

Responses received from consultees

We have reviewed the responses addressed to Jenny Barker with respect to biodiversity from the following consultees: Berkshire, Oxfordshire and Oxfordshire Wildlife Trust (hereafter referred to as the Wildlife Trust or The Trust); The Environment Agency; Cherwell District Council and Natural England and Oxfordshire County Council.

These responses recognise the further work that was undertaken to inform the current application and address concerns that had been previously raised by the biodiversity consultees. In particular the proposal has been revised to remove the nursery garden/play area from the river corridor buffer, and redesign the NEAP limit re-profiling and to provide nature conservation ponds. A lighting plan has been produced which illustrates that 'bat friendly' lighting will be used on the bridges. In addition, an outline Landscape and Ecology Conservation Management Plan has been produced to accompany the Section 106 agreement.

In its response the Environment Agency (EA) has identified that:

'It is clear that the net gain required could be achieved through the proposed development.'

The EA continues that 'the net gain is heavily reliant on proper management and maintenance.' We would agree with this and also agree with them that at this stage the Management Plan is not finished, and requires further detail which ordinarily would be addressed through conditions. The EA has also requested further details regarding the nature conservation ponds and suggested that the planting scheme could be agreed as part of a planning condition. Similarly, they have requested that further details regarding the SUDS wetland features are supplied as part of a planning condition. The EA has acknowledged that the amendments that have been made to the proposal with respect to the bridge design, the play areas and the bridge lighting are an improvement on the original design. The EA has made recommendations with respect to planning conditions.

The Wildlife Trust have identified that the proposal would not have a significant adverse impact on local wildlife and that there will be no significant net loss of biodiversity in the zone of influence. However, they then go on to indicate that the scheme does not demonstrate a net gain in biodiversity. It would seem that this is largely on the basis that the outline Landscape and Ecology Conservation Management Plan does not contain sufficient detail at this stage. The purpose of the plan is to illustrate what can be achieved on the site with appropriate management. The plan was produced at the request of consultees and clearly states that this is an outline that will be amended and strengthened following consultation with the steering group which will include the Wildlife Trust. The Trust have also questioned whether the scheme will be fully funded. The plan does however clearly indicate that P3Eco and A2Dominion are fully committed to their responsibilities under this plan. The Trust have acknowledged that the proposal will not have significant adverse impacts on the Local Wildlife Sites. They have identified that the wider scheme has the potential to affect Local Wildlife Sites; we recognise that this will need to be considered in the future assessment.

The Trust have incorrectly identified that biodiversity in the built environment has not been considered. We understand that the Trust has recently undergone a change in personnel and therefore may not be fully conversant with the proposed homezones and the extensive amount of street planting that will be undertaken as part of the proposal. They may also not be aware of the green roofs and large numbers of bat, bird and invertebrate boxes that will be installed. The Trust have also queried the use of the BREEAM calculator and suggest that some of the plants used in the planting scheme may not become established. However, the plants chosen have been selected for their suitability for the ground conditions on the site and their appropriateness for the locality. It is common practice for a landscaping contract to include provisions for re-instating plantings that fail. In the unlikely event that plantings do fail as a result of the ground conditions rather than due to disease, replanting with species appropriate to the conditions would be a requirement of any landscaping contract; thus ensuring that the value to biodiversity is maintained. The Trust have suggested that future management was not considered when the landscaping plans were produced; this is incorrect. Hyder fully considered the measures that would be required to maintain diversity and these measures were outlined in the Biodiversity Strategy and the Management Plan. From previous correspondence it appears that the Trust are concerned that the grasslands on the site cannot be grazed. However, we do not consider that grazing would be an appropriate management tool on this part of the site; thus the spaces have been devised so that they can be readily mown. It has been identified that it is unlikely that farmland birds would continue to use the hedgerow network, This is accepted in the impact assessment. However, most of the hedgerows are on the margins of the site and buffered by green space and allotments; thus there is the potential that some species that forage within the adjacent farmland may nest in hedgerows that are not regularly subject to disturbance. This is by no means guaranteed and the impact assessment takes account of this. The Trust have identified that consideration should be given to off-site compensation on the basis of the difficulties in agreeing net gain. However, given that other consultees have acknowledged that the scheme can deliver a 'Net Gain' in Biodiversity, provided that the Management Plan is fully funded and delivers the aims set out, this would not seem to be appropriate.

The District Council's ecologist has also welcomed the revisions to the proposals with respect to biodiversity and has identified that the Management Plan is critical in achieving a net gain in biodiversity. Further, that if the plan is lacking then consideration must be given to off-site compensation. We would contend that we can deliver a robust plan that will achieve real benefits to biodiversity and that off-site compensation is not required or desirable. It is far better to consider biodiversity within the site; at the very least to provide a pleasant environment for the local residents. The District Council officer has also identified the need for a full 'Ecological Construction and Method Statement'; the impact assessment clearly states that a Construction Environmental Management Plan (CEMP) would be produced and this would include provisions for method statements to ensure that biodiversity is protected throughout the construction works. The CEMP and associated method statements would cover all of the items that the ecologist has requested in the response. The ecologist has identified that the need to update the protected species surveys if there is a delay in commencement of works on site. We would expect an ecologist to undertake a walkover survey prior to the commencement of works; to ensure that no new constraints have appeared on site, and to

accurately identify the locations of known constraints for example the badger sett and the bat roost, to inform the locations of protective fencing. The ecologist has requested that a lighting plan is produced for the NEAP and footways; so that if the need to light these areas is identified in the future, there are lighting proposals that could be implemented that would not have a detrimental effect on bats. This is appropriately addressed through a planning condition. This would ensure that any such proposals are based on the current best practice guidance.

The council's ecologist has requested further information regarding planting proposals close to the hedgerows and with regard to the ponds and SUDS features. Such plans can be produced as part of a planning condition as suggested.

In their response Natural England have confirmed that the data supplied in the ES indicates that there will not be an increase in traffic on the roads in proximity to Ardley Quarry and Cutting SSSI. They have acknowledged that the management plan and changes to the masterplan have produced a proposal that has the ability to create and maintain a net gain in biodiversity and they are reassured that the majority of the green roofs will be maintained by A2Dominion.

The County Council contend that the development does not demonstrate a net gain in biodiversity, because the funding and mechanism to manage the open green space has not been calculated or secured. The management / funding of the green spaces will be confirmed via the Section 106 agreement. Both A2Dominion and P3Eco recognise the need to maintain and manage the green spaces. The council also suggest that a net gain can only be achieved by off-site compensation; this is contrary to the views of other statutory consultees. The justification for the request appears to be on the basis that there will be a residual impact on farmland birds. However, the site was found to be of limited value to breeding and overwintering birds, thus no residual impacts are anticipated as identified in the ES and in subsequent correspondence to consultees. The council conclude that they support the application and have made suggestions for planning conditions.

The benefits that the scheme will have to biodiversity.

Although the Exemplar eco-development site will result in the loss of farmland habitat, the surveys that were undertaken to inform the environmental assessment have revealed that this intensively managed farmland habitat is of limited value to wildlife. Nevertheless, the hedgerows and stream corridors on the site provided valuable corridors linking the site to habitats beyond the immediate site boundaries. Consequently, the masterplan has sought to retain these features with appropriate buffer zones.

Despite the fact that the stream channels are only a few metres wide and dry for most of the year, these features have been identified as key wildlife corridors, and thus, they will be retained within a 60 metre-wide buffer of semi-natural vegetation. The existing grassland habitat within the stream corridor comprises species-poor grassland of limited nature conservation value it is therefore proposed to diversify the habitats

present in this area with new planting and to remodel areas to create wetland features. The new habitats that will be created in this area include: orchards, semi-natural woodland, nature conservation ponds and diverse grassland. These habitats have been selected on the basis that they are characteristic of the local conservation target areas and also for their suitability for the ground conditions. In addition, it is proposed to create a number of features within this area that will provide ephemeral wetland habitats; although these features form part of the drainage design they will support semi-natural habitats and be of value to wildlife.

Across the eco-development site as a whole it is proposed to create habitats of value to biodiversity. These include areas of species-rich grassland, permanent ponds, ephemeral wetland features, orchards and areas of tree planting. These areas will be planted with native plants that are appropriate to the conditions and of value to wildlife. In addition these habitats will be managed in perpetuity in accordance with a Management Plan to benefit wildlife. Following Ecotown guidance biodiversity has also been incorporated into the built environment. For example: there are green roofs on the garages; green walls; the bridges will incorporate features that can be used by nesting birds and roosting bats; and artificial refuges (boxes) will also be installed on buildings and within the areas of planting to provide conditions suitable for a range of nesting birds, roosting bats and sites for invertebrates. The residential streets and access routes will also be planted with a diverse range of plants that will provide natural 'forage' for local residents and wildlife alike. This planting also provides natural refuges and nesting sites for wildlife.

Dark corridors will be retained within the development to ensure that bats and other nocturnal species are able to forage across the site once the site is developed. The lighting proposals for the bridges have been designed to ensure that the dark corridors associated with the stream corridors are retained. In addition, although the allotments have largely been incorporated into the design to be of benefit to the local residents, the habitats created within these sites will also provide benefits to wildlife.

Consequently, it is considered that the development will benefit the following species and species groups that are currently on or close to the site, as follows:

- invertebrates, a far greater diversity of habitats of value to a range of terrestrial invertebrates will be created on the site, in addition the creation of wetland habitats will provide conditions suitable for aquatic invertebrates, in contrast to the farmland habitats that are of limited value to these species;
- amphibians, the proposal will lead to the creation of habitat suitable for breeding amphibians, where currently no such habitat exists on the site;
- reptiles, surveys have revealed that there are reptiles in habitats adjacent to the site. The habitats created would be of benefit to foraging reptiles and as habitat management continues features of value to hibernating reptiles will be created;
- birds, the surveys revealed that the site is of limited value to birds including farmland species, the habitat creation, use of nest boxes and habitat management will be of benefit to species associated with urban environments which has the potential to include species of conservation concern such as song thrush and house sparrow;

- bats, the habitats on site were of limited value to foraging bats, the creation of a greater diversity of habitat types and in particular wetland habitats would be of benefit to foraging bats such as pipistrelle bats; and
- badgers, the main sett on the site will be retained within a large area of open space which is linked to suitable foraging habitat within the site and beyond the site boundaries.

Overall, the proposal will lead to the loss of intensively managed farmland of limited value to biodiversity and will lead to the creation of semi-natural habitats that are of value to wildlife. The hedgerows and watercourses will be retained within appropriate buffers of semi-natural habitat. Where it is necessary to breach the hedgerows to provide access the affected section will be replanted (translocated) elsewhere on the site. The relocated sections will be used to re-enforce the retained hedgerows or used to create a new feature linking the retained hedgerows. The implementation of a Landscape and Ecology Conservation Management Plan will ensure that the habitats on the site are managed to benefit biodiversity. The plan also provides for monitoring that will ensure that the plan is modified in response to the changes that will occur on the site as the habitats develop. Monitoring will also ensure that the benefits to biodiversity are reported with records made available to the local records centre. It is considered that implementing the landscaping proposals for the scheme and providing for the future management of the habitats on site will lead to a Net Gain in Biodiversity on the site.