**From:** David Lowe [mailto:davidlowe@warwickshire.gov.uk]
**Sent:** 12 April 2017 16:30
**To:** Matthew Parry
**Subject:** Re: FW: 7057. Wendlebury Rd (Bicester Gateway) 16/02586/OUT

Matthew

I have read the attached rebuttal to our response letter and have the following comments in the order presented by Ecology Solutions:

Bats

From a telephone conversation today, Ecology Solutions have  carried out a further bat survey last week (Spring) that suggests a low use of bats over the site. It is assumed that these have taken place as it was anticipated that a condition for further survey would be added to any approval granted. This infers that a summer survey remains to be carried out to inform any reserve matters and conform to the BCT guidelines for low suitability habitat. Although CDC nor WCC has seen the results of the additional spring survey it is reassuring that there is intent to follow the guidelines and that these surveys will inform a lighting strategy and any structural planting to strengthen or secure flight-lines.

**Recommendation**: Further bat surveys can be conditioned with complimentary lighting condition and reserve matter landscaping conditions

Otter

It is unfortunate that the presence of otter was not mentioned in the Ecological Assessment if they had been scoped out. However, the facts remain that there is a fish pond adjacent to the site in short distance to the ditch/watercourse and the site itself contains dense scrub that could offer a resting place for the an otter that has used the pond and ditch. The current illustrative plan offers no compensation for any potential loss. However, the application is outline and should otter be found then the reserve matters plan could incorporate habitat compensation.

**Recommendation**: An otter survey can be conditioned with a complimentary reserve matter layout and landscaping condition.

Grass snake

No photographic plates of the habitats were included in the Ecological Assessment, so relying on the Landscape Visual Impact Assessment and July 2009 and September 2016 Google Street View data there would appear to be suitable grass snake habitat with the two fields. The September 2016 photograph shows water in the southern ditch that connects the site to the wetland reserve. Therefore, no evidence has been presented to substantiate the conclusion that '*no impacts on suitable habitat arises as a result of the proposals*'. Additionally, if the surveys for grass snake were conditioned then CDC will need to be comforted that they can be compensated for within the layout of the proposal. This cannot be determined until the population estimate (calculated by the surveys) has been carried out. It is only recommended that a condition is placed on any application where the layout will be able to compensate for a 'worst case scenario'. The illustrative plan may only be able to compensate for a low population, but again this has not been evidenced within the Environmental Assessment.

**Recommendation**: A grass snake survey is still required prior to determination.

Barn Owl

No photographic plates of the habitats were included in the Ecological Assessment, so relying on the Landscape Visual Impact Assessment and July 2009 and September 2016 Google Street View data there would appear to be suitable as barn owl foraging habitat with the two fields.

**Recommendation**: A barn owl survey is still required prior to determination.

Great Crested Newt

The extra bullets repeats the Environmental Assessment and does not supply the '*surveys undertaken in 2013 of the six waterbodies to the east of the application site*'. It is this information that is expected to have been submitted with the application to evidence the conclusions of the 2013 surveys.

**Recommendation**: That the 2013 survey information is supplied to support the evidence that great crested newts do not represent a constraint to the development.

Biodiversity Impact Assessment

The Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment states that '*Protection and enhancement of biodiversity and the natural environment will be achieved by the following: - planning conditions/obligations will be used to secure net gains in biodiversity..*.' this is in conformity with the NPPF. The Warwickshire Defra model has been used in a number of sites surrounding Bicester and within Cherwell District and is a mechanism to measure the gain and loss of habitat biodiversity within the planning process. Ecology Solutions have submitted evidence to show a loss. WCC would like to discuss the actual loss of the site

**Recommendation**: Biodiversity Offsetting is included within any obligation for the site or as a condition if an obligation is not used for this application.

If you have any further queries, please let me know.

Thanks **David Lowe B.Sc Hons MCIEEM BES**

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