

24/03259/F – Holding Objection further information required.

**Location: Land Adjacent to Symmetry Park, Bicester**

Objection based on the following:

1. Clarification of survey methodology.
2. Insufficient provisions for protected species.
3. Loss of priority habitat in contrary to NPPF and Cherwell Local Plan.
4. Biodiversity Net Gain Provision
5. Further information relating to Ray CTA.
6. Impact on LWS.
7. Loss of ridge and furrow field.
8. Impact on farmland birds onsite and in cumulation contrary to NPPF and Cherwell Local Plan.

**1. Clarification of survey methodology.**

Currently there are some aspects of the methods that I need expansion, justification or clarification so that we can adequately assess the impact on protected species, habitats and sites.

Ditches

Section 2.19 states that “Given the presence of wet ditch habitats within the Site, a detailed River Condition Assessment was undertaken on 11<sup>th</sup> October 2024 to provide an assessment of its habitat conditions”. However, Table EDP-22 Ecology Surveys Scoped Out reads that River Condition Assessment Surveys were scoped out due to a lack of watercourses within the Site or surrounding 10 m. It is likely that the author meant to write a ditch condition assessment, which is in accordance with guidelines for a drainage ditch as river condition assessment surveys are not appropriate for ditches. Can the methodology please be updated to reflect assessments undertaken.

Bats

Section 2.28 states ‘a number of habitats present within the Site, including grassland, hedgerows and woodland, were identified as being of moderate suitability to support foraging and commuting bats’. Therefore Section 2.30 outlines that ‘Automated bat detector surveys have also been conducted seasonally in May, July and September 2022 and 2024, in accordance with the guidelines for a site with moderate suitability for foraging and commuting bats.’

Bat Conservation Trust Guidelines which were updated in 2023 require static detectors to be deployed monthly between April and October for moderate suitability sites. Please can justification be provided as to deviation from survey guidelines despite confirmation of adherence to guidelines in the report.

## Breeding Birds

CIEEM the governing body for ecologists lists Bird Survey Guidelines website as the appropriate guidelines for breeding bird survey guidelines (see [Bird Survey Guidelines for assessing ecological impacts | CIEEM](#) and [Survey methodology | Bird Survey Guidelines](#)). While that guidance lists 6 visits, it is widely accepted that this can be lowered to 4 visits for farmland habitats, and only increased to 6 visits if priority species are breeding onsite.

Although two seasons of data is available I have concerns over the robustness of the assessment in relation to losing the ridge and furrow field in relation to farmland birds especially with such cumulative impact over the years in this location.

## **2. Provision for Protected Species**

Currently the scheme will lose areas of suitable terrestrial habitat for GCN. I disagree with the assumption that GCN are likely absent from the Site due to not being found during the reptile surveys, which were largely undertaken during the key periods GCN are in ponds rather than a terrestrial habitat. A medium population is present in the area and there is a pond 100 m from the Site where access could not be granted but that positive eDNA was returned from in 2021. The NatureSpace Officer should be contacted and consulted if not already done so.

Currently according to the LEMP, bird and bat boxes are to be installed on the mature trees at the boundaries of the site. Our preference is for integrated boxes to be used as these are more likely to be retained in perpetuity. Bird boxes for swifts should also be included.

There should also be provision in the form of boxes for hedgehogs and invertebrates.

## **3. Loss of Priority Habitat**

The BNG metric supplied shows a loss of ~40m of species rich hedgerow which constitutes a loss of priority habitat, and the loss of lowland meadow a high distinctiveness habitat in terms of BNG and a priority habitat. Both lowland meadow and hedgerows are priority habitats according to NERC Act 2006, and as such are offered protection under the NPPF and Cherwell Local Plan.

The NPPF (December 2024) states:

Paragraph 192. 'To protect and enhance biodiversity and geodiversity, plans should;

b) promote the conservation, restoration and enhancement of priority habitats....'

Paragraph 193. 'When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning should be refused'

Applicable elements of Policy ESD 10 of Cherwell Local Plan are as follows:

- In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources.
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.
- Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity.
- Development proposals will be expected to incorporate features to encourage biodiversity and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity.

Due to the loss of the lowland meadow habitat, for which a bespoke compensation option is required in BNG terms, it is important that information relating to on-site contribution is relayed at this stage and prior to determination as it plays an important part of the assessment upon the impact of this scheme.

#### **4. Biodiversity Net Gain Provision**

Further to above the Biodiversity Net Gain Assessment for the scheme noted that: "The Metric has demonstrated a significant net loss in habitat units and as such, the Applicant intends to commit to delivering a net gain in biodiversity via an on-site solution to create/enhance habitats to generate the unit shortfall."

Currently the development shows a loss of -76.40% habitat units, which is well below the requirement for 10% and the applicant has not provided enough information/evidence on how this 10% net gain will be met. There are high distinctiveness habitats involved with this scheme that require bespoke compensation with regards to BNG and with regard to ecological impact outside of BNG. Therefore, it is paramount that the provision for on-site land or on-site units is provided prior to determination, as currently we do not have enough information to be confident that a bespoke compensation package has been provided.

## **5. Further information relating to Ray CTA**

The EclA highlighted that CTAs are landscape scale designations but that where a Site boundary falls within or adjacent to a CTA it will need to be considered further. Table EDP 3.2 picks up that Ray CTA is directly adjacent to the northern boundary, yet does not assess the impact further. Please can the report be updated to include assessment of the impact on the adjacent CTA.

Oxfordshire Biodiversity Action Plan has targets associated with this CTA, some of which may be directly impacted by the Development include lowland meadow management, hedgerow management with particular influence on brown and black hairstreaks. The application in its current form does not illustrate how the proposed development will help to achieve the aims of the adjacent CTA.

## **6. Impact on Meadow North West of Blackthorn Hill Local Wildlife Site**

The site is directly adjacent to Meadow North West of Blackthorn Hill LWS and is important for its lowland meadow flora and its invertebrate diversity, as such it is likely that the grassland onsite provides functionally linked land. There is concern that the loss of the grassland onsite will directly affect the species using the LWS, as well the Development potentially resulting in hydrological changes. That accompanied with the air pollution impact is considerable, and the current buffer is not considered broad enough to mitigate that impact.

The impact that the Development could have on the directly adjacent LWS as well as the LWS it is linked to is against Policy ESD 10 from the Cherwell Local Plan 2010-2031 which states that:

“Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity”

## **7. Loss of ridge and furrow field.**

The proposed development site contains an area of ridge and furrow grassland, whilst surveys have been undertaken for butterflies I feel the assessment lacks an understanding of the soil fauna. Topographical variation including slopes and banks, naturally occurring in ridge and furrow fields, can provide important ecological niches for invertebrates, especially if near ditches and scrub. I recommend further surveys are undertaken with the results incorporated into an updated EclA.

## **8. Impact on farmland birds onsite and in cumulation contrary to NPPF and Cherwell Local Plan.**

We are concerned by the loss of farmland bird species habitat without a local mitigation proposal.

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment of the Cherwell Local plan states:

“Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats or species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity”

The small areas of landscaping onsite will not provide enough compensation for the loss of open grassland.