

Community Services

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Development & Major Developments
Cherwell District Council

FAO: **Matthew Parry**

31st March 2017

Dear Matthew

Application Ref: Bicester Gateway Phase 1 - 16/02586/OUT

Proposal: 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.

I have reviewed the application and would like to make the following comments

The development is in outline including access arrangements inferring that the actual impacts for Phases 1a and 1b cannot be accurately assessed until reserve matters. On your advice I have looked at both phases as if they are individual applications as it is unknown how they will be brought forward. I also note that these phases are part of a wider allocation of Policy Bicester 10: Bicester Gateway in the Core Strategy. Our concerns are:

Ecological Surveys

The Ecological Assessment states that a Phase 1 habitat survey was carried out in April 2016. During this visit trees were inspected for bat potential; signs for badger presence and onsite reptile refugia disturbed. A second survey for bats was undertaken in September 2016 to include a transect survey and two static detectors were left overnight. In the Amphibians (section 5.4) the Ecological Assessment refers to 2013 surveys on ponds nearby that found no records from Great Crested Newts and that "*checks of suitable refugia within the application site did not reveal the presence of any amphibians*". Although, the report then states that the habitat for grass snake is sub-optimal.

It is noted that the TVERC data was generated on 13th May 2016 after the Phase 1 survey had been carried out and so did not inform the site visit. Therefore, species records not considered prior to the site visit include barn owl (Bicester Wetland Reserve), grass snake (recorded on site (28/07/1987 - field record) and otter (Bicester Wetland Reserve). Similarly, the report references the use of the NBN Gateway as an information source despite the website clearly states that the data on the site is not to be used for commercial purposes.

Our concern is that there has not been enough survey effort to determine the presence or absence and use of protected species onsite.

Bats

The Bat Conservation Trust Guidelines suggest for low suitability habitat for bats the following surveys are required:

- Transect/spot count/times search surveys: **One survey per season** (spring - April/May, summer - June/July/August, autumn - September/October); and
- Automated/static bat detector surveys: One location per transect, data to be collated on **five** consecutive nights per season (spring - April/May, summer - June/July/August, autumn - September/October in appropriate weather conditions for bats.

Without this information one cannot determine how the pipistrelles or other bats missed though no-seasonal surveys are using the site or its boundary features and how any entrance feature(s) into the site could disrupt this activity.

Otters

Otters have been recorded on the Bicester Wetland Reserve and there is a watercourse that links this site with the reserve and no mention of this is included in the Ecological Assessment.

Grass Snake

A Grass snake, albeit 1987, has been recorded on site and there is a wetland reserve hydrologically linked to the site. If grass snake persists on the site then an April survey of looking under naturally occurring refugia does not follow national guidelines.

Barn Owl

Barn Owls have been recorded on and/or adjacent to the Bicester Wetland Reserve and semi-improved grassland would provide suitable habitat for their prey species, however, there were not surveys for this species nor a reference to them in the Ecological Assessment.

Great Crested Newts

Although the statements in the Ecological Assessment may be correct the evidence to back this up has not been submitted.

Botanical Surveys

April (actual date unknown) is not the best time to survey grassland, guidelines recommend late May to early July. To accurately assess the grassland's condition a survey at these times for lowland meadow would be required.

Recommendations: Further surveys are required to determine the presence or absence of the above species and how they use the site throughout the year. The current indicative layout does not illustrate how either Phase 1a or Phase 1b have flexibility to compensate for these species, should they be found to occur on the site at a later date. It is also recommended that the supporting evidence for the great crested newt absence statements within the Ecological Statement is submitted as part of this application.

Biodiversity Impact

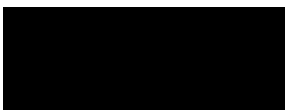
Phase 1a has been shown to have a biodiversity loss. Ecology Solutions (applicant's ecological consultants) suggest a loss of 2.3 biodiversity units using the Warwickshire Biodiversity Impact Assessment Defra metrics. Phase 1b suggests an additional loss of 4.39. Due to the lack of an accurate assessment of the grassland the actual impact could be greater than this; our calculations suggest a potential impact of 6.82 and 15.22 biodiversity units loss respectively. Indicatively this could infer Biodiversity Offset costs of £212,700 and £463,900.

Recommendations: That Biodiversity Offsetting is included within a Section 106 obligation to ensure no net loss. However, it is strongly recommended that this is informed by an appropriate assessment of the grassland to assist with any viability assessment for the phases.

Conclusions

There is not enough survey data to inform how this development (phase 1a and/or 1b) will impact on protected species and as such it does not accord with the ODPM Circular 6/2005, local authority NERC Duties (2008) and the Habitat Directive (2010). Therefore, it is recommended that the application is refused until further surveys are carried out.

Yours sincerely



David Lowe

Principal Ecologist