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LONGFORD PARK, BANKSIDE
BANBURY

**Ecological Appraisal
(Village Centre)**

October 2014
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1. INTRODUCTION

1.1. Background & Proposals

- 1.1.1. A planning application was submitted to Cherwell District Council (Ref:05/01337/OUT) in July 2005 for the development of a large area of land to the east of Bankside, Banbury to provide new residential homes and associated facilities including a school, village centre and playing fields. The application was supported by an Environmental Statement (ES), which included an Ecological Impact Assessment (EclA).
- 1.1.2. Outline planning permission for the above development was granted by Cherwell District Council in September 2009.
- 1.1.3. Aspect Ecology was commissioned by Barratt Homes, Bovis Homes and Taylor Wimpey in 2013 to undertake an ecological assessment in respect of Reserved Matters applications for the initial phases of development. The findings of that work have been reported in Aspect Ecology's 'Longford Park, Bankside Banbury – Ecological Assessment: Phase 1 – May 2013' and 'Longford Park, Bankside Banbury – Ecological Assessment: Spine Road Application – May 2014'.
- 1.1.4. Aspect Ecology have been subsequently commissioned by Barratt Homes, Bovis Homes and Taylor Wimpey in July 2014 to undertake an ecological assessment in respect of the land which makes up the 'Village Centre' area of the development, hereafter referred to as 'the site'. The proposals are for a community building with associated car parking, infrastructure and landscape planting. The site was surveyed by Aspect Ecology in 2013 as part of the Spine Road Application. Accordingly, only a brief update survey was required in 2014.

1.2. Site Characteristics

- 1.2.1. The site is situated in a semi-rural context and is bound primarily by arable fields (see Plan 3266/ECO1). The site itself comprises an arable field, bare soil, grassland and a central hedgerow running north to south.

2. METHODOLOGY

2.1 The methodology utilised for the ecology work can be split into three main areas: a desktop study, habitat survey, and faunal survey. These are described in more detail below.

2.2 Desktop Study

2.2.1 The desk study undertaken for the 2005 ES and the desk studies undertaken by Aspect Ecology in 2013 were reviewed. The following organisations were contacted, English Nature, English Nature (Invertebrate Site Register), Environment Agency, Berkshire Buckinghamshire and Oxford Wildlife Trust, Northamptonshire Wildlife Trust, The Thames Valley Environmental Records Centre, Banbury Ornithological Society Bird Recorder, The Royal Society of the Protection of Birds – Central England Office, Oxfordshire Bat Group, Oxfordshire Badger Group and Oxfordshire Amphibian and Reptile Recorder.

2.2.2 Information on statutory designated sites was obtained from the online Multi-Agency Geographic Information for the Countryside (MAGIC) database, which utilises data provided by Natural England.

2.3 Habitat Survey

2.3.1 **Phase 1 habitat survey.** The site was subject to an extended Phase 1 habitat survey in June 2013 (with an updated walkover survey undertaken in October 2014) in order to ascertain the general ecological value of the land contained within the boundaries of the site, and to identify the main habitats present. The Phase 1 habitat survey was based on methodology¹, as recommended by Natural England, whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each habitat. This technique provides an inventory of the basic habitat types present and allows identification of areas of greater potential which require further survey. Any such areas identified can then be examined in more detail through Phase 2 surveys. This method was extended, in line with the Guidelines for Preliminary Ecological Appraisal² to record details on the actual or potential presence of any notable or protected species or habitats.

2.3.2 Using the above method, the site was classified into areas of similar botanical community types, with a representative species list compiled for each habitat identified.

2.3.3 All of the species that occur in each habitat would not necessarily be detectable during survey work carried out at any given time of the year, since different species are apparent at different seasons. The survey work was conducted within the accepted survey season, and it is therefore considered that a satisfactory survey and robust assessment of the habitats present have been undertaken.

¹ Joint Nature Conservation Committee (2010) Handbook for Phase 1 habitat survey: A technique for environmental audit.

² Chartered Institute for Ecology and Environmental Management (CIEEM) (2013) Guidelines for Preliminary Ecological Appraisal.

2.4 Faunal Surveys

- 2.4.1 General faunal activity, such as mammals or birds observed visually or by call during the course of the surveys was recorded and targeted protected species surveys were conducted as described below.
- 2.4.2 **Badger *Meles meles*.** A thorough search for evidence of Badger was undertaken. This involved searching for evidence of Badger setts or any general signs of Badger activity, such as commuting pathways, latrines or foraging scrapes. The survey was conducted in line with standard best practice guidance³.
- 2.4.3 **Bats.** An examination of the trees within the site was undertaken to search for the presence of features which could be of potential value for bats such as splits, cracks, rot holes, coverings of lvy, peeling bark or similar. The potential for the trees to support roosting bats is ranked in accordance with the criteria set out in 'Bat Surveys - Good Practice Guidelines'⁴ by the BCT:
- Category 1: Confirmed bat roost tree with field evidence of the presence of bats, e.g. droppings, scratch marks, grease marks or urine staining.
 - Category 2a: Trees that have a high potential to support roosting bats.
 - Category 2b: Trees with a moderate/low potential to support roosting bats.
 - Category 3: Trees with negligible potential to support bat roosts.

³Based on: Mammal Society (1989) *Occasional Publication No. 9 – Surveying Badgers*.

⁴ Bat Conservation Trust (2007) *Bat Surveys: Good Practice Guidelines* [N.B. These guidelines have been used in preference to the 2012 BCT guidelines which, in relation to trees, are ambiguous and incomplete.]

3. RESULTS & DISCUSSION

3.1 Ecological Designations

3.1.1 The nearest statutory nature conservation designation is Adderbury Lakes Local Nature Reserve (LNR), located approximately 2.6km to the south-east of the site. The next nearest statutory designation is Neithrop Fields SSSI, located approximately 4.5km to the north-west of the site (see Plan 3266/ECO2).

3.1.2 All statutory designations in the local area are well separated from the site by existing development and farmland, and are therefore unlikely to be affected by the proposals.

3.1.3 No non-statutory designations of nature conservation interest occur within the site. All non-statutory designations in the local area are well separated from the site and will not be affected by the proposals.

3.2 Habitats and Ecological Features

3.2.1 The following habitats/vegetation types were identified within the site and are represented on Plan 3266/ECO3:

- Arable
- Bare Soil
- Grassland
- Hedgerow

3.2.2 **Arable.** An arable field is present at the western side of the site labelled F16 on Plan 3266/ECO3. At the time of survey the field comprised crop stubble with very little colonising vegetation. Opportunistic native species, which have sparsely colonised within the centre of the field are limited to the occasional specimen of Cock's-foot *Dactylis glomerata*, Common Hogweed *Heracleum sphondylium*, Common Nettle *Urtica dioica*, Cleavers *Galium aparine*, Spear Thistle *Cirsium vulgare*, Willowherb *Epilobium* sp. and Common Ragwort *Senecio jacobaea*.

3.2.3 The arable field appears to receive intensive management and thus supports relatively few native plant species, such that it is considered to be of negligible ecological value at the local level. As such, the loss of this arable field to the proposals is of negligible ecological significance.

3.2.4 **Bare Soil.** Field F10 is located at the eastern side of the site. This field was previously recorded as being an arable field under wheat cultivation. At the time of the update survey this field was comprised entirely of bare soil from the ongoing construction activities.

3.2.5 This field is subject to regular disturbance from plant machinery and as such does not contain any vegetation. The field is considered to be of negligible ecological value at the site level. As such, the loss of this field to the proposals is of negligible ecological significance.

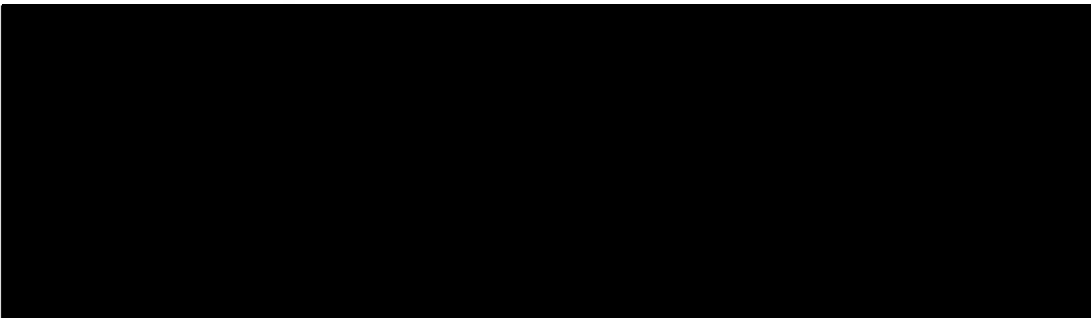
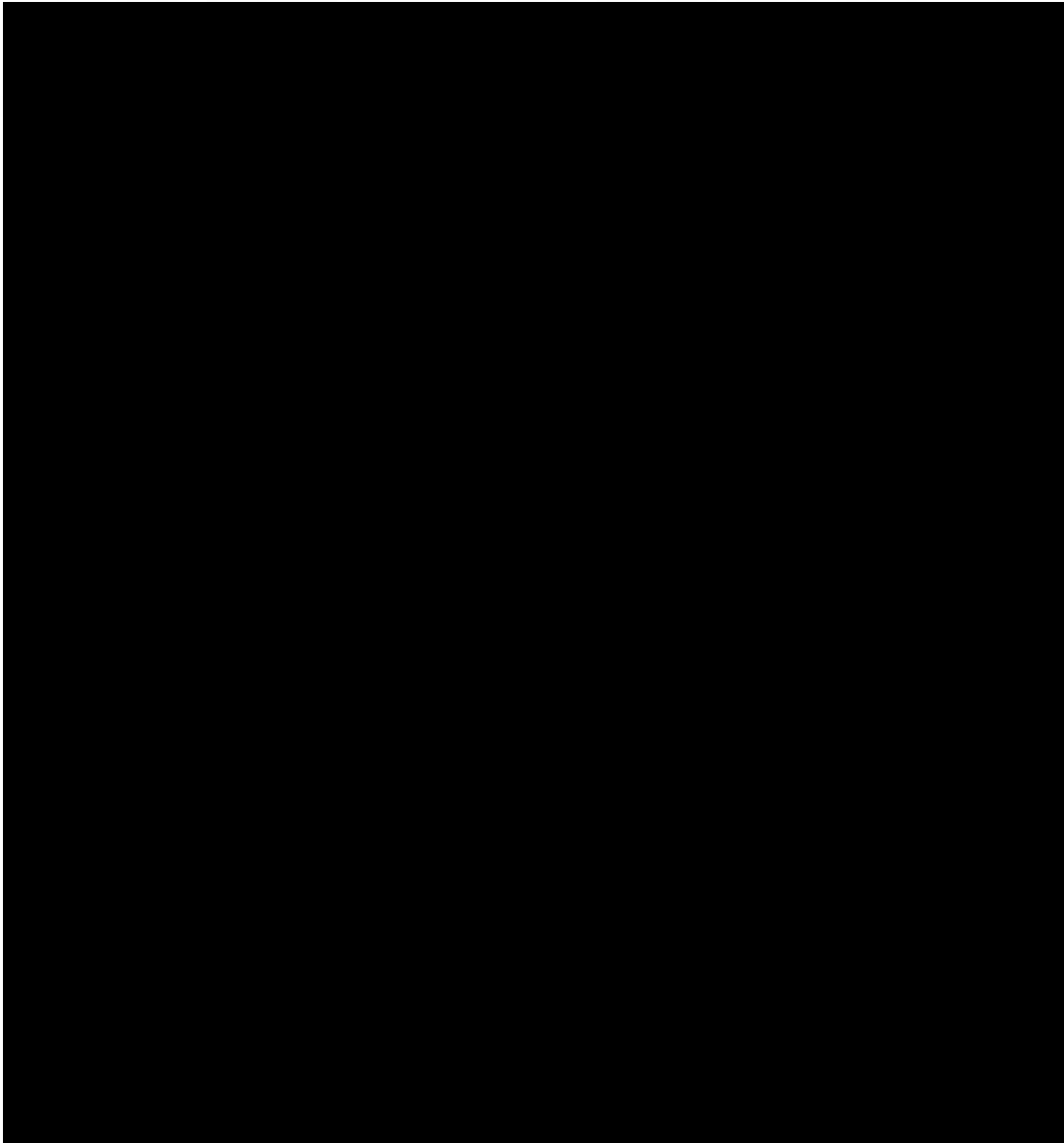
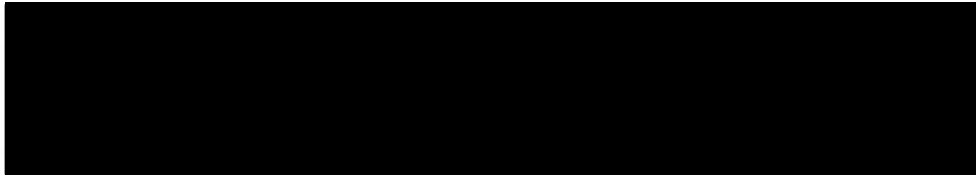
3.2.6 **Grassland.** The field margin to the east of the central hedgerow varies in

width between 1m and 5m. Grass species present include Cock's-foot *Dactylis glomerata*, False Oat-grass *Arrhenatherum elatius*, Rough Meadow-grass *Poa trivialis*, Yorkshire Fog *Holcus lanatus* and Perennial Ryegrass *Lolium perenne*, herb species including Comfrey *Symphytum officinale*, Creeping Buttercup *Ranunculus repens*, Cleavers *Galium aparine*, Wood Avens *Geum urbanum*, Red Deadnettle *Lamium purpureum*, Hedge Woundwort *Stachys sylvatica*, Dandelion *Taraxacum officinale* agg., Garlic Mustard *Alliaria petiolata* and Hedge Bindweed *Calystegia sepium*, and tall ruderal species including Common Nettle *Urtica dioica*, Cow Parsley *Anthriscus sylvestris*, Broad-leaved Dock *Rumex obtusifolius* and Common Hogweed *Heracleum sphondylium*.

- 3.2.7 The field margin to the west of the central hedgerow comprises recolonising grass species which include Black-grass *Alopecurus myosuroides*, Yorkshire-fog *Holcus lanatus* and Barren Brome *Anisantha sterilis*.
- 3.2.8 The grassland margins do not appear to be managed for biodiversity and comprise a limited range of common and widespread native species. As such the grassland margins are not classified as the Priority Habitat – Arable Field Margins. This habitat is therefore considered to be of no more than low to negligible ecological value at the local level. As such, the loss of this grassland to the proposals is of negligible ecological significance.
- 3.2.9 **Hedgerow.** The hedgerow located approximately central to the site is circa 3-4m high and 2m wide. The hedge is flail managed and has been historically laid. The hedgerow consists of Blackthorn *Prunus spinosa*, Ash *Fraxinus excelsior*, Hawthorn *Crataegus monogyna*, Field Maple *Acer campestre*, Dog-rose *Rosa canina* and Elm *Ulmus* sp. The ground flora is dominated by Cow Parsley, with frequent White Dead-nettle *Lamium album*, Yorkshire-fog *Holcus lanatus*, Garlic Mustard, Foxglove *Digitalis* sp. Hemlock *Conium maculatum* and Lords-and-Ladies *Arum maculatum*.
- 3.2.10 The hedgerow is unlikely to qualify as ecologically 'important' under the Hedgerows Regulations criteria as it does not support a sufficient diversity of native shrub species or contain enough associated features. Hedgerows are listed as a Priority Habitat under Section 41 of the NERC Act 2006 and referred to in the Oxfordshire Biodiversity Action Plan. On this basis the hedgerow is likely to qualify as Priority Habitat and Local BAP habitat, albeit it does not represent a particularly species-rich example. On balance the hedgerow is therefore considered to be of low ecological value at the local level. A proportion of this hedgerow will be lost to the proposals. The loss of this section of hedgerow is considered to be of negligible ecological significance and the remainder of the hedgerow will be protected by standard arboricultural best practice guidelines (BS5837). The small loss of hedgerow will be more than offset by the extensive new native planting proposed within the adjacent Community Park.

3.3 Protected Species

- 3.3.1 All relevant legislation for the protected species listed below is summarised in Appendix 1.



These areas further require...

- 3.3.5 **Birds.** A number of birds were recorded within the site during the survey including the Priority Species and RSPB Red Listed species Skylark *Alauda arvensis*, Yellowhammer *Emberiza citrinella* and House Sparrow *Passer domesticus*. Other species recorded include Chaffinch *Fringilla coelebs*, Blackbird *Turdus merula*, Robin *Erithacus rubecula*, Carrion Crow *Corvus corone*, Magpie *Pica pica*, Wren *Troglodytes troglodytes*, Reed Bunting *Emberiza schoeniclus*, Greenfinch *Carduelis chloris*, Wood Pigeon *Columba palumbus*, Great Tit *Parus major*, Long-tailed Tit *Aegithalos caudatus*, Blackcap *Sylvia atricapilla*, Goldfinch *Carduelis carduelis* and Whitethroat *Sylvia communis*. None of the birds recorded within the site are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), or are particularly rare. Skylark and House Sparrow are considered abundant and Yellowhammer is considered common⁵ despite their RSPB Red Listing and status as a Priority Species due to long-term breeding population declines.
- 3.3.6 Nevertheless, as all wild birds receive legal protection (see Appendix 1) the removal of the section of hedgerow within the site will take place outside the bird nesting season (i.e. outside March to August inclusive), or the hedgerow first checked by an ecologist. Any active nests identified will be cordoned off and protected until the end of the nesting season, or until the nests are no longer active.
- 3.3.7 **Other Fauna.** No evidence of any other protected, rare or notable faunal species was recorded at the site during the survey.

⁵ A. Musgrove et al. (2013) "Population estimates of birds in Great Britain and the United Kingdom"

4. ECOLOGICAL ENHANCEMENTS

- 4.1 The National Planning Policy Framework (NPPF) requires developments to maximise the opportunities for biodiversity by building in enhancement measures. The proposals present the opportunity to deliver ecological enhancements for the benefit of local biodiversity, thereby making a positive contribution towards the broad objectives of the Natural Environment and Rural Communities Act (NERC) 2006 and Local Biodiversity Action Plan (LBAP). A range of enhancement proposals are set out below.
- 4.2 **Tree and Shrub Planting.** New tree and shrub planting within the site will incorporate native species of local occurrence.
- 4.3 **Hedgerow Planting.** Two new Hornbeam *Carpinus betulus* hedgerows will be planted at the site. This will contribute to the local BAP objectives for hedgerows.
- 4.4 **Management.** It is recommended that all new and existing planting on-site be subject to ongoing management according to ecological principles to maximise the value of these habitats to wildlife. Such an approach would involve minimising use of pesticides and vegetation removal/pruning works to take place outside of the nesting bird season.

5. SUMMARY AND CONCLUSIONS

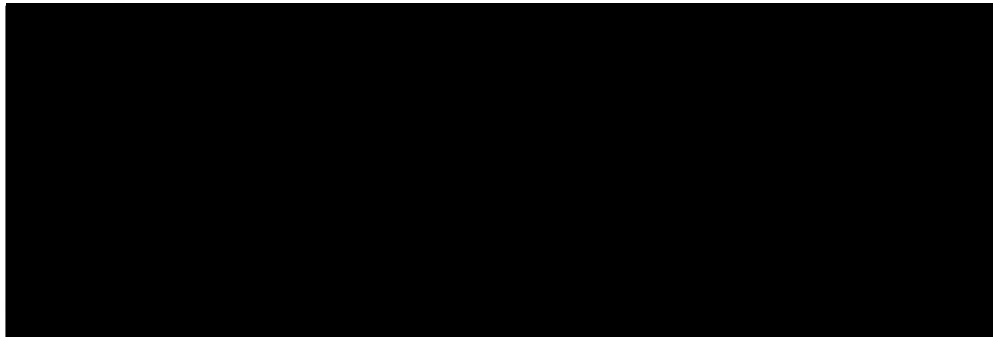
5.1 Aspect Ecology have been commissioned by Barratt Homes, Bovis Homes and Taylor Wimpey in July 2014 to undertake an ecological assessment in respect of the land which makes up the 'Village Centre' area of the development, hereafter referred to as 'the site'.

5.2 The site was surveyed in June 2013 based on extended Phase 1 methodology as recommended by Natural England, with an update survey in October 2014. In addition, a general appraisal of faunal species was undertaken to record the potential presence of any protected, rare or notable species with specific survey undertaken in respect of bats and Badgers.

5.3 **Ecological Designations.** The site itself is not subject to any statutory or non-statutory nature conservation designation. The nearest statutory nature conservation designation is Adderbury Lakes Local Nature Reserve (LNR), located approximately 2.6km to the south-east of the site. All statutory and non-statutory designations in the local area are well separated from the site by existing development and farmland, and are therefore unlikely to be affected by the proposals.

5.4 **Habitats.** The habitats on-site comprise arable, bare soil, grassland and a hedgerow. These habitats are considered to be of no more than low ecological value at the local level. The loss of these habitats to the proposals is therefore considered to be of no more than negligible ecological significance.

5.5



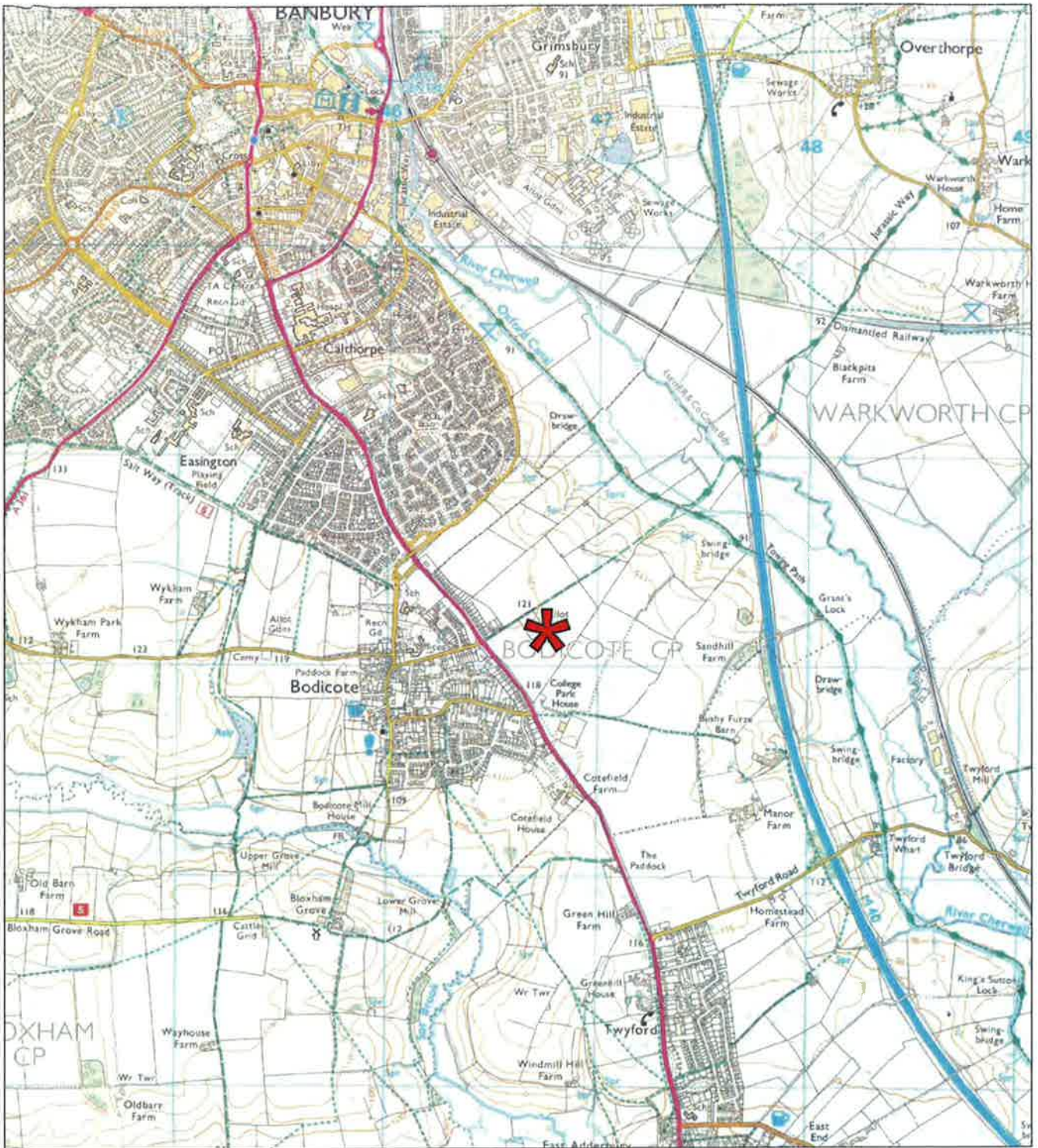
- *Common birds* may use habitats within the site for nesting, and as all wild birds receive protection whilst nesting, in order to avoid a potential offence it is recommended that any clearance of nesting habitat is undertaken outside of the bird nesting season (i.e. outside March to August inclusive).

5.6 **Conclusion.** Based on the evidence obtained from detailed ecological survey work and with the implementation of the recommendations set out in this report, there is no reason to suggest that any ecological designations or habitats of nature conservation interest will be significantly harmed by the proposals.

PLANS

PLAN 3266/ECO1

Site Location



KEY:

 SITE LOCATION

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**LONGFORD PARK, BANKSIDE,
 BANBURY - VILLAGE CENTRE**

PROJECT

SITE LOCATION

TITLE

3266/ECO1

DRAWING NO.



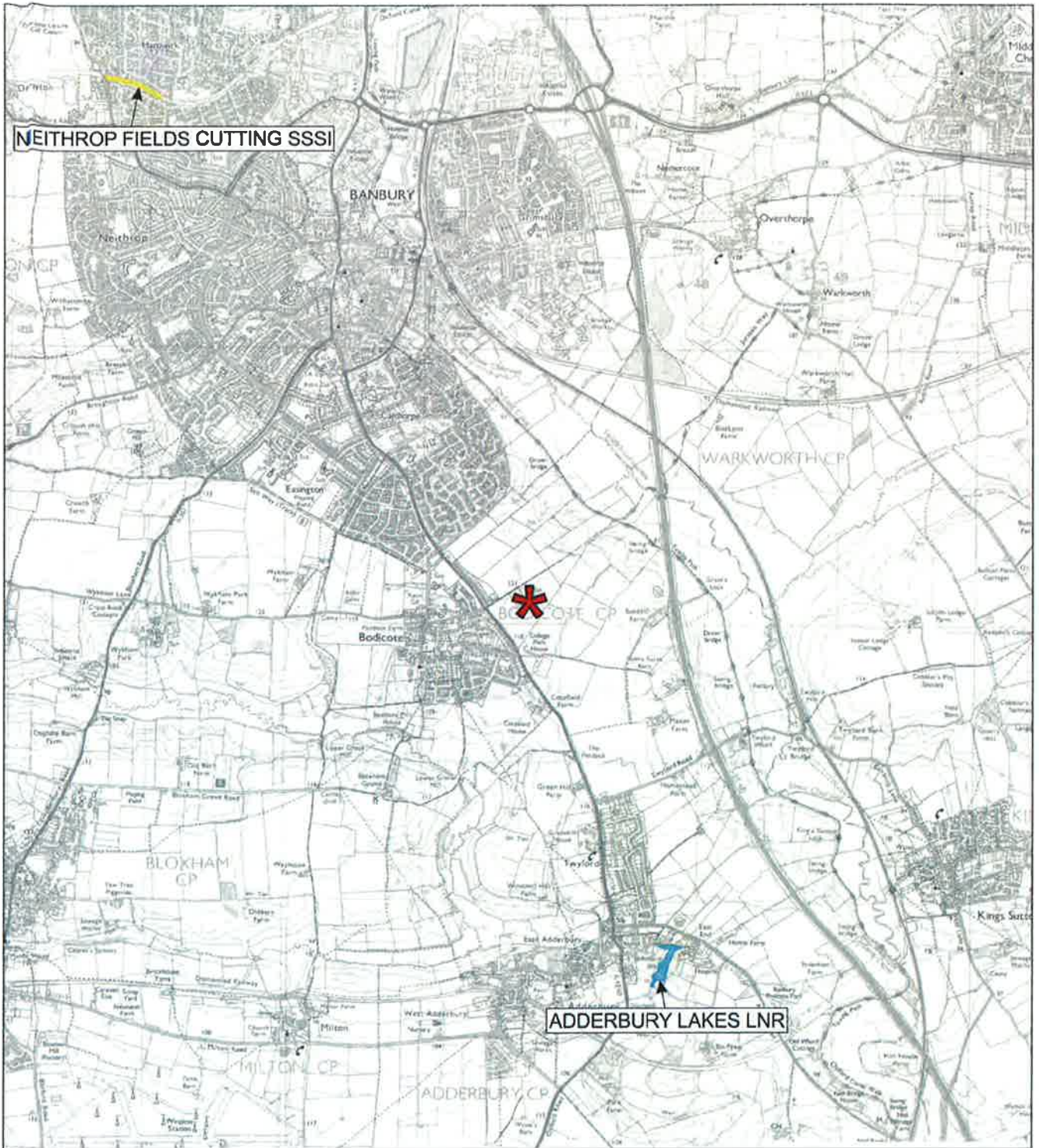
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DATE

PLAN 3266/ECO2

Ecological Designations



KEY:

-  SITE LOCATION
-  SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI)
-  LOCAL NATURE RESERVE (LNR)

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LONGFORD PARK, BANKSIDE, BANBURY - VILLAGE CENTRE PROJECT

ECOLOGICAL DESIGNATIONS TITLE

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








OCTOBER 2014 DATE


PLAN 3266/ECO3

Habitats & Ecological Features


KEY:

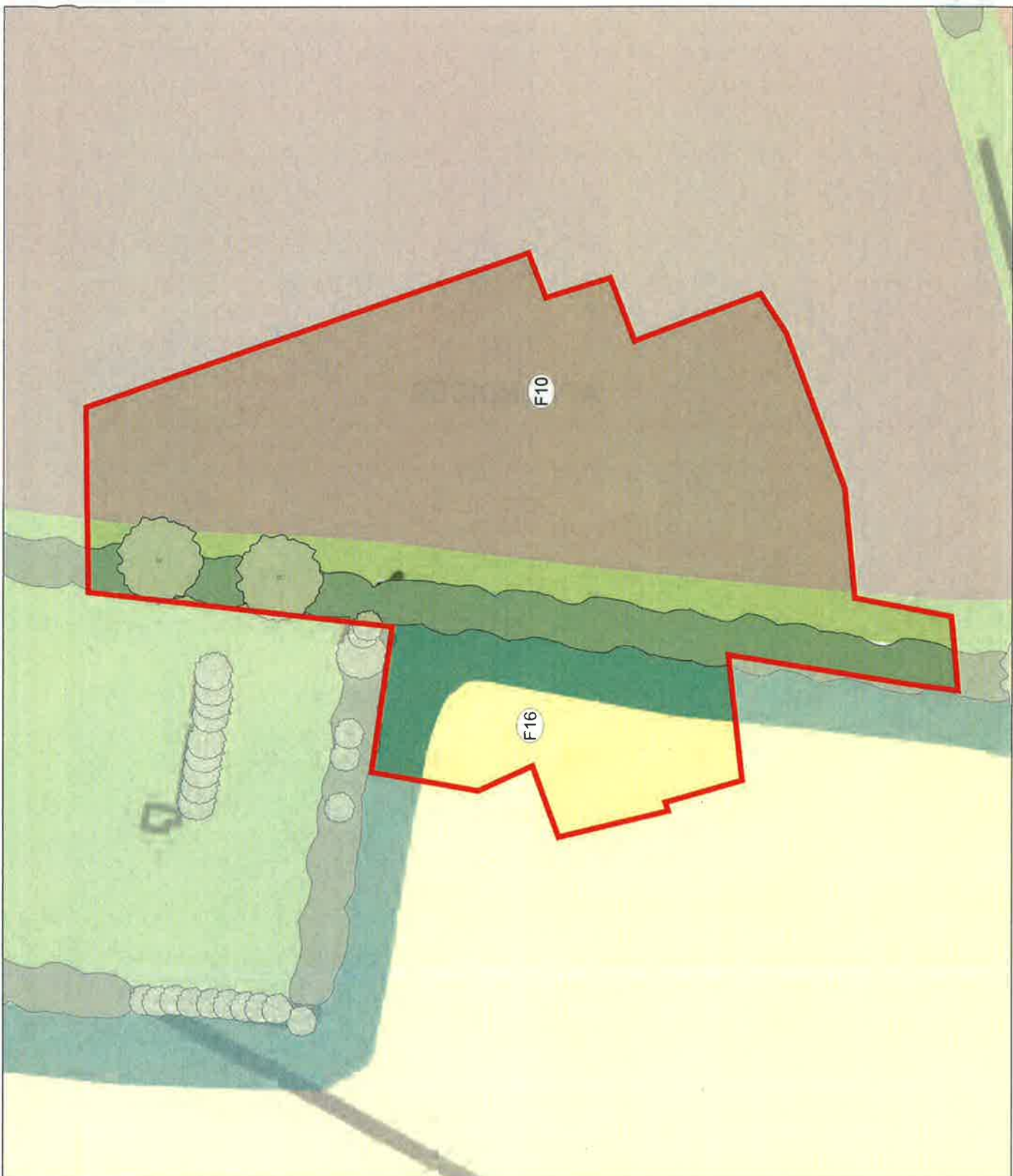
-  SITE BOUNDARY
-  ARABLE CROP
-  BARE SOIL
-  IMPROVED GRASSLAND
-  RECOLONISING GRASSLAND
-  TREE
-  HEDGEROW

<p>PROJECT</p> <p>LONGFORD PARK, BANKSIDE, BANBURY - VILLAGE CENTRE</p> <p>TITLE</p> <p>HABITATS AND ECOLOGICAL FEATURES</p>	<p>DRAWING NO.</p> <p>3266IECO3</p> <p>REV</p> <p>OCTOBER 2014</p>
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APPENDICES

APPENDIX 1

Relevant Protected Species Legislation

Badger

In the UK the relevant legislation pertaining to Badger is the Protection of Badgers Act 1992. The legislation aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain. It should be noted that the legislation is not intended to prevent properly authorised development. It is the duty of planning authorities to consider the conservation and welfare impacts of development upon Badger and issue permissions accordingly. Planning authorities are, therefore, obliged to consult the appropriate Statutory Nature Conservation Organisation (SNCO) over any planning application that is likely to adversely affect Badger. The SNCO for England is Natural England.

Under the Protection of Badgers Act it is an offence to:

- Wilfully kill, injure, take, possess or cruelly ill-treat* a Badger, or attempt to do so;
- To intentionally or recklessly interfere with a sett# (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

* the intentional elimination of sufficient foraging area to support a known social group of Badgers may, in certain circumstances, be construed as an offence by constituting "cruel ill treatment" of a Badger.

A sett is defined as "*any structure or place which displays signs indicating current use by a Badger*". Advice issued by Natural England (June 2009) is that a sett is protected as long as such signs remain present, which in practice could potentially be for some time after the last actual occupation by Badger.

Licences can be obtained from the SNCO for development activities that would otherwise be unlawful under the legislation. Guidance on the types of activity that should be licensed is laid out in the publications "Badgers and Development" (English Nature, 2002) and "Badgers and Development: A Guide to Best Practice and Licensing. Interim Guidance Document" (Natural England, 2011). For example, excavation work or use of heavy machinery within 20m of any entrance to an active Badger sett may require a licence.

Birds

Section 1 of the Wildlife & Countryside Act 1981 (as amended) is concerned with the protection of wild birds. With certain exceptions, all wild birds are protected such that it is an offence to intentionally:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird whilst in use* or being built;
- Take or destroy an egg of any wild bird.

* The nests of birds that re-use their nests as listed under Schedule ZA1, e.g. Golden Eagle, are protected against taking, damage or destruction irrespective of whether they are in use or not.

Species listed under Schedule 1 of the Act receive greater protection such that they are also protected against intentional or reckless disturbance whilst building a nest or whilst they are in, on or near a nest containing eggs or young. The dependent young of Schedule 1 birds are also protected against intentional or reckless disturbance. Offences in respect of Schedule 1 species are subject to special, i.e. greater, penalties.

Conservation Status. The RSPB categorise British bird species in terms of conservation importance based on a number of criteria including the level of threat to a species' population status¹. Species are listed as Green, Amber or Red. Red Listed species are considered to be of the highest conservation concern being either globally threatened and or experiencing a high/rapid level of population decline ($\geq 50\%$ over the past 25 years).

¹ RSPB "The population status of birds in the UK - *Birds of Conservation Concern: 2009*"

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