signposting be?
- Bus faster taster tickets for a bus service when the timings are not compatible with any of the shift patterns, yet another gesture only.
- Provide extra services, to where? The new staff will be living over a very widespread area so multiple services would have to be set up to stand even the slightest chance of encouraging staff to commute by bus. However, having lived through Covid 19 times few staff would want to travel by public transport anyway; they would rather have the convenience of using private car transport and the reduced risk that this form of transport provides them with.

Local Footpaths

For the very small number of staff at the new prison that might be located within nearby villages, there is no safe and viable form of sustainable route for them to reach the site, either by walking or by bicycle. The road is narrow and windy from all directions and with up to around 4,000 vehicle movements a day it is not a safe and viable form of commuting. In addition the footpath from Edgcott or Grendon Underwood to the site is unlit, narrow and close to a busy road where vehicles travel at speed (see photos below). This footpath is between 1m and 1.2m wide and any footway should be 2m, or an absolute minimum of 1.8m, as stated in Manual for Streets, and the Chartered Institution of Highways and Transportation (CIHT) guidance ‘Designing for Walking’. Perhaps the consultants who wrote the Outline Traffic Plan would like to commute to work along such footpaths.



Examples of Footpaths in Buckingham Road, Edgcott and Adjacent to the Highway



Examples of Footpaths, Firstly by the Bus Stop by the Current Site Entrance and Towards Hall Cottages



Examples of Footpaths by Hall Cottages and by the Bridge over the River Ray Approaching Grendon Underwood

In conclusion, the location proposed for the new prison is in a rural location and is unsustainable, as was highlighted in two appeals on sites close to the prison site. The absence of adequate infrastructure and the site's remoteness from major built up areas are such that those employed at the site will be almost solely reliant on the use of the private car. This would be contrary to the National Planning Policy Framework which seeks to focus significant development in locations which are or can be made sustainable and to the aims of Buckinghamshire's Local Transport Plan 4. Even the traffic assessment by Atkins submitted as part of the planning documentation concludes that the site is non-sustainable.

Appendix 6

Analysis of Highway Safety, Convenience and Parking with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Location

The location of the site for the proposed new 'mega' prison is such that it has only limited access by non-car vehicle modes of travel. The only source of public transport is the infrequent bus service (No 16 - serves to/from Aylesbury only, narrow timetable, serves as a school bus in term times, nothing for most of Saturday, nothing at all Sunday) which stops by the current prison gates and serves some local villages by a circuitous route. There is no bus service from Bicester. There are two train stations in Bicester, one has connections to Oxford and London Marylebone and the other to Birmingham and London Marylebone. There is also a station at Aylesbury Vale which is a slow train to London Marylebone and a further station in Aylesbury town centre to London Marylebone. There is a train service from Milton Keynes to London Euston and which also serves the Midlands. However this station is approximately 45 minutes away from the site.

It is claimed that the proposed site has good road links to the A41. Firstly this road link involves a number of narrow and tight bends and passes very close to Grendon Underwood Church. Only a portion of the contractors, staff and visitors to the new prison would use the link road to the A41. The remainder would travel to the site from the opposite direction and pass through the whole of Edgcott and through other small villages on narrow, windy country roads.

The absence of adequate infrastructure and the site's remoteness from major built up areas are such that those employed at the site will be reliant on the use of the private car which would be contrary to the National Planning Policy Framework which seeks to focus significant development in locations which are or can be made sustainable and to the aims of Buckinghamshire's Local Transport Plan 4. Even the traffic assessment by Atkins submitted as part of the planning documentation concludes that the site is non-sustainable and that at least 83.2% of staff will commute to the site by car. However, their assumptions were based on 2011 census travel behaviour results for the whole of Aylesbury Vale. As a result these results are skewed as the usage of other forms of transport is unrealistically high. For example 5.8% are assumed to reach the site by bus and train which is not feasible at this site. It is also claimed that 6.6% will commute through car sharing. This is an unrealistic proportion as the staff who work at the site will be housed over a wide area due to the rural location and car sharing is highly likely to be much lower than for the whole of the Aylesbury Vale region. Hence the % of staff that will use private car to commute to work is likely to be above 90%.

With respect to Buckinghamshire's Local Transport Plan, this Urban Development will not in any respect or contribute to making this part of rural Buckinghamshire a 'great place to live' and will have significant, lasting detrimental effect on the 'special environment'.

The roads are also highly dangerous for cyclists due to the volume and nature of traffic at peak times and both the sharp bends in the road from Grendon Underwood to the prison site and from the North part of Edgcott and beyond. Hence cycling to the proposed site is not a form of transport that would be used and none of the staff employed at the current two prisons use this form of transport.

Traffic

The local roads are already suffering the cumulative effect of HS2 and EWR construction projects which intersect approximately a mile from the proposed development. Edgcott, the community of

Springhill and Grendon Underwood are already severely affected by daily construction traffic causing damage to the road network, mud on the roads, delays created by long diversions and noise and vibration impact to properties. The proposed new mega prisons would further compound residents' misery and coincide with peak construction phases of HS2 and EWR.

The current volume of traffic travelling through Edgcott on weekdays, as measured in May 2021 over a two week period using road tubes, ranged from 3,709 vehicles per day to 3,973 vehicles per day. This included a range of 203 to 274 trucks (as defined by the FHWA vehicle classification) per day. The total vehicle numbers include all vehicles from motor cycles up to the largest HGVs. Based on the vague assumptions made in the Transport Assessment submitted as part of the Outline Planning Application, the number of vehicles travelling through Edgcott could increase by around 30%. In addition the number of vehicles passing from the A41 junction with the Broadway, down the Broadway and past the outskirts of Grendon Underwood and Hall Cottages could increase by a much greater volume. This would be both during the construction and the operational phases.

Given the nature of the country roads and the existing volumes of traffic there is already scope for conflicts between pedestrians, cyclists and vehicles. Building a new mega prison in this location would only increase the likelihood of such conflict and whilst the MoJ proposes to create an access road which includes pedestrian and cycle ways, the existing surrounding country lanes will have increased opportunity for conflict because of the increased volume of cars and HGVs. In addition new 'rat runs' will be created as contractors and staff find the main routes to the site congested.

With an additional 500-700 staff working at the proposed new 'mega' prison, plus visitors and service vehicles, the additional traffic to be generated by the proposal would adversely affect the safety and flow of users of the existing distributor road network. This is contrary to the National Planning Policy Framework and the aims of Buckinghamshire's Local Transport Plan 4. Given this level of severe harm which would impact on the safety, convenience of users of the highway and direct impact on local residents it is considered that this matter should be afforded significant negative weight in the planning balance.

Staff will be working a variety of shift patterns and live over a very widespread area. Making arrangements for an area wide car share is a noble gesture but how many staff working shift want to vary their route to pick up other staff members. There might be a possibility that some low level of car sharing results from this exercise but in reality it will be very minimal. The current prison staff do not partake in any such scheme and they most likely live over a less widespread region than the future new staff will.

The Traffic Assessment suggests that in terms of servicing arrangements, the proposed vehicular access will be used to undertake servicing and deliveries with these activities typically occurring outside of the network peak hours. Telling that to delivery and servicing drivers. They will arrive at the site when it is most convenient for them and journey times and arrivals will be very much driven by road conditions and traffic rather than trying to work around a shift pattern and peak staff commuting times.

Site Access

It is proposed to create a new entrance slightly north of Willow Lodge. This entrance would lie in between the current entrance to the prison and the road narrowing at the southern edge of Edgcott. In addition there are two bus stops, one each side of the road, by the current prison entrance and a bend on the Grendon Underwood side of the current entrance. The distance between the road narrowing and the current prison site entrance is just 110 m. Hence there would be two site entrances

and a road narrowing restriction within 110m plus two bus stops and a bend, making this a potential accident spot, especially considering the number and size of vehicles using this route and the speed at which they travel. At shift change times in the current prisons there is severe congestion at the current site entrance so this situation would be exacerbated by the addition of a further site entrance that would also have a significant flow of traffic.

In the plans shown in the planning proposal, details of the new site are included. One of the details shows is that there would be some temporary security fencing set back sufficiently from the entrance to allow articulated vehicles to stop off the carriageway. Presumably this is for security checks and to make sure the vehicles are not carrying any form of contraband, for example drugs or explosives. This set back area only allows for one vehicle to stop and there is no room for other vehicles wishing to turn into the site to pull off the passing road. Furthermore there is no space allocated for vehicles to turn round if they are not going to be permitted to enter the site. These factors could result in a backlog of vehicles waiting to turn into the site from both directions and hence cause significant congestion at what is a busy part of this local road due to the current site entrance to the prison and Springhill housing estate as well as being close to a bend and the road narrowing at the entrance to Edgcott. This new site entrance could fast become a major accident 'hot spot'.

One further consideration with regards to the new site entrance is that the Local Council have stipulated that the signage for the new site entrance should be modest in nature so as not to impact on the Listed Gate Piers and fencing of the current site entrance. As there are quite large signs at the current site entrance for HMP Grendon and HMP Springhill there is a high probability that many vehicles would turn into that site entrance to reach the new prison site rather than the new entrance. As there is limited space for any large vehicles to turn round on the existing prison site road, this could cause further disruption and harm to the residents of Springhill.

The entrance to the current prisons is marked by the Grade II listed piers and railings associated with Grendon Hall and creating a new major entrance just a short distance away will cause harm to and dilute the impact of this grand and historic entrance.

Parking

The number of staff predicted, in different parts of the application, to be employed at the proposed new mega prison ranges from 450-734. There will also be a regular flow of visitors. The assumptions made about the number of staff that will be present on site at any one time and hence how many car parking spaces are required suggests that a total of 430 spaces for staff and visitors and 23 for disabled users would be sufficient.

The number of staff to be employed in the proposed new 'mega' prison is not clear from the documentation provided. In some cases it states that there will be a ratio of 0.5 compared to the number of prisoner spaces which equates to 734. In other parts of the documentation the numbers of staff are quoted as a range from 450-550. Using the calculations used to estimate the car parking spaces required at other new prisons, e.g. Full Sutton, it was assumed that approximately 74% of the total directly employed staff would be on site at any one time. Using this figure leads to the following car parking requirements for **staff only** at the proposed site at Grendon Underwood:

- 500 staff – 370 spaces required
- 600 staff – 444 spaces required
- 700 staff – 490 spaces required
- 750 staff – 555 spaces required

The actual level of car park spaces then depends on how many staff/visitors are on site at any one time. From the data included in the Traffic Assessment it is actually quite difficult to determine what these numbers are. The Car Park Accumulation details are shown in the Traffic Assessment Document on Page 30 in Figure 6-1 and the raw data is provided in Appendix 1. However, no details are provided as to how this actual data was determined. Please note that there was a significant underestimate of how many car parking spaces were required at the new prison HMP Berwyn in 2017. In that situation they had to create a further 194 places so has the Agent used the same method in this application as was previously used; it would appear so? If so then has the number of car parking spaces been underestimated and later in the project further spaces will have to be created on what is already a cramped site?

From the above calculations the range of car parking spaces required for staff alone ranges from 370 to 555! The proposal has used the lower end of this range and has deliberately underestimated the actual number of parking spaces that will be required to serve the new prison. If this is the case where would any further car parking spaces be located? Would the additional spaces be on the field where the football pitch is located or would more land be purchased?

To confirm the statements made above consider the car parking situation that arose at HMP Berwyn near Wrexham. These are the main points that arose and caused chaos with regards to parking:

- The car park was not completed for four months after the prison opened and so there was nowhere for the staff to park. Chaos followed until arrangements were made with local companies on the nearby industrial estate for spaces to be allocated for the prison staff.
- Once the prison fully opened it was clear that the number of car parking spaces had been underestimated. This was because the parking allocation had not taken into account the number of non-directly employed staff that would also work at the prison (see extract from a local newspaper article below).
- Approval was sought from the Local Authority to establish a temporary car park on some land at the site which was available and later this was converted to a permanent car park with an additional 194 spaces.

From 'The Leader' in October 2020

Higher than expected staffing levels are said to have caused the issue at HMP Berwyn in Wrexham, which has resulted in some workers resorting to parking on the main road into the site. The £250m facility on the town's industrial estate currently has 420 allocated spaces for vehicles with more than 900 staff.

It comes despite officials originally estimating there would be closer to 600 people working at the prison when it was built. The prison service has now applied to create just under 200 extra parking spaces in order to alleviate the problems. In documents submitted to Wrexham Council, bosses said some staff had experienced difficulty accessing public transport due to travelling long distances, but added they were being encouraged to car share.

The prison's car park was not ready to be used when it opened in early 2017, meaning staff had to park at neighbouring factories for the first four months.

It was originally estimated there would be 575 workers directly employed at the facility, but the actual figure currently stands at 651. The initial projections also failed to take account of employees from other organisations who regularly work at the site. Officials said: "The none directly employed staffing figure currently stands at 262 across all partners with this figure having the potential to rise to 300 as not all partners are in place".

Although the prison is designed to house around 2,100 men, it has yet to reach full capacity and is holding 1,300 inmates present.

From the above details it is clear that fundamental errors were made in assessing the required number of car parking spaces at HMP Berwyn. From a review of the planning applications for other new prisons currently being built, HMPs Five Wells, Glen Parva and Full Sutton, the same errors would appear to have been made. The requirement for car parking spaces has been estimated using only the number of directly employed staff and does not take account of the additional non-directly employed staff that will be required in these prisons.

Expansion of HMP Springhill

From reading the Outline Planning Documentation (OPA) (Traffic Assessment Appendix L) it is very clear that, in addition to building a new 'mega' prison on the Grendon Underwood site, the MoJ intends to expand HMP Springhill by 120 places. The expansion of HMP Springhill was mentioned in the second consultation document issued in December 2020 as a possibility which was being considered. However, there is now clear evidence in the OPA that the HMP Springhill expansion will be the next development on this site.

In fact a letter was received on 17th August by our MP from the Parliamentary Under-Secretary of State for Justice confirming that a pre-application meeting had taken place with Buckinghamshire Council and that an application for the expansion of HMP Springhill will be submitted in late September. The letter also stated:

"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.

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."

It would seem that the MoJ do not want to risk jeopardising the application for the new mega prison by allowing the cumulative impact of the expansion of HMP Springhill to be taken into account. This is the reason for the two applications not being submitted concurrently. This is typical MoJ tactics.

Although no application has yet been submitted for this extension, it is justifiable to consider the harm to the traffic and parking situation that will result from **the cumulative impact** of the new prison and the extension of HMP Springhill.

Even though the Traffic Assessment Appendix L took into account additional traffic that would result as a result of the expansion of HMP Springhill, this additional traffic has not been factored in to the car parking requirement. Perhaps the MoJ were assuming that the additional estimated 44 staff on site at any one time (74% of the 60 new staff at any one time to be on site) would park in the car parks of the current prison. This would not be the case as these are already overflowing and some staff do park outside the car park areas in the access road to the prison.

In conclusion the total number of car parking spaces allocated in the proposal would be insufficient for the operation of the new prison. As a result at some stage in the future the MoJ is highly likely to apply for further allocation of car parking spaces. Where would this be located? In the field opposite the Springhill housing estate or would the MoJ have to purchase more land to extend the proposed car park adjacent to the ecology area?

Appendix 7

Analysis of Residential Amenity with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

The NPPF 2019 paragraph 180. States that:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Visual Impact and Noise and Light Pollution

Since the two prisons HMP Springhill (1950s) and HMP Grendon were built (1960s) and the Springhill housing estate was developed (1960s), there have been no significant developments on the prison site or in the locality. Hence the locality is a 'settled area' and the open, countryside landscape with large areas of green field space has a special significance to the local community, has significant historic significance (the history of Grendon Hall), historic ridge and furrow, recreational value through the public rights of way, amenity value, tranquillity and richness of local wildlife. Overall these aspects contribute to the wellbeing and quality of life for local residents.

If the new mega prison went ahead the impact on amenities and the other above mentioned aspects, would be irreversible and significant on a number of fronts. For example, the new prison buildings would be located on top of the hill and due to their scale and height they would be visible from most directions from some distance away. This would be particularly so from Edgcott but also from the northern side of main street in Grendon Underwood. The light pollution from the proposed new mega prison would be irreversible and highly significant, on the main site where the buildings would be located and on the new road into the site. The current prisons are lit up like a small town at night (see Landscape and Visual Impact section) and the new prison site would be significantly larger than those and hence the light pollution in the whole locality would increase significantly. This would be particularly so for the nearby locations of Edgcott, the Springhill housing estate and the northern side of Main Street in Grendon Underwood. In addition the light pollution would also be visible from a much wider panorama, especially as the landscape is one of rolling countryside with several hills at for example Brill, Waddesdon, Ashendon, Charndon and Quainton.

Some properties in Edgcott e.g. Lawn House, those in Lawn House Lane and in Grendon Road are within around 200 metres of the proposed car park and some of the closest new prison buildings are not much further away. The boundary road and barriers would be located nearby so the impact on these properties would be particularly significant, in terms of visual aspects and both noise and light pollution. In addition the properties in Buckingham Road, Lawn Hill/Quainton Road and those close to

the Church (Grade II*) would also suffer from significant light pollution as would properties in Grendon Underwood on the northern side of Main Street.

Site Entrance, New Road and Location of Football Pitch

The new site entrance and road to the planned site of the new 'mega' prison is to be located in the field opposite the Springhill housing estate and just north of Willow Lodge. In addition the relocated football pitch is going to be located on the southern side of this field and close to housing in the Springhill housing estate plus Willow Lodge. In the outline planning documentation it is claimed that the football pitch has been moved from the location suggested in the Consultation Document so that it is further away from housing. **This is purely a gesture.** The planned location of the football pitch in the Consultation Document was the worst possible site that could have been selected. It was close to housing, close to the current main road into the existing prisons and housing estate, adjacent to the staff and visitors car park, would have involved removing a long stretch of hedging and trees, was situated on top of one of the current foul waste drains and on the steepest part of the slope leading up to Grendon Hall and the current prison entrance. It is clear that the football pitch was never going to be located there, it was placed there in the Consultation Document as the MoJ needed to locate it somewhere (they even forgot to include it in the first Consultation Document that was issued).

The modified position shown for the football pitch in the planning application is still close to housing, still close to the current main road into the existing prisons and housing estate, still located on top of/adjacent to one of the current foul waste drains and much closer to Willow Lodge than before. The location proposed would shift the noise pollution generated by the games of football (very loud with much foul language) to be more dominant and harmful in the southern-most part of Edgcott (all of Grendon Road), Lawn House, Springhill housing estate, Willow Lodge, Hall Cottages and parts of Grendon Underwood.

It is important to question why the football pitch has been located in this position. The reason is very simple. There is insufficient space to locate the football pitch on the main construction site due to the size and shape of this area. This is one of many clear reasons why selecting the proposed site for location of a new mega prison is pure folly and based on an unsound reasoning.

Sport England as a consultee in the planning application for the new prison have referenced the *NPPF 2019 paragraph 97 (paragraph 99 in the 2021 NPPF)* which states that:

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

Sport England also referenced their own Playing Fields Policy *“A Sporting Future for the Playing Fields of England’ Policy Exception E4”*. This policy states *“The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development”*.

The current football pitch is located in a large field and close to HMP Springhill which is where the prisoners that use that pitch are housed. The field where the football pitch is currently located is also used for general recreational space by the inmates of HMP Springhill. When walking along the public right of way that runs up part of the western edge of that field, inmates can be seen walking or jogging around that field. Hence for the inmates it is an open and rural space for them to exercise and this area represents an amenity space for them. This area is also adjacent to the ecology area where there is space and seating for the inmates to enjoy the wildlife that many of them helped to nurture and still maintain today. The construction of a new mega prison in this area would mean that the inmates of HMP Springhill could no longer play football on the existing pitch or use the space for general exercise and hence this represents a loss of amenity value to them as well as to the general public using the right of way in that same area.

Comparing the proposed plans for relocating the football pitch and the recreational space for HMP Springhill inmates with the NPPF and the Sport England policy, it is clear that it is not *'equivalent or better provision in terms of quantity and quality in a suitable location'*. Furthermore it is abundantly clear that relocating the football pitch and the recreational space for inmates to the proposed new location is a fundamentally flawed proposition. The football pitch would be close to both the current road to the prison site and the Springhill housing estate as well as the new site access road. It would also be close to property in the Springhill housing estate and Willow Lodge. There would be no nearby toilets or changing facilities and the noise pollution and general disturbance for local residents would be very harmful. The proposed siting of the football pitch can hardly be described as *"in a suitable location and subject to equivalent or better management arrangements"*. In fact it is the exact opposite and it would be difficult to find a more inappropriate site to relocate the existing football pitch.

In addition to relocating the football pitch for prisoners in HMP Springhill to the field adjacent to Willow Lodge, this field is also scheduled to become the recreational area for prisoners. The area the inmates currently use for exercise and recreation is of course going to be the location of a large part of the new 'mega' prison and hence this aspect of their well-being also needed to be relocated. This means that inmates from HMP Springhill will, on a regular basis, use the field for general exercise as well as playing football. The inmates need to have access to open spaces but this will inevitably have a harmful impact on the amenity aspects for local residents as many will feel more vulnerable with the close proximity of inmates. As a result, many residents may choose not to use the public right of way that runs past Grendon Hall and around the ecology area.

Another serious impact of this change of exercise and recreational location for the inmates of HMP Springhill is the potential for a significant increase in drug and other 'drop offs' in this part of the site. This area is very close to a concentrated area of housing, i.e. the Springhill housing estate, with the highest density of young children in one area in the locality. This is not something that MoJ consultants think or even care about when sat in their comfortable offices designing away our future.

This change of use for the field where the new proposed site entrance and road would be located would result in the loss of a significant area of green space which is a much admired outlook for many residents and is used by residents of Springhill estate as well as other locals due to the public footpaths that are located there. Hence the change of use would represent a significant and irreversible loss of amenity value to local residents. In addition to the noise and light pollution, the siting of a main site entrance and road to the new 'mega' prison as well as adding the relocated football pitch in this area would irreversibly destroy the remaining section of ridge and furrow cultivation which is present in that field.

Noise from the current prisons can be heard some distance away as the buildings are situated on top of a hill allowing the sound to travel a long distance. The level of noise pollution would increase by a significant amount if the much larger, 'mega' prison was built, both during the construction phase and during operation. The current noise pollution is particularly bad when the prisoners are playing football on the pitch in its current location (on top of the hill beyond the ecology area), and the noise and bad language can be heard across all of Edgcott and most of the Springhill housing estate. If the football field is relocated to where it is now proposed, the noise pollution harm for the Springhill housing estate will be significantly increased due to it being located within 20-30 metres of the nearest houses. The impact of noise pollution on Willow Lodge will also be significant. The mitigation to noise pollution is to erect an acoustic, 2m high close boarded fence between the football pitch and Springhill Road. **This is simply a gesture.** It may have some effect in reducing the noise in one direction only but to make a significant reduction to the noise levels the acoustic fencing would need to be more like 5m high and surround the whole football pitch. Of course this is not being proposed as it would be an eyesore and have a huge and highly significant impact on the local visual aspect of the field and the landscape as a whole. This is just another example of **a poor mitigation attempt** to solve a problem associated with the selection of an **inappropriate site for a new 'mega' prison.**

Public Rights of Way

The current footpath that runs across close to Grendon Hall currently takes the public through an area with a variety of old trees and close to the western part of Grendon Hall and the historic gardens in that area. To the west looking towards Grendon Road the public are exposed to a delightful view of a hedge with associated trees and beyond that a panoramic view of open country side and the ancient ridge and furrow in the field below. This view is part of the historical park and Pleasure Gardens associated with Grendon Hall (Ref: *The Buckinghamshire Gardens Trust Research & Recording Project, Grendon Hall March 2021, and Revised June 2021*). If the proposed plan goes ahead the view in that direction would be one of a football pitch, presumably with some of fencing around it, which would be located within close sight of the footpath. The end result would be a significant and irreversible loss of public amenity space and landscape.

The proximity of the two public footpaths to the football field would significantly and irreversibly impact on the amenity aspect of the currently available walk in peaceful and open countryside. It would result in a situation where residents would avoid the walk in case of being exposed to prisoners playing football or walking to or from the football pitch. Hence this would severely impact on the use of this much valued amenity benefit.

The planned location of the football pitch would also cause stress to residents by locating prisoners so close to their accommodation. Furthermore what happens when the ball is kicked some distance away from the pitch and potentially into residents' gardens or into the road which runs past the nearest properties to the field? The proposed location is also close to the new road entrance to the site of the new prison; another potential risk with stray balls flying into the new site road.

The footpath along Grendon Road runs from the centre of Edgcott, past the current prison entrance and leads to Grendon Underwood. Although dangerously narrow and in poor condition in many places, it is the only public means of walking along this part of the locality. The new entrance to the new mega prison site would be located between the current prison entrance and the road narrowing at the southern edge of Edgcott. There is currently a stile leading to the public footpath in the field where the new prison car park would be located and the new entrance is due to be located near this

stile. The current public view walking past the stile, or passing over the stile and into the field, is one of open countryside leading up a slope towards Grendon Hall. The ridge and furrow in the field is very noticeable and a reminder of the historical agricultural practices that took place in this location, our location and the countryside we chose to live in. To turn this green field space and the ridge and furrow into a new site entrance, a road up the whole length to the proposed new 'mega' prison and to locate the football pitch there would have an irreversible impact and cause severe harm to the local landscape and visual impact thus affecting the local amenity value. In addition it would be an insult to the nature of the local countryside and the ancestors who worked these fields.

In addition to the vast number of staff and visitor cars passing in and out of the site on a daily basis, there would also be numerous vehicles making deliveries to the prison site. All of this traffic would add to the pressure on the local roads which are already busy with local traffic and construction HGVs for other infrastructure projects like HS2 and EWR as well as other residential developments in the area. Many of these projects are long term and hence building a new 'mega' prison will add to the road traffic burden and further impact on the quality of life for local residents, particularly in Edgcott and the Springhill housing estate. Just having a quiet walk in the village of Edgcott is already somewhat challenging due to the volume of traffic passing through the village. In addition, as some of the footpaths are directly next to the highway in many parts of the village and along the footpath towards Grendon Underwood, and are less than a metre wide, it is already a danger to the public walking along the footpath. An irreversible uplift in traffic volume is going to further increase the danger to the public and the cumulative impact of yet another project is not welcome.

Expansion of HMP Springhill

Drugs are well known and a common problem across the whole prison estate. Due to the close proximity of the open prison, HMP Springhill, food, clothing and drug 'drops' are frequent events in both the fields and wooded area of Lawn House and the surrounding area, including parts of the Springhill housing estate. The wire fencing along the prison/Lawn House boundary is also frequently damaged by friends or family of prisoners 'dropping' off goods and by prisoners climbing over to retrieve the goods. Prison officers can be seen regularly patrolling the footpaths in the locality looking for 'drop offs'. Although the proposed new mega prison would be Category C, residents will be concerned of both more drug and other 'drop offs' but also more episodes of prisoners escaping/absconding.

From reading the Outline Planning Documentation (OPA) (Traffic Assessment Appendix L) it is very clear that, in addition to building a new 'mega' prison on the Grendon Underwood site, the MoJ intends to **expand HMP Springhill by 120 places**.

In fact a letter was received on 17th August by our MP from the Parliamentary Under-Secretary of State for Justice confirming that a pre-application meeting had taken place with Buckinghamshire Council and that an application for the expansion of HMP Springhill will be submitted in late September. The letter also stated:

"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.

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."

It would seem that the MoJ do not want to risk jeopardising the application for the new mega prison by allowing the cumulative impact of the expansion of HMP Springhill to be taken into account. This is the reason for the two applications not being submitted concurrently. This is typical MoJ tactics.

Although the plans for this expansion are not included in the application, there is a **clear justification** in considering the **cumulative impact** of both the new prison proposal and the expansion of HMP Springhill in this objection. An increase in the capacity of HMP Springhill will inevitably result in an increase in the number of local drop offs and a further detrimental and harmful impact on the fears and concerns of families in the locality. It is very unpleasant for residents when their dogs and children come across packages of drugs, food etc and needles when out trying to enjoy a walk in the countryside. The expansion of HMP Springhill will only cause further harm to the local amenity aspects of the locality.

In conclusion, the proposed new mega prison would have an irreversible and harmful impact on many different amenity aspects for local residents, as well as the inmates of HMP Springhill, and this factor should be given a significant negative weight in the planning balance.

APPENDIX 8

Analysis of Ecological and Biodiversity Impact with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Ecology

The MoJ owns land around Grendon Hall and the two current prisons but this is all open green space. On one part of the site is an ecological area consisting of a large pond and a wooded area which lies adjacent to further woodland which is part of the grounds of a Grade II listed property, Lawn House. The ecological area has been built up over many years and a public footpath runs past this so that the local residents can enjoy the benefits of this work. The locality is rich in wildlife and includes 65 species of birds including 15 on the red list and 13 on the amber list. There are also great crested newts in the pond on the site as well as in a large number of surrounding ponds recently surveyed. In addition nine species of foraging bats were recorded including two rare species (Bechstein's and Barbastelle). The site is also located c. 0.9km North West of Grendon and Doddershall Wood SSSI and c.1.5km south west of Sheephouse Wood SSSI, which are known to support these bat species.

Other species on or close to the site include badgers, roe deer, muntjac, lizards, snakes, foxes and rabbits. Furthermore there are multiple species of butterflies and moths including, scarlet tiger moths, hummingbird hawkmoth, painted lady butterfly, marbled white butterflies and lesser stag beetles. In addition there are various species of wildflower including Lady's smocks (Cuckoo flower – *Cardamine pratensis*), *Tragopogon pratensis* (Jack-go-to-bed-at-noon or goats beard) and lesser and greater stitchwort.

If the proposed new "mega prison" was built it would result in yet more habitat loss to large development projects in the area with a resultant loss and/or displacement of wildlife. The development would involve a construction phase of 2-3 years, up to 1,000 contractors on site each day with associated traffic movements as well as the heavy goods vehicles that will be involved throughout the project. The only current access to the part of the site where the buildings would be located is directly adjacent to the prison ecology area, hence this area will be subject to regular traffic movements and noise pollution for up to three years. Once the building work is completed the proposed plan is to make the main entrance to the prison site run directly past the ecology area into the car park which will be located just beyond and adjacent to the ecology area. Hence there will be a permanent and significant level of traffic movements with associated noise through this area on a daily basis.

Noise Pollution

In humans, noise pollution has been shown to cause a range of health problems from stress, poor concentration, productivity losses in the workplace, and communication difficulties and fatigue from lack of sleep, to more serious issues such as cardiovascular disease, cognitive impairment, tinnitus and hearing loss (Australian Academy of Science accessed May 2021). In many cases, humans can take some action to mitigate the effect of noise pollution. Wildlife, however, have fewer options and noise pollution affects animals in many quantifiable ways. Studies have demonstrated raised levels of stress hormones in birds and amphibians (Tennessen, Parks & Langkilde 2014; Tennessen, Parks & Langkilde 2016; Injiana *et al.* 2019; Zollinger *et al.* 2019), increased avoidance behaviour and reduced species abundance (Summers, Cunningham & Fahrig 2011; McClure *et al.* 2013; Cooke *et al.* 2020a; Cooke *et al.* 2020b), even a shortening of DNA telomeres (the 'cap' at the end of DNA strands – that can impact longevity) in house sparrows and great tits (Meillere *et al.* 2015; Grunst *et al.* 2020). Morley *et al.* (Morley, Jones & Radford 2014) summarised the situation succinctly: "Over the last decade, there has

been a growing awareness of the potential impact of anthropogenic noise on non-human animals, with studies on a number of different taxonomic groups demonstrating effects ranging from behavioural and physiological adjustments of individuals to changes at the population and community level. Consequently, anthropogenic noise is now recognized as a major component of environmental change in the twenty-first century and a pollutant of international concern, featuring prominently on international directives and agendas (e.g. inclusion in the United States National Environment Policy Act and the European Commission Marine Strategy Framework Directive, and as a permanent item on the agenda of the International Maritime Organisation).”

Apart from the impact on local residents, and along with the increase in light pollution, the development would undoubtedly have a major impact on the wildlife in the locality.

Although the main ecology area will be left in place, the noise, light pollution and general disturbance from the construction traffic and in due course when the prison is operational, staff, visitor and delivery traffic will cause significant disruption to the wildlife and some of it may be permanently displaced from the site. No amount of mitigation could prevent for example, the displacement of birds, bats and some other wildlife.

Carbon Emissions

In the construction of the proposed new mega prison there will be a total estimated loss of 780m of hedging and trees that are located in the hedgerows. Furthermore there would be a loss of at least 50 acres of green field space across the whole site if the new mega prison was built. This is a valuable source of habitat that will be irreversibly lost to wildlife and cannot be fully mitigated. In addition digging up this green field space will release approximately **6,678 tons of carbon** currently locked up in the fields.

Site Layout

Below is shown the current proposed layout of the new mega prison.



Fig. 1: Schematic of proposed plan showing road and access point to the main construction area and final site

The above proposed plan highlights the following points:

- The access road to the main construction site will travel up the whole length of the field that is adjacent to Grendon Road.
- The main field that is on the other side of the boundary hedge belongs to Lawn House and towards the top end of that field is a large badger set. This set also crosses the boundary onto prison land and at this point will be in the direct path of the access road. To mitigate this situation it would appear that it is planned to close off parts of this set and displace the badgers.
- In addition there are other badger sets on the prison site.
- The entrance from the field into the main part of the construction site will pass directly past the edge of the ecological area including the pond, and some of the buildings which form part of HMP Springhill. This is a very narrow access point and is literally within yards of the wildlife area that has been established over many years.
- The proposed plan shows that the new site road will lead to a large car park just the other side of the ecology area and lie alongside and adjacent to the whole northern side of this area.
- Although the main ecology area will be left in place, the noise and light pollution and general disturbance from the construction traffic, and in due course when the prison is operational, staff, visitor and delivery traffic will cause significant disruption to the wildlife and some of it may be permanently displaced from the site. No amount of mitigation could prevent for example, the displacement of birds, bats and some other wildlife.

Despite the proposed mitigation steps the impact of the proposed new prison on the ecological aspects of the prison site should be given significant negative weight in the planning balance.

Biodiversity

The proposed new mega prison would result in the removal of a total of c. 780m of hedging and trees associated with that hedging. In addition there would be a loss of a total of approximately 70 acres of green fields across the whole site. This includes several acres of scrub land which is a significant source of habitat for wildlife. Unfortunately this aspect of scrub areas is not recognised in the Biodiversity Net Gain (BNG) metric and it logs them as a sign of degradation and hence do not need compensating. The metric system for calculating BNG is fundamentally flawed and the determination of BNG gain presented in the application should be subject to full scrutiny by a specialist.

The field where the new site entrance and road would be constructed was part of the Historic Park and Gardens of Grendon Hall reported (*Ref: Report by the Bucks Garden Trust on Grendon Hall, March, 2021, updated in June 2021*). In addition it contains the remaining part of historical ridge and furrow which used to be part of a much larger area covering the whole of the prison site and beyond. Unfortunately this historically important cultivation has been decimated by other Government developments on the site by building the existing two prisons.

The previous developments on this cultivated land are no justification for further construction activities. The proposed plan would destroy most of the remaining ridge and furrow by construction of the new site entrance and road and relocating the football pitch to this field. In addition, the planting in this field would almost completely wipe out any remaining ridge and furrow. The planting is of course to counter the destruction of the current habitat and achieve the required biodiversity increase by 10%. This approach may achieve the biodiversity target but more significantly it will help destroy the ancient cultivation form of ridge and furrow in that part of the site. Furthermore it distracts from one of the key remaining part of the Historic Park and Gardens of the Grade II listed Grendon Hall.

In addition the new planting is located in some places over and in others adjacent to the current foul waste system for the current prison site. This could result in root damage to the already fragile system and cause further blockages and leaks to the system. This could result in contamination of the water course and harm to local wildlife.

In conclusion the proposed plans to achieve the biodiversity net gain should be scrutinised by a specialist expert, abandoned and an alternative approach to this aspect be considered and developed. This should preferably be an option that leaves the site as it is and finds an alternative location where less harm will be inflicted.

APPENDIX 9

Analysis of Flooding and Drainage with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Flood Zone

The site for the proposed new 'mega' prison and the land in the immediate area is in Flood Zone 1 with a low probability of flooding. However, parts of the site and surrounding area are prone to flooding from surface water as shown below in the following maps.

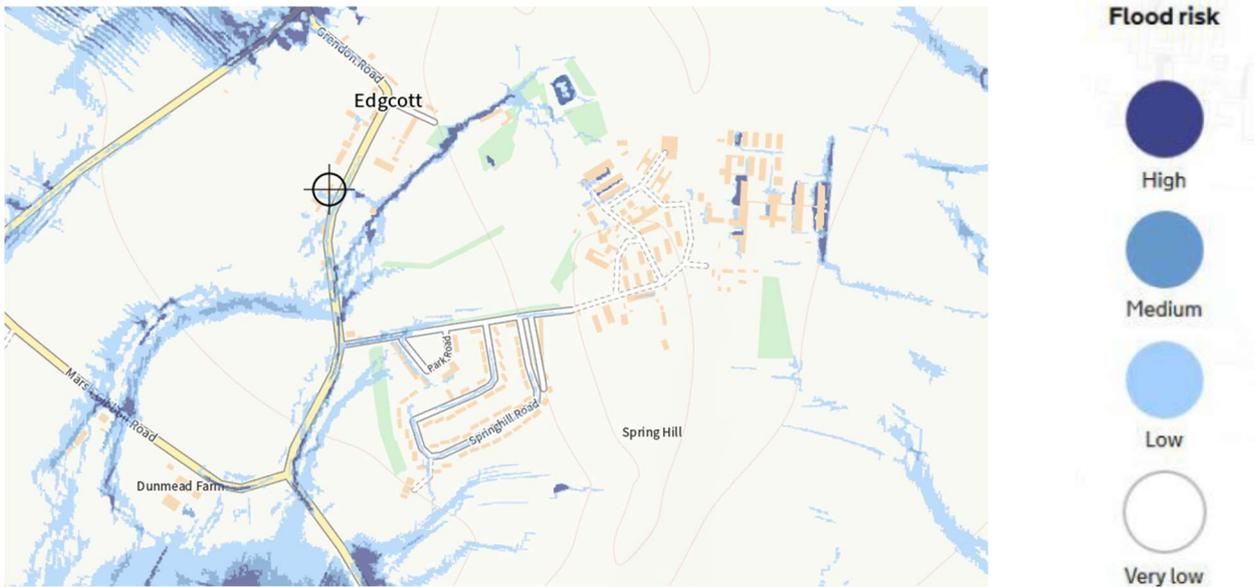


Figure 1: Surface Water Flood Risk

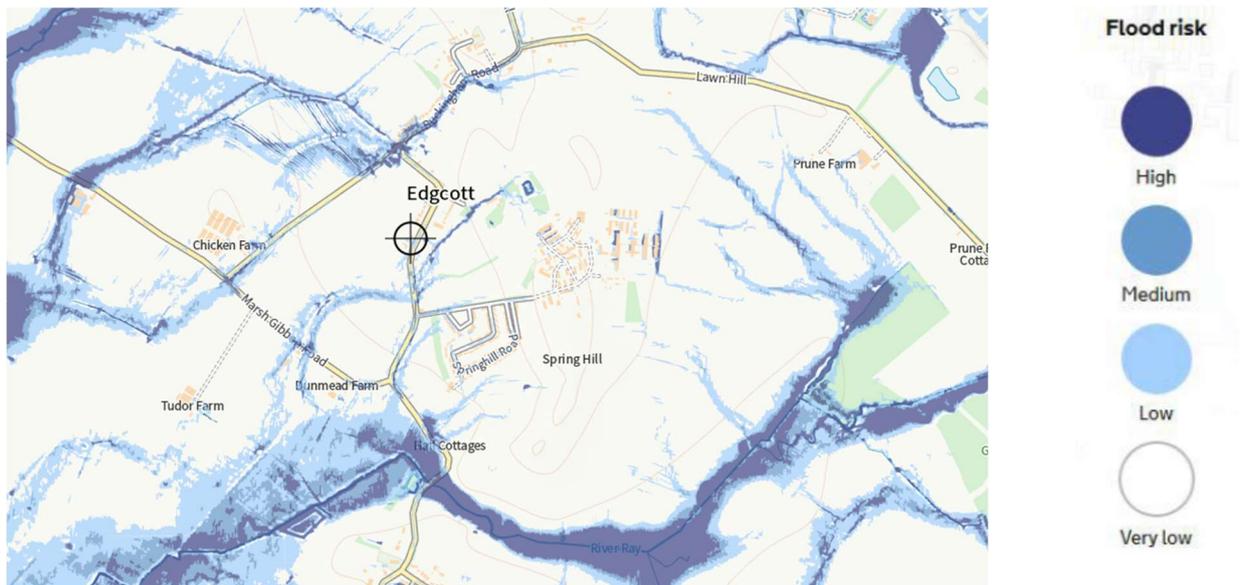


Figure 2: Surface Water Flood Risk

Run-off already occurs from the prison site to areas including land adjacent to Lawn Hill/Quanton Road, Lawn House gardens, Buckingham Road and Grendon Road in Edgcott and causes standing water issues in each of these areas. The field adjacent to Willow Lodge proposed for the location of the new site entrance and road to the main development site regularly suffers from standing water.

Standing water is also an issue on the main road leading to the current prisons and around the current prison gates. This is partly due to the topography in the locality, the clay subsoil and the fact that there is a significant flow of water down from the hill on which Grendon Hall and the current prisons are situated and partly due to poorly maintained ditches on prison land.

Drainage

Some of the water that runs from the current prison site flows down the hill via ditches from different parts of the site. One such ditch runs close to the pond in the ecological area, past the rear of Lawn House and across the fields to meet the ditch that runs parallel to Grendon Road, Edgcott. There is a second ditch which runs a bit further towards the Grendon Underwood direction and this also runs down the fields and meets up with the ditch by Grendon Road. The flow rate of water in these ditches from the prison site has at times causing flooding along parts of Grendon Road close to the road narrowing on the southern edge of Edgcott, and the footpath in that location (see photos below).

There is also a small ditch that runs along the road side of the field adjacent to Willow Lodge that is in a poor state of upkeep and has not been cleared out by the MoJ for many years. This regularly contains standing water which spills out into the road and runs down to the prison gates and results in standing water either side of the gates (see photos below) and causes flooding in the garden of Willow Lodge.

Rain water drains from some parts of the current prisons pass down the southern side of the main road leading to the existing prisons and flows into the ditch the other side of the gate piers. This is adjacent to the footpath which is next to Grendon Road. The ditch and footpath were both underwater during the winter of 2020/2021.

Examples of the levels of flooding, from surface water, experienced over the last 12 months are highlighted by the following series of photographs on both the prison site and the immediate surrounding areas.



Standing water by the current Prison Gates on 30th January 2021



Flooding Near the Bus Stop and the Location of the Proposed New Site Entrance, 30th January 2021



Flooding Near the Bus Stop by the Current Prison Gates, 30th January 2021



Flooding at Current Prison Gates and on the Footpath towards Grendon Underwood



Footpath where the new site entrance will be located



Stile into the field where the football pitch will be located

Foul Waste

Part of the foul waste from HMP Springhill, HMP Grendon Underwood and Grendon Hall runs down from the prison site as shown in the image below.



This is the line of the 4 inch sewer system that was installed c.2003. Image from Google earth.

The whole foul waste system needs an upgrade, particularly the drains from HMP Springhill that run down and across the field adjacent to Willow Lodge. This sewer drainage system is reputed to consist of only a 4 inch diameter pipe. This system regularly becomes blocked and then overflows into the field at areas shown in the following photos.



Overflow from an inspection cover in the hedge part way up the field towards Grendon Hall, 10th March 2021



Foul waste flowing down the ridge and furrow in the field where the new road and football pitch will be located, 10th March 2021

The relocated football pitch will, according to the outline plans, be either located over the top of or immediately adjacent to the foul waste drain that runs the length of that field. Apart from leaks due to blockage at the top of the field as shown in the photos above, leaks also occur due to blockage where the drain changes direction to pass under the road leading to the prison. This would appear to be approximately where the SUDS pond is going to be located in this field.

From the plans submitted for outline planning, it would appear that the drainage and foul waste considerations have been suitably engineered for the new prison. However, the existing systems already cause issues and this could be exacerbated by construction of the new prison for the following reasons:

- A significant amount of planting in the field between Grendon Hall and Grendon Road is planned. In the two main areas where this is shown on the plans, they would be located where parts of the foul waste system are located. Clearly this will generate a serious risk of damage and/or a potential for blockage of the current foul waste system.
- Location of the new site road such that it would pass over the existing foul waste drains where it would enter the prison site near the HMP Springhill buildings.
- The new football pitch is on a level with the SUDS pond, and has no drainage designed. Inevitably, it will have to drain into the SUDS pond.
- The new access road, in total, drains straight into the SUDS pond to the rear of Willow Lodge, and is the last storage facility proposed.
- The existing defective MoJ foul drains, by default, will also end up in the open SUDS pond.
- There is no overflow facility shown for the SUDS pond, inevitably, it will all overflow into the road and existing inadequate ditch system, thereby polluting open water courses and areas of populated space.
- The football pitch and the SUDS pond would be located on top of or immediately adjacent to the current foul waste system which frequently suffers from blockages and overflows into the field.
- There is a significant risk that the frequency and seriousness of local flooding and standing water could increase due to this development.
- The planned expansion of HMP Springhill would put further pressure on the foul waste system for that prison and if ever approved should only be if the whole system is upgraded. However, such

an upgrade would have a significant detrimental impact on the ridge and furrow in the field where the system is located.

- There are no plans in the current Project Scope of Works to bring existing HMP Springhill and Grendon drainage systems into the redevelopment project.

In summary there are major concerns, and an inevitability that the construction of the new mega prison on top of the hill, whilst not being the sole causation of the existing local flooding problems Edgcott has, will without doubt add significantly to the problem caused by standing water, flooding from overflowing ditches and foul waste pollution overflows into amenity space and the ridge and furrow cultivated area, and to the public road and footpath used by the general public.

Expansion of HMP Springhill

From reading the Outline Planning Documentation (OPA) (Traffic Assessment Appendix L) it is very clear that, in addition to building a new 'mega' prison on the Grendon Underwood site, the MoJ intends to **expand HMP Springhill by 120 places**.

In fact a letter was received on 17th August by our MP from the Parliamentary Under-Secretary of State for Justice confirming that a pre-application meeting had taken place with Buckinghamshire Council and that an application for the expansion of HMP Springhill will be submitted in late September. The letter also stated:

"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.

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."

It would seem that the MoJ do not want to risk jeopardising the application for the new mega prison by allowing the cumulative impact of the expansion of HMP Springhill to be taken into account. This is the reason for the two applications not being submitted concurrently. This is typical MoJ tactics.

Although the plans for this expansion are not included in the application, there is a **clear justification** in considering the **cumulative impact** of both the new prison proposal and the expansion of HMP Springhill in this objection. Unless the foul waste system at HMP Springhill is completely over hauled, with the increase in numbers of inmates, there would be a significant risk of increased blockages and overflowing man hole covers into the ridge and furrow cultivation and onto the public rights of ways than currently occurs.

In conclusion, the cumulative impact of the proposed new mega prison and the expansion of HMP Springhill would significantly increase the risk of both standing water and foul waste leaks.

APPENDIX 10

Analysis of Design Impact with Application Reference 21/02851/AOP Including Rebuttal of MoJs Supporting Information

The proposed new 'mega' prison would be on a scale and of a design that would conflict with both the NPPF and the Aylesbury Vale Local Plan. The site planned for the new 'mega' prison is over an area of 29.5ha, significantly larger than the current two prisons on the site. The height of the planned accommodation blocks is four storeys (c. 17.5 m) but in reality they are five storeys high as many services will be located on top of each block. The other buildings on the site would range from one to three storeys high. The scale and height of these buildings will be exaggerated further because many of them will be situated on one of the highest parts of the local landscape. Even with some site levelling these heights will be significant and have a detrimental impact on the landscape and visual impact. The nature of the buildings is more suited to an urban site rather than urbanizing a rural, green field location. In particular the buildings would be visible from the majority of Edgcott, Springhill housing estate and the northern part of Grendon Underwood Main Street as well as a very large part of the surrounding area.

The landscape around the Grendon Underwood prison site is generally unified by its hedgerows and settlement pattern and has few visual detractors. However, the main visual detractor is recognised and acknowledged to be HMP Grendon and HMP Springhill, i.e. the two current prisons on the site. Hence even though the current prisons were constructed in the 1950s and 1960s, they are still regarded as detractors to the local landscape. The proposed new prison would dwarf the existing prisons due to its scale and size and hence would be an even bigger detractor to the local rural landscape.

Each and every building in the proposed prison would be totally out of character with a rural location and would not achieve any of the following points specified in the AVLP:

- *New developments should be designed to reflect the traditional character of the area and use locally traditional materials;*
- *Retain and enhance views from publically accessible land;*
- *Maintain the strong rural character of minor roads with management of verges and hedgerows;*

The above matters in the AVLP are related to housing developments but still remain relevant to any development in the countryside.

Furthermore the NPPF Paragraph 127 states that planning policies and decisions should ensure that developments:

- a. *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b. *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c. *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

The proposed design of the new mega prison would fail to meet any of the above criteria. Policy GP35 in the AVLP also states that the design of new development should respect and complement:

- a) *The physical characteristics of the site and its surroundings;*
- b) *Building tradition, ordering, form and materials of the locality;*
- c) *The historic scale and context of the setting;*
- d) *The natural qualities and features of the area; and*
- e) *The effect on important public views and skylines.*

Due to the rural nature of the site, the local landscape and the surrounding heritage settlements, the proposed design and scale of the new mega prison fail to meet any of the criteria stated above.

The proposed new 'mega' prison may be regarded as functional and meet requirements to serve as a prison but the design is inappropriate and of a scale that is unsuited to a rural, open countryside setting. The fact that there are existing prisons on the site does not make the construction of a significantly larger prison, and of inappropriate design for a rural area, any more acceptable. The outline planning application for the proposed development should be rejected outright.

Paragraph 130 of the NPPF 2021 states that Planning policies and decisions should ensure that developments:

- a) *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; **The proposed development adds no quality to the area but causes irreversible and substantial harm to public amenity, landscape and visual impact, noise and light pollution and Heritage assets.***
 - b) *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; **the proposed buildings are designed to be functional for a 'mega' prison and have been designed to a model which can be sited anywhere in the country, urban or otherwise and no account is taken of the setting in which they are transposed.***
 - c) *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); **the proposed development will have an irreversible and significant impact on the density of buildings on the site and would involve developing 60 acres of land which is currently open countryside.***
 - d) *Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; **this aspect is clearly more relevant to housing developments. However, a 'mega' prison can hardly be described as welcoming to local residents and the current rural environment. The materials to be used are essentially all pre-fabricated concrete and could not be further away from the materials used to create the local heritage buildings nearby.***
 - e) *Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; **there is no such mix in the proposed development. It is a standard 'prison kit' of buildings which will be dumped on the top of a hill and resulting in the loss of 60 acres of green field space.***
- and*
- f) *Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. **The***

prisoners will be well served with a high standard of amenities but the harm that results from that is a significant loss of amenity value for local residents.

The Ministry of Justice Design Team are endeavouring to justify their current proposals by reference to having responded to, and satisfied the deficiencies of their original proposal as identified by public response to the consultation document. This they have not achieved.

Good design requirements cover each aspect of every topic of the proposed project, and is required to ensure the proposals will make the elements of the project work effectively for MoJ, but do not adversely impact on others, that is local residents, visitors, and general passers' by in the area.

Each element of this proposed project has an issue of some form for instance:

- **Site Selection:** clearly inadequate, as proven by the need to “acquire” more land to make any of their layouts work. The current proposal fills every corner of the site with construction. Special interest elements, such as the Bellamy Pond have been hemmed in by urban infrastructure – security fencing access road and car parks on all sides. Ancient footpaths diverted onto urban road crossings, and potentially, fenced sides. Mature native natural trees and hedges removed to artificially maximise the available space.
- The MoJ propose to have a modest cut and fill exercise to create levels needed to accommodate the construction needs. However, these will not achieve screening of the tall buildings without the aid of tall mature trees. Native trees of the area are slow growing and deciduous. There will also be need for retaining wall features to support the plateau effect which will be formed in the attempt to accommodate a car park in what was a historic green space.
- Site access will create a significant new road junction in the village, which will be in constant use day and night, 7 days a week, 365 days a year, all adjacent to an existing prison access road and serving a housing estate. Not only constant noise and light disturbance will occur but there is a strong possibility that the new site entrance will create an accident blackspot.
- There is no effective public transport to this site, therefore every journey will potentially be by private car. The result will be noise, fume and light pollution as well as a heightened accident risk.
- No provision has been made in the car park to turn or accommodate public bus traffic to the prison, if that should ever be considered
- No consideration in the design of light pollution, or it's mitigation is mentioned at all. The north and eastern skylines are Edgcott's only “dark sky” aspects, although partly damaged by the existing prison's security lighting.
- Edgcott, and Grendon Underwood are communities of 2 storey buildings, with some at 3 storeys. The landscape is dominated by mature deciduous broadleaf trees, mature hedges and thickets. The existing facilities of HMP Springhill and HMP Grendon, although are out of place in this soft green rolling rural place, they are low rise, and small in nature. They have, grudgingly, been accepted into the façade of the area by being just as described: small and modest in height and scale.

- The proposal is to plant urban blocks of accommodation units, office buildings, workshops, vehicle compounds and the like, up to effectively 5 stories high and 17.5 metres (58 feet) in height. All these buildings will be architecturally designed to fit into an urban city centre environment. These will look in place in the suburbs of South Birmingham, or Croydon, or Rabans Lane Industrial Estate, but definitely not planted on the top of a hill in a rural environment.

APPENDIX 11

Analysis of Economic, Employment and Social Benefits with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Summary

Claims that the proposals are compliant with Paras 81 and 104(e) of the NPPF, emerging Local Plan Policy S1 are clearly not proven. Claims of economic benefits for the wider UK construction sector and investment following COVID-19 may hold some weight but the report does not consider the sensitivities to the balance of benefits or consider more sustainable alternatives (See Site Selection). There is no excuse for reducing the prospects of achieving these targets by expanding in an unsustainable location.

It is clear that undue weight has been attributed to land ownership in the site selection process and incomplete and generic economic modelling is being used to claim benefits that will not be achieved at local level. Benefits forecast at regional (defined as the whole of the South East) and national level should not be used to justify the Grendon and Edgcott location and are unreliable and incomplete. There is no evidence of any consideration of the economic balance of alternative more sustainable sites. (See "Site selection")

Any finding that the economic impacts would outweigh the harm to the natural and historic environment would be completely flawed. The Council do not have all the information to come to this decision. The economic claims are unreliable and, in any event, forecast minimal benefits locally. The weight of the economic benefits assessed in the planning balance should be small.

Socio Economic Statement

The Planning Statement produced by Cushman Wakefield for the applicant seeks to apply substantial weight in the planning balance to the economic and social benefits claimed in paras 7.28 to 7.50 (see comments below).

The Socio Economic Statement submitted to support the claims does not accurately reflect or forecast the impact of what is proposed at this location. It fails to take account of significant local factors and uses assumptions drawn from other prison proposals that are not comparable. It fails to acknowledge or address the impact on the economic cost benefit balance of locating the development in a location that is unsustainable because of all the reasons cited elsewhere in objections to other planning considerations, rural location, travel times, accessibility, staff resourcing and lack of alternative means of transport.

The statement focusses on attributing financial value to forecast benefits, mainly at ill drawn local and regional level. It does not provide any insight at the macro level of the cost benefit balance of the proposals. **The benefits claimed at local level are minimal for a project of this size.** No attempt is made to assess the impact of project cost overruns, the scope for which can be easily envisaged and are highly likely. These have the potential to dramatically damage the cost benefit balance and this has not been considered.

The methodology used extrapolates forecasts from base assumptions that, when inaccurate, produce outcomes and benefits that are significantly overstated. In this case the calculations of economic benefits for the local economies, particularly, cannot be credibly claimed.

Defining the local area to which benefits are claimed as with a 40 mile radius of the location provides an entirely misleading perspective to the LPA. Such a radius encompasses a significant portion of Oxfordshire and parts of Northamptonshire, Bedfordshire and Wiltshire. There are currently 11 prisons within this defined area providing 7,804 places (including 1,680 new places at HMP Five Wells) all competing for the specialist resources needed to operate them. This is a significant contributor to making the location unsustainable. The report is fundamentally unreliable by defining the local area of impact but drawing economic data from only part of that area.

The Socio Economic report offers no insight into the relative cost benefit assessment of alternative sites considered in the site selection process. (See Site selection). However, it does acknowledge that Buckinghamshire has below average unemployment and crime rates and low rates of deprivation. Regional and national benefits from the prison programme would bring greater benefits in areas of greater prison demand, higher unemployment and greater deprivation as well as contributing to the government's levelling up agenda.

The MoJ's own criteria require new prison locations to be in areas of identified future need and demand. The planning statement then identifies the area as the South East (Para 7.26). There is no unmet or forecast unmet demand from the local area. As at 31 December 2020 (latest data available), **there were 7 prisoners held across HMPs Grendon and Springhill who had a recorded home address in a Buckinghamshire local authority area.**

As at 31 December 2020, there were **371 sentenced male and female prisoners aged 18 and over held in other prisons and young offender institutions in England and Wales who had a recorded home address in a Buckinghamshire local authority area. (Source Fol request).** In 2020 there were 34,437 crimes recorded in Buckinghamshire compared with 699,722 in the South East and 850,410 in London. It is clear that the proposed expansion at this location will not house prisoners close to the areas where they are expected to resettle or where their families live. The result is that inmates and visitors will need to travel from areas of origin and to where they will resettle. This will reduce the economic benefits claimed by reducing the operational efficiencies and adding to pressure on support services, exacerbating the economic harm that results from the unsustainable location.

The report relies upon the Peter Brett report of 2013 (also commissioned by the MoJ) which was based on evidence from 3 urban prisons and specifically excluded findings from a rural prison (HMP Whatton). Consequently, the estimates within the report are conjecture and unreliable. It ignores a wide range of effects that would need to be accounted for such as:

- Road congestion which is likely to be significant in both the construction phase and operational phase of the prison;
- Impact on the environment of building a significantly large prison in a rural area;
- The impacts on local service provision, such as, education, health and leisure facilities, both within the prison and for staff living in the area. (Particularly in the case of the Category C prisoners for whom the facility is intended, the use of a rural location to which access is difficult and costly for visitors seems an ineffective choice, likely to worsen road congestion.)

That report also states at Para 4.2 that;

"New prisons would respond to prison over-population and would be located close to the localities which have the largest supply and demand gaps and would therefore expected to be located in urban areas."

Planning Statement

Paras 7.29 and 7.30

Claims that construction will “provide opportunities for businesses, helping boost the local economy”. And “driving benefits for the local community and economy in Buckinghamshire”

The rural location of the site and the nature of large infrastructure projects and the contractors and sub-contractors involved will mean that benefits to local businesses and for the economies of Buckinghamshire will be minimal. (See financial claims below).

Para 7.32

Claims that the development is compliant with Para 104(e) of NPPF “which supports an appropriate mix of uses to minimise journeys”

The nature and location and accessibility of the proposed development will have the completely opposite impact and **cannot conceivably comply with this requirement.**

Para 7.33

Claims that “The construction phase is expected to create 45 full time jobs in the region” and could support £43.6m (net) direct Gross Value Added helping to boost the local economy”

The net Gross Value Added figures of £43.6 and 45 FTEs quoted are benefits forecast for the region, i.e. the South East and conveniently omits to state that the 45 FTEs created are net **temporary** positions. **Local benefits claimed are for 8 temporary FTEs** from the direct impact. The claimed net GVA for the local area is not identified.

The methodology used and multipliers applied are misleading and are more appropriate for a project of this nature closer to larger urban conurbations. The catchment area used extends to 40 miles which encompasses large parts of Oxfordshire and parts of Northamptonshire, Wiltshire and Bedfordshire. It encompasses the major infrastructure projects of HS2 and EWR in the immediate vicinity and the construction phase which will coincide with the construction phases of these projects. These projects are already causing shortages of supplies in local construction materials and labour and the economic benefits claimed for the local area are overstated and the disadvantages ignored. **The proposals will exacerbate the current shortages and not bring the economic benefits claimed.**

Para 7.34

*Claims that the development could support “a total of 14 (net) indirect jobs and an additional £13.1m (net) indirect GVA including **in the region of £1.9m claimed at local level**”*

The indirect net jobs created of 14 FTEs quoted is at regional level, i.e. the South East. The forecast **FTEs created at local level is 2 FTEs.**

See comments at 7.33 above re the basis of the forecasts.

The report goes on to cite Wellingborough and claim 51% of the construction spend went to small businesses and 25% of the onsite spend.

The Five Wells project at Wellingborough is immediately adjacent to a large urban conurbation and is not an appropriate comparator for the rural project at Grendon and Edgcott and the benefits claimed are a misrepresentation of the probable outcome.

Para 7.35

Claims that, when operational the prison “will employ 519 permanent staff’ and 487 of these will be undertaken by people residing within a 40 mile radius” and ‘This equates to a total income of £11.4m per year, of which £10.5m could be retained locally”

Whilst the Planning Statement claims that the MoJ has a strong track record in recruitment and states that the MoJ are confident in proposed staffing, these claims are not borne out in the proposed location where difficulties recruiting and retaining suitable staff for the existing prisons are already challenging and of concern.

If current proposals proceed there will be 12 prison facilities within a 40 mile radius with a capacity of 9,642 places (including the 1,468 new places at Grendon Underwood and a further 120 places at HMP Springhill and 250 additional places at HMP Bullingdon) representing c. 11% of the prison population of England and Wales. Elsewhere in the planning documents it is acknowledged that experienced prison staff will be needed for the new facility. There is already a shortage of such staff within the locality and the only way to source the quality of staff needed will result in a dilutive impact on the other local prisons. This impact will be exaggerated by the fact that Five Wells prison will need similar numbers and levels of experienced staff. These concerns have been voiced by the Prison Governors Association in the context of prison clusters.

There are no prospects for recruitment from the immediate locality and all staffing will result in private transport being used with all the attendant disadvantages and contraventions of sustainability targets.

Para 7.36

*Claims that total spend per year ‘could be £11.8m (net with inflation) with 19% or **£2.3m spent in the local area**. Regional supply chain spend could equal £15.3m (net with inflation) per annum, supporting 256 jobs at regional level”*

The forecast for the creation of local jobs within the 256 FTEs regional level is **39 FTEs**.

Even if one accepts the modelling parameters of this spend accurately forecast these benefits, they are benefits that would accrue at whatever the location in the South East Region and are less likely to be achieved at this inappropriate location.

Para 7.37 and 7.38

Claims that prison staff and visitor expenditure could include “£8.6m (net with inflation) induced spend per annum and 25 induced jobs supported.’

The induced spend of £8.6m from staff and visitors appears to be modelled on a prison facility adjoining an urban area offering services and facilities that are available for staff and visitors travelling to and from the prison from some distance. **They are unreliable in the context of the proposed location and neither forecast should be given material negative weight in the planning balance.**

It is misleading to seek to justify compliance with Local Plan Policy S1 by implying that financial benefits that are generically based will apply to a prison development at this rural location or that those benefits will be achieved at a local level.

Para 7.39 and 7.40

Claims construction benefits based on recent experience at HMP Five Wells.

These projects are not comparable. Five Wells is immediately adjacent to an urban conurbation containing a wide range of various enterprises that are able to benefit from a large infrastructure

project. There is little impact from the HS2 project and none from EWR on the capacity for construction related enterprises to benefit from such a project. The opposite is true at the Grendon Underwood and Edgcott location.

Para 7.48

States that "all local blue light services have been consulted etc"

These services would have to be consulted with as a matter of course and the planning statement implies that these services are supportive of the proposals and the impact on demands that will accrue to them and additional cost implications. **It is important to know and take account of the views of the blue light services when considering the planning balance for these proposals.**

Information that has become available via our MP confirms that in **the period April/May/June 2021 there were 197 recorded offences** involving inmates from HM prisons within Thames Valley Police. These ranged from violence against a person to sexual offences, all requiring different time scales and expertise to investigate. This is the current level of pressure that the Police have to deal with and Thames Valley Police have stated that they do not have the resources to cope with the additional pressures that an increase in prison places on this scale would bring.

APPENDIX 12

Analysis of Site Selection Criteria with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

Summary

Site selection and justification is an important aspect in the planning balance. It is clear that the site at Grendon Underwood and Edgcott fails to satisfy many of the MoJ's own site selection criteria (see table below). The ownership of the land (and the immediate proximity to existing prisons), which should be attributed no weight in planning balance considerations, has outweighed many important planning issues, including sustainability, heritage, landscape and visual impact, transport, ecology, residential and amenity space. The applicants have provided no credible evidence that they have undertaken a thorough, robust and genuine search in the South of England for alternative and more sustainable sites.

The result would cause irreparable harm. No evidence has been provided that a proper and required cost/benefit v harm analysis has been undertaken on any other site that would result in reduced harm within the extensive defined area. Investigations of potential alternative sites have been cursory in nature.

Planning Statement and Pre-Planning advice

The Planning Statement summarises pre Application advice and acknowledges (Para 5.7) that ***"The development of a greenfield site within the open countryside for a new resettlement prison would fail to comply with both national and local policies"***. It seeks to justify the proposals by claiming that an alternative and sustainable site within an existing settlement would be difficult to find and that the development adjacent to an existing prison 'provides some logic' and that the social and economic benefits are material considerations for a decision otherwise than in accordance with policies. However, if no real site selection process has been carried out, the harm could be best overcome by selecting a different and more sustainable site.

Buckinghamshire Council's own preplanning advice states:

'Nevertheless given this conflict with both national and local policies, any future application must be supported by information outlining the site selection process and criteria, including why other sites within the region were discounted, and the functional/ operational reasoning for selecting this site. The submitted cover letter states that the Ministry of Justice has identified that two new prisons are required in the south east of England and therefore an understanding of why this site has been selected over others is required in order to justify a possible departure from policy.'

Within the pre planning consultation document the MoJ stated **'A new facility in Buckinghamshire 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'**.

Since 2010 there has been a significant and deliberate prison closure plan imposed on the Prison Service by successive Governments. This plan has seen the closure of Ashwell, Latchmere House, Lancaster Castle, Wellingborough, Bullwood Hall, Canterbury, Gloucester, Kingston, Shepton Mallet, Shrewsbury, Blundeston, Dorchester, Reading, North Allerton, Holloway, Kennet, Glen Parva, Haslar, Dover and Blantyre House. Over the same period only three new prisons have been opened (Thameside, Oakwood and Berwyn).

There is no expected deficit for prison places in Buckinghamshire or surrounding counties and The MoJ has stated in a response to FOI that London and the South West are expected to have a deficit of prison places in the future. The need for prison places is predominately in London.

Building another Mega Prison adjacent to HMP Springhill and HMP Grendon would provide a further 1,468 places giving a total of 9,642 places (including Five Wells, a further 120 places at HMP Springhill and an additional 250 places at HMP Bullingdon) within 40 miles of the proposed site providing c. 11.0% of the whole of the prison places of England and Wales.

Site selection is considered in the Planning Statement in Paras 6.28 to 6.38. This is an exercise in tokenism and reverse engineering the solution to the Grendon Underwood and Edgcott location. Freedom of Information requests submitted to 107 Local Authorities in the South East of England have failed to identify any other pre-planning discussions regarding alternative sites. The MoJ have confirmed that there have been no such discussions in respect of alternative sites. It is not credible to suggest that no other sites within the South of England have the potential to fulfil the MoJ’s own selection criteria sufficiently to warrant pre-planning discussions and thorough analysis of comparative harms against the Grendon Underwood and Edgcott site. No evidence is provided that sites such as HMP Feltham, Swaleside, HMP Rochester, many redundant ex MoD sites (including nearby Bullingdon), have been diligently and seriously assessed as more suitable alternatives. Investigations of potential alternative sites have been cursory in nature. A proper comparison of relative irreversible harms has not been evidenced.

There will be many other brown field sites across the South East Region that would be more suitable and that won’t have such a catastrophic effect on a rural community that has already been badly affected by the construction of HS2, the East West Railway and a new incinerator. The proposed site is in Buckinghamshire, which has some 3% unemployment compared to over 7% in some of the deprived areas which have been promised to gain the advantage of “levelling up” (Source: ONS statistics). This proposal clearly is in contradiction to this Government promise.

There follows a comparison of the proposed site to the MoJ’s own selection criteria:

Selection Criteria Used at Grendon Underwood	Grendon Underwood Site
Mandatory Requirements:	
A minimum of 12 hectares developable area	Yes However, the elevation, layout and shape of the site is totally inappropriate for the construction of a new mega prison.
In the preferred area of search with a requirement for at least one location in each region	Partly In the broadest of terms yes but the south east of England is a huge region and Grendon Underwood, in north Buckinghamshire, is a long distance from the postcode addresses where the majority of prisoners from London and other south east counties would be located.
Secondary Requirements:	
Sufficiently flat	No The GU site is on a hill.
Have good strategic access to public transport and the motorway/trunk road network	Only partly The local roads around the prison site are narrow, windy and already used by a high number of vehicles, large and small due to other major and long-term infrastructure

Selection Criteria Used at Grendon Underwood	Grendon Underwood Site
	projects like HS2 and EWR resulting in a cumulative impact on the local road system. There is also extremely limited access to public transport.
Accessible for construction traffic without major enhancement of transport infrastructure	<p style="text-align: center;">No</p> <p>Not without building a new site entrance and a long road up the whole length of a green, open field to access the main construction site. The new site entrance and road will destroy the local landscape and have a significant impact on the volume of traffic in the locality. In addition some modifications will have to be made to the local A41/Broadway junction.</p>
Not significantly overlooked so as not to compromise security	<p style="text-align: center;">No</p> <p>The proposed prison would be close to the existing Springhill housing estate and other residential housing in both Edgcott and Grendon Underwood.</p>
Capable of connection to utilities without unreasonable cost	<p style="text-align: center;">No</p> <p>Due to the locality new surface water and foul waste pipes will need to be laid and these will be hundreds of metres in length with some crossing green field space. In addition a new electricity substation will need to be installed from Waddesdon which is approximately 6 miles away. Hence the cost of the infrastructure is exacerbated due to the site location.</p>
Outside flood plains	<p style="text-align: center;">Partly</p> <p>However, there are severe standing water issues both within the prison site as well as the surrounding areas due to the heavy clay soil in this region.</p>
Tertiary requirements:	
Previously developed/brownfield	<p style="text-align: center;">No</p> <p>And this is despite the fact that no evidence has been provided that the MoJ has given any consideration to the tens of thousands of hectares of brownfield sites in the south east and London regions.</p>
A suitable shape for prison development	<p style="text-align: center;">No</p> <p>Who would select a horse shoe shaped site to build a new mega prison rather than a rectangular like shaped site?! The site is not suitable for the proposed plans due to the, site layout, narrow and restricted access to the main area of the site where buildings would be located. A new and long site access road will have to be built. As a result some further open space land is going to be purchased to fit the planned buildings into the site.</p>
Manageable in terms of ground conditions / contamination	<p style="text-align: center;">No</p> <p style="text-align: center;">Heavy clay.</p>
Not prejudiced by major ecological or historic designations	<p style="text-align: center;">No</p> <p>Due to the amount and nature of wildlife both in the grounds of the current prison and the surrounding area and the irreversible harm that will be done if the prison is constructed, despite the proposed mitigation plans.</p>

Selection Criteria Used at Grendon Underwood	Grendon Underwood Site
	The site is in the setting of two Grade II Listed properties and will also have an impact on many other Heritage assets nearby in both Edgcott and Grendon Underwood. In addition part of the site formed part of the Historic Park and Gardens of Grendon Hall and this site has historic ridge and furrow which is the remaining section of a larger expanse of this local agricultural history.
Not affected by significant public rights of way or other similar issues	<p style="text-align: center;">No</p> There are public footpaths running through and around the current prison site which are significant to and widely used by the local community. The construction of the new mega prison will have a significant and detrimental impact on the local amenity space.

In the Outline Planning Application (OPA), the MoJ claim that their site selection process included the following steps:

- Land in MoJ ownership was considered as priority given the potential for quicker delivery to meet challenging delivery programme and avoid additional costs and time delays associated with the purchase of land.
- On a national scale, several sites were shortlisted against the criteria and four sites were selected for further consideration. Others were discounted, for example due to site constraints, areas of flood risk, infrastructure requirements, contamination issues, and accessibility.
- Of these four potential sites, two are in the north and one is located centrally and potentially being developed as a Category B training prison. Category B training prisons are national resources with different geographical requirements.
- The remaining site is the land adjacent to HMP Grendon and HMP Springhill which is strategically located to meet substantial forecast demand in the south region.
- The proposed site satisfies many of the site search criteria and is situated in a region where substantial demand for additional prison places is expected. The site is already owned by the MoJ.

It is clear that the only part of the above statements which can be guaranteed to be accurate is the last sentence in the last bullet point, i.e. *“The site is already owned by the MoJ”*. This is the crux of the MoJ justification. Every other aspect of the so called site selection criteria is a convenient fabrication and where if any further information is sought, as in Freedom of Information requests, the MoJ brush away such requests as “commercially sensitive information”. It is also clear from the details in the Outline Planning Application that the MoJ initiated some surveys on the Grendon Underwood site in 2018. Hence the MoJ had earmarked this site for the development of a new mega prison three years ago.

The MoJ site selection process has been secretive, derisory and highly biased towards justifying the Grendon Underwood site.

APPENDIX 13

Analysis of Location with Application Reference 21/02851/AOP Including Rebuttal of MoJ's Supporting Information

The Ministry of Justice claim that: “A new facility in Buckinghamshire also responds to demand, with projections showing the prison population is likely to grow most quickly in Yorkshire, and the North West and in the South East of England, linking directly to the large urban centres located there.”

This is patently and demonstrably untrue and the choice of this location is clearly motivated primarily because the land is in the ownership of the MoJ. It does not link directly to large urban centres in the south east, there is no unsatisfied demand for prison places for inmates from the locality and very few current inmates have nearby postcodes as their home address. In fact, on 31st December 2020 there were only 7 current inmates of Grendon and Springhill with Buckinghamshire postcodes and only 371 male and female prisoners with Buckinghamshire postcodes in all of England and Wales prisons and young offenders institutions.

Land ownership is of absolutely no relevance in planning and such application is essentially opportunistic and not borne out of any proper planning principles.

The location of the development within the rural area would have significant effect on several factors including highways, local businesses, the amenity of existing and future residents and the natural and historic environment. The development is plainly contrary to policies S1, S2 and S3.

The choice of location at Grendon Underwood is in direct contradiction of the Ministry of Justice's declared policy of locating new prisons close to areas of demand and where the prison population is forecast to grow most quickly. The vast majority of inmates will originate from outside of the local area, mainly London.

Planning Statement: Para 6.27 states:

Demand/Location

“When considering surplus demand for prison places in a particular location, it needs to be considered together with the surrounding region. It is for this reason that the proposed site adjacent to HMP Grendon and Springhill has been identified as a strategically valuable location for a Category C prison in the South East. The data shows that without the prison, there will likely be a significant deficit of this cohort in several regions surrounding the Thames Valley region in which this prison would sit.”

A report was commissioned by the MoJ in 2013 which made *“appropriate assumptions for estimating the impact of a new prison on the economy, including a local district economy where it might be located.”* The report was commissioned on 10 January 2013 and the Secretary of State for Justice at the time, Chris Grayling, announced that feasibility work would start on what would be Britain's biggest prison as part of a major programme of updating the country's prison estate. The report was an update of an earlier 2009 report. The 2009 report assessed 4 prisons, one of which was located in a rural area, Whatton Prison. These assessments were used in the 2013 report to make the assumptions of the impacts of a larger prison as there were no prisons of the proposed size to assess. Paragraph 4.2 of the 2013 report states:

"New prisons would respond to prison over-population and would be located close to the localities which have the largest supply and demand gaps and would therefore expected to be located in urban areas."

The proposed new prison would result in a total capacity of 9,642 prison places (including Five Wells, the additional 1,468 places at Grendon Underwood, 120 new places at HMP Springhill and an additional 250 places at HMP Bullingdon) within a 40 mile radius of Grendon Underwood and Edgcott over 12 separate prisons, when it and Five Wells are complete. This would provide c. 11% of the prison places within England and Wales. The Ministry of Justice's own figures indicate the current prison population to equate to c.173 places per 100,000 of population. The area within a 40 mile radius would extrapolate to supporting a population of 5.5 to 6m. There are currently 7 prison inmates with home postcodes in Buckinghamshire in Grendon and Springhill and only 371 male and female inmates in prisons across England and Wales. If the Ministry's policy is to be believed there is clearly an expectation of a significant crime wave explosion in Buckinghamshire!

The impacts of the location of the Site adjacent to an existing prison must also be taken into account. In March 2019 the Justice Committee, appointed by the House of Commons produced a report on the future of Britain's prisons. This report quoted written evidence from the Prison Governors Association:

"The Prison Governors Association expressed concerns about the location of new prisons which it believed was based on availability of sites rather than geographical need. They explained that HMPPS had found it very difficult to obtain new sites for prisons, hence the decision to re-build at Rochester, Glen Parva, Wellingborough and next to HMP Full Sutton. They were particularly concerned that new prisons built close to existing prisons, such as the cluster of prisons (HMP Belmarsh, HMP Thameside and HMP Isis) in South East London, could exhaust the local labour market of potential staff."

Para 6.34 states:

Land in MoJ ownership was considered as priority sites given the potential for quicker delivery to meet challenging delivery programme and avoid additional costs and time delays associated with the purchase of land.

It is clear that the fact that the MoJ own the land and a belief that the local planning authority will grant an outline consent is the overriding consideration in the choice of this location. Land ownership and speed of delivery are not factors that hold material weight in the consideration of the planning balance and subordinating valid planning considerations to these factors should result in a refusal of the consent requested.

Paras 6.37 and 6.38 state:

6.37 *The remaining site is the land adjacent to HMP Grendon and HMP Springhill which is strategically located to meet substantial forecast demand in the south region.*

and

6.38 *The proposed site satisfies many of the site search criteria and is in a region where substantial demand for additional prison places is expected. The site is already owned by the MoJ.*

The comments made at 6.38 is factually accurate but is misleading by implying that purely locating the new facility in the 'south region' ensures compliance with the government's policy to locate prisoners close to areas of origin or where they are expected to resettle in order to assist with rehabilitation. To seek to justify the location with a definition of "south region" is disingenuous. The catchment area that would fulfil the policy requirements is a low crime area and there are 10 other prison facilities within 40 miles already.

No evidence is provided to justify claims in 6.38 of the demand for prison places within a catchment area that fulfils the government policy of locating prisoners close to their home address and families or where they are expected to resettle.

The proposed development would lead to an extension of development into the open countryside. As a result, this would not be in keeping with the settlement pattern nor would this development contribute to or enhance the physical characteristics of the site and its surroundings. It is unacceptable.

The development would result in a major degree of urbanisation with resultant harm to the open countryside, both in front of Grendon Hall and in the space behind the current prisons.

The proposed site has a compromised footprint (horse shoe shape) with access to the main buildings being via a narrow gap in the corner of a field. As a result the site does not lend itself to a suitable design of such a large prison with all the associated services. Furthermore the proposed development also completely fills the available footprint. These constraints can only mean that there will be higher costs of development and operation (not good value for public money) and limited space for further developments.

One notable aspect of the design of the proposed prison site is the location of the workshop in relation to the accommodation blocks. Due to the constraints of the site footprint the workshop is placed much further away from most of the accommodation blocks than is suitable for daily transfer of the inmates to this building where they will work and receive training. In fact **the furthest accommodation block is approximately 700 m from the workshop**. In comparison at other new prison sites where the footprint of the site is more appropriate (triangular like shape at Five Wells and a rectangular type shape at Glen Parva and Full Sutton), the workshops are sited adjacent to the accommodation blocks. This is yet another clear indication that the proposed site is inappropriate for the siting of a new mega prison.

Due to the rural location many of the services required are going to result in additional costs and further disruption to the country side as 100's of metres of piping is inserted to take the rain water and foul water to appropriate output points. In addition a new power substation will be required on site and will run across the country side from Waddesdon. As the site will be all electric significant back-up generators will be required but these are not mentioned in the plans.

Thames water would have to construct a new bespoke water supply to the proposed prison and have requested that a condition be included until the details of the water supply have been resolved.