

# Planning application: R3.0151/21

A40 HIF2 Smart Corridor ('HIF2 project') A40 corridor between Witney and Wolvercote, Oxfordshire

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## Introduction

I am sure it has not been the intention, but the sheer number, size and length of the documents relating to this application have made it very difficult for lay people to find their way around. For this reason, I hope that you will publish responses not only from 'statutory consultees' and organisations, but also from individuals who have managed to wade through at least some of the daunting documentation.

My comments will focus mainly on biodiversity and landscape, but will also touch on the location of a construction compound and a flood compensation area next to Eynsham, and will ask questions about Eynsham Wood and Public Rights of Way.

### 1. Biodiversity and landscape

Page 10 of Chapter 6: Biodiversity makes the following promise: "There is a commitment to [a] minimum 10% net gain to be delivered by the proposed development." However, no specific percentage figure for an achievable and compulsory aspiration is given. Instead, it is left open: "onsite and offsite habitat creation "would result in biodiversity net gain" (para 6.9.30). The Sustainability Statement goes on to say that "further details will be provided in the project's Biodiversity Net Gain report, to be produced subsequent to the planning submission" (para 6,10). This is a vague deferral to the future, when certainty is needed now.

The main reason for my objection to the project is my contention that the documentation fails to demonstrate biodiversity net gain: much more needs to be done. The project has some positives – eg, creation of 8 new ponds for Great Crested Newts – but overall the sums do not add up to an increase. For example, much is made of the creation of 6.4 ha of broadleaved woodland ("on embankment slopes") to replace the loss of 4.9 ha of existing woodland. But this needs to be seen in the wider context of habitat loss and creation. Leaving hedgerows aside for the moment,

25.5 ha of new habitat will be created (para 6.6.7). In contrast, 48.4 ha of habitat will be permanently lost (para 6.7.20). It is hard to see how this will result in *at least* 10% net gain in biodiversity.

Likewise, although an impressive-sounding 11,550 metres of hedgerow will be planted, 11,715 metres will be removed (a small net loss). The document admits that, even with “mitigation included in landscape design”, this will result in a “slight adverse effect”. Surely an understatement: most of the existing hedge, 10,520 metres (c. 90%) is “species-rich”, strongly suggesting that it is old enough to be fully protected by the Hedgerow Regulations 1997.

Let’s look closer at the removal of trees, or “tree features”. It turns out that the term “tree features” covers individual trees, tree groups, parts of woodlands, hedges and parts of hedges. According to Appendix 10-F (Arboricultural Impact Assessment), 1,077 tree features have been recorded on or in proximity to the site, of which half, 537, are to be removed (pages 12 and 19). Furthermore, “Where significant tree removal is to take place in proximity to trees to be retained there is some potential for additional tree removals or other remedial work” (page 26: open-ended, it seems). No mention here of how many will be planted, only that new planting should follow guidance set out in BS8545 (page 24).

“The surveyed trees are predominantly semi-mature to mature and in fair to good condition” (page 12). There are 64 in the highest category (Category A); 28 of these will be removed, and a further 9 may need “some incursion into their construction exclusion zone” (page 19). In Category B, “192 Individual trees, 40 tree groups, part of 20 tree groups and part of two woodlands” will be “removed to facilitate the proposed development”. Given that “The hedgerow and mature standard trees within and adjoining the corridor represent habitat of principal importance under Section 41 of the NERC Act (2006)” and are an Oxfordshire priority habitat (Chapter 6: Biodiversity, para 6.5.15), this extent of removal is pretty devastating for wildlife.

Moreover, the Arboricultural Impact Assessment goes on to say that “The majority of hedgerows on site are currently maintained by a tractor flail which can be continued *however it might be required more frequently*” (page 23, my italics). This is precisely the worst thing you can do if you want to achieve biodiversity net gain in a hedgerow.

Overall, it is hard to see how, *cumulatively*, “there will be no significant residual effects resulting from the proposed development” (Chapter 6: Biodiversity, para 6.9.1). Such a statement is either a questionable assertion or just wishful thinking. Table 6-16 addresses the “residual effects” on biodiversity. It calls them “potential”, but the last column is the one to look at: “Residual effect significance”. The table breaks the summary down into 30 categories, broadly by habitat, species and other features. Of these, the residual effect is “slight adverse” for 16, “negligible adverse” for 3, and “neutral” for 9. Only 1 category is “slight beneficial” and 1 “neutral–slight beneficial”. How can this add up to biodiversity net gain? The “adverse” terms are themselves questionable; there is a strong case for concluding that they have an element of subjectivity that leaves them open to an understatement that favours development. (Subjectivity be reduced by adopting accepted professional and technical assessment models and procedures – see the Landscape Institute.)

It is the same story with Chapter 10: Landscape. This claims that “There are no residual landscape and visual effects of the proposed development” (para 10.9.2). And yet, Table 10-15 suggests the opposite. In its title, the table refers to “potential effects”, but it again includes a column called “Residual Effect Significance”. There are 27 categories, 16 of which are “moderate adverse” in this column and 11 are “large adverse”. What exactly is going on here?

## 2. Areas next to Eynsham

### **Construction compounds**

The siting of the material storage compound south-west of the Eynsham roundabout reflects a wider cavalier attitude of the planners towards the residents of Eynsham, in this case those who live in the north-east of the village. The compound will remove much of the barrier to A40 noise provided by the existing vegetation and increase the amount of HGV traffic and turning, manoeuvring, loading and unloading nearby (see Appendix A4 Preliminary Compound Locations). It is not clear exactly where the entrance and exit to this compound will be, but it will add to the density and complexity of the traffic near the roundabout.

Similarly, the Main Construction Compound will have an impact on residents in north-west Eynsham on either side of the A40. If it were the case, as Chapter 6: Biodiversity claims (para 6.6.5–6), that “All compounds will be reinstated to existing land use following completion of construction (approximately 30 months duration)”,

then there would be no Park & Ride. So it is an inaccurate statement which casts doubt on the reinstatement of the other compounds.

ES Vol II Appendix 17 A refers on page 3 to “placing noisy plant and equipment as far as practical from potential receptors” as “essential mitigation”. In the case of these two compounds, the “potential receptors” are nearby Eynsham residents who are hardly as far away as practical. They are being badly treated.

### **Flood compensation**

Are the Eynsham residents and others who use the fields to the immediate east of the eastern Eynsham bypass aware that much of this land will become “a possible area for flood compensation Flood Zone 3”? What are the implications of this? Does it foreshadow the conversion of that land into a new sharp sand and gravel quarry in an updated OCC Minerals & Waste Strategy (site allocations yet to be finalised; further preferred options due summer 2022)? Why is there no mention of this Strategy and the fact that, depending on the chosen site allocations, it could have a profound effect on the local road system, biodiversity, air quality, noise, light pollution, amenity and climate change? It’s the same Council that has responsibility for both the A40 and the Minerals & Waste Strategy, after all.

### **Eynsham Wood**

Chapter 6: Biodiversity describes Eynsham Wood as being of “up to **National (High)** importance” [emphasis as printed]. Of this, just 0.11 ha (2%) will suffer a “temporary loss”, it says, before the boundary hedgerow is replanted. This does not sound too damaging, but a “slight adverse effect” is admitted (para 6.7.17), and the removal of an established protective barrier from the rest of the Wood may have more than a slight impact on that part of the Wood next to it. It will be interesting to see how The Woodland Trust responds.

Curiously, other parts of the same document complicate this “slight adverse” assessment. Para 6.7.99 says that “non-significant beneficial effects are anticipated during operation”, a claim that seems to be made in the context of removal of invasive non-native species (6.7.96). However, Table 6-16 refers to the slightly adverse effect on Eynsham Wood as “residual” as well as “temporary”; and the “residual” effect of invasive non-native species on habitats up to National (high), which includes Eynsham Wood, is twice classified as “slight adverse” and “permanent, local”, because of the potential *spread* of non-native species.

This muddle suggests that the planners don't really know what the effect will be on Eynsham Wood. Clarity is needed.

### **Public Rights of Way**

What kind of access will remain available, during construction, to the footpaths north of the A40 going towards Freeland, Cuckoo Lane, Eynsham Wood, Church Hanborough and Eynsham Mill? This needs to be spelt out. Any denial of access would be unacceptable.

[ENDS]