Berkshire Buckinghamshire & Oxfordshire Wildlife Trust

Cherwell District Council

By email only

8th June 2022

Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust
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Dear Sir/Madam

22/01340/OUT

Location: OS Parcel 6124 East Of Baynards Green Farm Street To Horwell Farm Baynards Green

Proposal: Application for outline planning permission (all matters reserved except means of access (not internal roads) from b4100) for the erection of buildings comprising logistics (use class b8) and ancillary offices (use class e(g)(i)) floorspace; energy centre, hgv parking, construction of new site access from the b4100; creation of internal roads and access routes; hard and soft landscaping; the construction of parking and servicing areas; substations and other associated infrastructure.

Objection:

1. **Application does not provide evidence of an adequate net gain in biodiversity**
2. **The importance of a net gain in biodiversity being in perpetuity**
3. **Impact on ancient woodland priority habitat contrary to the NPPF**
4. **Loss of hedgerow priority habitat contrary to the NPPF and Cherwell Local Plan**
5. **Management of hedgerows in order to achieve biodiversity net gain**
6. **Insufficient evidence that populations of farmland bird species will be maintained, contrary to the NPPF, Cherwell Local Plan, and the Conservation of Habitats and Species Regulations 2017 (as amended).**
7. **Insufficient evidence that populations of priority species brown hairstreak butterfly will be maintained, contrary to the NPPF and Cherwell Local Plan**
8. **Cumulative effect including on farmland birds and brown hairstreak butterfly in the context of other infrastructure proposals for the area**
9. **Threat to the purpose of the CTA being achieved contrary to Cherwell Local Plan**

Thank you for consulting us on the above application. As a wildlife conservation charity, our comments relate specifically to the protection and enhancement of the local ecology on and around the application site.

1. **Application does not provide evidence of an adequate net gain in biodiversity**

Our response below draws on the following planning policy and we have underlined the aspects most relevant to our response.

National Planning Policy Framework (NPPF) Paragraph 174. states:

> *"Planning policies and decisions should contribute to and enhance the natural and local environment by: …*
>
> *d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and* future pressures;"

The Environment Act 2021 will make a 10% net gain in biodiversity mandatory in 2023, however local planning policy already requires a 10% net gain in biodiversity as illustrated below:

The Cherwell Local Plan, Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment state:

> … *"In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources" …*

And in addition, p15 of Cherwell District Council's Community Nature Plan 2020–2022 A natural environment for people and wildlife refers to a target to:

> "*Seek a minimum of 10% net gain in biodiversity when considering proposals for development."*

A Biodiversity Net Gain metric spreadsheet has been provided at **Appendix EDP 2 of the applicant's Biodiversity Impact Assessment** to illustrate the potential net gain resulting from this application. This shows a net gain of 3.39% habitat units which is insufficient since a 10% net gain is required by the Community Nature Plan quoted above and will not provide an adequate buffer to guarantee against an overall net loss in biodiversity.

If the planning authority is minded to approve the application and it is not possible to achieve 10% net gain on site then off-site compensation will be required. TOE https://www.trustforoxfordshire.org.uk is an independent charity with strong relationships with local planning authorities, developers and landowners across the county which may be able to assist the applicant in meeting its net gain obligations.

The applicant acknowledges this at paragraph 3.9 **Appendix EDP 2 of the applicant's Biodiversity Impact Assessment**:

> *"Should it not be feasible to achieve a 10% net gain on-Site for the proposed development, then off-site habitat creation and enhancement works can be undertaken to address the deficit in units. Where possible off-site works should be undertaken within the same LPA as the development and aim to create, restore or enhance higher value habitats, ideally those of strategic significance for the local area."*

And at paragraph 3.10

> *"An additional 11.76 Habitat Area Units will be required off-site (factoring in off-site baseline units) in order to achieve 10% Biodiversity Net Gain."*

We welcome the submission of the metric spreadsheets to allow consultees to assess the scoring in detail. Unfortunately, the habitat creation section is not legible and we have requested a legible copy from the planning authority which has not yet been received. However, there are a number of aspects which concern us in the scoring, in relation to:

a) Creation of Other Neutral Grassland – Good condition.

The metric provides five possible condition scores for created habitat, listed here, with their scores afterwards – Poor (1); Fairly Poor (1.5); Moderate (2); Fairly Good (2.5) and Good (3) (note that the intermediate categories of fairly good and fairly poor may be used only if it is not possible to determine between two main condition categories and justification must be provided). To select the very highest of those scores, which will likely provide the most units on the metric, needs a very high level of confidence that the condition assessment criteria are met and that the starting point, the creation techniques, and the management techniques will all combine to allow the creation of such high-quality grassland. Factors such as invasive species, recreational impact and nutrient input can also be relevant. It is common for a precautionary approach to be taken, for example by using a Condition score of Moderate (2) or at the most Fairly Good (2.5). To justify a score of Good (3), or of Fairly Good (2.5), we would ask for much more detail on the above issues to be provided than is currently available, and for that detail to be consulted on. Otherwise we would suggest a precautionary score of Moderate (2) is used instead.

We have noted the following text at paragraph 2.11 **Appendix EDP 2 of the applicant's Biodiversity Impact Assessment**:

> *The 'species-rich meadow grassland' has been categorised as good condition 'other neutral grassland'. With a considered management regime and careful selection of a wildflower meadow seed mix it would be possible to meet the definition of 'other neutral grassland', and a good condition for this habitat type could be achieved through maintaining a diverse sward height, and management to remediate areas of bare ground, bracken and undesirable species*.

We consider that much more detail is needed on the matters raised above (the starting point, the creation techniques, and the management techniques) than that which is provided by this statement in order to justify a condition score of Good. Otherwise we would suggest a precautionary score of Moderate (2) is used instead.

b) Creation of Mixed scrub – Good condition

We have noted the following text at paragraph 2.9 **Appendix EDP 2 of the applicant's Biodiversity Impact Assessment**:

> *"The 'landscape buffer planting' has been categorised as mixed scrub habitat, and it is envisaged that this area will comprise a mix of native scrub and shrub species as well as some scattered native trees to provide a buffer around the Site, screening it from the adjacent land use. It is considered that a realistic condition for this habitat could be 'good' since it is considered that with a considered species selection for planting and an appropriate*

management regime this is an achievable target condition for this habitat based on the five condition criteria."

As above, the highest score has been selected without any detail about management techniques being provided. We would ask for much more detail on the above issues to be provided than is currently available, and for that detail to be consulted on. Otherwise we would suggest a precautionary score of Moderate (2) is used instead.

c) Habitat enhancement:
   - Modified grassland to Other neutral grassland (Condition change Lower Distinctiveness Habitat - Moderate)
   - Modified grassland to Other neutral grassland (Condition change Lower Distinctiveness Habitat – Good)

We have noted the following text in the metric spreadsheet:

"Enhance to species rich grassland through oversowing of seed mix to improve diversity and also through management"

We consider that much more detail is needed on the matters raised above (the starting point, the creation techniques, and the management techniques) than that which is provided by this statement.

d) Habitat enhancement:

   - Heathland and shrub - Mixed scrub (Condition change Moderate - Good)
   - Heathland and shrub – Mixed scrub (Condition change Poor - Good)

We have noted the following text in the metric spreadsheet:

"*Existing dense scrub to be enhanced when incorporated into buffer planting"*

We consider that much more detail is needed on the matters raised above (the starting point, the creation techniques, and the management techniques) than that which is provided by this statement.

We note that paragraph 8.6.8 of the applicant's Ecological Statement states:

"*A Landscape and Ecological Management Plan (LEMP) will be prepared. This will set out in the detail the measures to be implemented to ensure the successful establishment/installation of new habitats/features and the long-term maintenance and management of both existing and new habitats/features proposed as part of the soft landscape scheme."*

We consider that the LEMP should be submitted at this stage and consulted on in order to allow the consideration of the measures which will secure the success of the applicant's biodiversity metric.

e) Hedge creation

We have noted the following text at paragraph 2.16 **Appendix EDP 2 of the applicant's Biodiversity Impact Assessment**:

"Additional hedgerow planting will be undertaken at several of the existing boundary hedgerows to create 'double hedgerows' where two hedgerows are present with a gap between to provide commuting opportunities for wildlife. The existing boundary hedgerows will have a second row of

hedgerow planting undertaken on the inside of the boundary with planting comprising of a mix of native hedgerow and tree species."

It is our view that if double hedgerows are to be created with a gap in between then the gap in between should be planted up as a meadow ride in order to provide the desired commuting opportunities for wildlife. The value of double hedgerow bounding green lanes is referred to in Step 2 (f) p25 Natural England's **Biodiversity Metric 3.1 Auditing and accounting for biodiversity USER GUIDE**:

"Hedgerows bounding green lanes and double hedgerows should be recorded as two hedgerows rather than a single hedge. This distinction recognises that double hedges are known to be particularly important for wildlife (Walker et al., 200522, and Walker et al., 2006),23"

It is our view that the new hedgerow should be planted a minimum distance of 3m – 5m from the existing hedgerow, so that once mature the double hedgerow/green lane is no less than 2 m wide (the minimum width outlined in Walker *et al*, 2006).

Walker *et al* 2006 concludes that '*to maintain the diversity of vegetation inside green lanes required continues usage of green lanes… to prevent lanes from becoming overgrown and eventually strips of linear woodland*'. It is therefore essential that the meadow ride (or the area in between the two hedgerows) is routinely managed in order to ensure the hedgerows and meadow ride do not become overgrown and thus lose the diversity of vegetation and value for wildlife provided. Details of proposed management should be set out in the applicant's LEMP which we have referred to above.

2. The importance of a net gain in biodiversity being in perpetuity

Once built, if approved, the development can be reasonably assumed to be there for ever, since even when the buildings are replaced it would be likely to be replaced by other forms of development. Therefore, the wildlife habitat will be lost for ever and any compensation must be provided for ever. Otherwise the result is to simply defer a significant loss of biodiversity that should not be occurring either now or in 30 years' time.

The most effective method to ensure that any compensation is provided for ever would be for the land identified for on site or off-site habitat creation and enhancement to be managed for wildlife in perpetuity with money provided by an endowment fund. Such an endowment fund is already commonly used within the Milton Keynes area when agreements are made involving the Parks Trust taking on land.

In perpetuity is considered to be at least 125 years in accordance with legislation which defines the 'in perpetuity' period (Perpetuities and Accumulations Act 2009). This legislation was used to define in perpetuity in this extract from the Thames Basin Heaths SPA. Para 3.1.5 Thames Basin Heaths Special Protection Area Supplementary Planning Document which states:

"*The avoidance and mitigation measures should be provided in order that they can function in perpetuity which is considered to be at least 125 years. An 'in perpetuity' period of 125 years has been applied in this SPD in accordance with the legislation which defines the 'in perpetuity' period (Perpetuities and Accumulations Act 2009.*

On-site or off-site compensation that involves only a 30-year agreement with no guarantee of the long-term security in perpetuity of the wildlife habitat created would not be appropriate. The loss of wildlife habitat on the site will be permanent so the compensation must be permanent.

3. Impact on ancient woodland irreplaceable habitat contrary to the NPPF

As noted at paragraph 9.2.24 of the applicant's Environmental Statement,

> *"Stoke Bushes Ancient Woodland is situated to the east of the Site, with the extent of the ancient woodland designation being approximately 100m from the Site boundary; and Stoke Wood is an area of Ancient Woodland which is situated approximately 200m to the south of the Site."*

We note that paragraph 8.5.4 of the applicant's Environmental Statement states:

> *"Given the proximity of Stoke Bushes LWS to the north-eastern extent of the Site boundary, the woodland habitats within Stoke Bushes LWS could be subject to dust deposition caused by construction work in the Site."*

And paragraph 8.5.20 states:

> *"Stoke Bushes LWS is located near the north-eastern extent of the Site boundary. However, despite its proximity the LWS is not predicted to be affected by air pollutants. In accordance with EPUK-IAQM guidance, the overall effect of the development on NOx for ecological receptors is considered to be 'not significant' (6.6.3). On this basis the effects are judged to be negligible."*

The NPPF Glossary states (with our underlining):

> *"Irreplaceable habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen."*

This supports our view that the ancient woodland habitat of Stoke Bushes LWS meets the definition of irreplaceable habitat.

The NPPF states (with our underlining):

> *"180. When determining planning applications, local planning authorities should apply the following principles……*
>
> *c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and"*

We consider that any built development on this scale at this site would result in too high a risk of *"loss or deterioration of irreplaceable habitat"*. We do not consider that the *"wholly exceptional reasons"* argument applies to this development. Therefore, we consider that the application should be refused in its current form.

4. **Loss of hedgerow priority habitat contrary to the NPPF and Cherwell Local Plan**

We are greatly concerned by the significant loss of wildlife habitat that this development would lead to with the current design. Paragraph 8.5.6 of the applicants Ecological Statement states:

> *"Approximately 2,475 m (39%) of the existing hedgerow with trees will be lost either to make way for built development or as part of the main access creation off the B4100 through the centre of the Site."*

In addition, paragraph 8.5.7 states:

> *"Where retained hedgerow is present in close proximity to the construction zone, it is at risk of damage or deterioration, including physical damage from machinery or personnel, pollution from dust, fuels/chemicals and waste materials."*

Hedgerows are listed in Section 41 of the NERC Act 2006 as a priority habitat.

In addition, the NPPF states:

"179. To protect and enhance biodiversity and geodiversity, plans should:

…….. b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; …."

Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment of the adopted Cherwell Local Plan states:

- *Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity*
- *Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity*

We do not consider the proposed hedgerow creation will compensate for the loss of hedgerow within the field system. We do not accept that the benefits of the development outweigh the harm it would cause to the site in relation to the loss of hedgerow and we do not accept that the mitigation proposed will achieve a net gain in biodiversity (see above). Should the planning authority be minded to approve the application then these losses should be avoided by doing what many developers do, which is to retain the vast majority of hedgerows as features within the development and to build in the substantial gaps between them.

5. **Management of hedgerows in order to achieve biodiversity net gain**

We note that paragraph 2.6 of the applicant's Biodiversity Impact Assessment states:

> *"It is considered that for the hedgerows, with careful selection of native species and management (including considered timings of cutting, and use of appropriate cutting methods) it would be possible to maintain the hedgerows of sufficient height and width, with few gaps both at the base and the hedge canopy to allow good condition to be achieved. Management can also ensure that undesirable species and damage caused by anthropogenic activities are minimised."*

If the application is approved then new and retained hedgerows will need to be carefully managed in order to achieve the necessary biodiversity net gain. We consider that a great deal more information in relation to the management of hedgerows is needed. In general, a rotational cutting regime on a three-year cycle wherever possible (or a two-year cycle where particular reasons justify it) will be of most value to biodiversity. This is for many reasons including allowing the formation of fruit which is a vital winter food source for birds, and allowing butterfly and other invertebrate eggs laid on branches to overwinter. This is an important issue as annual cutting would have a severely detrimental impact on the biodiversity value of the hedgerows.

As noted below, rare brown hairstreak butterflies are present and breeding on the site and should be considered in the management of the hedgerows. Newly planted hedgerows should include a significant component of blackthorn, the food plant of brown hairstreaks.

Retained hedgerows should be protected by a buffer zone of minimum 10m either side of the hedgerow. Buffers should be primarily diverse grassland areas alongside the hedgerows so that they are suitable for invertebrates. There should be no built environment and minimal lighting within the buffer zone.

6. **Insufficient evidence that populations of farmland bird species will be maintained, contrary to the NPPF, Cherwell Local Plan, and the Conservation of Habitats and Species Regulations 2017 (as amended).**

We are greatly concerned by the significant loss of wildlife habitat used by farmland birds that this development would lead to with the current design.

The applicant's Ecological Statement paragraph 8.5.8 states:

> *"Land take associated with the built development and other groundworks will result in the reduction in habitat available for breeding, overwintering and foraging by a range of bird species"*

Paragraph A3.24 states

> *"There were seven 'Red List' bird species recorded within the Site, two of which were confirmed to be breeding, one probable and the remaining four considered to possibly be breeding."*

Appendix 08.1 Ecological Baseline Table EDP A3.3 lists a number of protected/notable bird species which were present during surveys of the site. The red list species, which are also Species of Principle Importance (SPI) and protected under Section 41 of the NERC Act (2006), found at the site are linnet and yellow wagtail (possibly breeding), skylark (probably breeding), starling and yellowhammer (confirmed breeding). Other red list species swift (not breeding) and greenfinch (possibly breeding) were also found at the site.

The report identifies, for example, that up to six individual skylark were recorded in song at the same time and that it is probable that '*the Site supports a small population (0-6 pairs).'* This is a species which experienced more than a 50% decline in the 1990's, and it is still declining. We consider the loss of habitat for this number of pairs without specific farmland bird mitigation as unacceptable.

In addition, paragraph A3.33 states:

> *"Eight 'Amber List' bird species were recorded within the Site, of which only dunnock was at least a probable breeder in 2018."* The Amber list birds are also listed at Table EDP A3.3

Table EDP 2.2 summarises other survey types, *which*, while commonly required as part of an EcIA of development sites, were not considered necessary/appropriate in this case. This includes wintering bird surveys. We consider that given the size of the proposed development on arable land, it is essential that wintering bird surveys should be carried out and the results made available for consultation.

The importance of avoiding impact on the UK priority species is backed up by planning policy e.g. the NPPF states: "*179. To protect and enhance biodiversity and geodiversity, plans should: ……. b) promote…….. the protection and recovery of priority species; ….*"

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment of the Cherwell Local plan states:

> "*Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats or species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity*"

We do not accept that the benefits of the development outweigh the loss of red and amber listed farmland bird species and we do not accept that the mitigation proposed will achieve an adequate net gain in biodiversity (see above).

DEFRA have provided guidance to competent authorities (including local authorities) on how to comply with the legal requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). The guidance is available at: https://www.gov.uk/guidance/providing-and-protecting-habitat-for-wild-birds

The guidance states that:

> *"As a competent authority, you must help to provide, protect and restore habitats for wild birds. This will help to make sure there are healthy populations of wild birds in their natural habitats across England and Wales…*
>
> *…You must take appropriate steps to help:*
> - *preserve, manage and re-establish habitat that is large and varied enough for wild birds to support and maintain their populations in the long term*
> - *avoid any pollution or deterioration of wild bird habitat as far as possible*

Your duty to provide and protect wild bird habitats applies when you carry out your functions, for example, when you:

…

- *make plans or strategies to decide where activities or development should take place*
- *take decisions that might affect wild bird habitats, such as giving permissions or consents*

…When you carry out your duties you should aim to provide or protect habitat that allows wild bird populations to maintain their numbers in the areas where they naturally live.

You should consider habitats used by wild bird species that are in decline and also habitats supporting wild birds with healthy populations."

This application currently does not provide sufficient evidence that it will "*preserve, manage and re-establish habitat that is large and varied enough for wild birds to support their population in the long term"* in relation both to "*wild birds that are in decline"* and to "*wild birds with healthy populations"*

There is a precedent within Cherwell district for a large-scale offsite mitigation package in relation to impact on farmland birds which was drawn up in response to the North West Bicester Eco Town proposal and it is our opinion that should the planning authority be minded to approve the application then a similar offsite mitigation package should be applied in this case.

7. Insufficient evidence that populations of priority species brown hairstreak butterfly will be maintained, contrary to the NPPF and Cherwell Local Plan

The site lies within the core area within the UK for the brown hairstreak butterfly, a Species of Principal Importance in the UK. One reason that this is their core area is the high content of blackthorn within hedgerows and scrub in North Buckinghamshire/Oxfordshire. This is acknowledged at paragraph 3.60 of the applicant's Technical Appendix 8.1: Ecological Baseline states:

3.60 The presence of blackthorn (Prunus spinosa) and elm (Ulmus sp.) within the on-site hedgerows provides potential for the Site to support a range of notable Lepidoptera namely, brown hairstreak and black hairstreak.

Paragraph 3.61 of the applicants Technical Appendix 8.1: Ecological Baseline states:

During the survey carried out in December 2018, brown hairstreak eggs were recorded within the Site, within hedgerows H2 and H1 within the Site, confirming the presence of a breeding population of the species

The current proposals will result in the loss of 39% of the hedgerows at the Site, including H2 which has been found to support breeding brown hairstreak. Therefore, there is significant potential impact on brown hairstreak butterflies and therefore, if the planning authority is minded to approve the application then the mitigation should ensure that the needs of this species is met in terms of the different growth types/structures of blackthorn that this species favours. We can provide further information on this on request.

At present we are greatly concerned that there will be insufficient habitat creation to fully compensate for the impact of the clearance of hedgerows. Due to the time it takes for hedgerows to mature then we would expect compensation to create significantly more habitat that what is lost. With the information that is set out at present then we are greatly concerned that there will be significant adverse impact on these rare butterflies in their key stronghold within the UK.

The importance of avoiding impact on the UK priority species is backed up by planning policy e.g. the NPPF states: "*179. To protect and enhance biodiversity and geodiversity, plans should: ……. b) promote……. the protection and recovery of priority species; ….*"

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment of the Cherwell Local plan states:

> "*Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats or species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity*"

We do not accept that the benefits of the development outweigh the loss brown hairstreak butterfly habitat or species and we do not accept that the mitigation proposed by the application in its current form will achieve an adequate net gain in biodiversity (see above).

8. **Cumulative effect including on farmland birds and brown hairstreak butterfly in the context of other infrastructure proposals for the area**

Table 4.1 Cumulative schemes of the applicant's Environmental Statement sets out a list of approved development, planning applications, and a scheme for which an EIA scoping opinion has been adopted with their location in relation to the Application Site

The application should be looked at in the context of numerous other large infrastructure proposals for the area. The cumulative effect of the proposed developments together with the Heyford Park scheme (ref: 18/00825/HYBRID) and the Proposed Oxfordshire Strategic Rail Freight Interchange (Case Reference: TR050008) will mean a huge cumulative effect especially on farmland birds and brown hairstreak butterfly (see above). This cumulative effect is of great concern and needs to be addressed.

9. **Threat to the purpose of the CTA being achieved contrary to Cherwell Local Plan**

Cherwell Local plan policy ESD11 states:

> *"Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted."*

The proposed development is adjacent to and surrounded by the Tusmore and Shellswell Park Conservation Target Area (CTA) as is clearly shown on plan EDP2 Designated site which is appended to the applicant's Technical Appendix 8.1: Ecological Baseline.

Paragraph 3.11 of the applicant's Technical Appendix 8.1: Ecological Baseline states

"The targets set out for the Tusmore and Shellswell Park CTA in Oxfordshire Biodiversity Action Plan are as follows; "1. Lowland mixed deciduous woodland – management and creating. 2. Parkland (including veteran trees) – management and restoration."

"3.12 As neither of these habitats are present with the Site it is not considered that the proposals will result in significant adverse impacts to the targets associated with this CTA and therefore, has been scoped out as an IEF and will not be considered further in the EcIA."

However, we are concerned that the proximity of the site to Stoke Bushes LWS and Stoke Wood (both woodlands) and the large parks at Tusmore and Shellswell, and the scale of the development is a threat to the purpose of the CTA being achieved and should be considered at this stage of the application.

Solar Panels and green rooves

We note that paragraph 8.4 of the applicant's design and access statement states:

"Rooftop solar PV generation will be built, with surplus generation potentially being stored in Energy Centre batteries. Any shortfall in supply will be made up using local embedded combined heat and power/fuel cell mix units in the Energy Centre.

The whole of the usable roof area is constructed to accept PV panels, however the percentage of roof coverage of PVs will depend on the final operator's energy usage."

In the event that this application is approved we would suggest that that developers should be required to maximise the provision of either green rooves or PV cells on any remaining roof space. Research shows that green rooves can provide valuable habitats for wildlife https://livingroofs.org/biodiversity-and-wildlife/ According to www.livingroofs.org , a good green roof designed for biodiversity should include a varied substrate depth planted with a wide range of wildflowers suitable for dry meadows. The inclusion of buildings with green rooves would be another means of increasing biodiversity within the proposed development.

However, for the reasons described above, it is our opinion that this application should not be approved, and certainly not so in its current form. We hope that these comments are useful. Please do not hesitate to get in touch should you wish to discuss any of the matters raised.

Yours sincerely

Nicky Warden

Public Affairs and Planning Officer

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust