

Response to Ecology Comments

Land at Gosford, November 2022

1.0 Introduction

- 1.1 This note has been prepared by CSA Environmental on behalf of Barwood Land, to respond to queries raised regarding ecological matters at the proposed development site at Gosford, Kidlington (hereafter referred to as the 'Site').
- 1.2 The note specifically relates to queries and comments submitted by the Berkshire, Buckinghamshire and Oxon Wildlife Trust (BBOWT) in their consultation response of 22 April 2022 to the outline planning application for up to 370 homes at the Site (Cherwell DC ref 22/00747/OUT).

2.0 Discussion of issues raised

- 2.1 We respond to each of BBOWTs queries below to provide additional information or clarification as necessary.

Biodiversity Net Gain (BNG)

Insufficient BNG

- 2.2 The Wildlife Trust note references a document described as The Community Nature Plan (CNP) 2020-2022 produced by Cherwell District Council, which includes as a 'Target', the delivery of an 'Aim' of Development Management to; *'seek a minimum of 10% net gain in biodiversity when considering proposals for development'* (p. 15 of the CNP). The CNP does not, however, constitute Development Plan Policy, and it does not carry the weight of S38(6) of the Planning and Compulsory Purchase Act 2004. It is not a plan which carries material weight in the determination of a planning application, even as a material consideration. The Wildlife Trust response is also incorrect to describe provision of 10% BNG as a *'requirement'* of the CNP, when the plan only identifies that the Council should *'seek'* the provision in consideration of a planning application.
- 2.3 S38(6) establishes that applications should be determined in accordance with the Development Plan, and in this case the material policy is the Cherwell Local Plan (2011-2031) (Part 1) Partial Review – Oxford's Unmet Housing need, Policy PR7a. This confirms that the policy for the site (set out at point 9 (g) of the policy) is to secure *'net biodiversity gains'*. The Policy makes no reference to a specific threshold (e.g. 10%) to be achieved; simply the achievement of a net gain in

biodiversity. The application proposals are therefore consistent with the Development Plan policy.

- 2.4 The Development Plan policy requirement for the site is therefore met through the current proposals, and can be secured through a suitably worded condition, to ensure this is delivered at Reserved Matters stage, in accordance with the findings and recommendations of the Ecological Impact Assessment (EclA) and Biodiversity Improvement and Landscape Management Plan (BILMP) reports. Barwood have sought to maximise BNG potential within the context of the Development Brief masterplan approach.

Justification of BNG

- 2.5 The proposed grassland areas included within the BNG metric have been separated to account for their likely future uses and aim to be ambitious yet achievable. The target condition for areas of wildflower grassland ('other neutral grassland') is based on criteria contained within the Biodiversity Metric 3.0, the current version at the time of assessment/submission. The key to achieving good condition for proposed grassland habitats will largely be dependent on maintaining sufficient diversity to achieve this grassland type (at least 9 species/m²) with a good range of wildflower and grass species, minimising the extent of 'undesirable' species (namely thistles and docks) and preventing excess damage. This is expected to be achieved through appropriate implementation and early management, as well as by maintaining mown paths to direct public access. Accordingly, only a moderate condition is being targeted within more heavily used areas of informal open space and a grassland type of lower distinctiveness (modified grassland) is targeted within and around the development parcels.
- 2.6 The metric gives a standard time of 10 years and a low difficulty rating to achieve a good condition 'other neutral grassland', and the implementation and ongoing management of all retained and proposed habitats will be influenced by a detailed landscape management plan. Outline prescriptions for the creation of both good and moderate quality areas of 'other neutral grassland' have been included within the BILMP and the current metric calculations broadly follow these principles, although a number of assumptions are necessarily made at this stage. Both the metric and a detailed supporting management plan would need to be updated as part of a Reserved Matters application to reflect the final landscaping scheme and detailed layout. A minimum level of net gain, in line with that identified by the current metric calculation, could be conditioned. Ecological monitoring checks and management reviews, to verify and ensure that targeted habitat conditions are being realised, are built into the construction and operational phases of development via the BILMP and would therefore be conditioned as part of a planning consent.

Management of hedgerows

- 2.7 BBOWT have stated their encouragement for sensitive management of native hedgerows. The proposed management regime reflects this and the BILMP sets out a three-year rotation for established hedgerows to maximise opportunities for wildlife whilst maintaining a good hedgerow structure. The timing of management was also set for later in the winter to prolong the availability of food and shelter for wildlife. Increased management was prescribed for new hedgerows to ensure they establish appropriately, but the management regime would be adapted as needed following the five-year management review period built into the BILMP.
- 2.8 With regards to the provision of blackthorn for hairstreak butterflies, a detailed landscaping schedule will be prepared and areas of proposed thicket and hedgerow planting can include a proportion of blackthorn to provide additional opportunities for these species. Rotational management would enable any overwintering eggs to hatch each year. At present, just over 1ha of mixed scrub is proposed within the BNG metric so there is ample scope to provide meaningful areas of blackthorn and to ensure that existing blackthorn is managed sympathetically.
- 2.9 The current development scheme provides an outline level of detail and includes buffers of semi-natural habitat to the Site boundaries and internal hedgerows wherever possible. The detailed scheme when prepared will ensure sufficient offset to avoid damage to the roots of hedgerow plants and trees, as well as to minimise anthropogenic effects.

Management of POS

- 2.10 A detailed development layout, landscaping strategy/schedule and updated management plan would be provided as part of a Reserved Matters application to demonstrate how areas of green infrastructure at the Site will be used and managed. Current plans broadly outline areas to be used for formal recreation (sports pitches, play areas) and informal use and this is reflected within the biodiversity metric. The EclA did not conclude any significant residual negative effects on important ecological features, and this assessment was not conditional upon access limitations to any parts of the Site.

Stratfield Brake District Wildlife Site

- 2.11 With respect to BBOWT's comments regarding increased recreational pressure on Stratfield Brake Nature Reserve, our assessment of the potential impacts and their effects of development, on this non-statutory designation, are set out within the submitted EclA. In arriving at the conclusion that increases in recreational pressure would be unlikely to appreciably affect the biodiversity interest features of the reserve weight was given to the following considerations:

- The reserve is managed by the Woodland Trust, one of the main aims of which is to encourage and cater for public access at their sites
- The reserve is already well provisioned for public access, including surfaced paths, interpretation boards and a small car park
- The reserve is located in a relatively urban area, on the edge of Kidlington and close to Oxford, therefore the proposed development will not result in a significant addition to the local population within the reserve's recreational catchment
- There will be no direct footpath connections linking residents of the proposed development with the reserve, who in reality will more likely utilise the significant doorstep open space on-site (comprising a mix of formal and informal greenspace) for day-to-day recreation.

2.12 Whilst it is not disputed that some new residents may choose to visit Stratfield Brake, in light of the foregoing we consider the submitted EclA gives a balanced assessment, and that the conclusion of no significant negative effects is valid.

Impacts on wintering/breeding birds

2.13 The Site supports grassland under a combination of grazing (cattle and horses) and management for silage/hay. Repeated visits to the Site have been made in 2017, 2018, 2019, 2021 and 2022, at various times of the year (including winter). As mentioned within the EclA report, the Site was seen to be used on occasion by small flocks of starling and a range of other widespread bird species. Whilst these visits only offer a snapshot of the bird fauna present on-site, the Site is not considered to support significant populations of farmland birds, particularly when considering local records and the abundance of more suitable habitat in the wider area. The proposed mitigation strategy for the Site has focussed on retaining all hedgerows and trees, providing large areas of open space (albeit this will have increased public use), and provision of new woodland, scrub and meadow planting to support bird species. There is a small area of arable farmland to the north of the application site however this is under a separate ownership and could not form any part of the assessment.

Green Roofs

2.14 The use of green roofs was considered during the development design process however the designers were of the view that there were no buildings likely to be suitable for this approach.

Lighting

2.15 BBOWT raised the importance of a sensitive lighting strategy for the proposed development. The benefit of such a strategy is acknowledged and, as stated within our EclA report, this will be prepared at the detailed design stage, the specifics of which can be secured by a planning condition to ensure important ecological features at the Site are fully considered.

3.0 Conclusion

- 3.1 We hope that the above comments provide reassurance or clarification on points raised by BBOWT in relation to the proposed development at Kidlington.
- 3.2 It is important to note that the development scheme is presented only in outline at present, and much of the detail would be subject to approval and secured at the Reserved Matters stage, which will also include a requirement for biodiversity net gain and sufficient supporting evidence (e.g. detailed management plans and landscaping schedules).