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Quod

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By email only

6th October

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Dear Gregory

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

Thank you for your letter of 22nd September. I would like to respond to each of the points you have raised below:

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

The Cherwell Local Plan 2011 - 2031 (Part1) Partial Review - Oxford's Unmet Housing Need includes at paragraph 8:

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

We acknowledge that Government guidance indicates that many types of land can make suitable LNRs, including agricultural land and orchards, commons and other accessible green spaces and that, of course, Rushy Meadows SSSI is itself grazed by cattle. However, there is a huge difference between conservation grazing for the purpose of managing a habitat for its biodiversity and a farm with agricultural buildings, hardstanding and roads even where the primary purpose of that farm is recreational and social as opposed to purely agricultural. If the social farm and allotments are to be included in the 29.2 hectares of LNR then the primary objective of those should be to provide a benefit for wildlife and an explanation is required as to how that is to be achieved.

Even if the allotments and orchards can be argued to fit the description of an LNR then at least the buildings and roads or paved paths (as shown in the illustration for Rowel Brook Park North in part 7 of the D&A) should not be included in the 29.2ha of LNR.

We do not agree that it is reasonable for the 29.2 ha to be made up from other areas of the site as is suggested by the following sentence:

"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."

The map **Policy PR8 Policies Map – Land East of the A44** is very specific about the location of the proposed LNR and making up the 29.2 ha using another area of the site would not fulfil 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, managed as a nature reserve, in the areas close to the SSSI. 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.

The Local Plan Policy on PR8 requires all of:

1. ***“The creation of a publicly accessible Local Nature Reserve on 29.2 hectares of land based on Rowel Brook in the location shown.***
2. ***The creation of a nature conservation area on 12.2 ha of land to the east of the railway line, south of the Oxford Canal and north of Sandy Lane as shown.***
3. ***The provision of public open green space as informal canalside parkland on 23.4 hectares of land as shown.”***

Therefore, we would not consider it appropriate that either 2 or 3 above, or indeed any other green space provision required by the Local Plan, are used to justify part of the LNR being land uses that may conflict with being an LNR, since the Local Plan required all three i.e. 29.2 ha of LNR PLUS 12.2 ha nature conservation area PLUS 23.4 ha public open space as informal canalside parkland.

In addition, we would be greatly concerned were the 12.2 ha nature conservation area to be designated as part of the LNR. LNR usually implies public access at least over a significant part of the LNR, and we consider that the approach set out for the Nature Conservation Area which states ***“Railway Marshes – this will be a nature conservation area of circa 12.2ha in the eastern extent of the Site (to the east of the railway line), primarily for habitat and biodiversity enhancement with limited public access. A bird-viewing hide or similar type of structure may be constructed where this does not cause unacceptable visual impacts or adverse impacts to existing or new habitats and species. These measures aim to strengthening the Oxford Canal corridor contributing to Oxfordshire’s Nature Recovery Network.”*** is the right one and that this could be undermined by this land being called an LNR.

We note the proposal to provide a:

“15m buffer of native vegetation (such as wild flower grassland with scrub) bounding the perimeters of the Community Farm fringing the SSSI”

We do not consider this an adequate buffer to the SSSI and we refer again to our initial response which states:

The LNR required by the Local Plan is vital mitigation for the SSSI for numerous reasons including:

- a) By greatly increasing the area of natural habitat adjacent to the SSSI it will increase the resilience of the SSSI against the possible negative impacts of the development, following the standard ecological theory that larger and ecologically connected sites provide greater resilience for both habitats and species, compared to smaller and isolated sites. Such resilience would help the SSSI resist the potential impacts of recreation, disturbance, lighting, hydrological impact, air pollution impact, and loss of connectivity;
- b) It would provide significant buffering against many of the above impacts;

- c) By providing alternative recreational access to a nature reserve rich in natural habitat, it would reduce the level of recreational access to the SSSI. There are many people who will seek out a wild, natural setting for recreation as opposed to a park.

2. Management of green space

We welcome the intention to provide management commitments in perpetuity and would request that we are kept informed of the outcome of the proposed discussions with CDC.

3. Compliance with part 20 of Policy PR8

Part 20 of Policy PR8 states:

“The application(s) shall be supported by a proposed Biodiversity Improvement and Management Plan (BIMP) informed by the findings of the BIA and habitat surveys and to be agreed before development commences. The BIMP shall include: ...”

There follows a list of items which are to be included in the BIMP. We would request that, if the BIMP cannot be submitted at this stage then details of how each of these items is to be achieved should be supplied. This is fundamental to the acceptability of the development and so should be set out at the outline stage rather than at the reserved matters stage.

4. Biodiversity commitments

We welcome OUD’s commitment to delivering at least a 20% net gain in biodiversity within the Site and the intention to include a clause in the section 106 agreement to this effect.

5. Loss of other neutral grassland

We note that:

“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...”

However, we would suggest that the use of this area as a focus for recreation is not incompatible with retaining the majority of this grassland. For example, mown paths can be provided to encourage recreation whilst protecting the majority of this high-quality habitat.

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