

FAO: Jenny Barker
Cherwell District Council
Bodicote House

22nd September 2014

Dear Jenny

14/01384/OUT

Bicester Eco Town

Development comprising redevelopment to provide up to 2600 residential dwellings (Class C3), commercial floorspace (Class A1 - A5, B1 and B2), social and community facilities (Class D1), land to accommodate one energy centre, land to accommodate one new primary school (Up to 2FE) (Class D1) and land to accommodate the extension of the primary school permitted pursuant to application (reference 10/01780/HYBRID). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations

Thank you for consulting us on the above application. I have the following comments on behalf of the Berks, Bucks and Oxon Wildlife Trust. As a wildlife conservation organisation, our comments refer specifically to impacts on species and their habitats which may occur as a result of the proposed development.

Our comments relate to the following documents:

Biodiversity Strategy document – Appendix 6J - August 2014 – Hyder Consultancy (referred to below as Biodiversity Strategy);

Environmental Statement Volume 1 Main Text – August 2014 - Chapter 6 Ecology – Hyder Consultancy (referred to below as ES);

Green Infrastructure and Landscape Strategy – August 2014 – A2Dominion (referred to below as GI and Landscape Strategy).

Off-site farmland bird compensation

See 5.2 of Biodiversity Strategy and 6.5.2.39 – 6.5.2.45 of the ES.

We welcome the submission of the proposal and the recognition that off-site mitigation for farmland birds will be needed. Much progress has been made here, particularly in the assessment of the mitigation requirement. However there are a number of areas of concern with what is proposed to achieve the compensation, and we would therefore like to suggest alternative approaches.

Areas of concern are:

1. After the end of the 25 years of payments the proposed options will in almost all cases provide no further value as they are of a nature that require annual renewal and therefore significant annual input of time and/or money. However the impact on farmland birds arising from the development will continue after 25 years.
2. At present it is not known what payments will be available for equivalent options through the forthcoming NELMS scheme, and how and where these will be targeted. In order to be compensation then the measures must be additional. If farmers can obtain the same options for similar payments from NELMS then there is a risk that the proposal will not be additional since they could have been funded by NELMS.

3. In a similar off-site compensation scheme we are aware of then an additional sum of a little over 15% was provided over and above the payments to farmers to provide for the costs of an officer to seek out farmers to take up the options, and to advise and support them in carrying out the work. Without the pro-active seeking out of farmers we are not convinced that sufficient numbers will come forward to take up the options.
4. Other methods should be seriously considered apart from directing the money via an intermediary body which will presumably need to charge administrative costs in order to cover the time involved in distributing money. In such a scenario then potentially a significant amount of money that would have been allocated to establishing compensation would not be. In the aforementioned similar scheme we are aware of the money is held by the District Council.
5. In previous documentation then a location has been suggested for where farmland bird compensation could take place, namely the Ray Valley. No location is now given.

In our opinion the best option would be for funds to be allocated for land purchase in an agreed area and subsequent management for nature conservation by an appropriate body such as a local authority or wildlife conservation organisation. The funds would also provide for management for the initial 25 years and then thereafter the organisation would be expected to commit to on-going management as appropriate at its own cost.

This would have significant advantages as follows:

- Although the land area over which management would take place would inevitably be less than the 200 ha (80ha for this particular application, 200ha for the whole Masterplan site) currently proposed for the farmland options, the entire area of the purchased land would be available for wildlife conservation. There would be the opportunity to create a variety of habitats of value to farmland birds and other biodiversity including lowland meadows, pond complexes, hedgerows, and disturbed ground with rare arable plants.
- The biodiversity benefits would then continue in perpetuity.

In the event that this option is not possible then an option with some aspects of what is currently proposed may be appropriate but this would be less effective at guaranteeing long-term compensation and would need to address the above points.

Woodlands

Broadleaved semi-natural woodland and mature broadleaved plantation. We welcome the proposals for a Landscape and Habitats Management Plan to ensure they maintain their value to breeding birds (see ES 6.5.1.18). The exclusion of lighting is to be welcomed. **The plan should also include management to encourage a rich ground flora and ensure either successful natural tree regeneration or additional planting as appropriate to secure the long-term future of the woodlands.**

Such an aim is supported by Table 2 on page 32 of the Biodiversity Strategy, the biodiversity metric calculation post development, which gives a score of Good habitat condition for the aspiration for the retained woodland post development, and for the newly planted woodland. **To achieve this score is likely to require positive management to encourage a balanced woodland structure including:**

- **protection of young trees from deer and potentially tree planting unless natural regeneration is good;**

- **planting of ground flora or encouraging management that will protect and enhance ground flora.**

Ecological corridors / buffers

Habitats for ecological corridors, dark corridors and hedgerow and river buffers in general (referred to in all the above documents): **every effort should be taken to maximise the species richness of these corridors and buffers through the use of appropriate species rich seed mixes with a combination of wild flowers as well as grasses. In addition seed mixes next to rivers should reflect the proximity to the water and the opportunity to create a transition from the wetland to terrestrial habitats.**

Hedgerows

Paragraph 6.5.1.10 of the ES – we welcome the statement: “The implementation of a Landscape and Habitats Management Plan would ensure that the hedgerows maintain their value to hairstreak butterflies.” **The LHMP should include details of this management, showing how the differing needs of both black and brown hairstreak butterflies can be met.** These rare butterflies are very important in the local area and the commitment to consider them in the management of the hedgerows is particularly welcome. **Newly planted hedgerows should include a significant component of blackthorn, the food plant of both black and brown hairstreaks.**

Notwithstanding any specific management for hairstreak butterflies, in general a rotational cutting regime on a three year cycle wherever possible (or a two year cycle where particular reasons justify it) will be of most value to biodiversity. This is for many reasons including allowing the formation of fruit which is a vital winter food source for birds, and allowing butterfly and other invertebrate eggs laid on branches to overwinter. This is an important issue as annual cutting would have a severely detrimental impact on the biodiversity value of the hedgerows. **Further details are needed in the LHMP on the cutting cycles.**

Biodiversity Impact Assessment metric

We welcome the detail provided in Chapter 6 of the Biodiversity Strategy and the use of a metric with respect to achieving a Net Gain in Biodiversity. We note, and welcome, in Table 2 that the aim is to create/retain a variety of priority habitats (Habitats of Principal Importance under Section 40 of the NERC Act) including:

Semi-natural broadleaved woodland; ponds with buffers; hedgerows with buffers; lowland meadow; reedbed; wet woodland.

These are all scored as Distinctiveness 6 in the Table. **At Reserved Matters stage it will be important to provide significant details in the LHMP on how these priority habitats will be created/managed in order to ensure that high quality habitat is achieved, since achieving a priority (e.g. distinctiveness 6) habitat will be necessary in order to achieve a net gain in biodiversity.**

Some level of detail will also be needed regarding the creation / management of the Distinctiveness 4 habitats as well.

Green Infrastructure and Integrating Biodiversity into the Built Environment

There is an opportunity for a demonstration of high quality implementation of Biodiversity in the Built Environment. **Reserved Matters applications should include details of the proposals outlined in 1.1.1.8 and 7.1.1.1 of the Biodiversity Strategy, and in 6.5.2.38 of the ES.**

The development should include green infrastructure 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, 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 retained green corridors across the site.

Biodiversity enhancements such as hedgerow and tree planting and management, creation of ponds, creation of hibernacula for reptiles and amphibians and creation of wildflower grasslands should be included in the development design where possible 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. Proposals should also include:

- **Integrated bird nest boxes and bat boxes, in a large number of the selected residential buildings, particularly those bordering open space, as well as public buildings.**
- **Street trees, and fruit trees in gardens**
- **Native wildflower meadows and other wildlife habitats within the street environment, ideally within gardens and also within the grounds of any public buildings.**
- **It is likely that the development will involve a large amount of roof space on public / commercial buildings. To help offset the loss of greenfield land that will result from development in this area then either green or brown roofs should be required for the vast majority of the roofs of public and commercial buildings, and preferably some residential buildings, although solar panels may be an appropriate alternative for some roofs.**

Green Infrastructure should be designed to provide a network of interconnected habitats, enabling dispersal of species across the wider environment. Open spaces within developments should be linked to biodiversity in the wider countryside, including any designated sites, priority habitats and CTAs. Green Infrastructure should also be designed to provide ecosystem services such as flood protection, microclimate control and filtration of air pollutants.

Further details on some of the above are contained in:

Pages 26 – 29 of the Oxfordshire Biodiversity & Planning Guidance:

<https://www.oxfordshire.gov.uk/cms/content/planning-and-biodiversity>

“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 and details will be needed at the Reserved Matters stage. 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.

Management and monitoring

Appropriate management and monitoring of the site is vital to achieving a net gain in biodiversity. **Each reserved matters application must be accompanied by an LHMP (Landscape & Habitat Management Plan) as indicated in Section 9 of the Biodiversity Strategy. This should include both management and monitoring proposals. The management may need to be modified according to the results of the monitoring work.**

The public green space and dedicated biodiversity areas within the site would need to be managed for biodiversity in perpetuity to avoid the loss of potential benefits from the mitigation and enhancement measures. Ecological monitoring is important to ensure that the management is successful in meeting its objectives for biodiversity and to enable remedial action to be identified, if necessary.

Conditions

Following the resolution of the above areas, if the Council is minded to approve this application, conditions should be used to ensure that the ecological aspects of the development proceed in line with the proposals for retention of habitat and for mitigation, compensation and enhancements as outlined in the documents as follows:

Chapter 6 Ecology of the Environmental Statement August 2014 Volume 1 Main Text;

Chapters 1 – 10 of Appendix 6J Biodiversity Strategy August 2014

Chapters 1 – 8 of the Green Infrastructure and Landscape Strategy August 2014

Should you wish to discuss my comments further, please contact me.

Yours sincerely,

NEIL ROWNTREE

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