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By email only

10th October 2017

Dear Sir or Madam,

BBOWT response to the Council's Local Plan 2011-2031, Part 1 - Partial Review-Oxford's Unmet Housing Need Consultation, October 2017

Thank you for consulting the Berks, Bucks & Oxon Wildlife Trust (BBOWT) on the Council's Local Plan 2036 Preferred Options Consultation document. As a wildlife conservation charity, our comments relate specifically to the protection and enhancement of the local ecology in Oxfordshire.

We are pleased to see that many potential sites put forward in the recent options consultation are no longer pursued for development. We find it difficult to judge whether the calculated unmet housing need for Oxford is appropriate but believe that if additional housing in Oxford is required it should be met close to Oxford if possible. As such we agree that areas A and B are probably best suited to address Cherwell's contribution on meeting Oxford's housing needs due to their proximity to Oxford.

Having said this we remain concerned about the overall proposed quantum of development not only in Cherwell District but in Oxfordshire, which will inevitably impact on wildlife. We don't comment on Greenbelt issues but we are aware that all proposed sites are in the Greenbelt and as such might not be found acceptable in planning policy terms.

We have commented on previous Local Plan 2011-2031 consultations and many of our comments still apply, e.g. comments we made with regard to impacts on designated sites, cumulative effects, management, Green Infrastructure planning and Biodiversity in Development (please see our comments from 9th January 2017).

Green infrastructure policy (PR5)

We welcome the inclusion of a Green Infrastructure (GI) policy to compliment the already existing and adopted Green Infrastructure policy ESD17 from the accepted Cherwell LP 2011-2031, Part 1.

We are supportive of the policy but recommend the following minor changes to the wording. Additional wording is added underlined:

Policy PR5: Green Infrastructure

[...] Applications will be expected to:

(1) Identify existing GI and its connectivity and demonstrate how this will, ~~as far as possible,~~ be protected and incorporated into the layout, design and appearance of the proposed development

[...]

(9) Provide details of how GI will be maintained and managed in the long-term.

We also recommend that the term 'long-term' is defined in the supporting text. Long-term is often interpreted as 25 years, however, we consider this insufficient and believe that it should be understood as the lifetime of the development.

It is our understanding that there is neither a GI strategy for the district nor for the county, which would help to inform decisions on GI networks. As a result the policy can address GI on a local level only but could potentially deliver greater benefits if information on strategic GI networks was available. We are concerned about the lack of a county-wide strategy to identify, protect and enhance GI networks and recommend that the Council continues to work in partnership with the other Oxfordshire Councils with a view to develop a GI strategy for Oxfordshire in the future. We believe that such a strategy is also necessary to compliment and inform the draft Oxfordshire Infrastructure Study.

We agree that Green Infrastructure includes open spaces not only for biodiversity but also for recreation or other uses such as food production. However, many habitats and species of nature conservation interest are sensitive to disturbance, pollution, recreational pressure or similar and it is important that GI planning takes account of this by avoiding development in close proximity of sensitive sites, providing adequate buffers to sensitive habitats and through the provision of high-quality recreational open spaces for people to use. Careful masterplanning is required to minimise impacts and to optimise GI as part of development.

The integration of GI into developments should be considered from the outset and at various levels e.g. at masterplanning level by providing adequate green corridors but also by including biodiversity enhancing measures within the built-up areas. We welcome the inclusion of GI in the policies but more detail could be provided in places either as part of the policy or in a separate guidance document (e.g. minimum buffers to retained hedges, minimum requirements for tree planting).

This has been successfully done elsewhere, e.g. as a stand-alone document or as part of residential design guidance and BBOWT would be happy to assist in developing such a guidance. A table of potential measures to encourage biodiversity in development and to deliver benefits for people is attached in appendix 1 at the end of these comments.

Proposed sites

The following comments on contents, wording and mapping apply to all site allocation policies.

Based on the information received at the recent 'duty to cooperate mtg' it is our understanding that site allocation proposals including the proposed quantum of development and associated maps have been informed by high-level masterplanning work. We very much welcome this as we consider it essential that quantum and layout are tested against the policy requirements including housing numbers, open space and GI.

The policies are very detailed and we can see that a lot of thought has gone into them. They include many elements we support such as the protection of designated sites, habitats and species (including sites downstream), requirements for a net gain in biodiversity, the use of an accepted biodiversity calculator, the integration of Green Infrastructure, the integration of biodiversity into the built-up areas, the production of a Biodiversity Improvement and Management Plan (BIMP) and the need for long term management.

The policy maps provide considerable detail on the layout, which is welcomed. However, it is our understanding that these are indicative only and might still change as a result of this consultation or at outline planning stage. We therefore reserve the right to make further representations should layouts change in a way that might result in increased adverse biodiversity impacts on sites, habitats or species.

The policies are very specific on survey requirements based on ecological scoping survey. We welcome the requirement for various surveys but are concerned that these are based on limited survey effort (see comments on evidence base below) and that a comprehensive extended Phase 1 survey might highlight the need for further surveys than those mentioned in the policies. We therefore recommend for the policies to be less specific but to state that protected and notable species survey will be required, and will need to be informed by a Phase 1 Habitat survey. For example bat or invertebrate surveys are currently not mentioned in the policies but might be required.

We welcome that the policies require development on the sites to be considered and assessed in its entirety rather than in individual phases. Related to that we consider it important that any on-site ecological mitigation and compensation is delivered at the beginning of the development phase to provide confidence about delivery and to ensure that the necessary green infrastructure and related benefits for residents are in place from the outset.

We welcome the requirement for long-term management and recommend that it is more clearly defined. As mentioned above we recommend that long-term management to be defined as for the life-time of the associated development.

Policy maps:

- *Development context:* Mapping often only shows the individual site but not the wider development context such as other proposed site allocations in Cherwell DC or neighbouring authorities such as Oxford City Council or West Oxon District Council, which makes it difficult to get the full picture. We recommend that the development context is included on the policy maps.
- *Policy PR3 land:* we note that areas of this category are proposed to be taken out of the Greenbelt but it is unclear what use is proposed on these areas (as it is done for the other categories in the key). We recommend that detail on future land use is provided.
- *Ancient Woodland:* what is the information source for this? This category seems to show areas of woodland or scrub but according to our records none of the woodland belts/blocks are designated as Ancient Woodland (with the exception of Begbroke Wood). The key needs revising to reflect this, e.g. by identifying these areas as *Woodland* rather than *Ancient Woodland*.
- *BAP habitat:* this category appears in the key to a number of the policy maps. Whilst it might be the intention to create BAP habitat this can be difficult to achieve in some locations such as arable farmland. We feel that a more cautious wording would be more appropriate to manage expectations. Potential alternative wording could for example be *Proposed BAP Habitat (if feasible)*, *Proposed area for nature conservation* or similar.

Policy PR6a - Land East of Oxford Road

The policy proposes residential development on 24ha of the site at an average density of 40 dwellings per hectare. We have no principle objection to this but have some concerns that 40 dwellings/ha might not allow sufficient space for meaningful green infrastructure such as large native street tree planting within the built-up areas.

Having said this we are not sure what the calculation is based on as 650 dwellings over 24 ha would result in a lower density than stated.

We welcome the requirement to create a green infrastructure link along the eastern boundary to Cutteslowe Park. We also welcome the requirement for cross-boundary working between local authorities.

Considering that the site is located next to another allocation PR6b we wonder whether the two sites should be considered in combination rather than isolation.

Map / key:

- *Ancient Woodland:* see general comment on mapping above.
- *BAP habitat:* BAP habitat is shown on an area that is currently arable. Whilst it might be the intention to create a BAP habitat this might be difficult to achieve in this location. We recommend that the wording in the key is changed to 'proposed BAP habitat' or 'proposed area for nature conservation' or similar.
- *Adjoining allocation:* The map shows the golf course as remaining but policy PR6b allocates the site for development. This is misleading and the map should be revised accordingly
- *Policy PR3 land:* see general comment on mapping above.

Policy PR6b – Land West of Oxford Road

Many of the general comments provided above and under PR6a apply. The requirement for long-term management appears to be missing from the policy and should be added.

We welcome that mature tree cover on site is taken into account in the proposed density calculation. Considering that the site is located next to another allocation PR6a we wonder whether the sites should be considered in combination rather than in isolation.

The map is unspecific about the land to the east of the site but policy PR6a allocates the adjoining site for development. This is misleading and the map should be revised accordingly.

Policy PR6c – Land at Frieze Farm

No objection to this allocation but recommend that appropriate ecological surveys are prepared to inform the design of the golf course.

Policy PR7a – Land South East of Kidlington

Whilst we have no principle objection to this allocation aerial photos seem to suggest that this site allocation includes areas of grassland or meadow that might potentially be of considerable ecological interest (e.g. lowland meadows). Ecological surveys should be carried out at the earliest opportunity to inform the suitability of the site and the potential layout.

Policy PR7b – Land at Stratfield Farm

We have no principle objection to this allocation but note that it includes or adjoins land that is subject to nature conservation designations. The western part of the site is located within the Cherwell Valley CTA along the Oxford Canal and we are pleased that the indicative layout does not propose development within this part of the site. The site also appears to include a priority habitat (Traditional Orchard) and adjoins a district wildlife site. Aerial photography also suggests that it might comprise other habitats of biodiversity interest. The site is sensitive in ecological terms and should be surveyed to inform suitability, quantum and development layouts.

Policy PR8 – Land East of A44

This large allocation adjoins a number of nature conservation designations including Rushy Meadows SSSI (Site of Special Scientific Interest) and the Conservation Target Area along the Oxford Canal.

We welcome the provision and aspiration for a Local Nature Reserve (LNR) to mitigate adverse impacts on Rushy Meadows SSSI. The LNR has the potential to deliver ecological benefits but it is one of two main recreational open spaces in the development and will therefore be subject to a lot of recreational pressure. Much will depend on the design and management of this site but we remain concerned that the area might not be able to fully mitigate indirect impacts on the SSSI. This view is also supported by the high level cumulative assessment by wyg (see comment on evidence base below).

It will be important that the development provides sufficient attractive open space and footpaths for informal recreation (including dog walking) in addition to nature conservation areas to limit the pressure on valuable habitats.

We also feel that development densities of 45 dwellings per hectare are likely to offer limited opportunities for Green Infrastructure within the built-up areas.

Policy PR9 – Land West of Yarnton

This site allocation Site adjoins Begbroke Wood Ancient Woodland and LWS. We are pleased to see that the allocation seeks a considerable buffer to the Ancient Woodland as well as large areas

of public access land, which we assume will be used for informal recreation. Adverse impacts on Begbroke Wood might potentially occur but will depend on the design and management of the woodland and open access land.

We welcome these proposals but thoughts should be given whether the open access land (or parts of it) could also be improved for biodiversity.

Policy PR10 – Land South East of Woodstock

This allocation looks isolated and only makes sense if it joins up with the proposed site allocation in West Oxfordshire district on the western side of Upper Campsfield Road. This allocation should therefore only be considered if and when the proposed development in West Oxfordshire has taken place.

We welcome the provision of large areas of green space, parts of which should also be considered for biodiversity improvements.

Policy PR12a and Appendix 3: Housing Trajectory

Policy PR12a and the Housing trajectory in appendix 3 suggests that sites will come forward at different times in the plan period with sites PR6a, PR7b, PR8 and PR9 being the first ones to come forward at 2021. Site PR6b is proposed to be released at 2023, and sites PR7a and PR10 are not due to come forward until 2016.

The government is currently consulting on a standard method of how to calculate housing need. It is our understanding that if this calculation is adopted, it might be possible that fewer houses are needed to meet Oxford's housing needs and as a result not all site allocations might be required.

As mentioned above we are concerned about the proposed quantum of development in Oxfordshire and neighbouring counties and would welcome if fewer sites would be required for development.

From an ecological point of view sites PR7b, PR8, PR9 and PR10 appear to be most sensitive in ecological terms and we would therefore recommend for these sites only to come forward if really needed. We recommend that these sites are considered later in the plan period and the trajectory revised accordingly.

Evidence Base

Character Sensitivity and Capacity Assessment - Appendix C – ecology (wyg, June 2017)

We welcome that ecological scoping surveys were undertaken to inform the site allocation process and to highlight the need for further surveys. They give a useful indication of habitats and potential ecological interest but have to be treated with caution as they are subject to a number of considerable limitations, in particular access restrictions (done from Public Right of Way only) and sub-optimal survey timing, which might mean that some ecological interest might have been missed.

Para. 158 of the NPPF requires Local Planning Authorities to base local plan policies “... *on adequate, up-to-date and relevant evidence* ...” As such surveys are required to inform judgements on suitability and capacity. The potential lack or inadequacy of ecological surveys could be in conflict with the NPPF and could potentially result in allocations being found unsound.

Ecological Advice – Cumulative Impacts (wyg, June 2017)

In our comments on the previous option consultation we raised concerns about the cumulative impacts of developments on the natural environment. We welcome that these comments have

been taken on board and that a cumulative impact assessment has been carried out to inform this stage of the process.

We note that it only assesses the impact of seven site allocations at North Oxford, Kidlington, Begbroke and Yarnton but does not include other allocations sites in the area such as the Northern gateway and Wolvercote Papermill allocations in the Oxford City boundary. We understand that consideration of sites outside the district boundary might go beyond the remit of this plan but we are concerned that no strategic overview of potential cumulative ecological impacts in the area is taken considering the amount of development taking place.

We welcome that scoping surveys were carried out but they are high level and subject to considerable limitations. The report gives a timeframe for surveys between June '16 and February '17, which is rather unspecific and might mean that surveys might not have been done at the optimum survey time and that some ecological interest might have been missed. This potential limitation is exacerbated by the fact that surveys were only conducted from Public Rights of Way, which again might mean that important ecological interest could have been missed.

Whilst we welcome that efforts have been made to take account of biodiversity we feel the survey information cannot be fully relied upon and more comprehensive surveys might reveal additional ecological interest that will need to be taken into account in the next stage of the site allocation process. Aerial photos suggest that some of the meadows proposed for development might comprise grassland of higher conservation value.

We also note that impacts on Port meadow SAC and other designated sites downstream is not considered in the report but we assume that this is covered in the Habitats Regulation Assessment (HRA) and Sustainability Appraisal. We have not reviewed these documents in any detail but expect that Natural England (NE) will be commenting on potential impacts on the SAC and other SSSI and we are guided by their judgement.

I hope that these comments are useful; should you wish to discuss any of the matters raised, please do not hesitate to get in touch.

Yours sincerely,



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Appendix:

Table 1: Features in developments to encourage biodiversity and their associated benefits for people				
	Biodiversity benefits	Reduces urban heat island effect	Reduces air pollution	Reduces water run-off
<u>Houses and Gardens:</u>				
Gardens: Fruit trees in each back garden; Wildflower turf making up part of lawn in each garden; Log piles; Hedgerows making up at least one boundary; Garden walls with overwintering shelter for insects	?	?	?	?
Green rooves on garages and public buildings	?	?	?	?
Green walls	?	?	?	?
Built in bird boxes including swift bricks, swallow and house martin and garden birds.	?			
Built in bat boxes, bricks and lofts – suitable for crevice dwellers and roof void dwellers.	?			
<u>Street network and small green spaces:</u>				
Street trees – tree lined streets; woodland copses.	?	?	?	?
Wildflower rich road verges and green corners etc. with loggeries, hibernacula, bug hotels	?	?		?
Climbing plants on fences and walls	?	?	?	?
Any shrubs chosen to maximise: berries for winter bird food; flowers for pollen and nectar.	?			
SUDS schemes including biodiversity	?	?	?	?
<u>Green Spaces</u> (In addition to large scale habitat creation and management above):				
Wildflower edging / shrubs around sports pitches, play equipment, kick-about areas.	?	?		?
Hedgerows and buffers: management for wildlife	?	?	?	?
Long grass / bare ground / rockeries / hibernacula for reptiles	?	?		?
Clean-water wetlands / ponds / ditches with surrounding wildlife grass habitat for amphibians – can be part of SUDS and independent of SUDS.	?	?		?
Woodland	?	?	?	?
Network of green and blue corridors without lighting	?	?	?	?
Allotments	?	?		?