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By email only

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21<sup>st</sup> December 2022

Dear Emily

REFERENCE NO: R3.0138/21

**PROPOSAL:** The dualling of the A4130 carriageway (A4130 Widening) from the Milton Gate Junction eastwards, including the construction of three roundabouts;

- A road bridge over the Great Western Mainline (Didcot Science Bridge) and realignment of the A4130 north east of the proposed road bridge including the relocation of a lagoon;
- Construction of a new road between Didcot and Culham (Didcot to Culham River Crossing) including the construction of three roundabouts, a road bridge over the Appleford railway sidings and road bridge over the River Thames;
- Construction of a new road between the B4015 and A415 (Clifton Hampden bypass), including the provision of one roundabout and associated junctions; and
- Controlled crossings, footways and cycleways, landscaping, lighting, noise barriers and sustainable drainage systems. at A linear site comprising a corridor between the A34 Milton Interchange and the B4015 north of Clifton Hampden including part of the A4130 east of the A34 Milton Interchange, land between Didcot and the former Didcot A Power Station and the Great Western Mainline, land to the north of Didcot where it crosses a private railway sidings and the River Thames to the west of Appleford-on-Thames before joining the A415 west of Culham Station, land to the south of Culham Science Centre through to a connection with the B4015 north of Clifton Hampden

We note the submission of further Information in relation to the Application for Planning Permission Accompanied by an Environmental Statement (Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as Amended).

We have the following comments on behalf of the Berks, Bucks and Oxon Wildlife Trust. As a wildlife conservation focused organisation, our comments refer specifically to impacts on species and their habitats which may occur as a result of the proposed development.

BBOWT notes the submission of further information in relation to this application but we maintain our objection on the following grounds:

- 1. The proposed development raises serious concerns about the negative impact on breeding and wintering birds across the whole scheme including disturbance during construction and operation and accidental mortality from collision with vehicles.**
  - 2. The proposed development raises serious concerns about the negative impact on the final scheme proposed for the Hanson restoration area at Bridge Farm, Sutton Courtenay including:**
    - a) Impact on priority habitat**
    - b) Impact on birds and other wildlife**
    - c) Impact on the nature reserve for the visiting public**
  - 3. The applicant's metric assessment in the area of the minerals restoration appears to be based on its current state, rather than on the future baseline accepted by the Environmental Statement, being the baseline of the final restoration scheme at Bridge Farm, Sutton Courtenay.**
- 1. The proposed development raises serious concerns about the negative impact on breeding and wintering birds across the whole site including disturbance during construction and operation and accidental mortality from collision with vehicles.**

We note the applicant's response at paragraph 10.7 of their EIA Regulation 25 Response. However, we do not accept the argument that there will be no negative impact on breeding and wintering birds across the whole site. Paragraph 10.7 argues that as the Hanson restoration area matures it will become less suitable for certain species and more suitable for others. The proposed development can therefore be expected to have an impact on those species which the Hanson restoration area would have become more suitable for if it were not for the impact of the development. We therefore stand by point 1 of our original response dated 27<sup>th</sup> January 2022 which is appended to this response.

- 2. The proposed development raises serious concerns about the negative impact on the final scheme proposed for the Hanson restoration area at Bridge Farm, Sutton Courtenay including:**
- a) Impact on priority habitat**
  - b) Impact on birds and other wildlife**
  - c) Impact on the nature reserve for the visiting public**

As stated in our original response dated response dated 27<sup>th</sup> January 2022 which is appended to this response it is our opinion the application should be treated as if it was impacting on nature conservation land use including a variety of habitats rich in wildlife and with provision for visitors as proposed by the Hanson Aggregates Sutton Courtenay - Bridge Farm Revised Restoration Scheme. It is quite possible that the restored site would ultimately become a site of Local Wildlife Site quality and therefore it is our opinion that the application should be assessed in that context.

- a) The proposed nature reserve at the Hanson restoration area would in time, allow for the creation of high value priority habitats including wet woodland, reedbed, eutrophic standing**

water and, potentially, lowland meadow and the application must therefore be assessed in the context of the loss of this priority habitat.

- b) As stated at point 1. above, the scheme will impact on the potential use of the site by a wide range of species, including breeding and wintering birds as well as many other species groups, which would otherwise have expected to colonise the site following the completion of the restoration scheme
- c) It would be reasonable to assume that the proposed scheme will have a negative impact on the nature conservation land use at the Hanson restoration area for the visiting public, both because of the adverse impact of the scheme on habitat and wildlife as outlined above, and because of the visual, noise and general disturbance impact of the scheme on the nature reserve.

In our opinion the applicant has not addressed our concerns within the supplementary information supplied and therefore the application is still in contravention of the NPPF and local plan. We therefore stand by point 2. of our original response dated 27<sup>th</sup> January 2022 which is appended to this response.

If the authority was to decide that this scheme should go ahead we would suggest that the applicant should provide an additional nature reserve of appropriate size and quality in order to compensate for the loss of priority habitat which will result from the proposed scheme.

**3. The applicant's metric assessment in the area of the minerals restoration appears to be based on its current state, rather than on the future baseline accepted by the Environmental Statement, being the baseline of the final restoration scheme at Bridge Farm, Sutton Courtenay**

We note that there have been some changes to the Biodiversity Net Gain assessment, potentially as a result of the concerns we raised in our response dated 27<sup>th</sup> January 2022 with regard to the future baseline of the Hanson Restoration Area – see that response (appended) for further details of our concerns. However, we do not consider these changes have addressed our concerns. We therefore continue to object regarding the net gain assessment of the scheme.

The ES describes the future baseline of the Hanson Restoration Area as follows. We have attached notes after each section to demonstrate our concerns that the future baseline as indicated in the ES may not be fully expressed as yet within the Biodiversity net gain metric:

**Extract from ES, with our notes following:**

*“9.7.13 The future baseline has been assumed to include the Hanson restoration area, including the Culham finger lakes (WB16), according to the Hanson Aggregates Sutton Courtenay - Bridge Farm Revised Restoration Scheme. While the restoration scheme may not be fully implemented or matured by 2023, the proposed habitats are assumed to form part of the construction year baseline for the Scheme. The areas of restored habitat to be affected by the Scheme form a wetland vegetation mosaic, including:*

- *Reedbed and wet woodland planting subsequent to re-grading – areas of reedbed and reed fringe to be crossed by embankment and viaduct, with areas lost for embankment and viaduct piers, and other areas affected by shading;*

We would therefore expect wet woodland and reedbed priority habitats (since ultimately that is what they were intended to become and that therefore is the baseline that should be used), to be shown in the baseline and then to be shown as being lost or degraded (for example by a reduction in distinctiveness and/or condition) post-development e.g. due to the loss and shading indicated above in the ES. However, we can find no reference to wet woodland in any of the net gain tables. We do find that an area of reedbed in good condition (1.83ha = 36.23 units) has been included, which had not been previously included, however there is no loss or degradation of this habitat shown in the post-development table, which still shows 1.83ha = 36.23 units. And yet this is despite the ES stating:

*“Reedbed and wet woodland planting subsequent to re-grading – areas of reedbed and reed fringe to be crossed by embankment and viaduct, with areas lost for embankment and viaduct piers, and other areas affected by shading;”*

- *“Wet woodland will occupy slightly higher ground out on the fingers, and at the higher western ends of the fingers that remain above winter flood levels – areas of existing tree and scrub vegetation will be lost for embankment and viaduct piers, and other areas affected by shading;”*

It is not clear to us where the “tree and scrub vegetation” is recorded in the baseline, and what losses or degradations in condition have been included within the metric bearing in mind this statement in the ES:

*“areas of existing tree and scrub vegetation will be lost for embankment and viaduct piers, and other areas affected by shading;”*

- *“Dry lake margins intended to be managed as wet flower-rich grassland approximating to MG4/MG5 grassland, interspersed with tree clumps along shorelines – areas of such grassland will be lost for embankment and viaduct piers, and other areas affected by shading;”*

Since it could reasonably be expected that this MG4/MG5 habitat, managed as a nature reserve, might ultimately attain lowland meadow priority habitat status, then we would suggest that a precautionary approach should be taken and the metric baseline should show lowland meadow priority habitat, and an appropriate loss or degradation of this in the post-development metric as a result of what is stated above in the ES e.g.:

*“areas of such grassland will be lost for embankment and viaduct piers, and other areas affected by shading; and*

- *Areas of standing water to be lost by embankment and viaduct placement, and areas to be shaded by the viaduct.”*

We would also expect therefore to find the metric showing areas of priority habitat pond being lost or degraded. However, with all the habitats on the whole scheme being lumped together into one set

of tables without any geographical indications of what compartment each row is linked to, it is impossible to see if that has been implemented within the metric.

We set out in our original response our very serious concerns about the proposal to put a road through what is effectively (in that the future baseline of the Hanson Restoration Area has been created by a previous planning application) a nature reserve. We consider that the only acceptable ways of dealing with that are a) reroute the road so that it no longer passes through the Hanson Restoration area, which is the option that we consider must be taken, or b) if that is not taken forward, the only alternative to in part compensate for the immense impact the road will have on the nature reserve is the creation elsewhere of a nature reserve of equivalent size and habitats to the Hanson Restoration Area, and its management for wildlife in perpetuity by an appropriate organisation skilled in the delivery of wildlife habitat to a nature reserve standard. Neither of these options appear to be being offered.

**So, we ask that in the light of everything we have written above, that the habitat distinctiveness and condition scores for the habitats within the Hanson Restoration Area, for both baseline and post-development, are reassessed and submitted for consultation.**

Also, with the scheme being of such magnitude it is not possible to decipher which rows of the net gain assessment refer to the Hanson Restoration Area and therefore whether any of the concerns we have with regard to the BNG assessment of this area have been addressed. **We ask therefore that a supplementary metric is supplied for the Hanson Restoration Area indicating clearly the changes in unit value within the area, with justifications for the scores given, and indicating where the habitat creation to compensate specifically for the losses in the Hanson Restoration Area will take place.**

We would also ask with respect to the net gain assessment:

**How has it taken into account the impact of the road on the ability to manage the habitats as originally intended within the Hanson Restoration Area, as well as that directly impacted? If no appropriate allowance is being made for that evidence should be provided for the management continuing exactly as originally intended.**

The BNG assessment is stating that a net gain in biodiversity will be achieved but there is a lack of information that allows proper assessment of how the habitat distinctiveness and condition scores that are given in the metric will actually be achieved. **It is imperative that a detailed habitat management plan is produced on a compartment by compartment basis so that it can be seen exactly what habitat and creation will take place at each location, in order to justify the distinctiveness and condition scores for the post-development metric and maps. Also, full justification should be provided for the condition scores used in each row of the metric, as is common practice. We would suggest this is done by the use of the Assessor comments column in the Defra 3.1 metric spreadsheet, which, for reasons set out below, we are asking is submitted.**

It is not possible currently to check the working for the metric, since it has been supplied only as a pdf document. It is common practice for the metric to be submitted as the original DEFRA 3.1 metric spreadsheet so it is then clear how the figures have been arrived at. **We ask that the original metric spreadsheet is supplied and consulted on.**

Whilst we welcome the detailed maps for both baseline and post-development Distinctiveness scores that are supplied, **we ask that an additional element is added to the maps, which is the condition scores for the post-development maps.** This is because it is not currently possible to link the rows within each line of the BNG assessment in Tables 7 – 14 with the locations on the map. It is essential that it is clear for any given location what habitat distinctiveness and condition is being committed to at that location (whilst the maps show the Distinctiveness being committed to, they do not show the Condition). Otherwise there is no mechanism for future checking to be carried out to ensure that the development is delivering the quality of habitat that is committed to in the metric, since it would not necessarily be known what Condition was committed to at that location. To take an example, Table 10 indicates both moderate and good condition outcomes for other neutral grassland, but it is not clear which is expected where. An alternative approach would be to number each compartment on the map and link each compartment number to an individual row on the metric.

We are also concerned about the approach being taken to compensate for the loss of 1.12 ha priority habitat lowland deciduous woodland (see section 2.1.6 of the Reg 25 Appendix R BNG Assessment document). Any loss at all of priority habitat woodland is of the utmost concern, and we would suggest is contrary to the below SODC planning policy, and we would suggest that the route is amended to avoid that loss. If nevertheless the applicant continues with the existing route and the consequent loss of the priority habitat woodland, then we consider that the only acceptable method for compensation would be one that creates considerably more new woodland than that which is lost, as well as delivering a considerable increase in priority habitat woodland. However, the approach being used appears to be to enhance existing woodland rather than create new woodland e.g. 2.1.6 states: *“the enhancement of 3.59 ha of retained ‘Other woodland: broadleaved’ to ‘Lowland Mixed Deciduous Woodland’ in ‘Poor’ condition.”* However, that represents an overall loss of 1.12 ha of woodland habitat. Whilst it may achieve the units required within the metric, we consider it to be contrary to the planning policy in the South Oxfordshire Local Plan. We consider an approach should be taken that involves avoidance of loss. If nevertheless the applicant continues with the existing route then the compensation should include a considerable increase in woodland habitat, and a considerable increase in priority woodland habitat. If that is in fact being delivered then that needs to clearly set out, including by the submission of the completed Defra 3.1 metric spreadsheet which clearly shows the change in habitat area for each type of habitat in the Trading Rules tab.

The South Oxfordshire District Council Local Plan states –

*“3. Development likely to result, either directly or indirectly to the loss, deterioration or harm to:*

*.....*

- *Priority Habitats and Species*

- *.....will only be permitted if:*

- i) the need for, and benefits of the development in the proposed location outweigh the adverse effect on the interests;*

- ii) it can be demonstrated that it could not reasonably be located*

*on an alternative site that would result in less or no harm to the interests; and  
iii) measures will be provided (and secured through planning conditions or legal agreements), that would avoid, mitigate or as a last resort, compensate for the adverse effects resulting from development.”*

We hope that these comments are useful. Please do not hesitate to get in touch should you wish to discuss any of the matters raised.

Yours sincerely

Nicky Warden

Public Affairs and Planning Officer