

Friends of Stratfield Brake (FoSB)

Response to the August 2023 Scoping Request for OUFC's stadium

12 September 2023

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- SUMMARY (a summary of the information provided in ANNEX 1)
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We would like to draw your attention to the following:

- Our ecology reports provide evidence that SECTION 6 (ECOLOGY AND NATURE CONSERVATION) of the Scoping Request significantly and materially understates the biodiversity value of the Triangle;
- a recent sighting on the site of the Brown Hairstreak Butterfly (red listed and protected);
- the potential for Great Crested Newts to be present on this site;
- information suggesting that the extended surveys from August to October 2022 did not in fact take place as described

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SUMMARY

SECTION 1: INTRODUCTION

1. The plan is not consistent with that in the proposals put forward by Oxfordshire County Council (OCC) because it includes the woodland to the south of the site. Why the discrepancy?
2. The woodland is significant: ancient woodland indicators are present, note additional protection provided to Ancient Woodland, OUFC have proposed it for 'enhancement', a very rare fungus has been identified on site, protected species may be present.

SECTION 2: SITE DESCRIPTION

1. Area differs from OCC proposal
2. List of site allocations omits PR6a (800 dwellings)
3. The site description underplays the ecological value of the site i.e. Ancient Woodland potential, what was the assessment of trees being of moderate value based on?, overlooks that much of the ecological value of the woodland is in the dead and decaying trees, fails to state the NERC designation as a priority woodland, overlooks the high ecological value of the vegetated boundaries.
4. We question whether the Scoping Request's conclusion regarding designated sites is correct. Our Preliminary Ecological Appraisal (PEA) indicates that a small section of the site itself is designated as a Cherwell District Wildlife Site, albeit this is primarily associated with the adjacent offsite woodland. There are two statutory designated sites within the 2 km search area and seven non-statutory sites, many of which comprise meadow. The site is situated within a number of SSSI (Site of Special Scientific Interest) Impact Risk Zones, which are used to 'to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)'. In particular the south west corner of the site is situated within a zone associated with Pixey and Yarnton Meads SSSI (which is also designated as Oxford Meadows Special Area of Conservation SAC), whereby any large infrastructure proposal with a floorspace of 1000m² or greater requires consultation from Natural England to determine any potential adverse impacts in respect of water supply, with a Habitat Regulations Assessment potentially being required due to the SAC designation.
5. Rather than being '*washed over by the Oxfordshire Green Belt*', the site is in fact an important remaining part of the Oxford Green Belt in this area. The Triangle is the last remaining Green Belt separating Oxford from Kidlington and it serves the NPPF purposes of the Green Belt well.

6. Section 2.7. states: “The Site is well related to existing and proposed development and is in a highly accessible location, adjacent to the strategic highway network as well as Oxford Parkway Railway Station and Park and Ride. It is therefore accessible by a range of transport modes.”. This sweeping statement ignores key points such as: the ‘potential’ footbridge (as it is described by OUFC) being merely an aspiration and the existing level of traffic congestion. In particular it ignores the following comments made in relation to the nearby PR6a site in June 2023 by the County Council Highways Department, both of which are relevant to the Triangle:
- a. *Oxfordshire County Council does not object to the principle of development in this location, but further evidence is required regarding the traffic impact of the site. Until the transport model has been provided and agreed an objection is raised on highway grounds.*
 - b. *Cotteslowe Roundabout is seen as a barrier as the current arrangement for pedestrians and cyclists is poor and with the increase in expected users this is unacceptable. Until a scheme has been agreed which improves the convenience and safety for active travel users, an objection is raised on highway grounds.*

SECTION 3: THE PROPOSED DEVELOPMENT

Many of the statements in this section are unsatisfactory. We appreciate that some of our questions below are considered under the relevant later headings but this section, titled ‘The Proposed Development’ contains too many broad and unevicenced statements. We therefore consider Section to be misleading.

1. What wider countryside will the stadium be connected to? The only countryside directly adjacent to the Triangle is owned by a third party who would be unlikely to appreciate this connection.
2. What town would the Triangle be connected to? There are no towns in the vicinity.
3. Other areas of woodland, canal walks etc are already accessible via Stratfield Brake.
4. We have expressed concerns regarding the woodland above and are concerned by the apparent suggestion that it should be accessible from a site which will be capable of holding up to 16,000 people at any one time.
5. We question whether it is possible to promote environmental stewardship by connection to an area which will hold so many people at any one time on a regular basis.
6. What has happened to the aspirational 20% biodiversity gain mentioned as a target by OUFC in the recent OCC consultation?
7. Trees can’t be ‘displaced’. Does this actually mean tree removal?
8. Hundreds of trees are already going to be lost in the Kidlington Gap. What about the cumulative impact of this on wildlife and biodiversity?
9. There are some mature trees and NERC protected woodland on this site. Much more attention to the potential effect of the development on trees is required. This should include the effect on species which use these trees for food and habitat e.g. bats (a protected species), and birds.
10. Where is the detailed transport assessment to support these proposals?
11. What improvements to the connectivity of the railway station are proposed and who will pay for them?
12. Why hasn’t a detailed match day travel plan been prepared?
13. How many people will arrive by public transport?
14. OUFC stated in the recent County Council consultation that use of the Park & Ride sites is intended. What will be the wider implications of this?
15. How and where will fans disembark from coaches?
16. How will parking in nearby residential areas and on roadsides and in amenity car parks (e.g. Sainsburys) be prevented?

SECTION 4: GENERAL APPROACH TO THE EIA ASSESSMENT

The Scoping Request seems to us to have a disregard for the cumulative effects of the substantial other developments planned in the local vicinity. This is a gaping omission throughout the Scoping Request.

SECTION 5: LANDSCAPE AND VISUAL IMPACT

We agree that the topic of Landscape and Visual Impact should be scoped into the Environmental Statement on the basis that there is potential for significant effects. With a proposed maximum height of 25m this structure would

dominate the surrounding landscape and would be visible for miles around. Given the undulating local landscape and the location of the Triangle on a slope the impact assessment is vital.

SECTION 6: ECOLOGY AND NATURE CONSERVATION

FoSB has commissioned three ecological reports on the site (known as the Triangle):

REPORT 1

A Preliminary Ecological Appraisal (PEA) which was prepared by Future Nature WTC, BBOWT's wholly-owned Ecology Consultancy. The WTC i.e. Wildlife Trust Consultancies comprises a group of 23 local consultancies delivering terrestrial and marine ecological services, landscape architecture, arboriculture and habitat management services across the UK and Ireland. They offer unrivalled knowledge of habitats, species and planning processes, for local and regional sites.

The Executive Summary of the PEA is reproduced below:

“Future Nature WTC was commissioned in April 2023 to undertake a Preliminary Ecological Appraisal of the land at The Triangle in Kidlington, Oxfordshire. The appraisal sought to identify the value of the habitats present for biodiversity and whether there were opportunities for protected and priority habitats or species to be present.

The site is predominantly formed by willow coppice, surrounded and bisected by a grassland access track, with peripheral habitats also including dense mixed and hawthorn scrub and occasional trees. There is additionally an area of high quality woodland adjacent to the southern site boundary, and an ephemeral pond/waterbody within the boundary scrub.

The scrub, adjacent woodland and grassland habitats confer potential opportunities for bats (foraging, commuting and roosting), birds, invertebrates and limited potential opportunities for reptiles, amphibians, badger and other mammals such as hedgehogs. Accordingly any potential development would need to fully consider any potential adverse impacts on these habitats and species groups, with appropriate mitigation measures designed into the project.”

REPORT 2

A Botanical and Invertebrate Biodiversity survey which was prepared by a local freelance Ecologist who has been employed on species survey work in Oxfordshire by Natural England, BBOWT, Oxford City Council, private landowners and Local Wildlife Groups. The report's conclusion includes the following: “The Triangle has been shown here to be a site with considerable biodiversity of plants and invertebrates, with some rare species and interesting records in a few other groups. Any assumption that the big area of willow coppice in the site centre means low biodiversity has been shown to be wrong, mainly because (unknown before these surveys) underneath the coppice is a complete herb layer with a diversity of herbaceous plants, flowering in abundance in summer, dominated by Fleabane, with the red-listed Corn Mint and including two species of Orchids. This community is adapted to the heavy clay winter-wet soil plus the management regime and in my opinion would be very difficult to re-create. The tenant's non-intensive willow coppice management of the site centre is the best thing that could have happened here to maximise biodiversity, especially of flowers and invertebrates. Abundance of common insects is important as well as diversity. The sheer abundance of common leaf-feeding beetles on the osier coppice growth will be important as a food resource for all species higher up the food web, particularly insectivorous birds. Recent decline of insect populations is causing much concern, but insect decline is not observable here. Apart from the good overall invertebrate biodiversity it is particularly notable how the abundant summer and late summer flower resource supports the needs of all vital pollinating insects (bees, flies etc.) at a time when flower resource in other habitats, such as verges or meadows, is not available (due to being in seed or cut for hay).

REPORT 3

A Survey of Plants, Invertebrates and Fungi on the woodland south of the Triangle which was prepared by the same Ecologist as in (2) above. The conclusion is: *“This is a strip of valuable Lowland Mixed Deciduous*

Woodland, a Priority UK BAP habitat. It has a small suite of plants which are ancient woodland indicators and a good range of fungi associated with the roots of the oak trees and with the deadwood of the variety of tree species present. It therefore readily fits the species criteria for Ancient Woodland. It is somewhat affected by nutrient enrichment. An old raised track way (wood bank) is present in the wood along the southern margin which is along Kidlington Parish boundary next to a ditch. Such wood bank features are also typical of Ancient Woods.”

The survey also notes: *“The site is notable for the amount of standing dying trees and fallen deadwood of all sizes as well as dead stumps and rotting coppice stools. This means that there is a lot of habitat for fungi specific to deadwood and for saproxylic (deadwood-breeding) insects contributing to a potentially high biodiversity of those insect types. Standing, dying trees exhibited some rot holes or possible woodpecker holes and flaking peeling bark on standing dead trees was commonly encountered, likely providing good potential for roosting bats. (For examples see Appendix I). It is critical for maximum biodiversity that **deadwood of all sizes should not be removed or burnt”**. Two juvenile (3cm) Common Frogs and deer were encountered during this survey.*

OUR COMMENTS BELOW HAVE BEEN INFORMED BY THE ABOVE REPORTS

1. Since 2022 significant further information has been filed with TVERC. The background information compiled by Ecology Solutions therefore requires updating and the Scoping Request is not based on the most up to date available information.
2. Extracts from our Botanical and Invertebrate Biodiversity Survey are included in ANNEX 2. In summary the report, which was carried during summer 2023, demonstrates:
 - a. A considerable diversity of plants and invertebrates have been recorded on the Triangle, including rare examples of each.
 - b. A much richer biodiversity is very likely to be found with more visits spaced out through the year and covering additionally spring, early summer and autumn.
 - c. The Triangle is rich in biodiversity for a number of reasons including: no public access, low nutrient soil benefitting wild flowers, no pesticides or insecticides, varying hydrology giving rise to a variety of habitats, proximity to Stratfield Brake allowing mobile species to use the food resources (frogs, dragonflies, damselflies, bats, birds etc), the willow and the management used ie coppicing, the area of scrub, the diversity of trees, mowing of the rides, and more.
 - d. In total **127** species of Vascular Plants and **104** species of herbaceous plants were found in the Triangle. This includes 15 species of grasses, four species of rush and nine species of sedge plus one horsetail.
 - e. The willow coppice provides a richly biodiverse habitat [which is not of little intrinsic ecological value as suggested by Ecology Solutions].
 - f. Willow supports a wide diversity of invertebrates which in turn provide food for birds and bats.
 - g. Willow is a hugely important nectar and pollen source from the flowers (catkins) in spring.
 - h. Lowland Mixed Deciduous Woodland habitat adjacent to the Triangle to the south is a Priority Habitat (Habitat of Principal Importance) and features mainly mature Pedunculate Oaks, Ash, Sycamore and various scrub species.
 - i. The Woodland to the south fulfils all the criteria for Ancient Woodland.
 - j. The Triangle east and west margins provide a thick and valuable habitat with abundant Bramble, Dewberry, Sallow, Hawthorn, Elms and Blackthorn with occasional trees.
 - k. The ditches within the margins provide linear shaded wetland habitat for much of each year, benefitting mostly specific invertebrates.
 - l. Scrub is the most valuable habitat for bird diversity and will support many insects. [The scrub is not of low ecological value as suggested by Ecology Solutions]. Also the marginal strips will be corridors for foraging, hunting bats.
 - m. The lack of street lighting along Frieze Way makes the marginal belt on the west side especially important to commuting bats.
 - n. The Triangle habitats probably represent a good foraging area for any bats using the nearby Ancient Woodland, which does have mature trees and plenty of standing deadwood with peeling loose bark for roosting. **A bat survey is needed.**

- o. Currently Frieze Way has no street lights so there is little to dissuade bats from commuting across it from the bigger Stratfield Brake western woodland block and Woodland Trust plantings.
 - p. **The Ecologist considers there is sufficient diversity of plants and invertebrates at this Triangle site for it to be worthy of consideration for District Wildlife Site Status, it would be a good extension to the existing Stratfield Brake DWS [District Wildlife Site]. Currently the Triangle habitats and species are valuable in themselves, but they also perform a very important role in supporting and protecting the wildlife of the narrow strip of priority Ancient Woodland to the south which is also in the core zone of the Proposed Nature Recovery Network for the County. Without the Triangle under its current management, this woodland would be very likely damaged by isolation and consequent loss of species.**
3. A female Brown Hairstreak has recently been spotted and photographed by our Ecologist on the Triangle. TVERC has been notified. This butterfly is **Red Listed as 'Vulnerable'** and also it is a **Priority Species listed in Section 41/42** of the Natural Environment and Rural Communities Act (2006). Also protected under the Wildlife and Countryside Act, 1981 (as amended). This raises the conservation importance of the site considerably. It could be breeding on the young blackthorn suckers all around the site.
 4. Our reports clearly demonstrate that the Scoping Request's statements relating to low ecological value made in paras 6.15 and 6.16 of the Scoping Request are not accurate. They are ill-informed and misleading and should not be relied upon.
 5. We have been advised by the tenant who currently occupies the Triangle that he did not give permission for surveys to be conducted in 2022. When he saw the automated bat detector and other equipment (reptile mats) he removed it because he didn't know what it was or who had put it there. As a result it was only in place for a very short period of time. If Ecology Solutions, who carried out the surveys for OUFC had been visiting the site regularly they would have known that the equipment had been removed. Claims that surveys were conducted in August September and October 2022 must therefore be called into question. Also, any findings (or non-findings) are similarly questionable. Our PEA Report indicates a significant bat presence in the area. Many bats have been recorded in the area, including rare species. A professional and comprehensive bat survey is required.
 6. Badgers: Our concerns around the 2022 surveys carried out for OUFC and the questionable reliability of information provided by its ecologist are relevant here. Have the badger surveys actually been carried out? If so were they carried out in an appropriate manner? And did the ecologist have permission to be onsite? Badgers exist in the area and are recorded as being present on the PR6a site close by. They are also likely to be present on Stratfield Brake. A competent assessment of badgers in the area is required.
 7. Birds: The Scoping Request states that the Triangle offers some foraging opportunities for birds. Our comments above regarding the inaccurate representation of the majority of habitats across the Triangle as of little and low intrinsic ecological value are relevant here. This represents an understatement of the foraging opportunities for birds which our report suggests are considerable. **Our PEA Report, based on a desk study states:** *"The data search returned records of 106 protected and notable bird species within 2km of the site. Several in each category are mentioned which would potentially find habitats at the site valuable. Nine of these are protected under Schedule 1 Part 1 of the WCA4 1981 (as amended) including Redwing Turdus iliacus, Fieldfare Turdus pilaris and Barn Owl Tyto alba. Sixteen Species of Principle Importance (as listed under Section 41 of NERC5 Act) were also recorded including Dunnock Prunella modularis, Spotted Flycatcher Muscicapa striata and Reed Bunting Emberiza schoeniclus. Thirty-six species are Red listed BoCC6 and 54 are Amber listed Species include Whitethroat Curruca communis, Marsh tit Poecile palustris and Tawny Owl Strix aluco."* Extensive work is therefore needed on birds and they must be scoped into the Environmental Statement.
 8. Great Crested Newts: The Scoping Request suggests that there is no possibility that Great Crested Newts are likely to exist on the Triangle. Based on evidence from our reports, we dispute this. Our PEA Report states: *"The data search [on amphibians] returned records of five amphibian species, including common frog Rana temporaria, common toad Bufo bufo, great crested newt, palmate newt Lissotriton helveticus and smooth newt Lissotriton all of which are protected under schedule five part nine of the Wildlife and Countryside Act 1981, whilst common toad and great crested newt are also a priority species. Great crested newt is also a European Protected Species and therefore receives additional protection. The scrub, grassland and willow coppice habitat, plus the adjacent offsite woodland provide suitable terrestrial habitat for this species group."*

And also: *“Further survey work would be required to understand the presence / likely absence of the protected species great crested newt, which if present would be sensitive to any increase in disturbance such as from littering and loss of terrestrial habitat which may arise from a change in land use. Great crested newts are European Protected Species and therefore appropriate mitigation and a licence from Natural England would be required for any works that could affect them.”*

The PEA Report also states that there is an ephemeral waterbody that offers minor potential for amphibians including the Great Crested Newt. Whilst this is acknowledged to be a small potential, given its protected status it is vital that the Environmental Statement includes a full assessment of amphibians and particularly the Great Crested Newt.

9. **Reptiles:** Our comments above regarding the survey which it is claimed took place between August – October 2022 are relevant. Were no reptiles recorded by Ecology Solutions because the survey was not undertaken in a professional manner? The Scoping Request states that the site offers some potential for reptiles. They must therefore be included in the Environmental Statement.
10. **Habitats:** The Scoping Request states that “The majority of the habitats within the Site are considered to be of low intrinsic ecological value”. Based on the evidence provided by our ecology reports we strongly dispute this conclusion that the majority of habitats within the site are of low ecological importance. Our reports demonstrate that the Triangle provides a richly biodiverse site comprised of a variety of habitats which will support foraging and nesting opportunities for birds and foraging and roosting opportunities for bats and other wildlife. We note that the hedgerows are to be scoped in to the Environmental Statements and support this. However, the other habitats on the Triangle must be included in the Environmental Statement as well.
11. Based on the evidence provided by our ecology reports we disagree with the sweeping assumption made in the Scoping Report that protected species are limited to more mobile species (e.g. bats and birds). The Environmental Statement must cover mobile species such as birds and bats. But, as stated above, expert opinion suggests there is potential for other species including Great Crested Newts, reptiles, badgers and hedgehogs. As mentioned above juvenile Common Frogs were found during one of our Ecologist’s surveys. We note that hedgehogs do not get a mention in the Scoping Request but believe that, as a priority species, we believe that they should.
12. **Statutory Designated Sites:** The point of the Environmental Statement is to assess the likely impact on designated sites. The Oxford Meadows SAC Port Meadow is within a reasonable walking distance of the Triangle. It is therefore *possible* that there could be an increase in recreational pressures on the SAC. The judgement as to whether there may be detrimental effects should therefore not be made prematurely as has been done in the Scoping Request. The possible detrimental effects (direct or indirect) as a result of the proposals at the Site to any statutory site of nature conservation interest must be included in the Environmental Statement.
13. **Non-statutory Designated Sites:** The point of the Environmental Statement is to assess the likely impact on designated sites. OUFC have stated in the recent County Council consultation that they intend to improve connectivity to the countryside. The potential impact on non-statutory sites cannot be prematurely decided via the Scoping Request at this stage with no evidence to support the decision. The potential impact on non-statutory sites must be included in the Environmental Statement.

SECTION 9: NOISE AND VIBRATION

There is no indication that the assessment of noise and vibration has taken into account the proposed new developments in the area or the effect on those and the future residents.

We are concerned about the long term permanent noise and vibration impacts on both residential areas and the local wildlife, particularly in the nearby Stratfield Brake Woodland Trust Reserve.

We can see no good reason why the following have been scoped out:

1. Quantitative assessment of noise generated by the crowd and stadium PA;
2. Permanent noise impacts from non-football events held within the stadium bowl (for example music concerts) as this does not form part of the proposals and would be subject to separate planning/licensing applications;

3. Traffic changes not exceeding +/-10%;

O UFC have stated publicly that they want the stadium in use for events 364 days a year. They will also inevitably want to use the stadium for concerts.

We ask that:

- a. 1, 2 & 3 above are included in the Environmental Statement. The Quantitative assessment of noise is particularly relevant to local residential developments (existing and future) and to wildlife in the area.
- b. The impact on new developments such as PR6 a & b is included
- c. The impact of noise and vibration on local wildlife is included in the Environmental Statement. The Cherwell Wildlife site and protected Woodland to the south of the site are very close and the impact on these and other nearby areas must be considered.

SECTION 10: AIR QUALITY

2,000 houses are to be built in the immediate area and a further 2,500 in nearby Begbroke & Yarnton. However, there is no indication in the Scoping Request that the cumulative effect of all these developments plus that of the Triangle is being considered. The air quality is certainly not going to improve as a result of these developments.

The Cutteslowe Roundabout is already a recognised 'pollution hotspot' and is part of Oxford City Council's AQAP 2021 – 2025. However, the Action Plan did not envisage a stadium being built in this area.

An existing review of air quality is not a guide to future air quality and should not be used to avoid an assessment of the impact on air quality.

The potential likely effect on air quality must be included in the Environmental Statement.

SECTION 11: LIGHTING

We agree that there is a risk of significant effects from obtrusive light on receptors that surround the Triangle, and the need for the ELIA to support other specialist assessments.

Lighting must be scoped in to the Environmental Statement.

SECTION 12: FLOODING

According to the Scoping Request the development is not expected to impact fluvial flood risk. However, it is possible that it will, and given the cumulative effects of the development of the area, we suggest that a decision to scope out the fluvial flood risk has been taken prematurely.

Fluvial flood risk must therefore be scoped in to the Environmental Statement.

SECTION 13: SOCIO-ECONOMICS

The suggested socio-economic benefits as stated by O UFC so far have not been supported by any evidence. We are therefore supportive of the socio-economic topic being scoped in and look forward to understanding how the claimed benefits have been arrived at.

SECTION 15: WASTE

15.32..... It is likely that contaminated waste may arise during construction if excavation activities are undertaken within 500m boundary of the Proposed Development.

Clarification is required regarding the statement underlined above. What does this mean? What is the impact? How will this contaminated waste be dealt with? Etc...

Also, nothing in this section indicates that the Scoping Request's author is aware of the contamination of the Triangle which occurred in 1999 when unauthorised dumping took place. The uncertainty surrounding this contamination means

that the waste management of the proposed development should be scoped in to the Environmental Statement and the decision to scope this out should be reversed.

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ANNEX 1

Please note: Extracts from the Scoping Request which we wish to comment on are shown in italics and shaded in grey. Our comments are then recorded below each extract.

SECTION 1

INTRODUCTION

1.10. • a plan sufficient to identify the land (Appendix 1);

The plan in Appendix 1 which identifies the site is not consistent with information provided by OCC. OCC have stated that the site does not include the strip of woodland to the south. However, given the significance of the woodland we believe it is correct to include it in this Scoping Request.

This woodland is significant for many reasons including but not limited to:

1. It has indicators for ancient woodland (ref ecology reports). The protection afforded to Ancient Woodland is significant and includes a significant buffer zone.
2. OUFC have included the woodland in their plans for increasing biodiversity on the site (albeit in our opinion in an entirely inappropriate manner). If they do not have control of the woodland (which in our opinion they must not) it will need particular protection due to the nature of a football stadium and the level of footfall, particularly on matchdays when in excess of 16,000 people may be on this relatively small site.
3. The impact of the stadium in terms of noise, light pollution, human activity etc should be considered.
4. A very rare fungus has been found there (see ecology reports later).
5. The woodland is annotated as Ancient Woodland in the Cherwell Local Plan.
6. Protected species may be present e.g. bats and hedgehogs

SECTION 2

SITE DESCRIPTION

2.1. The Site is approximately 7.3 ha and comprises primarily of inaccessible scrub and commercial willow plantation situated 6 km to the north of Oxford and at the gateway of Kidlington.

The site area as stated (7.3 ha) differs from the site as described by OCC in papers put before the OCC Cabinet for the purposes of decision making.

2.2 The Site is also bound by a number of site allocations within the adopted Local Plan, namely

The list of site allocations fails to mention PR6a, for 800 dwellings.

2.3. The Site comprises of greenfield land with vegetated boundaries and a strip of woodland along the Site's southern boundary. Surveys have identified a number of low-moderate quality trees around the outskirts of the woodland area.

There are problems with this description of the site because it underplays its ecological value:

1. The woodland is annotated in the Cherwell Local Plan as Ancient Woodland
2. There are markers for ancient woodland present (ref ecology reports below) supporting this designation as Ancient Woodland
3. The description of the woodland focuses on what are described as low-moderate quality trees. What about the other trees?

4. Who decided that these trees are of low-moderate quality? What criteria were used to reach this decision? We question this judgement and the validity of this assessment.
5. Woodland, particularly old woodland does not need to be comprised of high quality trees to be ecologically valuable. Much of the ecological value of woodland is associated with dead/dying trees.
6. What about the other trees on the site?
7. What about the ecological value of the vegetated boundaries?
8. The woodland is a NERC listed priority woodland

2.4. The Site is located in Flood Zone 1 and therefore is not considered at risk of fluvial flooding. The north of the Site indicates a risk of surface water flooding due to its topography.

The site is subject to significant flooding on a regular basis. This is well known locally and is noted in the Ecologist's report which is covered under SECTION 6.

2.5. The Site is not in or adjacent to an environmentally sensitive area, as defined by Regulation 2(1) of the EIA Regulations (i.e. sites designated as Sites of Specific Scientific Interest (SSSI), National Parks, World Heritage Sites, Scheduled Ancient Monuments, Area of Outstanding Natural Beauty and sites covered by international conservation designations).

This statement made in the Scoping Request is an oversimplification of the Triangle's location which is not consistent with later statements. Our PEA states (with our added emphasis):

"3.1 DESK STUDY

3.1.1 Designated Sites

A search of the MAGIC Website³ and local records centre indicated that **a small section of the site itself is designated as a Cherwell District Wildlife Site, albeit this is primarily associated with the adjacent offsite woodland.** There are two statutory designated sites within the 2 km search area and seven non-statutory sites, many of which comprise meadow. Details of these designated sites are summarised below in Table 1.

The site is situated within a number of SSSI (Site of Special Scientific Interest) Impact Risk Zones, which are used to 'to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)'. In particular the south west corner of the site is situated within a zone associated with Pixey and Yarnton Meads SSSI (which is also designated as Oxford Meadows Special Area of Conservation SAC), whereby any large infrastructure proposal with a floorspace of 1000m² or greater requires consultation from Natural England to determine any potential adverse impacts in respect of water supply, with a Habitat Regulations Assessment potentially being required due to the SAC designation."

We therefore question whether the Scoping Request's conclusion regarding designated sites is correct.

Our PEA also states: "There are two statutory designated sites within the 2 km search area and seven non-statutory sites, many of which comprise meadow. Details of these designated sites are summarised below in Table 1....."

Our PEA Table 1 lists one Statutory Designated Site i.e. Oxford Meadows, 1867 m away, and eleven Non-Statutory designated sites within a search area of 2km.

2.6. The Site is washed over by the Oxfordshire Green Belt....

Rather than being 'washed over by the Oxfordshire Green Belt' the site is in fact an important remaining part of the Oxford Green Belt in this area. The Green Belt boundaries have recently been re-drawn as part of the Cherwell Local Plan Partial Review to 2031. The Triangle is the last remaining Green Belt separating Oxford from Kidlington. With reference to S.137 (a) to (d) of the NPPF, the Triangle serves the purposes of the Green Belt well i.e.:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns;

2.7. The Site is well related to existing and proposed development and is in a highly accessible location, adjacent to the strategic highway network as well as Oxford Parkway Railway Station and Park and Ride. It is therefore accessible by a range of transport modes.

1. In what way is the site well related to existing and proposed development? Where is the evidence to support this statement?
2. It may be located near the strategic highway network but there needs to be some acknowledgement that this part of the transport network is one of the most congested in Oxfordshire. Given the nature of the proposed development this description is wholly inadequate.
3. We note that the indicative masterplan in Appendix 2 shows a footbridge across the A4165 Oxford Road. But in documentation prepared for the recent OCC consultation (June/July 2023) it was described as a 'potential footbridge'. Given that this footbridge is clearly only an aspiration we question why it is shown on the masterplan and believe that this is misleading.
4. In relation to the nearby PR6a site in June 2023 the County Council Highways Department made the following comments, both of which are relevant to the Triangle:
 - I. Oxfordshire County Council does not object to the principle of development in this location, but further evidence is required regarding the traffic impact of the site. Until the transport model has been provided and agreed an objection is raised on highway grounds.
 - II. Cuttesslowe Roundabout is seen as a barrier as the current arrangement for pedestrians and cyclists is poor and with the increase in expected users this is unacceptable. Until a scheme has been agreed which improves the convenience and safety for active travel users, an objection is raised on highway grounds.

Based on the above comments it would be reasonable to assume that the County Council Highways Department would not see this in quite the same way as those who drafted this report and would object to the stadium development on highways grounds.

SECTION 3

THE PROPOSED DEVELOPMENT

3.5. *One of the project drivers to is incorporate native species and local prominence landscaping elements into the design. The vision is to incorporate flexible multi-functional spaces that can be enjoyed whether it be a match day or not. The project aims to connect the stadium to the wider countryside, woodlands, canal walks, and nearby towns in a way that is attractive, safe, and enjoyable for walkers and cyclists, while also promoting environmental and cultural stewardship.*

1. What wider countryside will the stadium be connected to? The only countryside directly adjacent to the Triangle is owned by a third party who would be unlikely to appreciate this connection.
2. What town would the Triangle be connected to? There are no towns in the vicinity.
3. Other areas of woodland, canal walks etc are already accessible via Stratfield Brake.
4. We have expressed concerns regarding the woodland above and are concerned by the apparent suggestion that it should be accessible from a site which will be capable of holding up to 16,000 people at any one time.
5. We question whether it is possible to promote environmental stewardship by connection to an area which will hold so many people at any one time on a regular basis.

3.6. *As part of the project, a detailed Biodiversity Net Gain assessment will be undertaken with the aim to achieve a minimum 10% net gain. Any trees which are displaced by the Proposed Development will be replaced in accordance with the local guidance and advice.*

1. What has happened to the aspirational 20% biodiversity gain mentioned in the recent OCC consultation?
2. Trees can't be displaced. Does this actually mean tree removal?
3. Hundreds of trees are already going to be lost in the Kidlington Gap. What about the cumulative impact of this on wildlife and biodiversity?
4. There are some mature trees and NERC protected woodland on this site. Much more attention to the potential effect of the development on trees is required. This should include the effect on species which use these trees for food and habitat e.g. bats (a protected species), and birds.

3.7. *The main vehicular access to the site will be from Frieze Way (A4260). This would enable connections to the wider highway network including the A34 while keeping match day traffic to a minimum on Oxford Road. The existing site access on Oxford Road would be a secondary or emergency access only.*

1. This broad statement is totally inadequate as a justification for an access on Frieze Way. Where is the evidence that backs this assertion up?
2. A full transport assessment is required. This must take into account the significant number of developments planned for the area, both in the immediate vicinity of the site but also in the wider area. There are other considerations also, such as the proposed closure of Sandy Lane.
3. It is not possible to draw conclusions on how match day traffic would move without having an understanding of the available parking in the area. Within walking distance of the site there are many opportunities for on-street parking or parking in amenity car parks and much of this would involve traffic using the Oxford Road.
4. Addressing parking in the surrounding areas is fundamental to the stadium development proposal but it has not been touched on in this report.
5. The Oxford Road is inevitably going to be affected by traffic movements so having a main access route via Frieze Way would mean that two major routes in the area are disrupted.

3.8. Car parking will be provided for approximately 175 cars, and cycle parking will also be provided. Transport proposals also include improvements in the connectivity of Oxford Parkway Railway Station and Park and Ride to the Site, investment in EV charging and bike storage areas for fans and the community, and development of a sustainable Match Day Travel Plan which will provide enhanced access to the site by public transport on match days.

1. Where is the detailed transport assessment to support these proposals?
2. What improvements to the connectivity of the railway station are proposed and who will pay for them?
3. Why hasn't a detailed match day travel plan been prepared?
4. How many people will arrive by public transport?
5. OUFC stated in the recent County Council consultation that use of the Park & Ride sites is intended. What will be the wider implications of this?
6. How and where will fans disembark from coaches?
7. How will parking in nearby residential areas and on roadsides and in amenity car parks (e.g. Sainsburys) be prevented?

3.9. Construction phasing and programme assumptions are uncertain at this stage, although it is expected that the Proposed Development would be built out over a period of approximately 2 years, although this could be subject to change. At this stage, the following construction programme is anticipated:

- Enabling works – Autumn 2024
- Construction – Winter 2024 to Winter 2025
- Commissioning/Handover – Winter 2025 to Spring/Summer 2026
- Expected O&M period – Spring/Summer 2026 to Spring/Summer 2027

1. The construction of the stadium would be a very significant infrastructure project in an area where substantial development will already be taking place. Where is the acknowledgment and assessment of the cumulative impact of this?
2. What about the effect of construction traffic in the area during the construction phase?

SECTION 4

GENERAL APPROACH TO THE EIA ASSESSMENT

*Cumulative Effects 4.20. Schedule 4 (5)(e) of the EIA regulations **requires a description of the likely significant effects of the development on the environment resulting from 'the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources'**. The PPG, under Paragraph: 024 Reference ID: 4-024-20170728, states each application should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.*

With reference to the above, and in particular the section with our marked emphasis, the Scoping Request seems to us to have a disregard for the cumulative effects of the substantial other developments planned in the local vicinity. This is a gaping omission throughout the Scoping Request.

SECTION 5

LANDSCAPE AND VISUAL IMPACT

We agree that the topic of Landscape and Visual Impact should be scoped into the ES on the basis that there is potential for significant effects.

With a proposed maximum height of 25m this structure would dominate the surrounding landscape and would be visible for miles around. Given the undulating local landscape and the location of the Triangle on a slope the impact assessment is vital.

SECTION 6

ECOLOGY AND NATURE CONSERVATION

6.3. In order to compile background information on the Site and the surrounding area, Ecology Solutions contacted the Thames Valley Environmental Records Centre (TVERC) in October 2022.

Please note that significant further information has been filed with TVERC. The background information compiled by Ecology Solutions therefore requires updating and the Scoping Request is not based on the most up to date available information.

6.15. The majority of the Proposed Development comprises a Willow Salix sp. plantation bounded by hedgerows and trees, with a strip of species-poor, semi-improved grassland located between the boundaries and plantation. An area of scrub is present within the northern section of the Site.

6.16. The majority of the habitats across the Site, such as the willow plantation, are considered to be of little intrinsic ecological value. The areas of semi-improved grassland and scrub is (sic) also considered to be of low ecological value in terms of its species content, comprising only common and widespread species. The habitats that are of relatively greater ecological importance include the boundary features – hedgerows, trees, and the Priority Deciduous Woodland offsite and sharing the southern boundary of the Site.

The Botanical and Invertebrate Biodiversity Survey that was commissioned is evidenced with photos and a list of species which has been forwarded to TVERC.

Extracts from this report are provided in ANNEX 2. In summary the report, which was carried during summer 2023, demonstrates:

1. A considerable diversity of plants and invertebrates have been recorded, including rare examples of each.
2. A much richer biodiversity is very likely to be found with more visits spaced out through the year and covering additionally spring, early summer and autumn.
3. The Triangle is rich in biodiversity for a number of reasons including: no public access, low nutrient soil benefitting wild flowers, no pesticides or insecticides, varying hydrology giving rise to a variety of habitats, proximity to Stratfield Brake allowing mobile species to use the food resources (frogs, dragonflies, damselflies, bats, birds etc), the willow and the management used ie coppicing, the area of scrub, the diversity of trees, mowing of the rides, and more.
4. In total **127** species of Vascular Plants and **104** species of herbaceous plants were found in the Triangle. This includes 15 species of grasses, four species of rush and nine species of sedge plus one horsetail.
5. The willow coppice provides a richly biodiverse habitat [which is not of little intrinsic ecological value as suggested by Ecology Solutions].
6. Willow supports a wide diversity of invertebrates which in turn provide food for birds and bats.
7. Willow is a hugely important nectar and pollen source from the flowers (catkins) in spring.
8. Lowland Mixed Deciduous Woodland habitat adjacent to the Triangle to the south is a Priority Habitat (Habitat of Principal Importance) and features mainly mature Pedunculate Oaks, Ash, Sycamore and various scrub species.
9. The Woodland to the south fulfils all the criteria for Ancient Woodland.

10. The Triangle east and west margins provide a thick and valuable habitat with abundant Bramble, Dewberry, Sallow, Hawthorn, Elms and Blackthorn with occasional trees.
11. The ditches within the margins provide linear shaded wetland habitat for much of each year, benefitting mostly specific invertebrates.
12. Scrub is the most valuable habitat for bird diversity and will support many insects. [The scrub is not of low ecological value as suggested by Ecology Solutions]. Also the marginal strips will be corridors for foraging, hunting bats.
13. The lack of street lighting along Frieze Way makes the marginal belt on the west side especially important to commuting bats.
14. The Triangle habitats probably represent a good foraging area for any bats using the nearby Ancient Woodland, which does have mature trees and plenty of standing deadwood with peeling loose bark for roosting. **A bat survey is needed.**
15. Currently Frieze Way has no street lights so there is little to dissuade bats from commuting across it from the bigger Stratfield Brake western woodland block and Woodland Trust plantings.
16. **The Ecologist considers there is sufficient diversity of plants and invertebrates at this Triangle site for it to be worthy of consideration for District Wildlife Site Status, it would be a good extension to the existing Stratfield Brake DWS. Currently the Triangle habitats and species are valuable in themselves, but they also perform a very important role in supporting and protecting the wildlife of the narrow strip of priority Ancient Woodland to the south which is also in the core zone of the Proposed Nature Recovery Network for the County. Without the Triangle under its current management, this woodland would be very likely damaged by isolation and consequent loss of species.**

Please note that a female Brown Hairstreak has recently been spotted and photographed by our Ecologist on the Triangle. TVERC has been notified. This butterfly is **Red Listed as 'Vulnerable'** and also it is a **Priority Species listed in Section 41/42** of the Natural Environment and Rural Communities Act (2006). Also protected under the Wildlife and Countryside Act, 1981 (as amended). This raises the conservation importance of the site considerably. It could be breeding on the young blackthorn suckers all around the site.

It is clear from our report that the above statements relating to low ecological value made in paras 6.15 and 6.16 of the Scoping Request are not accurate. They are ill-informed and misleading and should not be relied upon.

6.17. Bat activity and automated detector surveys were conducted in August, September and October 2022. A specific survey to assess the trees onsite for the potential of roosting bats was undertaken in October 2022.

We have been advised by the tenant who currently occupies the Triangle that he did not give permission for surveys to be conducted in 2022. When he saw the automated bat detector and other equipment (reptile mats) he removed it because he didn't know what it was or who had put it there. As a result it was only in place for a very short period of time. If Ecology Solutions who carried out the survey for OUFC had been visiting the site regularly they would have known that the equipment had been removed. Claims that surveys were conducted in August September and October 2022 must therefore be called into question. Also, any findings (or non-findings) are similarly questionable.

Our PEA Report indicates a significant bat presence in the area and states: *"The data search returned 252 bat records from 13 species or species groups within 2km of the site, including rare species such as western barbastelle *Barbastella barbastellus* and Bechstein's bat *Myotis bechsteinii*, recorded in 2016 and 2019 respectively"*.

A comprehensive bat survey is required.

Badgers 6.22. No evidence of Badgers was recorded from within the Site.

Our concerns around bat surveys and the reliability of information provided by the ecologist are relevant here. Have the badger surveys actually been carried out and if so were they carried out in an appropriate manner? And did the ecologist have permission to be onsite?

Badgers exist in the area and are recorded as being present on the PR6a site close by. They are also likely to be present on Stratfield Brake.

Birds 6.23. It is considered that the hedgerows, trees, willow plantation and scrub within the Site offer suitable nesting and foraging habitat for birds, while the semi-improved grassland offer some limited foraging opportunities for birds.

Our comments above regarding the inaccurate representation of the majority of habitats across the Triangle as of little and low intrinsic ecological value are relevant here. This represents an understatement of the foraging opportunities for birds which our reports suggest are considerable.

Our PEA Report, based on a desk study states: *“The data search returned records of 106 protected and notable bird species within 2km of the site. Several in each category are mentioned which would potentially find habitats at the site valuable. Nine of these are protected under Schedule 1 Part 1 of the WCA4 1981 (as amended) including Redwing *Turdus iliacus*, Fieldfare *Turdus pilaris* and Barn Owl *Tyto alba*. Sixteen Species of Principle Importance (as listed under Section 41 of NERC5 Act) were also recorded including Dunnock *Prunella modularis*, Spotted Flycatcher *Muscicapa striata* and Reed Bunting *Emberiza schoeniclus*. Thirty-six species are Red listed BoCC6 and 54 are Amber listed Species include Whitethroat *Curruca communis*, Marsh tit *Poecile palustris* and Tawny Owl *Strix aluco*.”*

Extensive work is therefore needed on birds and they must be scoped into the Environmental Statement.

Great Crested Newts

The Scoping Request suggests that there is no possibility that Great Crested Newts are likely to exist on the Triangle.

We dispute this.

Our PEA Report states: *“The data search [on amphibians] returned records of five amphibian species, including common frog *Rana temporaria*, common toad *Bufo bufo*, great crested newt, palmate newt *Lissotriton helveticus* and smooth newt *Lissotriton* all of which are protected under schedule five part nine of the Wildlife and Countryside Act 1981, whilst common toad and great crested newt are also a priority species. Great crested newt is also a European Protected Species and therefore receives additional protection. The scrub, grassland and willow coppice habitat, plus the adjacent offsite woodland provide suitable terrestrial habitat for this species group.”*

And also: *“Further survey work would be required to understand the presence / likely absence of the protected species great crested newt, which if present would be sensitive to any increase in disturbance such as from littering and loss of terrestrial habitat which may arise from a change in land use. Great crested newts are European Protected Species and therefore appropriate mitigation and a licence from Natural England would be required for any works that could affect them.”*

The PEA Report also states that there is an ephemeral waterbody that offers minor potential for amphibians including the Great Crested Newt. Whilst this is acknowledged to be a small potential, given its protected status it is vital that the Environmental Statement includes a full assessment of amphibians and particularly the Great Crested Newt.

Reptiles 6.32. Reptile surveys were conducted within the Site and within the adjacent Stratfield Brake Sports Ground, which is separated from the Site by Frieze Way, between August and October 2022. No reptiles were found within the Site, however one Grass Snake was recorded within the Stratfield Brake Sports Ground.

Our comments above regarding the survey which it is claimed took place between August – October 2022 are relevant. Were no reptiles found because the survey was not conducted in a professional manner? The Scoping Request states that the site offers some potential for reptiles. They must therefore be included in the Environmental Statement.

Habitats

6.36. The Proposed Development involves losses to arable (willow plantation), semi-improved grassland and scrub, existing hedgerows and trees in order to facilitate the Proposed Development.

6.37. The majority of the habitats within the Site are considered to be of low intrinsic ecological value. The boundary features, which include the hedgerows and trees, are of relatively greater ecological value. The hedgerows and trees offer suitable foraging and nesting opportunities for birds and foraging and dispersal/ navigational opportunities for wildlife, e.g. bats. There are also two mature trees on site which are considered to offer potential for roosting bats. The habitats, especially the hedgerows (a Priority Habitat) and trees, are to be scoped into the assessment as impacts are anticipated as part of the Proposed Development.

As mentioned above we strongly dispute the conclusion that the majority of habitats within the site are of low ecological importance. Our reports support our assertion that the Triangle provides a richly biodiverse site comprised of a variety of habitats.

We disagree with the description of the Willow as 'arable' because this undermines its biodiversity value.

We note that the hedgerows are to be scoped in to the Environmental Statements and support this.

However, the other habitats on the Triangle must be included in the Environmental Statement as well.

Protected Species 6.38. The Proposed Development is an isolated area of land as it is surrounded by main roads, thus protected species are limited to more mobile species, such as bats and breeding birds, as the roads hinder movements by non-flying fauna.

We disagree with the sweeping assumption that protected species are limited to more mobile species.

The Environmental Statement must cover mobile species such as birds and bats. But, as stated above, expert opinion suggests there is some potential for other species including Great Crested Newts, reptiles, badgers and hedgehogs. As mentioned above juvenile Common Frogs were found during one of our Ecologist's surveys.

We note that hedgehogs do not get a mention in the Scoping Request but believe that, as a priority species, we believe that they should.

Statutory Designated Sites 6.44. There are multiple statutory designated sites located within the Site search radius (5km for SSSI, 10km for SAC), with the closest statutory site being Pixey and Yarnton Meads SSSI (1.9km southwest). This SSSI also forms part of Oxford Meadows SAC. The SSSI/SAC is well separated from the Site by main roads (i.e. A44, A34), open countryside and a railway. Moreover, it is considered that the proposals of a commercial development (football stadium) is unlikely to lead to an increase in recreational pressures at the SAC.
6.45. On this basis, it is not considered that any detrimental effects (direct or indirect) will arise as a result of the proposals at the Site to any statutory site of nature conservation interest.

The point of the Environmental Statement is to assess the likely impact on designated sites. The Oxford Meadows SAC Port Meadow is within a reasonable walking distance of the Triangle. It is therefore possible that there *could* be an increase in recreational pressures on the SAC. The judgement as to whether there may be detrimental effects should therefore be made as part of the Environmental Statement, not in the Scoping Request.

The possible detrimental effects (direct or indirect) as a result of the proposals at the Site to any statutory site of nature conservation interest must be included in the Environmental Statement.

Non-Statutory Designated Sites 6.46. There are multiple non-statutory sites located within the Site search radius, of which Stratfield Brake Woodland Trust Reserve / CDWS, located adjacent to the site, has been scoped in (see above). The next closest non - statutory site is Meadows West of the Oxford Canal, LWS (0.65km west), which is separated from the Site by Frieze Way, Stratfield Brake Sports Ground and Stratfield Brake Cherwell District Wildlife Site. As such, no detrimental impacts are anticipated from the Proposed Development's construction activities.

6.47. The Proposed Development is not considered to have any detrimental effects (direct or indirect) on any other statutory and non-statutory site of nature conservation interest.

The point of the Environmental Statement is to assess the likely impact on designated sites. OUFC have stated in the recent County Council consultation that they intend to improve connectivity to the countryside so the potential

impact on non-statutory sites must be included in the Environmental Statement. It cannot be prematurely decided via the Scoping Request at this stage with no evidence to support the decision.

SECTION 9

NOISE AND VIBRATION

9.47. *It is proposed that the following aspects are scoped out of the noise and vibration assessment:*

- *Quantitative assessment of noise generated by the crowd and stadium PA;*

.....

- *Permanent noise impacts from non-football events held within the stadium bowl (for example music concerts) as this does not form part of the proposals and would be subject to separate planning/licensing applications;*

- *Traffic changes not exceeding +/-10%; and*

.....

9.49. *The Proposed Development has the potential to result in temporary and permanent noise and vibration impacts due to a variety of sources during the construction and operational phases. There are various residential and non-residential sensitive receptors in the area surrounding the Proposed Development. Therefore, there is potential for adverse effects to arise and a requirement for these to be assessed to identify potential significant effects so that the scope to mitigate them can be considered. On this basis, it is recommended that the assessment of noise and vibration is scoped into the EIA and that the aspects identified above as 'scoped in' are assessed as described here. The prediction of potential noise and vibration impacts may also inform the assessments of other disciplines such as biodiversity. The approach to the assessment shall be agreed in consultation with the Environmental Health teams of CDC and Oxfordshire County Council.*

There is no indication that the assessment of noise and vibration has taken into account the proposed new developments in the area or the effect on those and the future residents.

We are concerned about the long term permanent noise and vibration impacts on both residential areas and the local wildlife, particularly in the nearby Stratfield Brake Woodland Trust Reserve.

We can see no good reason why the following have been scoped out:

4. Quantitative assessment of noise generated by the crowd and stadium PA;
5. Permanent noise impacts from non-football events held within the stadium bowl (for example music concerts) as this does not form part of the proposals and would be subject to separate planning/licensing applications;
6. Traffic changes not exceeding +/-10%;

O UFC have stated publicly that they want the stadium in use for events 364 days a year. They will also inevitably want to use the stadium for concerts.

We ask that:

- d. 1, 2 & 3 above are included in the Environmental Statement. The Quantitative assessment of noise is particularly relevant to local residential developments (existing and future) and to wildlife in the area.
- e. The impact on new developments such as PR6 a & b is included
- f. The impact of noise and vibration on local wildlife is included in the Environmental Statement. The Cherwell Wildlife site and protected Woodland to the south of the site are very close and the impact on these and other nearby areas must be considered.

SECTION 10

AIR QUALITY

Conclusions 10.36. The Proposed Development has the potential to affect air quality during both the construction and operation. Whilst a review of existing air quality demonstrates concentrations are below the air quality objectives in the area surrounding the development site, potential changes in road traffic emissions will be assessed using dispersion modelling should the exceed the thresholds requiring assessment.

2,000 houses are to be built in the immediate area and a further 2,500 in nearby Begbroke & Yarnton. However, there is no indication in the Scoping Request that the cumulative effect of all these developments plus that of the Triangle is being considered. The air quality is certainly not going to improve as a result of these developments.

The Cutteslowe Roundabout is already a recognised 'pollution hotspot' and is part of Oxford City Council's AQAP 2021 – 2025. However, the Action Plan did not envisage a stadium being built in this area.

An existing review of air quality is not a guide to future air quality and should not be used to avoid an assessment of the impact on air quality.

The potential likely effect on air quality must be included in the Environmental Statement.

SECTION 11

LIGHTING

We agree that there is a risk of significant effects from obtrusive light on receptors that surround the Triangle, and the need for the ELIA to support other specialist assessments.

Lighting must be scoped into the Environmental Statement.

SECTION 12

FLOODING

Scope of assessment

12.37. Given the design is not available at this stage, surface water, groundwater and artificial sources of flood risk have been **scoped in** for further assessment.

12.38. As the Proposed Development is not expected to impact fluvial flood risk, this has been **scoped out** for further assessment

The development is not expected to impact fluvial flood risk according to the author. However, it is possible that it will and given the cumulative effects of the development of the area we suggest that a decision to scope out the fluvial flood risk has been taken prematurely.

The fluvial flood risk should be scoped in.

SECTION 13

SOCIO-ECONOMICS

13.15. The topic of Socio-economics will be scoped in to the Environmental Statement on the basis that there will likely be significant effects.

The suggested socio-economic benefits as stated by OUFC so far have not been supported by any evidence. We are therefore supportive of the socio-economic topic being scoped in and look forward to understanding how the claimed benefits have been arrived at.

SECTION 15

WASTE

15.32. Baseline study indicates that the region has sufficient waste treatment infrastructure for the treatment of waste arisings generated by the Proposed Development. Oxfordshire has sufficient capacity to treat C&D waste arisings associated with the construction phase of the Proposed Development. Biodegradable waste from site clearance in the construction phase and food waste and grass clippings in the operational phase should be treated in a composting or

anaerobic facility. No such facilities exist within 10km of the Site. It is likely that contaminated waste may arise during construction if excavation activities are undertaken within 500m boundary of the Proposed Development.

Clarification is required regarding the statement underlined above. What does this mean? What is the impact? How will this contaminated waste be dealt with? Etc...

15.22. To identify potential sources of contamination, an initial review of authorised and historic landfill sites that are in close proximity to the Site was undertaken using the Environment Agency's 'Historic Landfill Sites' web map⁴⁵ and 'Permitted Waste Sites - Authorised Landfill Site Boundaries' web map⁴⁶.

15.63. Accounting for good industry practice and the application of mitigation measures, secured through planning condition, the volume of construction, demolition and excavation waste to the regional waste handling facilities is not likely to be significant.

15.64. It is therefore proposed that further assessment of waste generation and management relating to the construction of the Proposed Development is **scoped out** and will not be considered further in the EIA or reported in the ES.

Nothing in this section indicates that the Scoping Request's author is aware of the contamination of the Triangle which arose some years ago in around 1999 as a result of unauthorised dumping of waste.

The uncertainty surrounding this contamination means that the waste management of the proposed development should be scoped in to the Environmental Statement. The decision to scope this out should be reversed.

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ANNEX 2

Extracts from Ecology Reports

1. Extracts from The Botanical and Invertebrate Biodiversity survey

Summary

- Results are presented of six species survey visits to the Triangle site from Late June to mid-August, ideal timing for recording plants and for summer invertebrates by sweep netting.
- Considerable biodiversity of plants and invertebrates was found to exist (including uncommon to rare species) although these surveys report only a small proportion of the total invertebrate biodiversity which might be expected here, with further surveys at different times of year using different methods.
- Thick species-rich marginal scrub and woodland belts with mature trees surround the central area planted up with Osier willows, harvested annually in blocks for fencing, and with wide mown access rides, provide a valuable combination providing a diverse mosaic of habitats beneficial to overall biodiversity.
- The willow (Osier) coppice generates only light shade and has temporary glades resulting from willow cutting, so there is a complete rich ground flora under all the blocks as well as in glades and the rides.
- The winter-wet heavy clay soil has developed a specific flora of a number of marsh or wetland plants adapted to the soil completely drying out in summer. The most abundant wetland plant on site is a vast population of Common Fleabane with golden daisy-type flowers in many thousands in mid-August which feed many pollinator insects.
- Specific insects were found which breed in the Fleabane, one of them a rare fly.
- A number of uncommon wild roses are present on site with a probable rare hybrid.
- Very good numbers of common butterflies are found, with the possibility of rarer Hairstreak butterflies using the site as they are recorded in habitats adjacent.
- The willow (Osier) coppice supports dependent insects, some of them (willow beetles) in vast numbers, which will provide much food for insectivorous birds.
- The Triangle habitats support and connect via mobile species (like deadwood-breeding beetles) to the Ancient Woodland Priority Habitat (Cherwell District Wildlife Site) of Stratfield Brake, the east section of which is contiguous with the southern margin of the Triangle.

In total **127** species of Vascular Plants were found in the Triangle. **This is a very good total for a site of this area that has a lot of one type of shrub (Osier willows).**

104 species of forbs [herbaceous plants] were found in the scrub and wood margins, the rides and in ground flora under the willow (sallow) coppice. This includes 15 species of grasses, four species of rush and nine species of sedge plus one horsetail.

Two of the forbs are rare:

1. Narrow-leaved Bird's-foot Trefoil *Lotus tenuis*, which is Scarce in Oxfordshire, being on the county Rare Plants Register (4).

2. Corn Mint *Mentha arvensis* which is on the New England Red List (5) due to declines. Large clonal patches of this plant are present mostly under the light shade of the Osiers in the wettest areas of coppice and along some rides.

Also found were 43 Pyramidal Orchids and, more typical of moist/wetter soils, were **52 Common Spotted Orchids**.

This [Willow Coppice] central area might be assumed to be of low ecological value as a monoculture of species held by cutting at the young scrub stage; however this would be a wrong assumption. Willow can support a big diversity of invertebrate species; one quote is up to 450 dependent species, which will include: bugs, bees, beetles, flies and moths. Willow is a hugely important nectar and pollen source from the flowers (catkins) in spring and a big proportion of the willow branches are old enough to flower. This is not to say all those associated species will be present here, but my brief surveys do indicate a small number of willow-associated insect species. Also the Osiers restricted and vertical growth ensures only a very light leaf canopy, casting little shade and thus allowing enough light through to result in a complete ground cover flora underneath the coppice blocks with a diversity of species including Common Fleabane, Corn Mint (England Red List), wetland grasses, sedges and rushes with notably **Common Spotted** and **Pyramidal Orchids** (see photographs in Appendix I). This adds considerably to the total diversity of the willow blocks.

The amounts of **Common Fleabane** under the willow coppice are truly extraordinary. As mentioned, in late August the thousands of yellow daisy-type flowers open here present a short-lived stunning spectacle which makes the willow coppice look like a flower garden.

Lowland Mixed Deciduous Woodland habitat adjacent to the Triangle to the south in Stratfield Brake East is a Priority Habitat (Habitat of Principal Importance) and features mainly mature Pedunculate Oaks, Ash, Sycamore and various scrub species. It fulfils all the criteria for Ancient Woodland. The Triangle east and west margins provide a thick and valuable habitat with abundant Bramble, Dewberry, Sallow, Hawthorn, Elms and Blackthorn with occasional trees as above. The ditches within the margins provide linear shaded wetland habitat for much of each year, benefitting mostly specific invertebrates. Scrub is the most valuable habitat for bird diversity and will support many insects plus the marginal strips will be corridors for foraging, hunting bats. The lack of street lighting along Frieze Way makes the marginal belt on the west side especially important to commuting bats.

The marginal hedge/tree and scrub belts contain much deadwood. This should not be seen as detrimental or a problem because it is an important food and habitat resource for specific wildlife.

The Triangle habitats probably represent a good foraging area for any bats using the nearby Ancient Woodland, which does have mature trees and plenty of standing deadwood with peeling loose bark for roosting. A bat survey is needed. Moths are an important source of food for bats and these flying insects will be generated by caterpillars feeding on scrub and trees including the coppice Osiers and other willows. Currently Frieze Way has no street lights so there is little to dissuade bats from commuting across it from the bigger Stratfield Brake western woodland block and Woodland Trust plantings.

Common plants can support rare insects; this is the case for the Common Fleabane on site. It was a surprise to sweep several individuals of the small rare picture wing fly (Tephritid) ***Myopites inulaedysentericae*** which breeds in Fleabane flower-heads forming a specific gall there

Conclusions and Discussion

The Triangle has been shown here to be a site with considerable biodiversity of plants and invertebrates, with some rare species and interesting records in a few other groups. Any assumption that the big area of willow coppice in the site centre means low biodiversity has been shown to be wrong, mainly because (unknown before these surveys) underneath the coppice is a complete herb layer with a diversity of herbaceous plants, flowering in abundance in summer, dominated by Fleabane, with the red-listed Corn Mint and including two species of Orchids. This community is adapted to the heavy clay winter-wet soil plus the management regime and in my opinion would be very difficult to re-create. The tenant's non-intensive willow coppice management of the site centre is the best thing that could have happened here to maximise biodiversity, especially of flowers and invertebrates. Abundance of common insects is important as well as diversity. The sheer abundance of common leaf-feeding beetles on the osier coppice growth will be important as a food resource for all species higher up the food web, particularly insectivorous birds. Recent decline of insect populations is causing much concern, but insect decline is not observable here. Apart from the good overall invertebrate biodiversity it is particularly notable how the abundant summer and late summer flower resource supports the needs of all vital pollinating insects (bees, flies Botanical and Invertebrate etc.) at a time when flower resource in other habitats, such as verges or meadows, is not available (due to being in seed or cut for hay).

I consider there is sufficient diversity of plants and invertebrates at this Triangle site for it to be worthy of consideration for District Wildlife Site Status, it would be a good extension to the existing Stratfield Brake DWS. Currently the Triangle habitats and species are valuable in themselves, but they also perform a very important role in supporting and protecting the wildlife of the narrow strip of priority Ancient Woodland to the south which is also in the core zone of the Proposed Nature Recovery Network for the County. Without the Triangle under its current management, this woodland would be very likely damaged by isolation and consequent loss of species.

2. Extracts from the Stratfield Brake East Woodland, south of The Triangle Survey of Plants, Invertebrates and Fungi

Trees

Relatively few species of full-sized trees are present. The most impressive feature of this woodland on entering is the remaining large mature Pedunculate Oak trees and Ash trees still standing. Some of these are 'maiden' single trunk trees (standards), others show evidence of past pollarding (major limbs branching at head height) or are **outgrown coppice stools** with multiple trunks arising from a single base. Some of these coppice stools are likely very old. One Ash coppice stool of 2m basal diameter and one large Oak coppice stool of 3m basal diameter are present (see photos in the Appendix). Historically coppice shoots were cut on a **10 to 25 year cycle** to provide small diameter poles for building and fencing. For Oak, one source suggests an increase in diameter of **0.3m per 100years**, which would put this **3m diameter Oak stool at 1000years old** (5). Of course growth rates may vary and not all coppice stools of this size may be that old, but certainly several hundred years is probable.

The other prominent trees are one large, and some smaller, Sycamores. Obviously the woodland has been harvested for wood products in the past. Smaller tree species include Field Maples and Hawthorn. It is possible that some of the dead standing trees might have been Ash affected by Ash Dieback (*Chalara*). English Elm trees (*Ulmus procera* – not actually a native elm but an ancient introduction from Italy, possibly by the Romans) must have once been common on the southern margin, but these are now represented mostly by fallen dead trunks and young sucker growth due to the effects of Dutch Elm Disease, which kills young trees above a certain trunk diameter. Live English Elm is therefore present mostly only as young growth in the understory. One Horse Chestnut and one Crab Apple tree are also present. Common Ivy is present as a climber with dense foliage growth on the trunks of two of the mature oak trees, this ivy covering may provide roosting sites for bats.

At least four mature maiden or standard Oaks have died and fallen and are now dead large horizontal trunks which have mostly lost their bark but one still has bark on. The presence of English Elm on the south side is typical of the fact that the raised trackway there is along the parish boundary as such ancient boundaries are commonly where English Elm was planted; likely originally as a hedge next to the deep ditch to the arable field at the very wood edge.

Ground Flora (Field Layer)

..... All these species mentioned are very typical of deciduous woodland. In the context of the Oxfordshire flora, good numbers of Native Bluebells and the abundant swathes of Wood Meadow Grass are indicative of Ancient Woodland, as are smaller amounts of Hairy Brome, Pendulous Sedge, Three-nerved Sandwort and Wood Sedge. Dog's Mercury, Enchanter's Nightshade and Foxglove are moderately indicative of old woodland locally, in combination with the stronger indicators. Altogether the floral assemblage is good evidence that this strip is Ancient Woodland.

Fungi

..... This looks as though it may well be a site with rich other fungal diversity with further survey work needed after appropriately wet weather in the autumn. Fungal fruitbodies (caps brackets toadstools) are important as food for a number of specific insects, especially flies and beetles. A good fungal diversity means a good insect diversity in these groups.

Discussion and Conclusions

This is a strip of valuable Lowland Mixed Deciduous Woodland, a Priority UK BAP habitat. It has a small suite of plants which are ancient woodland indicators and a good range of fungi associated with the roots of the oak trees and with the deadwood of the variety of tree species present. It therefore readily fits the species criteria for Ancient Woodland. It is somewhat affected by nutrient enrichment. An old raised track way (wood bank) is present in the wood along the southern margin which is along Kidlington Parish boundary next to a ditch. Such wood bank features are also typical of Ancient Woods.

END