Berkshire
Buckinghamshire
Oxfordshire

Berks, Bucks & Oxon Wildlife Trust
The Lodge, 1 Armstrong Road
Littlemore
Oxford
OX4 4XT

Mr Andrew Lewis
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

17th April 2014

By email only

Dear Mr Lewis,

Scoping Opinion – Heyford Park 14/00002/SCOP

Thank you for consulting the Berks, Bucks & Oxon Wildlife Trust (BBOWT) on the scope of the EIA for proposed redevelopment of Land at Heyford Park.

The EIA should be prepared following the CIEEM 'Guidelines for Ecological Impact Assessment in the United Kingdom' (2006). A data search should be requested from the Thames Valley Environmental Records Centre (TVERC) – we suggest that this is included as part of the desktop study to inform the scope of the EIA.

The surveys and development proposals should recognise the existence of a Local Wildlife Site (LWS), as in a designated site of county value, that lies within the development boundary. This LWS, Upper Heyford Airfield, is of particular value for lowland calcareous grassland Priority Habitat, ground-nesting breeding birds (including several species of birds of conservation concern/species of principal importance), invertebrates, and for a very significant population of great-crested newts of sufficient scale to be of county value. **The LWS was recently (2014) extended to the SE to take into account the great-crested newt populations and botanical value of this area and it is essential that the latest boundaries for this site are sought from TVERC to inform the EIA process.**

Development proposals **should avoid impacts on the Local Wildlife Site**, as per the NPPF, and the following extract from the Cherwell Submission Local Plan 2006-2031 Policy ESD10: "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."

In addition, as correctly recognised by the EIA Scoping Report, there are areas outside of the LWS that are recognised as "being notable" for ground-nesting birds, including skylark, a species of principal importance under Section 41 of the NERC Act 2006. We would draw attention to the Cherwell Submission Local Plan 2006-2031 Policy ESD10 as follows: "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." **This should be taken into account in any proposed location of development in submitted plans.**

With respect to surveys, **in addition to considering protected species and designated sites, the EIA should assess the presence of, and any impacts on, habitats and species of principal importance as listed under Section 41 of the NERC Act 2006.** Further comment is given below with respect to certain surveys, however this should not be taken in any way as being a complete listing and a full suite of surveys will be needed, carried out in the correct survey season:

a) In Section 3.158 of the Scoping Report the following sentence is noted: "More detailed botanical surveys will be undertaken if deemed necessary based on the results of the Phase 1 Habitat Survey." We would assume that the Phase 1 survey will show the need for more detailed botanical surveys, however we would like to take the opportunity to point out that with a significant part of the site being designated as a Local Wildlife Site for botanical reasons, and with potentially areas of species-rich grassland outside of the LWS as well, **then detailed botanical surveys should be carried out.**
b) We welcome the fact that the EIA Scoping Report recognises that both within and outside of the LWS there are areas important for ground-nesting birds. **Detailed breeding bird surveys should therefore be carried out, both within the LWS and outside of it. Surveys should also be carried out in winter to assess the value of the site for wintering birds.**
c) We welcome the fact that the EIA Scoping Report recognises the LWS as being of county value for invertebrates. **Invertebrate Surveys should be carried out, in particular within the LWS, but also potentially in some areas outside of the LWS where Phase 1 surveys suggest that invertebrate populations are likely to be of value.**

Paragraph 3.161 includes the sentence: "Therefore any ecological features or resources of value at or above the District level will be included in the assessment." This appears to have an implication that ecological features or resources of local value are therefore likely to be excluded from assessment. With a land-take of this scale **the impacts at a local scale should be included in the assessment**, or otherwise the impact on important habitats or species of value to the local area may be ignored.

Net Gain in Biodiversity

The EIA should also identify opportunities to enhance biodiversity, to achieve a net-gain in biodiversity, in line with the NPPF and the following extract from the Cherwell Submission Local Plan 2006-2031 Policy ESD10: "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." and "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."

The application site lies near to the Upper Cherwell Conservation Target Area. Conservation Target Areas (CTAs) identify the most important areas for wildlife conservation in Oxfordshire, where targeted conservation action will have the greatest benefit. **Opportunities should be taken to secure biodiversity enhancements that will help achieve the aims of the Upper Cherwell CTA, which include lowland meadow management and restoration and wet grassland restoration to improve the area for waders and wildfowl,** as indicated by Paragraph B240 of the Cherwell Submission Local Plan 2006-2031 Policy ESD11 states: "Biodiversity enhancements sought in association with development could include the restoration or maintenance of habitats through appropriate management, new habitat creation to link fragmented habitats, or a financial contribution towards biodiversity initiatives in the Conservation Target Area." Further details of the aims and biodiversity targets for this CTA are available from:
http://www.oncf.org.uk/pdfs/Upper%20Cherwell%20Valley%20CTA.pdf

A Biodiversity Mitigation and Enhancement Strategy would be needed as a supporting document for any planning application. This should be incorporated into the final scheme design and describe how biodiversity net gain will be achieved and maintained.

Biodiversity in Green Infrastructure and the Built Environment

The plans should include green infrastructure within the built environment to retain and create a mosaic of habitats and linear features to ensure that structural diversity and habitat connectivity throughout the site is provided. This should include significant amounts of open space within residential areas, some of which should be earmarked specifically for biodiversity, and some for biodiversity combined with public access. The biodiversity value of recreational areas should also be maximised, for example by the provision of species-rich grassland with an appropriate infrequent mowing regime on the borders of sports pitches. A sensitive directional lighting scheme should be implemented to ensure that additional lighting does not impact on the green spaces across the site.

Biodiversity enhancements such as the creation of ponds, green roofs, creation of habitat for bats in buildings and bird boxes, creation of hibernacula for reptiles and amphibians and creation of wildflower grasslands should be included in the development design in line with planning policy (NPPF) and the NERC Act, which places a duty on local authorities to enhance biodiversity. Provision should be made for the long term management of these areas.

It is likely that the proposed development will involve a large amount of roof space on business and educational buildings. **As any development on the site will impact on open land of a brownfield or greenfield nature, then either green or brown roofs should be required for the vast majority of the roofs of business and educational buildings in any development, although solar panels may be an appropriate alternative for some roofs.**

Further details on some of the above are contained in:

"Biodiversity Positive: Eco-Towns Biodiversity Worksheet, produced by the Town and Country Planning Association, Communities and Local Government, and Natural England." This is downloadable from:
http://www.tcpa.org.uk/data/files/biodiversity.pdf

Biodiversity benefits from SUDS

As well as providing flood control SUDS can provide significant biodiversity value if biodiversity is taken into account in the design, construction and management of SUDS features. This should be required of any development. Examples include:

- Green and brown roofs;
- Detention basins and swales that can be planted with wildflower rich grassland;
- Reinforced permeable surface for car parks and drives that can also provide wildflower habitat.

Should you wish to discuss any of the matters raised, please do not hesitate to get in touch.

Yours sincerely,

Neil Rowntree
Senior Conservation Officer (Oxfordshire)