

**Our ref:** Q210843  
**Your ref:** 23/02098/OUT  
**Email:** gregory.blaxland@quod.com  
**Date:** 22 September 2023



Nicky Warden  
Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust  
The Lodge, 1 Armstrong Road,  
Littlemore,  
Oxford  
OX4 4XT

For the attention of Nicky Warden

Dear Nicky

## **BBOWT response to planning application reference 23/02098/OUT for the Begbroke Innovation District ('the Site')**

I write regarding Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust's ('BBOWT' or 'the Trust') response to Cherwell District Council's ('CDC') consultation on the outline planning application ('OPA') for the Begbroke Innovation District (LPA ref: 23/02098/OUT) submitted on behalf of Oxford University Development ('OUD' or 'the Applicant'). BBOWT's response, dated 18 August 2023, was to object to the application on the basis of the following six grounds:

1. Application is not in keeping with the adopted local plan
2. Potential impact on Rushy Meadows SSSI contrary to the NPPF and policy ESD10 of the Cherwell Local Plan
3. Management of green space for the benefit of nature in perpetuity
4. Application fails to provide detailed requirements of section 20 of the Local Plan Partial Review PR8 policy
5. No commitment to provide a net gain in biodiversity
6. Loss of Other Neutral Grassland

The OPA is made with all matters reserved for subsequent determination. The OPA sets out a framework that will allow the detailed design of the scheme to follow as part of subsequent reserved matters applications and details to be submitted to discharge planning conditions that may be attached to a planning permission. These details include further information about the proposed green infrastructure and biodiversity enhancement areas, on which matters OUD intends to engage with the Trust on.

The OPA comprises a number of 'Control Documents'. These set out framework measures, parameters, commitments and controls with which future detailed applications will be expected to comply. There are a number of Control Documents but arguably the most relevant for this topic are the:



- Development Specification;
- Parameter Plans;
- Strategic Design Guide; and
- Outline Landscape and Ecological Management Plan ('OLEMP').

Below we seek to address the points raised in your letter and are keen to discuss these with you in further detail.

## 1 Compliance with the Site Allocation and the adopted Local Plan

BBOWT's objection is that the Proposed Development would not deliver the 29.2ha of local nature reserve required by the local plan and then makes the following points:

- at the proposed Local Nature Reserve ('LNR') located along Rowel Brook would *'include a community farm, allotments and a community orchard along with a greatly reduced area for nature which includes a woodland in the west transitioning through wildflower-rich meadows and then wetland and marsh habitats in the east'*.
- *'we do not consider this location to be appropriate since they are not fulfilling one of the key roles of placing a 29.2 ha Local Nature Reserve (LNR) in the north part of the development as very clearly set out in the Local Plan Partial Review, which is to create natural habitat'*
- *'Such measures, effectively expanding the area of the SSSI habitats, are essential to make the SSSI more resilient to impact and thus mitigate for what would otherwise be a development that would create unacceptable risk of impact on SSSI'*.

For ease of reference, the part of Policy PR8 that is being referred to reads as follows:

*'8. Creation of a publicly accessible Local Nature Reserve on 29.2 hectares of land based on Rowel Brook in the location shown.'*

The commitment that meets this section of the policy is set out in the Development Specification, which contains a set of Development Principles at Section 5 of that document. Development Principle 14.3 requires that at least 29.2ha of land will be improved such that it is capable of being designated as a LNR. The OLEMP sets out in paragraph 39 that parts of Rowel Brook Park will form a new LNR. In recognition of the desire to protect and strengthen the resilience of the SSSI, the OLEMP states:

*With consideration of the SSSI, strategies to prevent the deterioration of the SSSI should be implemented, such as a 15m buffer of native vegetation (such as wild flower grassland with scrub) bounding the perimeters of the Community Farm fringing the SSSI. In addition, the east of Rowel Brook Park shall be developed as a damp meadow to serve as an extension of the*



*Rushy Meadow SSSI. This serves as a link parallel to the Oxford canal, linking the SSSI southwards to the Railway Marshes.*

The above sets the framework for the preparation of detailed, area-specific LEMPs and provides further support to the OPA's compliance with the site-specific policy. It will ensure that natural habitat is delivered adjacent to the SSSI and that a connection is made between it and the Nature Conservation Area that will be delivered at the Railway Marshes, helping improve resilience of the SSSI and strengthen the green infrastructure corridor along the Oxford canal.

The Trust has stated that *'much of the space... delivers agricultural habitats'* as part of its objection.

Parameter Plan 3 – Green Infrastructure identifies land north of Rowel Brook as being the indicative location of a Social Farm and re-provided allotments. The indicative location of these uses need not conflict with it being classed as a LNR. Government guidance states that many types of land can make suitable LNRs, including agricultural land and orchards, commons and other accessible green spaces. Indeed, Rushy Meadows SSSI is itself grazed by cattle. In any case, if the Social Farm and allotments did conflict with the land becoming a LNR, then the requirement to deliver 29.2ha of land within the Site that is capable of being designated as a LNR will persist. This approach provides flexibility at this outline stage, while ensuring that commitments to quality and provision of green infrastructure are in place.

The Trust state that *'it is not clear exactly which part of Rowel Brook Park will form the new Local Nature Reserve or how this will be managed for nature, or how public access will be managed and zoned to ensure that whilst people are able to enjoy the nature, the recreational access is not to the detriment of that nature.'*

OU D understand and agree that it will be important to ensure there is a balance between providing for recreation and connectivity and restricting access to other areas to allow nature to recover and flourish. For Rowel Brook Park, there are two key considerations: that policy requires this land to be publicly accessible; and that there are existing public rights of way that run through this land. However, To ensure a balance is struck, the OLEMP states at paragraph 47 that the objective of Rowel Brook Park is to *'provide a new public open space for recreational and educational purposes whilst being managed for the benefit of biodiversity.'* Detail on how this balance will be delivered will be provided at later stages of planning, and at which point the Applicant could work with the Trust to input to proposals.

As a final point, potential effects on the Rushy Meadows SSSI are assessed in the Environmental Statement Volume 1, Chapters 13 (Ecology) and 16 (Water Resources and Flood Risk). It finds that during the operational and construction phases, there would be a negligible effect on the SSSI. It also confirms that there is no hydrological connectivity between the SSSI and the Site, and that there would be no material change in ground water levels as a result of the Proposed Development. The delivery of a LNR along Rowel Brook is not necessary mitigation for this to be the case. Nonetheless, OUD



appreciate the need to protect and strengthen SSSIs and have put in place commitments to do this and meet policy requirements.

In accordance with paragraph 180 of the NPPF, adverse effects to the SSSI are avoided. With reference to Policy ESD10 of the Local Plan, the Proposed Development will not lead to the damage or loss of the SSSI, indeed measures and commitments are in place to help strengthen the resilience of the SSSI. Habitat connectivity will be improved through delivery of the framework measures set out in the OLEMP, and through the delivery of 29.2ha of LNR land and 12.2ha of nature conservation area land.

In summary, appropriate regard has been had to the site-specific policy, the Local Plan and the NPPF with regard to the delivery of a local nature reserve and the protection of the Rushy Meadows SSSI and the OPA is considered to be compliant with those provisions.

## **2 Management of green space**

The Trust highlight the importance of long term management to securing meaningful improvements to biodiversity.

Section 4 of the OLEMP sets out a series of outline management measures to help restore nature and enhance biodiversity within the Site. These outline measures will form the basis of detailed LEMPs, which will be formulated and submitted to the local planning authority as part of future applications, should outline permission be granted.

The Trust's advice that management commitments should be made in perpetuity is noted and it is expected that there will be discussions with CDC on this topic.

## **3 Compliance with part 20 of Policy PR8**

The Trust have highlighted part 20 of Policy PR8 and '*request that a detailed Biodiversity Improvement and Management Plan ('BIMP') should be written, submitted and consulted on before this application is considered for determination.*'

As set out at the start of this letter, the application is made in outline with all matters reserved for future determination. Preparing a detailed BIMP that is not based on detailed ecological and landscaping proposals would likely result in a plan that is either ineffectual or that would require significant adjustment as detail is brought forward at a later date.

The Applicant at this stage is seeking to lock in commitments to key parameters, such as open space and biodiversity net gain (on which, see below), whilst allowing flexibility to respond to and accommodate detailed proposals in the future. The Control Documents do this, namely the OLEMP, Development Specification, Strategic Design Guide and Parameter Plans.



## 4 Biodiversity commitments

The Trust have stated that there is *'no commitment to provide a net gain in biodiversity.'*

OD's commitment to delivering at least a 20% net gain in biodiversity within the Site is set out at Development Principle 14.1 of the Development Specification. It is also anticipated that there will be a clause in the section 106 agreement to this effect.

The Biodiversity Net Gain Assessment demonstrates that a 20% net gain in biodiversity is feasible and deliverable at this outline stage. Detailed proposals would follow the grant of outline consent, where there will be opportunities to work alongside the Trust in formulating proposals that make the most of the opportunities available.

## 5 Loss of other neutral grassland

The Trust have noted that *'although not a priority habitat, other neutral grassland is a high-quality habitat and it is regrettable that several areas where it occurs, including several examples in moderate condition, are due to be lost.'*

The Biodiversity Net Gain Assessment sets out that there are just over 9ha of neutral grassland within the Site. The majority of this is, as the Trust note, within the former landfill area that is identified in the OPA as the 'Central Park'. The Proposed Development would remediate this land and provide it as a 'Central Park'. Whilst detailed proposals for the design of the Central Park are reserved for later stages of planning, it can be assumed that there would be a loss of at least some of the neutral grassland in this specific part of the Site. This is to ensure that the land can be used as a focus for recreation, thus alleviating some of this pressure from Rowel Brook Park and other larger open areas where there will be significant provision of neutral grassland of a good and moderate condition. The Biodiversity Net Gain Assessment indicates at Table 13.4-2 that this would amount to just over 45ha, a c.400% increase.

It is acknowledged that this assessment is illustrative at this point, however, it can be seen that there would be no loss of neutral grassland within the Site as a result of the Proposed Development; there would in fact be a significant gain.

### Summary

We recognise the important role that BBOWT play in providing advice to local authorities to help preserve, protect and enhance the region's ecology. As set out above, there are further stages of planning and design to go through, and we look forward to working constructively with BBOWT to ensure that the Begbroke Innovation District can help people, flora and fauna to flourish.

I hope that the above is helpful in informing BBOWT on the merits of the OPA, which seeks to lock in key commitments to providing new habitats and delivering a significant net gain in biodiversity within



the Site. We remain open to further dialogue to help address any remaining concerns the Trust may have and would gladly schedule a meeting to do so.

Should you have any such queries or concerns, please do not hesitate to contact me directly

Yours sincerely

Gregory Blaxland  
**Associate**

cc. Matthew Sharpe (Quod)  
Tom Clarke (OUD)  
Andrew Thompson (CDC)