

Ecus Ltd

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Land to the North of Anniversary Avenue Graven Hill Bicester OX25 2BF - Planning Application Consultation Response

Our ref: 23635/MM

13th November 2024

Application No: 24/02058/F

Case Officer: Laura Bell

Proposals: Full application for the proposed erection of a two-storey building to form a 66 no. bedroom care home for older people with parking, access, landscaping and associated ground works.

Ecus Ltd have produced the below ecology response to the LPA's recent comments.

LPA Comment: Paragraph 4.2.3 of the Biodiversity Net Gain Baseline Assessment states "As per the Statutory Biodiversity Metric User Guide (2023) advice, where habitats on Site have recently been destroyed or degraded and it has been decided to use pre-degradation habitats as the Site's baseline (as is recommended), a precautionary approach has been taken to recording the habitats previously present."

Can clarification please be provided as to why the clearance event in 2022, shown on historic imagery has not been factored into the metric assessment.

Ecus Response: As part of the Biodiversity Net Gain Assessment of the Graven Hill Site all past historic clearance events were considered. The Graven Hill Site once comprised the Rodney House Complex which was subject to demolition works in 2016 and again in 2020 as part of previous planning applications. Furthermore, the third clearance event in 2022 was completed prior to the clients purchase of the Site, for the previous planning application of a Health Hub on Site (Application Number 21/01454/F).

It was also noted that archaeological strip works of the Site was completed prior to the clients acquiring of the Site. These works had caused the Site to be inundated with water for a considerable length of time following a period of heavy rainfall.



Ecus reasoned that the baseline habitats on Site have been subjected to frequent on-going disturbance since 2016 and therefore any grassland/scrub that was fully cleared post-2020 would have been previously degraded of no fault of this project and therefore the baseline habitat units were calculated based on the current state of the Site (at time of survey). 30th January 2020 being the relevant date here as it was the day the Bill entered Parliament.

Two trees (T5 & T6) that were removed as part of the previous application have been included within our assessment remained on Site untouched and relatively undisturbed until the more recent 2022 clearance event.

LPA Comment: *The Biodiversity Net Gain Baseline Assessment shows all individual trees as being retained; however, the Tree Protection and Removal Plan appears to show two trees on the northern boundary being removed. Can clarification be provided please.*

Ecus Response: Following the initial response from CDC Ecus has received a redline boundary of the Site with coordinates from the client, dated 12th September. Ecus has updated our maps associated with the BNGA, using this title plan, to depict a more accurate representation of the Site. Subsequently, there has been a number of changes to the BNG assessment which will be outlined within an updated version of the report to be submitted alongside this letter report.

A notable change is in regards to the vegetation located along the northern aspect of the Site including the positioning of Trees 1 to 3. Trees 1 & 3 are no longer situated within the clients Site boundary so have been omitted from our BNG assessment calculations.

Upon further assessment and consultation with the Arboriculture Team at Watermans T2, which was originally evaluated within our PEA/BNG assessment as a multi-stemmed ash tree, has now been categorised as two separate ash trees (T2a & T2b) and will be considered as such within the updated metric. As mentioned above, the positioning of these trees has also been adjusted following our recent amendments and as depicted within the Tree Protection and Removal Plan these are to be removed as part of the development.

LPA Comment: *Rule 2 of the Statutory Biodiversity Metric User Guide (Defra July 2024) states that "Biodiversity unit outputs, for each type of unit, must not be summed, traded, or converted between types. The requirement to deliver at least a 10% net gain applies to each type of unit." Therefore a 10% net gain is required for the watercourse units as well.*

Ecus Response: As above, following the revision of the maps associated within the BNGA at Graven Hill it has been noted that the two ditches located to the east and west of the Site are positioned outside of the clients redline boundary and therefore have been omitted from the updated metric.

It should be noted, however, that within Ecus' original assessment the ditches were recorded as being in 'poor' condition. Given a section of scrub will be removed along both the eastern and western boundaries of the Site it is likely that these ditches will be less shaded following the development and therefore may improve in condition as an indirect impact of the works.

An updated topography survey of the Site, undertaken on the 12th September, noted the presence of a third ditch (D3), previously not recorded, located along the northern extent of the Site boundaries. It is likely that this ditch is evident now due to the recent rain and heavy flooding within the area.

D3 is situated adjacent to the Site's northern boundary, where it crosses across the north eastern corner of the Site. Approximately 15 m of the ditch is present within the red line boundary. The client intends to enhance the 15 m section of the ditch presence within their Site's boundaries which will achieve the required 10% net gain in Watercourse Units for the Site.

LPA Comment: *Regarding the Preliminary Ecological Appraisal, the results of the eDNA testing are required so that CDC can fully assess the impact on protected species.*

Ecus Response: CDC should now have received a copy of '23857 Graven Hill eDNA report V1.0' which outlines the results from the eDNA testing on the Graven Hill Site in June 2024. A summary of the results are as follows:

The terrestrial habitats at the Site were assessed during the survey visit, for their suitability to support GCN and were considered to offer GCN with minimal shelter, foraging and dispersal opportunities categorised as 'poor'.

The GCN eDNA survey water sampling was undertaken at P1, P2, D1 and D2 on 21st June 2024. The result of the survey was negative for P1 & D2 (GCN likely absent) and positive for P2 & D1 (GCN likely present).

Given the established likely presence of GCN at P2 and D1 it is considered reasonable to conclude that GCN may potentially be encountered within, and dependant, at least in part, on, terrestrial habitats at the Site. Therefore, the species poses a constraint to the proposed works.

The Site is located within a Nature Space Partnership (NSP) GCN Amber Risk Zone. Nature Space state: 'Amber zones contain suitable habitat and GCN are likely to be present'. P2 which is located 200 m west of the Site falls within the Nature Space Red Risk Zone.

Therefore, it is deemed appropriate and proportionate to recommend that a formal enquiry to enter the Site into the NSP and West Oxfordshire District Council Great Crested Newt District Licencing (NSP GCN DL) scheme is prepared and submitted to NSP for determination, as soon as is reasonably practicable.

Ecus will be happy to provide assistance to the client where required with any GCN DLL applications.

LPA Comment: *A Biodiversity Enhancement Method Statement should be provided to outline recommendations for protected species including reptiles, nesting birds, bats, amphibians and hedgehogs.*

Ecus Response: Within the 'Graven Hill Biodiversity Net Gain Assessment Report' paragraph 5.3 it describes how additional biodiversity enhancements should also be considered within the Site design, including those which do not specifically relate to BNG. The specifics of these enhancements would be further detailed with a Biodiversity Enhancement Management Plan (BEMP) or a similar document. We have also listed some examples within the text section 5.3 including bird and bat boxes as well as creating hibernacula/deadwood piles provide resources for wildlife at the Site post development.

Ecus has submitted a quotation to the client to produce a full version of this within a BEMP/ Biodiversity Enhancement Method Statement as this was outside of the original agreed scope. If this is accepted it will be submitted as part of the application process alongside all other relevant documentation.

We trust the above meets with your approval, and we will endeavor to get the final documents as outlined above submitted to CDC for approval as soon as possible.

Yours sincerely,



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