

# Planning Application Response

## Ecology

**To:** Caroline Ford  
**District:** Cherwell  
**From:** Laura Grant, Ecology by Design  
**Site:** Land On The North East Side Of Gavray Drive Bicester  
**Detail:** OUTLINE - Residential development for up to 250 dwellings including affordable housing and ancillary uses including retained Local Wildlife Site, public open space, play areas, localised land remodelling, compensatory flood storage, structural planting and access.  
**Application number:** 21/03558/OUT  
**Date sent:** 25 March 2022

### Recommendations: Further information required

#### Documents Reviewed:

- Environmental Statement (ES) Chapter 5 – Ecology October 2021 (plus figures 5.1-5.5 and Appendices 5.1-5.3 i.e. Ecology Baseline Report, Biodiversity Impact Assessment (BIA) and Ecological Management Plan (EMP))
- The Cherwell Local Plan 2011 – 2031 Part 1 Adopted 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016).
- Pre-application advice for 20/01309/PREAPP
- Oxfordshire County Council’s response to consultation on 21/03558/OUT on 22 December 2021

#### Comments:

##### *General scheme design*

The scheme appears to have been sensitively designed, considering the principals of the mitigation hierarchy, local planning policy, wildlife protection and designations and features of interest within the site.

Pre-application advice for 20/01309/PREAPP stated that “*The LWS should be planned to be free from recreational pressure*”. The consultation response suggested that increased recreational pressure “*can be managed to some extent and increased public visibility should mean that the current camping, fires and fly-tipping/littering issues decline*”. It is recognised that the LWS is already subject to recreational pressure, as indicated by the informal footpaths present on aerial photographs which are within F8-F10 and to a lesser extent in F1, F3, F11 and F12.

In the absence of development, I consider the introduction of “gates and styles” and “internal access between compartments” as indicated on ‘EDP 4: Ecological

Management Plan – Access’ are not likely to reduce recreational pressure from existing residential development south of Gavray Drive. An additional 250 residential dwellings is therefore likely to exacerbate the issue. I consider the access into F9 from the eastern development should be removed completely and blocked with vegetation to remove the existing current desire line and encourage the use of the access into F2. With appropriate signage (as suggested in the application) alongside the gates in F3 leading to F8 and F6 leading to F12 would hopefully reduce the incidence of recreation within the LWS.

I have concerns about the ponds in F2 and F3 as they are very close to proposed public footpaths and may therefore be at risk of disturbance and damage post-development (e.g. through vandalism or dog ingress) and/or the introduction of fish. I would therefore expect additional mitigation measures in the vicinity of these ponds such as the use of stock-proof fencing or other deterrents to reduce the likelihood of impacts.

The introduction of grazing within F7, F8, F9, F11 and F12 is welcomed, however, the existing and new ponds, hibernacula and log/brush piles being created within these fields may be damaged by the presence of cattle. Measures would therefore be required to ensure their protection.

It is anticipated that there will be an increased depth of flooding within the LWS. This would present a risk to reptiles within F11 and F12 where a large population of common lizard has consistently been recorded. I question whether a more significant feature for reptiles, such as a south-facing linear mound / bank to include refugia on the northern boundary of F11 in the zone where scrub is removed, would help protect reptiles during such an event.

Mitigation for great crested newts during operation does not appear to be fully addressed. New development could give rise to potential for killing or injury of great crested newts within drainage associated with the new development. This should be addressed with the inclusion of wildlife friendly kerbs alongside storm drains and/or installing amphibian ladders within appropriate zones.

These comments on scheme design are reflected within the relevant sections for each report reviewed below.

### *5.1 Ecology Baseline Report*

I am happy with the content of the Ecology Baseline Report. Whilst there are some deviations from best practice (D), errors (E), and unclear areas (U) (as detailed below), these are not considered to materially affect the assessment of the site, potential impacts or mitigation requirements:

- D: Bat surveys should be April-October inclusive rather than May-September inclusive.
- D: T27 was identified as being of moderate suitability for roosting bats. A single emergence survey was conducted. Two surveys would be required to confirm absence of roosting bats.
- E: Three bat transect routes rather than four were monitored.

- U: No reptile survey results plan is included however, from tables it is evident 43 common lizard were present within F1, F10 and F15 (i.e. the eastern development area) in 2013 and disturbance and to a lesser extent habitat succession in F1 is likely to have resulted in only 3 having been recorded in 2020.

### *5.2 Biodiversity Impact Assessment*

The BIA calculations appear to be a clear and accurate reflection of the site baseline. However, 'Plan EDP 2: Post Development Habitats' does not reflect 'EDP 2: Ecological Management Plan Overview', specifically not reflecting the full extent of scrub loss, especially within fields F4, F6, F11 and F12. Whilst it is acknowledged that the scrub will be removed on an incremental basis over a number of years, the Post Development Habitats should reflect the final proposed habitats for the whole scheme.

### *5.3 Ecological Management Plan*

If Objective 2 (Section 4.7) grazing is not achieved, an alternative should be specified for these compartments. This alternative should then be carried forward throughout the management plan.

'Plan EDP 4: EMP Access' needs all ponds indicated. Access into F9 from the eastern development should be removed.

### *Environmental Statement*

Section 5.3 states that no trees will be lost but one tree (T27) with moderate suitability was surveyed in the baseline report due to proposed removal. This should be reflected.

Pg 38 needs specification of fencing around ponds where dog access is likely.

Pg 42 needs wildlife friendly kerbs / drainage within the eastern development area.

Table 5.5 (pg 49) needs to identify mitigation measures to avoid killing / injury / disturbance during operation for great crested newt e.g. fencing and wildlife friendly drainage.

5.5.75 should include potential for killing / injury of great crested newts in drainage of development and mitigation measures which will be adopted included on pg 39.

5.5.76 Needs to address the increased depth of flooding and measures which would be taken to prevent reptiles during such an event should be included on pg 39.

### *Summary of further information required*

The BIA metric has to be revised to reflect the full extent of scrub loss. Should this mean the scheme does not deliver in excess of 10% gain for biodiversity, details of offsetting should be provided to compensate for the loss of scrub within the site.

Confirmation is also required of:

- Measures to protect features from the public, dogs and/or cattle;

- Whether removal of access into F9 from the eastern development will be achievable;
- Measures to protect reptiles and amphibians from flooding of the LWS; and
- Mitigation for great crested newts during operation.