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FAO: Matthew Parry
Cherwell District Council
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By email only

26th April 2017

Dear Mr Parry,

Application: 15/00837/OUT, Gavray Drive, Bicester

Proposal: 15/00837/OUT | OUTLINE - Residential development of up to 180 dwellings to include affordable housing, public open space, localised land remodelling, compensatory flood storage and structural planting. Part Land On The North East Side Of Gavray Drive Bicester

Thank you for consulting the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) on the above planning application. As a wildlife conservation charity, our comments relate specifically to the protection and enhancement of the local ecology on and around the application site.

We wish to submit an *objection* on the grounds that the application does secure any management on the adjacent Local Wildlife Site (LWS) and is therefore contrary to Local Plan policies.

Having reviewed the latest information on the website we cannot see any material change since my predecessor Beccy Micklem responded in 2015. Our comments therefore still apply and are attached to this letter for completeness.

In addition we would like to make the following comments:

General

It is our understanding that this application is for 180 units on the western part of the site only. We are therefore surprised to see the submission of a drawing titled 'Gavray Drive East - Illustrative Masterplan' as part of this application, which suggests that a further phase of development is planned for the eastern part of the site. We are concerned that it is proposed for development to come forward in a piecemeal fashion with no holistic view being taken of

the site as a whole and its context (including the LWS). This concern was also voiced by the Council's internal ecological advice in October 2015.

The Illustrative Masterplan for the eastern part also shows development coming right up to the LWS boundary. Being mindful of the LWS designation, its ecological interest and wider Green Infrastructure links we consider potential development in this eastern part of the site completely unacceptable in ecological terms.

In line with BS42020:2013 standard we would also like to highlight that much of the ecological survey information used in the EIA is from 2013/14 and might require updating.

Biodiversity calculator

We note the submission of a Biodiversity Impact Calculator to demonstrate a net gain in biodiversity. We welcome its submission and recognise it as a useful tool when considering ecological impacts. However, it can in our view not give the complete answer as it only addresses impacts on habitats on site but does not take account of protected/notable species interest nor does it fully address indirect effects on adjacent habitats and species such as the ones found in the Gavray Drive Meadows Local Wildlife Site (LWS).

It is difficult to fully understand the calculation without further information and a corresponding plan, which outlines how areas have been included in the calculation. We have therefore not re-run the metric but are aware that there is a level of disagreement of how the calculator has been applied, which needs to be resolved. We are happy to assist in this process if required.

Dominic W has provided a useful example of how the single addition of indirect effects into the metric fundamentally changes the outcome from a 'net gain' to a 'net loss'. This clearly highlights that development on the western site can only be acceptable if indirect effects on the LWS are avoided (e.g. by restricting access) and subsequent management is secured.

It is our understanding from recent email exchanges that this is a view shared by others including the Council's ecological advisor, David Lowe (David L emails to Dominic W, 20th April).

Local Wildlife Site (LWS) – Ecology and Impact

The LWS is a mosaic of habitats that support remnants of lowland grassland as well as scrub, hedgerows, trees and ponds. It is rich in wildlife (including protected and notable habitats and species) and one of only three sites in the UK that is home to all five hairstreak butterflies, some of which are very rare. The biodiversity calculator cannot do this rich species ensemble justice and it is important that this special interest is recognised in any assessment. Unfortunately, the site is no longer actively managed and therefore declining but its interest would increase with appropriate management, which is a priority.

The importance of lowland grassland habitats as found within LWS is further supported by the recent changes to the JNCC guidelines for designating Lowland Grasslands as Sites of Special Scientific Interest (SSSI). The changes from 2014 recommend that not only rarer grassland types such as MG4 and MG5 but all decent semi-improved grassland sites over a size threshold might be eligible for designation highlighting an urgency to protect and manage lowland grassland habitats where they still exist.

Gavray Drive LWS includes remnants of lowland grassland and as such might not only satisfy LWS criteria but also qualify for SSSI designation under the new rules, especially if appropriately managed.

As outlined in our previous comments we are concerned about indirect impacts the development might have on the nature conservation interest of the LWS in the long term. We remain unconvinced that the proposed open space will be sufficient in size and nature to fully mitigate recreational pressure on the LWS without active management.

Indirect effects are difficult to quantify but Natural England's research on LWS in urban fringe situations shows that such sites tend to deteriorate more than their rural counterparts due to insufficient positive management. The report states: "... *positive management for wildlife was notably less likely when the site was within 100m of an urban area*". (ROUTH, C. 2016. *Natural England Research Reports, Number 063*). This was found to be particularly the case for grassland sites. Reasons for this include amongst other things indirect impacts of people (eg vandalism, stock worrying and dog fouling), private ownership and the lack of economic incentive to allow the biodiversity value of the site to decline.

The findings of the report are applicable to this situation and also reflect our experience of managing designated sites near urban centres.

Conclusion:

Policy ESD 10 of the New Local Plan seeks the protection and enhancement of locally designated sites. It is clear from this that the LWS should be protected from impacts and subject to an ecological management plan. Management of the LWS is necessary to ensure its biodiversity interest is conserved, and by improving habitat condition could also help towards mitigating impacts from recreational pressure. Without this the application does in our view not comply with Local Plan policy (ESD 10 and ESD 11).

I hope that these comments are useful; should you wish to discuss any of the matters raised, please do not hesitate to get in touch.

Yours sincerely,

Haidrun Breith

Haidrun Breith
Senior Biodiversity & Planning Officer (Oxfordshire)

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Appendix 1: BBOWT's comments from June 2015

Berkshire
Buckinghamshire
Oxfordshire



The Lodge, 1 Armstrong Road
Littlemore
Oxford
OX4 4XT

FAO Matthew Parry

By email only

12th June 2015

Dear Mr Parry,

OBJECTION Re: 15/00837/OUT | OUTLINE - Residential development of up to 180 dwellings to include affordable housing, public open space, localised land remodelling, compensatory flood storage and structural planting. Part Land On The North East Side Of Gavray Drive Bicester

Thank you for consulting the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) on the above planning application. As a wildlife conservation charity, our comments relate specifically to the protection and enhancement of the local ecology on and around the application site.

I wish to submit an *objection* on the grounds that the application does not secure any management on the adjacent Local Wildlife Site (LWS) and is therefore contrary to emerging Local Plan policies.

Gavray Drive Meadows Local Wildlife Site (LWS) is directly to the east of the application site and falls within the ownership of the applicant. The LWS and part of the application site sit within the Ray Conservation Target Area (CTA).

Relevant policy in the emerging Local Plan

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'*

Policy ESD11: *'Where development is proposed within or adjacent to a Conservation Target Area biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted. Where there is potential for*

development, the design and layout of the development, planning conditions or obligations will be used to secure biodiversity enhancement to help achieve the aims of the Conservation Target Area.'

There is also a specific policy for the allocated site, Bicester 13, which amongst other things protects the Local Wildlife Site and CTA, and highlights the need to comply with ESD11. It also sets out a requirement for an Ecological Management Plan to be agreed with the Council in consultation with local biodiversity interest groups. This approach is supported in the Inspector's Report on the Local Plan, which highlights the need for the development to contribute towards enhancement of the Local Wildlife Site's ecological interest (para 139 Cherwell Local Plan Inspector's Report).

Impact from development on the Local Wildlife Site

It is recognised within the Ecology Chapter of the Environmental Statement (9.5.17) that the development will put the LWS at risk from adverse effects resulting from increased recreational pressure. To comply with Policy ESD10, mitigation is required to reduce the impact on the Local Wildlife Site and achieve a net gain in biodiversity. We do not consider the Public Open Space proposed along the Langford Brook sufficient to entirely mitigate the recreational pressure that will be generated by the development. Existing residents utilise Gavray Drive Meadows, and it is reasonable to expect that new residents of the proposed development would also. Long term nature conservation management of the Local Wildlife Site would help to mitigate the impact of recreational pressure on the site, improving the condition of the habitats and making them more resilient to recreational pressures.

Ecology of the Local Wildlife Site

The ecological surveys undertaken to support the Environmental Statement demonstrate the continued ecological importance of Gavray Drive Meadows Local Wildlife Site. The long awaited moth surveys have demonstrated that the site is of regional importance for this species group, and other surveys show the continued (and in some cases, increasing) value of the site for butterflies, great crested newts and reptiles.

The botanical surveys conclude the site still qualifies botanically as LWS, and identify the significant changes that have occurred on the site through natural succession during the past 9 or more years during which the site has unfortunately received no management. This highlights the importance of management to conserve the botanical interest of the LWS. The lack of management in recent years is regrettable, but it is encouraging that almost all of the meadow indicator species recorded in 2002 were found to still be present on the site. As is concluded in the botanical survey this indicates that, with management, the botanical interest of the LWS can be conserved and enhanced.

Conclusion

It is evident from the botanical survey report that management intervention is essential to prevent the loss of botanical diversity through ecological succession, and to improve condition of the grassland habitats. Management of the LWS is necessary to ensure its biodiversity interest is conserved, and by improving habitat condition could also help towards mitigating impacts from recreational pressure. It is also clear from the emerging Local Plan that the area of the LWS should be protected and enhanced and an ecological management plan produced and implemented. This is an approach endorsed in the Inspector's Report on the Local Plan.

An Ecological Management Plan for the long term management of the LWS should be produced by the applicant, and its implementation secured by planning obligation. Without this commitment the application does not comply with emerging Local Plan policy.

I hope that these comments are useful; should you wish to discuss any of the matters raised, please do not hesitate to get in touch.

Yours sincerely,

Rebecca Micklem
Senior Conservation Officer (Oxfordshire)

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