

Technical Note 07

Land at Yarnton (5436)

Planning Ref: 21/03522/OUT

22<sup>nd</sup> May 2023

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# Response to Cherwell District Council's Ecologist Comments

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## 1. Introduction

- 1.1. Further information was submitted to Cherwell District Council in December 2022 in respect of a planning application by Merton College (the applicant) for the proposed development of land at Yarnton, Oxfordshire (Reference: 21/03522/OUT). Consultee comments were received from Cherwell District Council's (CDC) ecologist on 11<sup>th</sup> April 2023 (and summarised in the Case Officer's letter to Gerald Eve dated 27<sup>th</sup> April 2023). This Technical Note provides the applicant's response to these comments.

## 2. Comments from CDC's Ecologist

### Farmland Bird Compensation:

- 2.1. A single Skylark territory was recorded in the south of the application site, within an existing area of arable land which is proposed for conversion to meadowland under the proposals. Although having declined, Skylark remains common within the county and the potential loss of a single Skylark territory to the proposals is not assessed to be of significance given the abundance of suitable farmland habitat present in the surrounding local area. The creation of new meadowland will enhance foraging opportunities at the site for this species, benefiting Skylark within adjacent territories.
- 2.2. A single Yellowhammer territory was also recorded within the application site boundary. Yellowhammers typically nest on, or close to, the ground, in ditch vegetation or at the base of short, thick hedgerows and scrub<sup>1</sup>. Retention of the majority of existing hedgerows and the creation of an extensive network of new hedgerows and pockets of scrub planting as part of the proposed development, will maintain nesting opportunities for Yellowhammer at the site. Ecologically sympathetic management regimes will be implemented for newly created and retained hedgerows, focused on maintaining a dense hedge structure and wide grassland margins favoured by nesting individuals of this species.
- 2.3. In addition, a single Linnet territory was recorded to the south application site (see attached Plan 5436/ECO9). Breeding opportunities for Linnet, which typically nest within hedgerows,

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<sup>1</sup> RSPB 'Land Management for Wildlife – Yellowhammer (*Emberiza citrinella*)'

will be maintained and enhanced under the proposals through the creation of an expansive network of new hedgerows which will be managed sympathetically for breeding birds.

- 2.4. Yellowhammer from the completed development are assessed to be neutral, and would be non-significant (near certain), such that measurable declines in the local populations of these species are unlikely to occur. Effects on Linnet from the completed development are assessed to be slight, positive, long-term and non-significant (probable) at the local level.
- 2.5. Given that no residual impacts on any these species are assessed, off-site compensation for farmland birds is not required in accordance with the mitigation hierarchy.

Design of New Nature Reserve:

- 2.6. An indicative location of the proposed Local Nature Reserve (LNR) is shown on the enclosed Parameter Plans - Green Infrastructure produced by Define (see Appendix 1) and is shown relatively close to William Fletcher Primary School. We understand that further details are awaited from CDC and OCC as to how the arrangement with the school would operate, and it would seem appropriate for the full details to be resolved as part of reserved matters.
- 2.7. However, it is suggested at this outline stage, that the new LNR created at the site could be at least 2ha in size, in line with Natural England guidance which states “a 2 ha site is considered to offer a variety of functions, which managed sensitively, will not compromise the wildlife value”<sup>2</sup>. Management regimes for the habitats within the LNR would be in line with the management prescriptions detailed within the Biodiversity Improvement and Management Plan (BIMP) produced by Aspect Ecology, dated October 2020.
- 2.8. A design brief for the LNR has been provided by CDC’s ecologist within their email dated 11<sup>th</sup> April 2023 which states ‘A local nature reserve is to be provided of a potentially viable size to allow the following features: - connect Dolton Lane to Frogwelldown Lane (to be agreed subject to location) – establish a Wildlife Corridor – Habitat to encourage local flora and fauna – Accessibility to William Fletcher School as a key community space. Habitat creation within the nature reserve area is to support notable and protected species such as the silver-washed fritillary and black hairstreak butterflies and great crested newt which have been recorded on the site. Footpaths in this area are to be appropriately fenced to limit access to areas of habitat’.
- 2.9. The following features could be implemented as part of the proposed LNR to help achieve the design brief:
  - Hedgerow and grassland within the LNR will form part of an extensive new network of hedgerows and meadows, helping to enhance connectivity between Dolton Lane to Frogwelldown Lane. The creation of a network of new hedgerows and grassland will provide corridors to facilitate to movement of wildlife through the site including bats, reptiles, small mammals and amphibians.
  - The LNR will provide a key community space and the precise location will follow dialogue with all stakeholders to maximise the potential for use by William Fletcher Primary School.
  - Dog Violet could be planted within the LNR to provide a larval food source for Silver-washed Fritillary. Similarly, new Blackthorn planting within new hedgerows could provide a larval food source for Black Hairstreak butterfly.

<sup>2</sup> Natural England (2010) ‘Local Nature Reserves in England: A guide to their selection and declaration’

- Specific survey work undertaken indicates Great Crested Newt are currently absent from the application site. New hedgerow planting will provide enhanced connectivity across the site for Great Crested Newt and facilitate opportunities for this species to colonise the site in the future. In conjunction with enhancement of the existing on-site ponds (see Section 3.6 of the BIMP) it is assessed that effects on Great Crested Newts from the completed development will be slight, positive, long-term and significant (probable) and the local level.

2.10. The detailed management scheme for the LNR can be secured via suitably wording planning condition at the Reserved Matters stage. In line with the Policy PR9 it is proposed that engagement with conservation organisations begins at the Reserved Matters stage, when it is considered these organisations may be more amenable to providing input, and once the school's requirements have been clarified.

#### Management of New Meadowland

2.11. Management prescriptions for the new meadowland are set out a Section 4.7 of Aspect Ecology's BIMP dated October 2020, with a preliminary layout for the meadowland shown on Define's parameters plan at Appendix 1. It is envisaged that public access will be strategically provided to the meadowland areas through use of footpaths, fencing and vegetative boundaries, to provide a mix of areas for recreation use and areas for biodiversity. The condition assessment criteria for grassland largely relate to structural characteristics (e.g. sward height, bare ground, coverage of scrub) such that it is assessed that with implementation of appropriate management prescriptions, the new meadowland can achieve good condition in accordance with the Technical Guidelines for the Biodiversity Metric 3.1. As suggested, a detailed management scheme for the meadowland can be secured via suitably wording planning condition.

#### Incorporating Ecological Enhancements to the Built Environment

2.12. It is agreed that an equivalent of one bat or bird box per dwelling can be incorporated within the suitable new buildings within the site, in accordance with CDC's guidelines. There may also be scope to incorporate green roofs at the site where architectural design allows, noting that in accordance with Policy PR9 building design will be required to reflect local character.

#### Hydrological impact on Oxford Meadows SAC

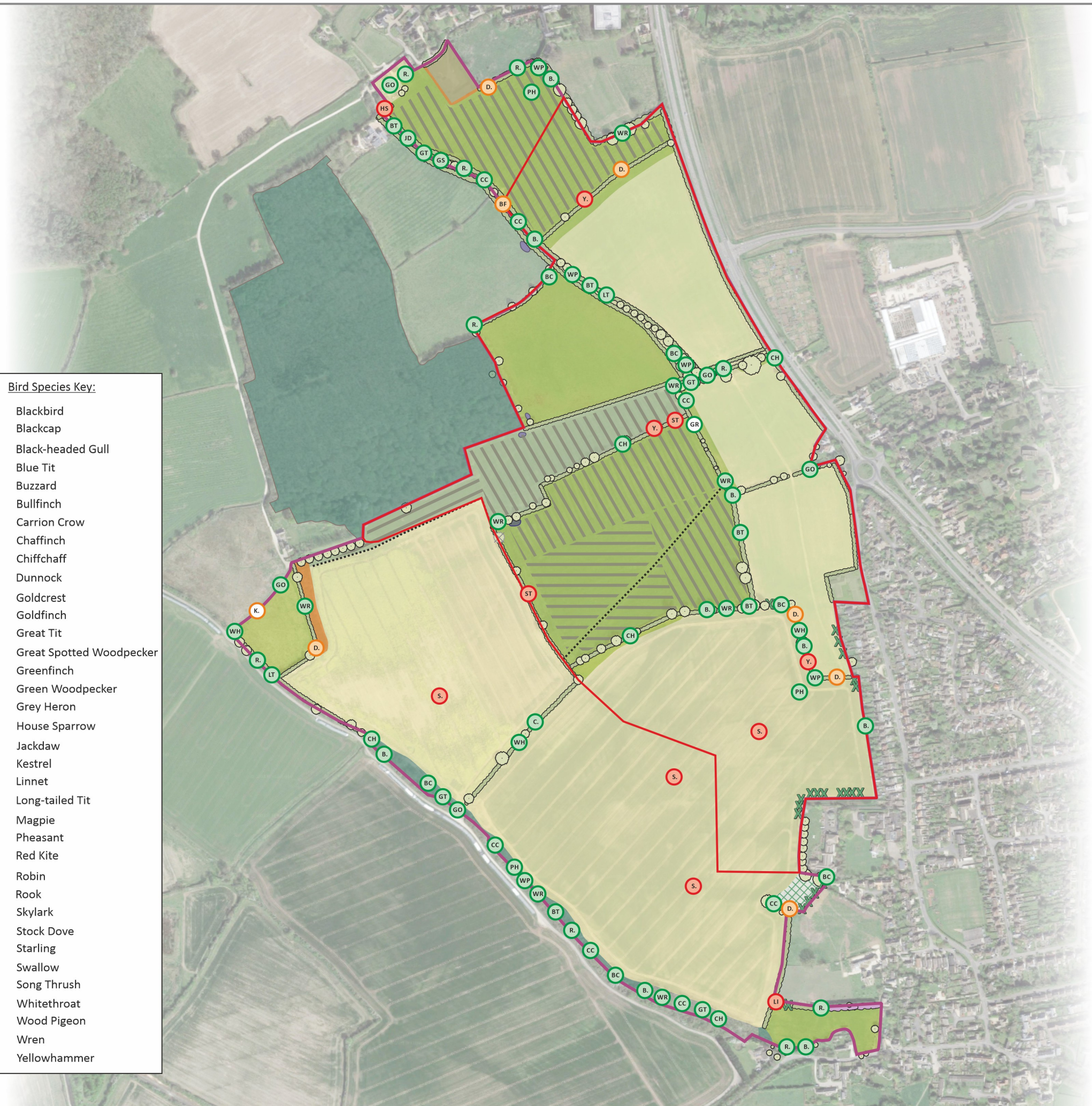
2.13. Hydrological effects on Oxford Meadows Special Area of Conservation (SAC), are considered within the Habitat Regulations Assessment on the Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Needs Proposed Submission Plan undertaken by Cherwell District Council in August 2018. The Appropriate Assessment includes a review of Policy PR9 which relates specifically to the site, confirming no adverse effects on the integrity of the SAC would arise, subject to compliance with relevant Local Plan policies. This assessment has been reviewed by Natural England, the statutory body in England responsible for advising on safeguarding international designations, who are in agreement with its findings.

2.14. In addition, no comments on the above were included within consultation responses received from Natural England nor the Environment Agency in respect of the proposed development. It is presumed that Cherwell District Council would not seek to contradict Natural England or the Environment Agency advice without cogent and compelling reasons for doing so.

## **Plan 5436/ECO9:**

### Breeding Bird Survey Results





- Bird Species Key:**
- B. Blackbird
  - BC Blackcap
  - BH Black-headed Gull
  - BT Blue Tit
  - BZ Buzzard
  - BF Bullfinch
  - C. Carrion Crow
  - CH Chaffinch
  - CC Chiffchaff
  - D. Dunnock
  - GC Goldcrest
  - GO Goldfinch
  - GT Great Tit
  - GS Great Spotted Woodpecker
  - GR Greenfinch
  - G. Green Woodpecker
  - H. Grey Heron
  - HS House Sparrow
  - JD Jackdaw
  - K. Kestrel
  - LI Linnet
  - LT Long-tailed Tit
  - MG Magpie
  - PH Pheasant
  - KT Red Kite
  - R. Robin
  - RO Rook
  - S. Skylark
  - SD Stock Dove
  - SG Starling
  - SL Swallow
  - ST Song Thrush
  - WH Whitethroat
  - WP Wood Pigeon
  - WR Wren
  - Y. Yellowhammer

- Key:**
- Site Boundary
  - Study Area
  - Breeding (BTO Red List)
  - Breeding (BTO Amber List)
  - Breeding (BTO Green List - Not Threatened)
  - Probable Breeding (BTO Red List)
  - Probable Breeding (BTO Amber List)
  - Probable Breeding (BTO Green List - Not Threatened)



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Land at Yarnton		PROJECT
Breeding Bird Survey Results		TITLE
5436/ECO9		DRAWING NO.
B		REV.
September 2020		DATE





## **Appendix 5436/1:**

Define: Parameter Plan – Green Infrastructure (Drawing Number.  
DE234\_17)



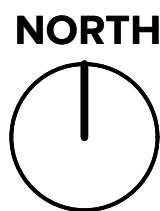


LEGEND

- PR9 Policy Boundary
- Application Site Boundary
- Ancient Woodland
- Existing Woodland
- Retained Hedgerow/ Tree
- Existing Removed Hedgerow/ Tree
- Public Open Space
- Productive Landscape (Indicative location and area)
- Proposed Community Woodland
- Proposed Reinstated Hedgerow & Copse
- Meadow Land
- Retained Agricultural Land
- Equipped Area for Play (LAP/LEAP/NEAP)
- Local Nature Reserve (Indicative location)
- Yarnton Medical Practice
- Area Safeguarded for future Yarnton Medical Practice expansion
- Proposed playing pitches and amenity space for William Fletcher Primary School
- Acoustic Barrier (Indicative location)

SCALE 1:2,500

0m 20 50 100



Rev	Description	Date
H	Rev	
DE234_17	Drw No	
Merton College	Client	
Yarnton, Oxfordshire	Project	
Parameter Plan - Green Infrastructure	Title	
1:2500 @A1	Scale	



ecology • landscape planning • arboriculture

The logo for Aspect Ecology, featuring the word "aspect" in a white, lowercase, sans-serif font. A thin, light blue diagonal line is positioned above the "t", extending from the top of the letter to the right.

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