

Rachel Tibbetts

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**From:** Clare Whitehead  
**Sent:** 05 February 2020 09:13  
**To:** DC Support  
**Subject:** FW: 19/02550/F

Please register the below as Ecology response for the above. Thank you.

Kind regards,

**Clare Whitehead MRTPI**  
**Principal Planning Officer**

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**Please note my working days are Monday, Tuesday and Wednesday**

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**From:** Charlotte Watkins <Charlotte.Watkins@Cherwell-DC.gov.uk>  
**Sent:** 05 February 2020 08:57  
**To:** Clare Whitehead <Clare.Whitehead@Cherwell-DC.gov.uk>  
**Subject:** 19/02550/F

19/02550/F  
Land to the East of M40 and South of A4095, Chesterton, Bicester

Clare

With regard to the above application, the submitted surveys within the ES and updates are all sufficient in scope and depth at the current time. There are a number of protected and priority species on site - reptiles, a good population of Great Crested Newts, some scarce invertebrates, a good assemblage of birds..

The proposals constitute a large loss of open space on the current golf course however much of this is amenity grassland which is of limited ecological value. The loss of trees and the general increase in recreational use on site however will impact wildlife on site both in the short and long term. Tree planting is proposed on site which will mitigate for this long term.s

A **pre-commencement update survey for badgers** will be required as a condition as will a **full reptile mitigation plan** which should identify any necessary receptor sites. Receptor sites which need to be enhanced for reptiles will need to be done before works commence. The applicants are pursuing a **District Level Licence** for the impact on Great Crested Newts so some of this impact will be dealt with by off site provision and compensation. A Habitat Management and Monitoring Plan has been produced which is generally acceptable.

The assessment of Biodiversity net gain demonstrates a good level of net gain could be achieved on site however they have not submitted the whole metric, only a summary, and it would be useful to see how they have calculated all the figures in the metric itself.

They have rated all the current habitats as 'poor' and there is some loss of important habitats long term, namely running water. The net gain calculation summary states these are ditches which are often dry and will be replaced by swales however the Phase 1 survey report states there is a small stream (RW1) which looks to also be being lost and I wonder if this is accounted for? I couldn't find anything else on this.

The opportunity to created higher value habitat as mitigation and enhancement has been taken mainly in the green space to the West of the main buildings. Some of the proposed habitat creation may be difficult to create and maintain in the long term – a large part of the semi-improved grassland for example is within the area from the buildings to the carpark where managing it for wildlife benefit may conflict with other needs. I can't tell if calculations for 'scrub' includes small areas of ornamental planting around the carpark which may be of limited

value – these are marked as scrub in the post-development habitat map. Similarly with the low (1.2m) hedging proposed within the large carpark area. This should be clarified.

The large strip of amenity grassland to the Southern edge of the buildings would be better replaced with other grassland which would better maintain a wildlife connection between the (current) two halves of the golf course. Currently the placement of the buildings isolates the two halves to some extent.

Overall achievement of net gain will be dependent on the management and use of the green spaces in particular. The Design and Access Statement proposes trails through the Western area and suggests it will be used for walking dogs and recreation. This may not be compatible with maintaining some of the proposed habitats in the best condition for wildlife. In particular some of the suggestions for invertebrates such as sandy banks may be difficult to maintain if the area is heavily used for recreation or dogs are off the lead. The size of the carpark suggests daily footfall could be relatively high in this small space. It would be better if at least some areas were committed to being inaccessible to visitors.

In addition the area is shown as being lit at night and I would question the need for this? This area should be kept dark to maximise its value to biodiversity, limit light intrusion for bats and maintain dark corridors around the site.

Similarly with lighting there are plans to light up trees – this should be avoided due to its potential impact on the use of trees by nocturnal species. Lighting on the building should be designed with integrated bat/bird provisions in mind.

The concerns above could be addressed in a modified lighting plan, making it clear which aspects are included in their net gain, showing where RW1 is accounted for and by a conditioned **LEMP** which takes recreational pressure and its management into account. The net gain calculation will need updating if there are any changes.

A **CEMP for biodiversity** should be conditioned. There is a draft CMP but this does not address pre-works checks, nesting bird surveys or works timings, tree checks for bats where necessary, buffer zones around existing vegetation during construction, protection of retained ponds etc..

In addition to the conditions above the following three conditions and informatives would need to be included with any permission to ensure the District GCN licence can be authorised at a later date.

1. No development hereby permitted shall take place except in accordance with the terms and conditions of this Council's organisational licence (WML-OR48-2019-01) and with the proposals detailed on plan '201908002 – Bicester Golf Course Impact Map', dated 29th November 2019.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR48-2019-01.

2. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR48-2019-01), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence.

The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development.

Reason: In order to adequately compensate for negative impacts to great crested newts.

3. No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR48-2019-01 and in addition in compliance with the following:

- Works to existing ponds onsite may only be undertaken during autumn/winter, unless otherwise in accordance with the GCN Mitigation Principles.

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts

moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).

- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of works.

- The recommendations in report 'Great Wolf Resorts Bicester golf course Habitat Management and Monitoring Plan (Revision 1)', dated November 2019, provided as part of the planning application must be complied with.

Reason: In order to adequately mitigate impacts on great crested newts.

**Informatives:**

It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site in order to ensure timely implementation of habitat compensation.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR48-2019-01) are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and if offences against GCN are thereby committed then criminal investigation and prosecution by the police may follow. It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in condition 3 above would give rise to separate criminal liability under District Licence condition 9 (requiring authorised developers to comply with the District Licence) and condition 21 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

Please get back to me with any queries

Kind regards

Charlotte

**Dr Charlotte Watkins**

**Ecology Officer**

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