

## Rachel Tibbetts

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**From:** Bob Neville  
**Sent:** 11 March 2020 08:34  
**To:** DC Support  
**Subject:** FW: 19/02700/F

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**From:** Charlotte Watkins <Charlotte.Watkins@Cherwell-DC.gov.uk>  
**Sent:** 10 March 2020 23:30  
**To:** Bob Neville <Bob.Neville@cherwell-dc.gov.uk>  
**Subject:** 19/02700/F

Mawles Farm, Sibford Gower

Bob  
There are a number of protected species on site including Barbastelle bats which are classed as rare. Further bat surveys are required on site to confirm the status of the roost and check for other bat roosts or species. These surveys have not yet been done but the suggested level of mitigation that is shown to be accommodatable on site is likely to be sufficient to obtain a licence, though the applicant should be aware that further mitigation may be required depending on the outcome of the additional surveys. Conditions are needed as below.  
Further surveys and a development licence will need to be in place prior to any works commencing on site. The mitigation and best practice outlined in the Preliminary Ecological Appraisal (Ridgeway Ecology) September 2019 for reptiles, amphibians and other mammals on pages 43 and 44 must be adhered to, this could be as part of a CEMP for biodiversity, note this requires identifying an additional waterbody to take any displaced amphibians. The ecological mitigation plan is generally fine and covers mitigation for swallows which were found on site – adherence to it should be conditioned although further details on enhancements are needed.

An overall net gain for biodiversity needs to be demonstrated as per policy with a full landscaping/planting scheme to include the proposed pond. A scheme of biodiversity enhancements should be produced to include the measures on the ecological mitigation plan but also integrated enhancements such as swift bricks.  
Overall, although development of this site necessitates relatively complicated mitigation and licences for badgers and bats it should be possible to achieve mitigation on site and provide an acceptable level of enhancement. I have put suggested conditions below but please get back to me if any of these need further discussion.  
Kind regards  
Charlotte

### **Licence Required – CON**

Where an offence under Regulation 43 of the Habitat and Species Regulations 2017 (as amended) is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Mitigation for Bats – PC**

Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for bats, which shall include timing of works, and the location, design and timing of any alternative roosts to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

#### **Site Clearance (nesting season) – TL**

All site clearance (including the removal of any vegetation or works to hedgerows) and works or demolition of buildings shall be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on submission of a survey (no more than 48hrs before works commence) undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site as required.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with Government guidance contained within the National Planning Policy Framework.

#### **Badgers Mitigation – PC**

Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a full mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), details of the development licence required and the location and timing of the provision of any protective fencing around setts/commuting routes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

#### **Accord with Ecological Mitigation Plan – TL**

The development hereby permitted shall be carried out in accordance with the drawing PA-0003, 'Site Plan Ecological Mitigation', unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats and/or species of importance to nature conservation from significant harm in accordance with Government guidance contained within the National Planning Policy Framework.

#### **Biodiversity Enhancement – CON**

A method statement for enhancing the biodiversity on site, to include measures integrated into the buildings, bat, bird, insect and hedgehog provisions as well as full landscaping details shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

#### **Construction Environmental Management Plan (CEMP) for Biodiversity – PC**

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'Biodiversity Protection Zones';
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features (to include reptiles, amphibians and mammals);

- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

**Dr Charlotte Watkins**  
**Ecology Officer**

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