

Berkshire
Buckinghamshire
Oxfordshire



**Part Land On The North Side Of Gavray Drive,
Bicester, Oxfordshire**

(Appeal by Gallagher Estates Ltd Under Section 78 of the Town & Country
Planning Act 1990)

SUMMARY

**of the PROOF OF EVIDENCE by Haidrun Breith
on behalf of The Berks Bucks & Oxon Wildlife Trust (BBOWT)**

May 2018

**PINS Appeal Reference: APP/C3105/W/17/3189611
Cherwell District Council Application reference (15/00837/OUT)**

1. My name is Haidrun Breith. I am the Senior Biodiversity & Planning Officer for Oxfordshire at the Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust (BBOWT). I am appearing on behalf of BBOWT at this inquiry.
2. The Berks, Bucks & Oxon Wildlife Trust (BBOWT) are one of 47 Wildlife Trusts that operate across the UK to safeguard and enhance our country's wildlife. BBOWT manage over 88 nature reserves and designated sites for wildlife and people within the three counties and have a wealth of experience in managing sites for nature conservation.
3. This appeal relates to the proposed development of 180 units onto the western part of the Bicester 13 allocation site. The application is outline with matters of design and layout reserved.
4. BBOWT's proof of evidence deals with issues raised in reason 1 of the refusal. As a nature conservation charity the scope of BBOWT's evidence is confined to that which relates to the nature conservation interest of the site.
5. Our proof of evidence demonstrates that the proposed development forming the subject of this appeal would have unacceptable detrimental effects on biodiversity.
6. Our case of objection to the development focusses on issues that the proposed approach does not conform with Local Plan policy and that the development will cause unacceptable recreational impact on the Gavray Meadows Local Wildlife Site in the absence of management.
7. BBOWT are not in principle against an appropriate level of development on the western part of the Bicester 13 site but are of the view that development on this allocated site has to be considered comprehensively to ensure that impacts can be fully assessed and a judgement can be made on whether or not the requirements of policy Bicester 13 are met.
8. We disagree with the appellant's approach that the site can be developed via separate applications without being in conflict with policy Bicester 13, which seeks to find a balance between nature conservation and the need for housing.
9. As part of this balance policy Bicester 13 requires the preparation and implementation of a management plan. We argue in our proof that this needs to come forward as part of this application and cannot be postponed to a potential future planning application on Gavray Drive East as there is no certainty when, or even whether, it will ever happen.
10. We question the appellant's interpretation that the policy requirement for an Ecological Management Plan applies to areas within the red line only rather than the whole site. We highlight that accepting such an interpretation is likely to result in the same approach for a potential future application at Gavray Drive East with the effect that no management for

the Local Wildlife site would ever come forward despite the LWS forming a major part of the allocation site.

11. We go on to highlight the special nature conservation interest and the species richness of the Gavray Drive Local Wildlife Site and the need for management to stop the decline of its rare and valuable habitats.
12. Policy ESD10 requires development not to impact on the LWS and to achieve a net gain in biodiversity. We disagree with the appellant that the proposed open space will provide sufficient recreational open space for residents whilst at the same time delivering a net gain in biodiversity.
13. We argue that residents will also use the Gavray Drive East for recreation increasing the pressure on habitat and species in the LWS. We believe that the open space will not be fully effective in addressing the recreational pressure on the LWS and that a combination of more formal open spaces and management of the nearby LWS are required to avoid negative effects.
14. We highlight the importance of long-term management of nature conservation sites in urban fringe settings to maintain habitat and species value and to combat and address urban-fringe pressures.
15. We outline how management of Gavray Drive LWS can not only help to conserve nature conservation interest of the site but will also improve the site's resilience to recreational pressures and improve the population of species. As part of this we highlight the importance of working with local community early on to increase the understanding of site's nature conservation interest and to create a sense of ownership.
16. We conclude that the development which has come forward for part of the allocation site does not meet the policy requirements of policy Bicester 13 as it does not allow for a comprehensive assessment of impacts nor does it fulfil the requirement for an ecological management plan.
17. We believe that the recreational impacts of the development on the nature conservation interest of the Local Wildlife Site have been insufficiently recognised and that in the absence of an ecological management plan the development will result in an unacceptable adverse impacts on habitat and species within the LWS leading to a net loss in biodiversity across the whole Bicester 13 allocation site.
18. We therefore consider the development to be in conflict with Cherwell Local Plan policies Bicester 13, ESD 10 and ESD 11 as well as the NPPF and request for the appeal to be dismissed.