

## **Appellant's Closing Submissions**

### **Appendix on Biodiversity**

#### **Biodiversity**

1. Biodiversity is not an issue in dispute with CDC who accept the proposals will deliver a biodiversity net gain. It was an issue raised by PAW. I therefore deal with it in this Appendix incorporated to the Closing Submissions.
2. Policy ESD10 of the Local Plan deals with the protection and enhancement of biodiversity and the natural environment.
3. There is no adopted development plan policy which specifies a specific amount of net gain to be achieved, or a target percentage. CDC has adopted a target of 10%, but this is not part of its development plan.
4. The revised NPPF states that '*planning policies and decisions should... identify and pursue opportunities for securing measurable net gain*'.
5. Again, there is no specified percentage target of net gain, although there are proposals which have not yet been passed to create an expectation of 10% net gain.
6. As things stand, therefore, a development proposal will be compliant with the development plan and national policy if it delivers a net gain in biodiversity. In this case, however, the Appellant has not only demonstrated such a net gain, but also that it would significantly exceed the aspirations of a 10% net gain figure (whichever metric is used to assess that).
7. The scheme therefore is not just development plan policy compliant, and compliant with national policy, it actually delivers a significant benefit in terms of biodiversity enhancement which is an important material consideration weighing in its favour (but which has not been recognised by CDC or, of course, objectors who have indeed been misled by the repeated, but unfounded, assertion that the proposal would be harmful to ecology and biodiversity whereas the opposite is the case). This is clearly established by the evidence.

#### **The Application**

8. The planning application was accompanied by a detailed Environmental Statement which included comprehensive habitat surveys for ecological purposes. These included:
  - a. A Preliminary Ecological Appraisal<sup>1</sup> of the appeal site by WSP, professional ecologists, in 2018 with a consequential assessment of habitats present on site in accordance with JNCC (2010).

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<sup>1</sup> CD1-13 ES Volume 2, App 9.1 (part 1 and 2)

- b. A consequential Phase 1 Habitat Survey Plan of the site dated October 2019 identifying all the baseline habitats on the site for the purposes of the BNG assessment: see James Patmore Proof of Evidence<sup>2</sup> Appendix A. This identified that approximately 68% of the site comprised amenity grassland (JNCC Code J1.2) of low value associated with the managed golf course facility. As Mr Patmore pointed out in his oral evidence, this is hardly surprising as it is a golf course managed as such which involves a maintenance routine of regular mowing and application of fertilisers to enable people to play golf. Those areas of higher value habitat (such as standing water (G2), broadleaved mixed plantation woodland (A1..1.2 and A1.3.2), broadleaved parkland/scattered trees (A3.1) and hedgerows (J2.1.2, J2.3.1 and J2.3.2) were all identified.
  - c. A series of further protected species/ecological feature surveys including those listed in this footnote<sup>3</sup>.
9. The planning application was also accompanied by a Biodiversity Net Gain (“BNG”) Report<sup>4</sup> from WSP and its professional team of ecologists. The BNG Report confirmed that the Scheme would achieve an overall net gain (+27%) in area-based biodiversity units and also a net gain in linear units generated by new hedgerow creation (+117%). The BNG Assessment was undertaken using the Defra metric (2012) methodology and followed the best practice of the time.

#### The Council’s Position

10. The planning application was scrutinised by CDC and CDC’s ecology officer.
11. CDC Ecology Officer had no objection to the proposal, but sought additional information which was provided by WSP in a series of detailed responses to the comments, as set out in the Document CD2-6: CDC Ecology Response, prepared by WSP. It is clear from this document that CDC had reviewed the biodiversity net gain proposals in detail with detailed requests to include additional enhancement considerations (e.g. the request for additional amenity grassland to be replaced with other grassland) and alterations to the way that the net gain had been calculated (e.g. the scrub areas associated with the car parking)
12. CDC has repeatedly confirmed that it raises no objection to the proposal on biodiversity grounds.

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<sup>2</sup> CD12-21

<sup>3</sup> Bat Survey Report (ES Vol 2, App 9.2); Badger Report ((ES Vol 2, App 9.3); Hazel Dormouse Report (ES Vol 2, App 9.4); Breeding Bird Survey Report (ES Vol 2, App 9.5); Reptile Survey Report (ES Vol 2, App 9.6); Great Crested Newt Survey Report (ES Vol 2, App 9.7); PSYM Survey Report (ES Vol 2, App 9.8); Invertebrate Habitat Survey and Hairstreak Butterfly Survey (ES Vol 2, App 9.9i); Bicester Golf Course Terrestrial Invertebrate Report (ES Vol 2, App 9.9ii);

<sup>4</sup> CD1-13 ES Volume 2, App 9.10

13. The absence of any such objection is clear from (amongst other things):
- a. The Council's Committee Report recording the absence of objection from CDC Ecology Officer, along with CDC Arboriculture and Natural England <sup>5</sup>
  - b. CDC's reasons for refusal which contain no such objection
  - c. CDC's Statement of Case
  - d. CDC's evidence and submissions to the inquiry.
14. Mr Woodfield for PAW sought to suggest that there is something to be made of the absence of specific confirmation of that. That is a disingenuous reading of the ecology officer's position and the CDC position generally.
15. Moreover, CDC and its officers were well aware of objection from those within PAW on ecological grounds, including the specific objection that had been articulated by Chesterton Parish Council to the biodiversity net gain approach in relation to the classification of the amenity grassland: see paragraph 7.5 of CDC Committee Report (CD3-3) summarising Carter Jonas objection for CPC, 12<sup>th</sup> bullet point and allegation: *"Environmental net gain calculation classifies the current golf course as 'poor' to enable their required result."*

#### PAW's Objection

16. Notwithstanding the absence of any objection from CDC, PAW pursued an objection based on input from Mr Woodfield and this was summarised in PAW's Statement of Case dated 27 November 2020 (as dealt with further below). This alleged, amongst other things, the use of an inappropriate metric, lack of transparency in relation to the metric and incorrect inputs into the metric.
17. In light of this objection, although CDC remained satisfied, the Appellant instructed Mr Patmore of BMD to carry out an independent review of the material submitted with the application<sup>6</sup> and his own ecological verification visit to the site on 5 January 2021<sup>7</sup>. Sadly, this sort of constructive response to criticism is then used as an apparent further basis for criticism by PAW of the Appellant's approach. Rather than simply welcome the Appellant's instruction of an independent review, the fact of doing so is now suggested to be some sort of acceptance that the WSP work was somehow inadequate. There is no pleasing some! But of course, instructing an independent review does not involve any such acceptance at all. It is simply a constructive way of trying to move

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<sup>5</sup> CD3-3, p.1.

<sup>6</sup> See Patmore P/E, para 2.1.4

<sup>7</sup> See Patmore P/E para 2.1.4 and Patmore Appendix B. Mr Patmore's site visit followed the Phase 1 Habitat Methodology set out in JNCC 10 (see Patmore P/E paragraph 2.1.4) and took account of all the other habitat survey material previously conducted by WSP.

things forward by asking someone independent to review the criticisms being made to see if they have any substance. We commend Mr Patmore's measured evidence to you in this regard. The fact is that having carried out that review, Mr Patmore has satisfied himself and provided the necessary evidence that:

- a. The metric that WSP used, and was accepted by CDC, was entirely appropriate at the time of the application.
- b. WSP's calculations do not lack transparency as alleged; to the contrary, WSP's report specifically identifies the methodology that has been used and the data provided to WSP enabled Mr Patmore to recreate the same BNG calculations<sup>8</sup> applying the methodology and the identified documents.
- c. Despite Mr Woodfield's claims of expertise in the area and his familiarity with metrics, including the Warwickshire calculator, it is in fact Mr Woodfield who has made basic mistakes in what he has shown. For example, his use of the Warwickshire Metric actually replicates effectively the same results as the use of WSP's metric. It is just that Mr Woodfield did not realise it because he had misinterpreted or misused his own results.
- d. Mr Patmore's verification visit confirmed that there had been little change in the habitat distribution from the initial survey work and the habitat classifications remained appropriate: see Patmore, P/E para 2.3.3 and Appendix B.
- e. Even though the WSP metric was entirely appropriate, and CDC has not requested any different metric, Mr Patmore has gone on to carry out calculations using the Biodiversity Metric 2.0 that Mr Woodfield favours (even though it is itself a beta test version and there is no policy or other requirement to use it). Applying that Metric, the Scheme proposal continues to show significant biodiversity net gain of over 17%.
- f. Mr Woodfield's attempt to characterise this process as some sort of back-tracking from a BNG report that showed 27% to one what now shows 17% is disingenuous and misleading. The Biodiversity Metric 2.0 inevitably shows a lower percentage net gain than the earlier metric as it applies a different approach (as Mr Patmore has explained in his evidence at para 4.2.3). But even using this metric, the scheme delivers a significant BNG and significantly in excess of the 10% target that CDC now seeks to apply (albeit not as a part of development plan policy). This % gain is also yet to include additional gains such as the green roof area associated with the new building and the CDC Ecology Officer request to enhance the area of amenity grassland along the southern boundary of the site (some 0.7 ha).

### The Evidence

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<sup>8</sup> As presented in Patmore P/E Appendix G

18. The first contention said to be the first basis for PAW's apparent criticisms of the scheme proposal on biodiversity grounds is in respect of the metric that was used by WSP and accepted by CDC for the ecological assessment.
19. This has no substance because:
- a. The use of WSP's metric was clearly open to them and CDC.
  - b. Mr Woodfield's alternative metric, the Warwickshire Calculator, yields the same result.
  - c. The whole issue is academic anyway because even using the Biodiversity Metric 2.0 (the beta version which is out for testing), the scheme proposal continues to achieve a significant net gain in any event.

#### The WSP Metric

20. Mr Woodfield's starting point was to criticise WSP's use of a metric which was based on the Defra Metric 2012, but using current best practice at the time including BREEAM GN36 methodology for assessment. Yet his criticisms are without substance.
21. As Mr Woodfield conceded, there is no development plan policy, no national policy and no other guidance or advice which specifies what metric is to be used to assess biodiversity net gain. As Mr Patmore correctly identified, it is therefore a matter for the relevant local planning authority to decide, in conjunction with the developer, how to carry out such an assessment. As Mr Patmore also explained, continued use of the Defra Metric 2012, using the BREEAM GN 36 methodology 2018 which remains extant and takes account of revised research, is commonplace.
22. Therefore, there was no proper basis for (a) criticising WSP's use of its Metric at the time of application; (b) criticising CDC's use of that Metric; or (c) your own use of the information contained within that metric to assess the scheme. It remains relevant and important information before the inquiry.
23. Mr Woodfield's contentions spring from an assertion that the Biodiversity Metric 2.0 (Beta Test) has now been promulgated as the metric that has to be used. This is completely contrary to what is said by Natural England itself. The Biodiversity Metric 2.0 is self-avowedly a "beta-test" metric that has been put out for public use as a test, with feedback required on it. It is a self-defined experiment and we already know it is shortly to be superseded by version 3.0. It is idle speculation as to what will be in that later version. But to suggest that version 2.0 is some sort of definitive metric is contrary to the terms of the document itself, the way in which it was produced and website guidance that accompanies it. It is accepted that new applications will likely use the 2.0 metric over older versions but at the time of application (shortly after the initial release of the 2.0 Beta version) the use of the Defra Metric (2012) by WSP is considered appropriate.

24. However, given its existence, Mr Patmore has in fact applied it to the scheme for comparison purposes and he agrees that in light of the availability of those results he has produced, you yourself can consider the scheme against it. Production of the comparison Metric results does not mean, however, that the Appellant has somehow backtracked from the WSP metric at all and this sort of misleading mischaracterisation of events is not helpful to anyone. The simple fact is that you now have the results of three different metrics before you, each of which demonstrates that the scheme delivers a very significant biodiversity net gain.
25. You have:
- a. WSP BNG report and the application of its metric, showing in excess of 27% habitat net gain and 117% linear net gain
  - b. The Warwickshire 2014 Calculator performed by Mr Woodfield – this should be treated with caution as it shows errors on the face of the document, but even this shows that using that calculator, there is in excess of a 24% habitat net gain.
  - c. The Biodiversity Metric 2.0 calculations from Mr Patmore in various iterations. The first, showing simply the habitat originally included by WSP, shows in excess of 17% net gain for habitat and in excess of 157% linear net gain. The subsequent ones run by Mr Patmore in is rebuttal statement, Appendix B (CD12-31 & CD12-32) test the position further (as set out below) where Mr Patmore has considered some of the additional habitat enhancements available and also tested Mr Woodfield’s claims in respect of amenity grassland as set out further below.

#### Inputs into the Metric

26. PAW’s second contention, however, is that the inputs into the metric are flawed. The principal allegation it makes in this respect is a contention that the “amenity grassland” already on the site as part of the baseline condition has been classified as “poor” but Mr Woodfield contends that all those parts which are not either greens, tees or fairways should all be classified as “moderate”. His other allegations relate to smaller parts of the site where he disputes certain categorisations for much smaller areas.
27. Both the principal allegation, and the other allegation are completely misconceived on the evidence (as summarised below). But even the criticisms had any basis, as Mr Patmore has demonstrated it would still not affect the delivery of a biodiversity net gain from that is proposed. For example, as outlined below even if one were to reclassify all the non-green/tee/fairway areas over the entirety of the golf course that is affected by the development as being amenity grassland in moderate condition (for which there is no basis), a biodiversity net gain would still be achieved. Once one then adds in those areas of the site which the Appellant has yet to include for biodiversity improvement, one would still end up with significantly more than a 10% BNG (as Mr Patmore confirmed and explained below). The objection is therefore both

misconceived on the facts and evidence, but also as a matter of mathematical principle even if one were to accept Mr Woodfield's inappropriate reclassifications. This was explained in considered detail by Mr Patmore, but the main points are summarised below.

Amenity Grassland Classification Condition

28. The starting point for consideration of this point of criticism should be (a) proper identification of the correct methodology for classification; and (b) proper assessment of the evidence for that classification. Unfortunately, neither approach has been applied by PAW or Mr Woodfield.
29. As to the correct methodology, there is at least no dispute in principle with the principle of classifying the substantial part of the golf course as comprising "amenity grassland" for the purposes of the JNCC classification. I will deal with Mr Woodfield's separate criticisms of some marginal areas separately below.
30. Where Mr Woodfield strikes out on his own, departing from all established methodology, is in then attempting to reclassify a substantial part of that amenity grassland as being in moderate condition, rather than the poor condition assessed by WSP, Mr Patmore and, of course, accepted by CDC itself. Mr Woodfield's approach largely appears to be based upon an invitation to you to get down on "your hands and knees" and do your own assessment in order to conclude that all of non green/tees and fairways are in fact characterised by being in a "moderate" condition, yet he provides no principled methodological basis for such an assessment, nor any sensible use of the evidence. The approach is completely absurd when you consider both the methodology and the evidence that exists which renders such an attempt at surrogate assessment as meaningless.
31. First, there is the basic point about methodology. As Mr Patmore explained, Mr Woodfield has simply asserted that all of the non green/tee/ fairway areas which are loosely described as the "rough" in golfing parlance (but not actually a particularly informative term for biodiversity purposes as such areas are still mown and managed and comprise essentially grass which is regularly cut, as evidenced by photographs and confirmation from the golf course management team) are to be treated as in moderate condition because he considers that there is some variety of species within those areas. This approach is completely contrary to good practice and he fails to supply any criteria, or basis for making such a judgment, to support this assertion. This is surprising because there are such criteria and methodologies to use, as Mr Patmore explained.
32. In fact there are two important guides to the methodology that should be used both of which offer criteria which Mr Patmore has used (but Mr Woodfield has not). These are:
  - a. The condition criteria that Mr Patmore has set out in his own verification visit report using the BREEAM guidance.

- b. The condition criteria set out in the Biodiversity Metric 2.0 Supplement, CD 10-7a.

*CD 10-14 GN 36 BREEAM, CEEQUAL & HQM Ecology Calculation Methodology*

- 33. Taking the first of these, Mr Patmore explained the approach in the BREEAM / CEEQUAL / HQM Ecology Calculation Methodology which opened for registrations from 2018 onwards: CD 10-14. This is methodology which remains current and has not been superseded.
- 34. Amongst other things, it provides standard guidance on the approach to assessment of condition of “Habitat Condition” (see page 8 of 24). Condition is defined as the quality of a particular habitat. It identifies the condition banding of Good, Moderate and Poor and the criteria for assigning the relevant condition. It explains that a Good condition is attributed to any habitat which passes all the relevant criteria in Natural England’s FEP Manual. A “Moderate” condition is applied to any habitat which fails one FEP criterion. A “Poor” condition is applied to any habitat which fails two or more FEP criteria. It explains that for those habitats which are not covered by the FEP condition assessment methodology, the Table 3 criterion should be used instead which sets out 6 relevant criteria for assessment (using expert judgment as to which the appropriate criteria are applicable).
- 35. Accordingly, as Mr Patmore explained, for “amenity grassland” which is a habitat type which is not covered by the FEP Manual, GN36 endorses the application of the six criteria in Table 3, with the application of the habitat condition bands in Table 2. Amenity grassland in “Good” condition will be that which meets each of the criteria in Table 3. Amenity grassland in “Moderate” condition will be that which fails only one of the criteria. All other amenity grassland (ie which fails two or more of the criteria in Table 3) is necessarily in “Poor” condition.
- 36. Mr Patmore has applied this methodology and guidance to his own verification visit assessment, as set out in Appendix B of his Proof of Evidence, Baseline Habitat Condition Review – January 2021 Table at page 18-30.
- 37. Accordingly, one can see in his table that in respect of the amenity grassland habitat entry at J1.2, the relevant BREEAM criteria type from Table 3 of GN 36 have been identified. These are the relevant criteria for evaluating whether the amenity grassland falls within the poor, moderate or good category. Those criteria are (1) a diverse age range; (2) a diverse species mix; (3) a diverse structure variety/diverse form; (4) presence of protected species; (5) non or a limited presence of invasive species; and (6) no or limited damage by machinery.
- 38. Using these criteria, Mr Patmore has appropriately assessed the amenity grassland on the site considering any of the criteria it fails. As set out in his table, his verification visit confirms that the amenity grassland fails (1), (2), (3) and (4) of the Table 3 criteria.



Mr Patmore also explained that it potentially failed (6) as well, as the areas of grassland in question are mown regularly by machinery and subject to the consequential damage that comes from mowing, but he did not consider it necessary to include this.

39. Accordingly, on the application of the GN36 methodology, using prescribed criteria which provide a proper and scientific basis for distinguishing between the condition of relevant habitat, the amenity grassland is undoubtedly in “poor” condition. This is not an even a marginal question of judgment. It fails four or five of the six relevant criterion. It only needs to fail two to be in the “poor” classification.
40. It is simply impossible to see how Mr Woodfield has reached any legitimate contrary conclusion. The basic problem is that he has not actually purported to do his own assessment against any relevant criteria, so you are not able to understand the basis for his assertion anyway. At most, it appears to be a contention that because his Photograph 17 in his Rebuttal evidence is purporting to show a very small patch of grassland with some greater diversity of species within it, this somehow justifies his claim. But of course it does not. First, the relevant patch of ground he has used is not identified. Second, even if it were, it is clearly not representative of all patches of amenity grassland in question. Third, even if it were, the mere presence of some diversity of species is only one criterion in GN 36 – criterion (2), but this does not make it in “moderate” condition. To the contrary, GN 36 is clear that it would have to meet five of the six criteria. Mr Woodfield does not begin to explain how this would be possible and it is simply impossible. For example, there is no claimed diverse age range. There is no claimed diverse structural variety or diverse form. There is no presence of protected species. It is therefore simply absurd to suggest that this amenity grassland is in “moderate” condition, even if the single photograph he shows were considered to be representative of all the ‘rough’ grassland in issue (which it is not anyway).
41. Accordingly, applying an established and current methodology (namely the 2018 GN36 BREEAM approach), there is simply no objective basis upon which Mr Woodfield or you could treat the amenity grassland as being in “Moderate” condition. It is not.

*Biodiversity Metric 2.0 Technical Supplement Criteria – CD 10-7a*

42. Not only has Mr Patmore demonstrated the impossibility of Mr Woodfield’s contention against that BREEAM methodology, but he has also identified the same conclusion against the only other methodology and guidance that has been presented to the inquiry. That is contained in the *Biodiversity Metric 2.0 Technical Supplement Criteria – CD 10- 7a*.
43. Mr Patmore referred you to Page 19 of this document which deals with the assessment of the condition of grassland habitat types, including amenity grassland. The Condition Table sets out six “condition assessment criteria”. The table then explains again that: (1) Good condition applies only to those habitats which meet all of the condition

criteria, with only minor variation; (2) Moderate condition applies only to those grasslands where (amongst other things), rye-grass cover is less than 25% including amenity grasslands, or the habitat fails at least 1 of the condition criteria; (3) Poor condition applies to grassland with more than 25% cover of rye grass, and applies typically to those areas managed as pasture or mown regularly in non-agricultural contexts for recreation and amenity purposes and which are periodically re-sown and maintained by fertilizer treatment and weed control, or where most of the condition criteria are failed.

44. As Mr Patmore then explained, the amenity grassland on the site clearly falls within the “Poor” condition for a number of reasons in light of that guidance. First, and most obviously, it is managed grassland for recreation/amenity purposes which is mown regularly and maintained by fertilizer treatment and weed control. The Golf Course management team has expressly confirmed to Mr Patmore that is how these areas are all managed. They are mown and they are treated. None of this is surprising. Whilst the “rough” (in golf terms) is not kept as short as the fairways, greens or tee, it is still mown and it is apron surface from which golf balls are intended to be found and played (as Mr Patmore explained). It is regularly mown throughout the season and treated with fertilisers. That is enough of itself to treat it as of “poor” condition. However, it also meets the definition of a grass which contains more than 25% of rye grass as Mr Patmore specifically confirmed. In fact, it is dominated by rye grass as Mr Patmore pointed out and the WSP habitat surveys confirm (describing amenity grassland as dominated by perennial rye grass). Even if there are other species present in patches, this does not affect that basic point. It is obviously “poor” condition for that reason alone. And if that were not enough, it also fails most of the six condition criteria that are set out in the document as well. It is obviously not a clearly and easily recognizable good example of a good habitat type. The vegetation does not very closely match the characteristics for specific Priority habitat. Wildflowers, sedges and indicator species are not clearly and easily visible throughout the sward and do not occur at high densities in high frequency. Physical damage is obviously present, as it is regularly mown which is the definition of a management activity which affects the species (cutting off the flowering species etc). There is no cover of bare ground greater than 10%.
45. Accordingly, Mr Patmore is undoubtedly correct (like WSP and the CDC Ecology Officer before him) in recognising that the amenity grassland has been correctly classified as in “poor” condition.
46. Mr Woodfield did not present any answers to these points, nor any criteria at all for you to apply in your own assessment. He invited you to get down on your hands and knees but that is a pointless exercise without having any criteria to apply to the assessment itself. Those criteria have been identified by Mr Patmore. Once the criteria are correctly identified, there is little point in the exercise that Mr Woodfield suggests. It is perfectly obvious that the amenity grassland in question is all in “poor” condition against these basic criteria. The presence of some other grassland species in patches of

the area does not begin to change that classification and it is misleading to suggest that it does. But this is then confirmed when one comes to the evidence, the other missing part of Mr Woodfield's claims.

#### The Evidence

47. Having failed to identify any relevant methodology with relevant criteria to apply, Mr Woodfield also fails to address the evidence properly in the way that is required in a case of this kind if one is seeking to contradict the previous expert survey assessments that underpin the classification that has been accepted by CDC.
48. The evidence in this respect is clear and simple and prevents any rational contrary conclusion to that reached by WSP, Mr Patmore and the CDC ecology officer.
  - a. First, there is WSP's own Preliminary Ecological Appraisal that was conducted of the site in 2018. This was not in the summer months (as they acknowledge), so in that respect is similar to both Mr Patmore and Mr Woodfield's visits. But it is clear that WSP applied relevant criteria for their assessment (see eg GN36 BREEAM) which is what is required to make an assessment, in contrast to what Mr Woodfield has purported to do, and Mr Patmore has also applied criteria. Even on the evidence of the winter assessments, these areas are incapable of being anything other than amenity grassland in poor condition.
  - b. Secondly, however, there are the further surveys that were undertaken by WSP ecologists in the summer months. A botanical survey was undertaken in the summer months, but as WSP identified it was unnecessary to revisit the conclusions of the Preliminary Ecological Appraisal in respect of the amenity grassland areas. As Mr Patmore pointed out (and is obviously the case), this does not mean that the relevant botanical experts did not physically revisit the site. They patently did. It means that it was not necessary to revisit the conclusions in respect of the amenity grassland because they were not considered affected. That is completely consistent with the fact that this amenity grassland is mown and treated during the summer months as part of the golf course maintenance regime. The botanical experts necessarily had to cross the amenity grassland areas to get to those areas which they examined in more detail where there was growth in the summer, but it is obvious that they did not consider it necessary to resurvey the amenity grassland.
  - c. Third there is the basic evidence from the Golf course ground staff to Mr Patmore directly which confirms how the "rough" areas are managed by regular mowing and treatment. They have told Mr Patmore directly this is what happens<sup>9</sup>. Mr Woodfield has not explained how that evidence can be contradicted.

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<sup>9</sup> See Mr Patmore Rebuttal para 1.5.8 (CD12-31)

- d. Fourth as Mr Patmore confirms, the condition of the amenity grassland as being mown and treated throughout the summer months is not only confirmed by the Golf course management team but also the content of the reptile survey. As Mr Patmore explained (an expert in reptile surveys), one inevitably searches and place hibernacula in any areas of the site where there is longer grass as this is where reptiles are potentially found. Had there been longer grass in the amenity grassland areas during the long periods of the summer months when the reptile surveys were undertaken, hibernacula would necessarily have been placed there. The survey map of the hibernacula locations presented in the WSP Reptile Survey Report<sup>10</sup> corroborates the position that there was no such longer grass on any of the “rough” areas that have been correctly classified as amenity grassland in “poor” condition.
- e. Fifth, there is the evidence from the CDC Ecology officer who accepted both that the habitat surveys were adequate, but also would have been extremely well-placed to have expressed any doubt (if there were any) about the conclusions.
- f. Sixth, there are the photographs from the May 2019 LVIA visits which confirm the close management of those rough areas, including the mowing of the grassland down to the water’s edge.
- g. Seventh, there is the complete and conspicuous absence of any evidence submitted by Mr Woodfield, PAW or any of its members, to support his claim that the “rough” areas are in fact left to become long during the summer months. Both PAW and Mr Woodfield had full opportunity to collect any contrary evidence during the year 2020. Had there been any such evidence (eg photographs of the golfcourse in summer showing such areas in contradiction to the Golf course managers’ own account), it would undoubtedly have been produced. The only photograph that Mr Woodfield sought to rely upon were taken by him in December 2020 (not in the summer) where some marginal photographs of areas adjacent to waterbodies or woodland plantations which appear to show some longer growth occurred at some point in 2020. That patently does not begin to support his case for any number of reasons:
  - i. Mr Woodfield’s case depends upon all the areas of “rough” being upgraded to “moderate” condition based on absence of management throughout the year, not just isolated patches adjacent to waterbodies. His own photographs show the vast areas of “rough” which continue to be mown and treated.

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<sup>10</sup> CD1-13 Environmental Statement, ES Volume 2, App 9.6

- ii. Even for these very small areas where there appears to have been some greater growth at some point in 2020, as Mr Patmore explained that could well be due to different temporary management arising from 2020 and its particularly unusual circumstances (eg Covid-19 and lockdown which included lockdown of golf courses for a substantial part of it).
- iii. Mr Woodfield's claim is contradicted by a photograph for May 2019 for a similar location as one of his later photographs. It shows that the grassland has been mown and managed right down to the water's edge in the photograph he is claiming is not subject to such management. That only serves to illustrate the point that any differences in management in the winter of 2020 are hardly representative of the established approach to management of the golf course throughout the summer months.
- iv. Finally, it is obvious that these areas do not begin to address the vast areas of "rough" or "apron" which is shown managed in all the relevant photographs (including of course the aerial photographs) and the basic absurdity if they were not – people would be unable to locate or play their balls whenever they went off the fairway. That is not how golf courses operate, let alone this golf course.

49. Accordingly, Mr Woodfield's claims are unsupportable in light of all the evidence and it is simply irrational for him to claim or conclude that there is any meaningful evidence to support his reclassification, let alone evidence which can contradict all the contrary evidence identified by Mr Patmore.

### Conclusions

50. For all or any of these reasons, there is no logical, reasonable or sensible basis for Mr Woodfield's claim that the amenity grassland areas of "rough" should be treated as being in "moderate" condition. Such a claim conflicts with the established methodology for such assessment, conflicts with the evidence of all other surveys and conclusions and is patently absurd on inspection of the golf course itself (as Mr Patmore has pointed out from his own verification visit). It should be remembered, in this respect, that for Mr Woodfield's claim of no biodiversity net gain to get off the ground at all on his own calculations, he is reliant upon showing that that all such non tee/green/fairway areas have to be treated as amenity grassland in "moderate" condition. This is impossible.

### Other Criticisms

51. Before turning to address the inherently academic nature of Mr Woodfield's criticisms on the calculations anyway, one can deal briefly with the miscellany of other points he belatedly raised in his evidence, all of which go nowhere.

52. First, despite what is PAW's Statement of Case and Mr Woodfield's Proof of Evidence which solely concerned criticisms of the biodiversity net gain calculations for habitats,

rather than linear BNG, Mr Woodfield sought to introduce some criticisms of the linear BNG calculations for the first time in his rebuttal evidence.

53. It is obvious that there are no such criticisms previously expressed in any material before then. Mr Woodfield sought to suggest that they could be inferred from footnote 21 of his main proof of evidence, but this is obviously not the case. Footnote 21 appears as a footnote to the statement at paragraph 5.1.6 of his evidence that he had not been able to replicate the WSP BNG results in the Warwickshire 2014 calculator he had used (even though Mr Woodfield did in fact replicate them, but he just had not realised he had done so because of the error he made that Mr Patmore pointed out in his rebuttal). This has nothing to do with criticisms of the linear gain calculations. Moreover, footnote 21 alleges that to save inquiry time, Mr Woodfield was not proposing to deal with the claim of net gain calculation in relation to hedgerows, so he has clearly resiled from that. Footnote 21 simply alleged that there were “similar problems” with the Appellant’s approach to linear habitat assessment “as indicated in the right hand column notes of Appendix DW4.” However, when we went to DW4 in cross-examination, Mr Woodfield had to concede that there were no problems identified in respect of the linear habitat assessment in any right-hand column notes. You will therefore hunt in vain for any criticisms of it.
54. Despite that, in his rebuttal evidence Mr Woodfield includes photographs which in fact can only concern linear net gain calculation, not habitat net gain (although he fails to make that distinction in his rebuttal itself). As agreed in XX, photograph 1, 9, 11 and 13 and the points Mr Woodfield seeks to make are in fact all concerned with linear net gain calculation in principle. Yet despite this, Mr Woodfield has singularly failed to explain how the points he makes can have any material impact on the overall very significant biodiversity net gain calculations for linear habitat, whether within WSP’s BNG Report and its metric, or within the Biodiversity Metric 2.0 calculation within Mr Patmore’s evidence. Indeed, Mr Woodfield has failed to put forward any evidence at all in that regard.
55. As Mr Patmore explained, both the WSP and Biodiversity Metric 2.0 calculations show that there is a very significant net gain in linear habitat from the scheme. The WSP Report shows 117% net gain<sup>11</sup>. The Biodiversity Metric 2.0 shows that this increases to 158.68%<sup>12</sup>.
56. To make matters worse in terms of these criticisms, Mr Woodfield further conceded that:
- a. In relation to photograph 1, his criticism of the WSP habitat map not showing a wet ditch goes nowhere, as this is retained habitat anyway. So whether it is

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<sup>11</sup> See summary in Mr Patmore’s proof of evidence at paragraph 3.4.7.

<sup>12</sup> See Mr Patmore P/E paragraph 4.2.4

shown as a ditch, or as hedgerow, it makes no difference to the BNG calculation as he accepted, because it is retained in the scheme.

- b. In relation to photograph 9, the species-rich hedge is outside the habitat map redline, so it has not been incorrectly omitted; but again, save for the access point, it makes no difference as it is similarly retained; as to the access point and an apparent criticism that its full extent has not been accounted for, Mr Patmore conclusively demonstrated that this point is academic similarly – even if one were to allow for a further 60 m of linear habitat loss within the calculations beyond that already included (which is unnecessary), it would be incapable of making any material difference; the habitat gain would remain significantly in excess of 100%. Mr Woodfield had no answer to these points.
- c. In relation to photograph 11, this was a similarly bad point as the hedgerow in question is outside the redline of the habitat mapping and it is retained in any event, so it is not capable of affecting the BNG score. Again, the notion that a wet ditch should have been mapped goes nowhere in these circumstances, as this is retained linear habitat.
- d. In relation to Photograph 13, Mr Woodfield has obviously put his location 13 in the wrong spot. As the aerial map and habitat map show, the “gappy remnant hedgerow” that Mr Woodfield says has been omitted is in fact included as an area of broad-leaved parkland/scattered trees in the habitat area assessment – it is the appendage of green which Mr Woodfield was unable to explain, and this is obvious when one looks at the area of the path as shown on the aerial map. However, once again this point nowhere. If it is in fact “gappy remnant hedgerow”, then its loss would fall within the linear habitat assessment and would be insignificant given the huge gains in this area; by contrast, credit would consequently need to be given for having included it as habitat loss in the BNG habitat (on Mr Woodfield’s contention) which would have increased the BNG for habitat.

57. Accordingly, none of these points go anywhere.

58. Second, Mr Woodfield sought to challenge inclusion of what are inevitably very small areas overall which he says have been classified as “amenity grassland” but which he contends constitute “semi-improved grassland”, namely small areas shown in Photographs 3, 4, 5, 7, 12 and 15 on the edge of waterbodies or plantations. Again, each of these points is without any merit and is incapable of having any material impact. In particular:

- a. First, as Mr Woodfield conceded, he had not in fact sought to demonstrate, and there were no calculations, as to how any such changes would materially affect the BNG calculations anyway. They are minimal areas which would not be able to do so, particularly given the very much larger areas which the Appellant

could include for additional biodiversity gain if it were necessary to do so<sup>13</sup>, notwithstanding other areas of enhancement such as the CDC ecology officer request to enhance the area of amenity grassland along the southern boundary of the site the benefits of which are yet to be captured in any of the metrics presented at the inquiry.

- b. Second, many of Mr Woodfield's contentions about these photographs fly in the face of the evidence about management of the golf course anyway. Thus, for example, photographs 3 and 4 shows area of longer growth on the edge of waterbodies at the time the photographs were taken by Mr Woodfield in December 2020. However, the photograph that Mr Patmore produced of the same waterbody in Photograph 3 in May 2019 (ie in the summer months) shown that it is in fact managed down to the water's edge by the Golf course anyway. So even if it has been allowed to grow in 2020 (for whatever reasons), these areas and the similar areas Mr Woodfield seeks to rely upon are in fact managed as golf course playing areas anyway and so are correctly identified as amenity grassland and were correctly identified as amenity grassland by WSP when carrying out their surveys.
- c. Third, Mr Woodfield ignores the basic point that his level of detail is inherently inappropriate anyway. The WSP methodology explains that where there is potentially overlapping habitat (such as waterbodies and edges, or plantation woodland with grassland underneath), WSP has used the higher classification. Therefore, to suggest that there is any meaningful mapping error at this sort of level of detail now, let alone error that is capable of affecting the BNG score overall, is just misconceived.

59. Third, like Photograph 13, Photograph 2 of Mr Woodfield's Rebuttal is simply shown in the wrong location. He contended that it showed an omitted tree belt, but that is because the photograph he has taken does not correspond to the location he has shown on his plan. In fact photograph 2 is taken of a woodland belt of trees to the south which is shown and recorded on the habitat plan as an area of broad-leaved trees<sup>14</sup>, contrary to what Mr Woodfield claimed. During XX, Mr Woodfield then sought to backtrack from this and to claim that this was in fact a point about individual trees not being shown on the habitat plan, and a contention that they should be shown and that the canopies of each tree lost should then be included in the area habitat assessment. This is completely misconceived as Mr Patmore pointed out.

60. In particular:

- a. First, individual trees are mapped on the detailed habitat mapping carried out by WSP as you can see from the detailed mapping carried out by WSP in the

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<sup>13</sup> See Patmore Rebuttal (CD12-310) para 1.8.3

<sup>14</sup> This feature is referenced as BP12 on the detailed Phase 1 Habitat Map, presented in the Figures of the WSP Extended Phase 1 Habitat Survey (ES Vol 2 App 9.1 Part 1) – Figure 4.



plans<sup>15</sup>. There is a basic difference between that mapping which correctly records every tree on site, with the different exercise required of mapping area habitat. It is only area habitat which is shown on the baseline habitat plan: see Patmore Appendix A (October 2019) and rightly so. A tree is not an area habitat, unless it forms part of a plantation woodland, block of broad-leaved trees or equivalent.

- b. Second, the point is clear from the categorisation of habitat in the respective metrics. As Mr Woodfield conceded, there is no categorisation for individual trees in either of the metrics. Mr Patmore confirmed this is the case. There is no metric entry for such trees and it is common practice that this is the case. Individual tree loss does not constitute an area habitat loss as such. But tree loss is fully taken into account in the ecological assessments through the assessment of tree loss. There is no habitat for individual trees for inclusion in the metric and rightly so.
- c. Third, by contrast, where groups of trees do create a habitat in their own right (such as plantation areas or dense blocks of parkland trees) they are recorded and this has occurred (as is the case for the tree belt shown in Mr Woodfield's photograph 2).
- d. Fourth, in any event this is yet another point which goes nowhere at all. Even if you were (wrongly) to calculate every canopy of every tree which is individually affected and to treat this as "habitat" loss (which it is not), you cannot actually enter it correctly into the metric, as there is no habitat equivalent for it. But even if you did, the measured areas that Mr Woodfield has included would not result in any material difference to the BNG calculation anyway. That is because these areas are included as amenity grassland which is lost anyway, so including them as tree loss would not materially affect the scores and Mr Woodfield has not produced any evidence that it would. And even if the scores were marginally affected, it would not begin to affect the significant BNG that Mr Patmore has explained exist for the site.

61. Fourth, Photographs 7, 10 and 14 relate to wet areas or ponds which Mr Woodfield claim were not fully mapped. Again, the points are misconceived and academic anyway. They are misconceived as the photographs taken by Mr Woodfield relate to the winter time when the site was particularly wet and flooded, but this does not mean that the waterbodies are inaccurately mapped for the main condition throughout the year. This point is clear from the aerial photograph for photograph 7 where the extended pond spur Mr Woodfield seeks to rely upon is in fact ordinarily dry. But the points are academic anyway because the minimal differences that Mr Woodfield is claiming are incapable of affecting the overall BNG calculations materially and Mr Woodfield did not produce any calculations to show that they would be material.

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<sup>15</sup> WSP Extended Phase 1 Habitat Survey (ES Vol 2 App 9.1 Part 1) – Figure 4

62. Fifth, with regard to proposed habitat in the scheme, Mr Woodfield sought to question some of the realism of achieving the habitats shown. Once again, none of these points is justified in reality, nor do they go anywhere in practice. As to the lack of justification:
- a. First, Mr Woodfield queried the creation of semi-improved grassland to the front of the main hotel in two areas designated as such, and in an area to the back of the waterpark where the waterslides emerge. There is no basis for these criticisms. The areas to the front of the main building are shown as semi-improved grassland and, what is more the GA drawings show that they are clearly designed and laid out as such. As Mr Patmore explained, the creation of such areas is now commonplace in schemes at the entrances to buildings (including in residential schemes) and can be managed appropriately. The two areas at the fronts also have designed basins to allow for the wetter areas to be created. The areas will not be subject to public access and can readily be managed to achieve the required status. What is more, that will be required of the Appellant under the management scheme. In addition, the Biodiversity Metric 2.0 would flag any areas not capable of being delivered in that way and it builds in (in terms of scoring) any challenges in the creation or time taken for the creation of such habitat. As to the area behind the waterpark, the point was misconceived. The habitat plan already accounts for the location of slides (as shown in the dark areas where no semi-improved grassland is shown). As to the area around the slides, there is no reason why this cannot be delivered. It is not subject to public access (the slides do not lead to external use) and it is ideal for the creation of such areas.
  - b. Second, Mr Woodfield sought to question the creation of the green roof area, and described it as an “afterthought” which would need to be conditioned, but this was completely unjustified. The green roof is specified on the drawings for the scheme<sup>16</sup>. It is therefore a required part of the scheme itself. It is not ‘afterthought’, but a designed part of the scheme which has to be delivered. This sort of criticism did Mr Woodfield no credit. No challenge was made to Mr Rayner when he gave evidence as to the delivery of the green roof, and Mr Patmore confirmed that its delivery forms an integral part of the design and there is no difficulty in delivering a green roof of this area. Areas of this size are commonplace in larger buildings as he pointed out. Moreover, the Metric scoring fully takes into account its size and consequential delivery and does not identify any issue in such delivery. This point of criticism is even more contrived given that the original BNG calculations did not even give the Appellant the credit for this area, but clearly it will be part of the overall BNG that the scheme delivers as a matter of fact, as Mr Patmore has pointed out.
  - c. Third, Mr Woodfield sought to challenge the delivery of the hedgerow areas within the car-park raised by the CDC Ecology officer who asked how they had been treated in the BNG calculations. WSP pointed out correctly that they were shown as part of the scrub calculations, but even if removed, would not affect

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<sup>16</sup> CD1-4; 0200; As shown on the relevant roof layout plan in the FULL SET drawings.

the BNG calculations overall. Mr Patmore has confirmed that was the case. He has confirmed that even if you reclassify these areas as the lowest form of scrub in the assessment process, the overall net effect on the BNG calculations is immaterial once one takes account of, for example, the southern area of amenity grassland which the Appellant has agreed to provide as semi-improved grassland, or the other areas to be included like the green roof. These points therefore go nowhere.

- d. Fourth, Mr Woodfield appeared to challenge generally some assumptions about habitat creation more generally in the WSP Metric, using the BREEAM methodology. As Mr Patmore points out in his Proof of Evidence and rebuttal, none of these criticisms was justified. WSP used conservative assessments in accordance with the specified methodology. However, these points are rendered completely academic by the comparison with the Biodiversity Metric 2.0. Even with the updated assumptions that are included in this Metric, all of the enhancements are accepted as deliverable in that Metric (as Mr Patmore explains red flags are raised if there are any issue/risks with their delivery) and any challenges in their delivery are fully accounted for in the scoring and time for delivery in the Metric itself. These points are therefore misconceived as well.

#### Academic Issue

63. Although the Appellant has unambiguously and emphatically demonstrated through Mr Patmore's evidence that the "amenity grassland" in the baseline has been correctly classified, the whole issue raised by Mr Woodfield is in fact academic on the established evidence anyway for the following simple reasons.
64. Mr Patmore has already produced a BNG calculation using the Biodiversity Metric 2.0 which shows that the appeal scheme would generate at least a 17% BNG, using the same metric entries that were applied by WSP. For this calculation, no additional biodiversity benefits from the appeal scheme have been included even though there are many that exist as described above.
65. Even if there were any basis to accept not just some, but all of Mr Woodfield's outlandish and unevidenced claim that all areas of non tee/ green / fairway amenity grassland should be reclassified as in "moderate" condition (something which is absurd), the point goes nowhere as Mr Patmore confirmed if one does the correct corresponding entries into the Biodiversity Metric 2.0.
66. For these purposes, Mr Patmore confirmed in evidence that he had taken the Biodiversity Metric 2.0 calculations shown in his Appendix H and then reclassified the non tee/green/fairway parts of the baseline amenity grassland of the golf-course as of moderate condition. He has then correctly calculated both those areas of poor amenity grassland (eg fee/tees/greenways) and those areas of reclassified amenity grassland (eg non tee/green/ fairways) treated as being in "moderate" condition in the metric which

are then lost to the development. Based on the actual area of amenity grassland lost (8.23 ha), these areas are approximately 4.71 ha of 'poor' condition and 3.52 ha 'moderate' condition lost. He confirmed that the resulting calculation still results in a biodiversity net gain of approximately 1%. It should be noted that Mr Woodfield achieved his incorrectly exaggerated net loss figure in his rebuttal statement<sup>17</sup> (Appendix DWS2) by assigning an unrealistic 6.28 ha loss of the 'moderate' rough areas. Just by reviewing the aerial photography it is obvious that this figure is incorrect and that the 'poor' condition playing areas represent a higher proportion of the total amenity grassland than the rough aprons/margins in the area to be lost to development. Mr Woodfield's Metric in DWS2 assigns only 1.24 ha of 'poor' area to be lost! As one would expect this overinflates the value of grassland lost in his metric resulting in an exaggerated net loss position that is not realistic to actual area measures on the ground.

67. Whilst this BNG would be below the target of 10% CDC seeks, it would still be a BNG in itself so compliant with the Local Plan policy and the NPPF. However, as Mr Patmore pointed out, that calculation ignores the other areas within the appeal site itself all of which can be enhanced as part of the management plan if it is ultimately necessary to do so and also the additional gains yet to be captured (e.g., the CDC ecology officer request to enhance the southern area of amenity grassland to semi-improved grassland).
68. As set out in his rebuttal proof of evidence at paragraph 1.8.3, these areas comprise:
  - a. The green roof.
  - b. 4.28ha of habitat which is within the site which is not currently subject to any enhancement proposals, but which would be subject to management to achieve such enhancements (if required) comprising: (a) 0.32 of broad-leaved plantation advanced from poor to good condition (within the metric); (b) 0.78ha of mixed plantation enhanced from poor to good condition (within the metric); (c) 0.39ha of scattered trees enhanced to either good condition, or to broad-leaved woodland habitat of good condition (within the metric); and (d) seven existing ponds of 0.89ha which can be subject to enhancement as required.
69. The inclusion of these areas as the subject of management measures of the type shown (which the metric permits so demonstrating that that they can all be delivered) would deliver an additional +8 biodiversity units in total.
70. As Mr Patmore explained to you at the inquiry, these additional enhancements would result in an overall BNG of approximately 11% net gain even if all of the areas of non tree/green and fairways in the baseline (accurately measured) are treated as being of moderate condition.

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<sup>17</sup> CD14-14

71. Therefore, Mr Woodfield's criticisms in relation to the amenity grassland baseline condition are entirely academic anyway. The condition relating to biodiversity enhancement and the management measures will enable CDC to ensure that greater than 10% BNG would be achieved from the scheme even if one were to adopt the completely unjustified baseline assumption that all of that "rough" amenity grassland should be treated as of "moderate" condition. This renders the whole debate completely sterile.
72. Even though the criticism advanced by Mr Woodfield is therefore utterly without foundation on this basis alone, there is yet a further point that Mr Patmore explained and to which Mr Woodfield has no answer.
73. As part of the planning application process, CDC's Ecology officer requested that the area of the scheme to the south of the site currently shown to be retained as "amenity grassland" which features in all of the above calculations as unchanged, should in fact be enhanced and provided as semi-improved grassland. The Appellant agreed. This is recorded in the exchange of emails. As Mr Patmore explained, this is a significant area of about 0.7ha and is yet to be captured in any of Mr Patmore's metrics or scenarios described above.
74. As the Appellant has already demonstrated to CDC (and indeed to the inquiry) that a significant BNG is already achieved with the application proposals without further change, it was unnecessary to show the enhanced effects of the agreement to this change. However it is significant. The scheme will include the delivery of this area as semi-improved grassland, rather than amenity grassland. This will deliver an additional 5 biodiversity units overall to the scheme. There are two basic points to note about this which Mr Patmore explained in his evidence.
- a. First, even if one were to reclassify all the hedgerow/ornamental shrub provision in the car-parking areas which is treated as having a classification of scrub and to downgrade it to the lowest possible classification, then it would not have affected the overall BNG calculation.
  - b. Secondly, at the same time as reclassifying these smaller areas, one would need to give credit for the change of the southern amenity grassland area to semi-improved grassland which the CDC Ecology Officer sought and the Appellant agreed. As Mr Patmore explained this change would far outweigh any reclassification of the hedgerow/shrubs in the car-park area and provide additional biodiversity gain.
  - c. Third, this additional biodiversity net gain would also need to be the calculations set out above, so demonstrating even more emphatically that the BNG overall is in excess of 10% anyway, even if you reclassify the rough amenity grassland as being in moderate condition and you seek to downgrade

the status of the proposed hedgerow scrub calculations in the car-park. The resulting BNG would be in the order of 15%.

75. As Mr Patmore pointed out, all of this demonstrates the overall significant biodiversity benefits of the scheme overall. This is not a scheme which is “scrabbling around” to make up biodiversity net gain from the site. This is a site with a scheme which delivers very large areas of biodiversity net gain. The Appellant has never needed to include all of the potential areas for its calculations that could be included because it was able to demonstrate significant BNG without relying upon areas such as the green roof, the 0.7ha of semi-improved grassland area to the south which it has accepted it will deliver, or the other retained areas within the site which can be enhanced if need be. But all of these areas can be brought into account in the detailed design, in fulfilling the condition and the management of these areas in due course. What has been conclusively demonstrated, however, is that the scheme can and will deliver significant biodiversity net gain which far exceeds the 10% target of CDC. Mr Woodfield’s attempts to suggest to the contrary are spurious. They involve absurd reclassification of an area without any evidential basis for it. Even then, the calculations he produces (once properly corrected) would still show a BNG. If one then adds in any of the additional areas that the scheme can deliver, even if one were to agree with Mr Woodfield’s wild assumption about amenity grassland condition, this site will still deliver significant BNG significantly in excess of 10%.
76. It is important to set this point in context. It is evident that many objectors to the scheme have an interest in ecology/wildlife and they have objected to the scheme in part on the basis of a belief that it would be harmful to biodiversity (as evident from the public session). This has no doubt been fuelled by Mr Woodfield’s claims that there would not be a BNG. This is a prime example of misinformation about the scheme, and contrary being defiantly opposed to it on that misinformation.
77. Far from having any negative effect on biodiversity, the scheme will deliver significant biodiversity net gain. Moreover, this is not just that established by the metric calculations. There also all of the biodiversity benefits that are not included within the metric calculation which are an inherent part of the scheme, such as the massive net tree-planting that results, the benefits for the habitats for protected species such as great crested newts, and the range of diverse measures to increase and enhance biodiversity on the site which simply do not exist in its current use as a golf course.