**From:** Louise Sherwell [mailto:louisesherwell@warwickshire.gov.uk]
**Sent:** 13 March 2017 12:52
**To:** Planning
**Cc:** Matthew Parry
**Subject:** Re: 16/02586/OUT - Bicester Gateway - OS Parcel 2200 Adjoining Oxford Road North of Promised Land Farm

Dear Matthew,

**Re: 16/02586/OUT - OS Parcel 2200 Adjoining Oxford Road North Of Promised Land Farm Oxford Road Bicester - Phase 1 of the proposed new business park ("Bicester Gateway") comprising up to 14,972 sq m (Gross External Area) of B1 employment based buildings, plus a hotel (up to 149 bedrooms), with associated infrastructure, car parking and marketing boards.**

Regarding the above application, I have viewed the plans together with the Ecological Assessment completed of the site, aerial photography and existing biological records.  In light of the information provided, I would recommend **refusal** of the application due to inadequate assessment on the potential impact of the development on biodiversity, and the potential impact on a county important wildlife site. This is in line with the NPPF paragraph 118 and Local Plan Policy ESD 10 and Policy Bicester 10.

I agree with the concerns raised by BBOWT and the Banbury Ornithological Society regarding the potential of the development to negatively impact on the Bicester Wetland Reserve Local Wildlife Site to the east.  As a Masterplan of the whole of the Bicester 10 site is not available at this stage, it is not possible to assess the potential cumulative impact of the development as a whole (taking Phase 1 and Phase 2 together) on the Local Wildlife Site.

The ecological assessment states that it is understood that there are no potential hydrological links between the application site and Bicester Wetland Reserve LWS, an important site for wetland birds.  However from Google and Bing mapping it appears there is a ditch at the south-eastern end of the application site leading into Langford Brook adjacent to the LWS. As such there is considered to be likely hydrological link between the application site and the LWS and therefore the impact of the development including the proposed drainage strategy on the LWS should be fully assessed prior to determination of the application.  There may also be cumulative impacts on the bird assemblage through the proposed loss of habitat of the application site, as local habitats provide a network of suitable habitats in the local area as highlighted in the response letter from the Banbury Ornithological Society dated 11th March 2017. At present, the Masterplan for Phase 1 shows very little scope for habitat enhancement and creation on site and in light of this it is expected that the proposals will result in a significant net loss to biodiversity due to the proposed loss of semi-improved grassland, scrub and hedgerows.  In line with paragraph 118 of the NPPF, if significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort, compensated for, then planning permission should be refused. The proposals include few measures to enhance the existing biodiversity value of the site, for example such as creation of SUDs and landscaping to link up ecological features, such as management of species-rich hedgerows for example.  As such in line with the mitigation hierarchy in the first instance, I would strongly recommend that the outline proposals fully consider retention of existing habitat on-site where possible, in particular scrub and grassland habitats. I would also recommend that a Biodiversity Impact Assessment (BIA) is undertaken by the applicant's ecologist using the attached BIA calculator which has been developed in accordance with Defra guidelines.  This is to determine the estimated net gain or net loss to biodiversity at this stage of the development and should the proposed works result in a net loss, a biodiversity offsetting scheme would be recommended to be secured via a Section 106 agreement to compensate for the loss, in line with the NPPF. I've attached the BIA calculator and guidance notes and happy to discuss if you need any further information.

I am also concerned with the proposed removal of the sections of hedgerows along the A41 and Wendlebury Road and the impact of the loss of habitat for foraging/commuting bats. The increased lighting as a result of the development may also have an adverse impact on bats. One transect survey was undertaken quite late in the season (23rd September 2016) and two static bat detectors were used but only for one night which is not in line with the Bat Conservation Trust guidelines (2016). I would recommend that the route of the transect which was undertaken is provided by the applicant's ecologist to clarify which area of the site was surveyed. Further bat activity survey effort may be required to fully determine the impact of the proposed development on bats and in order to inform appropriate mitigation measures.

Please don't hesitate to contact me if you need any further information.

Kind regards,

Louise

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