



20<sup>th</sup> June 2022

Ray Dean  
Uttlesford District Council

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By email only

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*Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Uttlesford District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Uttlesford Application: UTT/22/1474/PINS**

**PINS Application: S62A/22/0000004**

**Location: Land East Of Parsonage Road, And South Of Hall Road Takeley**

**Proposal: Consultation on S62A/22/0000004 – The erection of a 14.3MW solar photovoltaic farm with associated access tracks, landscaping, supplementary battery storage, and associated infrastructure**

Dear Ray,

Thank you for consulting Place Services on the above application.

**Holding objection due to insufficient ecological information on Priority species (farmland birds)**

**Summary**

We have reviewed the documents supplied by the applicant including the unredacted Ecological Appraisal Report (RPS, December 2021), Outline Construction Environment Management Plan (RPS, May 2022) and Tree Survey Report and Arboricultural Impact Assessment (RPS, January 2022) relating to the likely impacts of development on designated sites, protected & Priority habitats and species and identification of proportionate mitigation.

We are not satisfied that there is sufficient ecological information available for determination of this application. Although Skylark may forage between solar panels and due to potential nest-site loyalty post-development, nest between them, there is minimal evidence to suggest that Skylark will regularly nest between solar panels. In addition research has concluded that ground-nesting birds often require an unbroken line of sight and therefore Skylark may actively avoid nesting at solar farms in most circumstances<sup>1</sup>. The RSPB research<sup>2</sup> does provide evidence that Skylark use the solar farms for foraging

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<sup>1</sup> Montag H, Parker G & Clarkson T. (2016). The effects of solar farms on local biodiversity. A comparative study. Clarkson and Woods & Wychwood Biodiversity.



purposes but does not provide evidence that nesting territories will not be displaced. Therefore, as the proposed solar farm will contain panels which are closely spaced, it is presumed that the development will result in a permanent loss of nesting habitat for this Priority species, where solar panels are proposed on suitable nesting habitat.

A bespoke Farmland Bird Mitigation Strategy is required to ensure that impacts upon nesting Skylark are mitigated and compensated for. We suggest this comprises compensation measures to be provided offsite in nearby agricultural land. This should be secured as a condition of any consent if suitable land can be delivered in the applicant's control. However, if suitable land is not available in the applicant's control, then the compensation measures may be required to be secured via a legal agreement. Any territories that are unable to be mitigated for on site should be compensated for offsite e.g. two plots in arable crops for every territory lost or displaced or additional foraging habitat to support these territories.

Before we can lift our holding objection, an outline of the proposed Skylark mitigation, including compensation measures to be provided offsite in nearby agricultural land, must be submitted and agreed in principle with the LPA.

This information is therefore required to provide the LPA with certainty of impacts on Priority species and be able to secure appropriate mitigation by a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Only security lighting is proposed as part of the solar farm although lighting may be used during its construction. In line with the Outline Construction Environment Management Plan (RPS, May 2022) and Ecological Appraisal Report (RPS, December 2021), we recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats, especially on vegetated boundaries. This must follow the [Guidance Note 8 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm-White lights should be used preferably at 2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- If light columns are required, they should be as short as possible as light at a low level reduces the likelihood of any ecological impact. However, the use of cowls, hoods, reflector skirts or shields could also be used to prevent horizontal spill.
- Movement sensors and timers could be used to minimise the 'lit time'.

Dust suppression has also been outlined within the Outline Construction Environment Management Plan (RPS, May 2022) which will protect Priority habitats offsite (including Seven Acre Wood to the east and



woodland to the north) from indirect impacts. A finalised Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) should be secured by a condition of any consent.

As well as the creation of new habitats, the provision of bird and bat boxes is proposed within the Outline Construction Environment Management Plan (RPS, May 2022). A Biodiversity Enhancement Strategy should outline the proposed enhancements and be secured by a condition of any consent to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021.

The proposed habitats including hedgerow and wildflower meadow should be managed for wildlife. A Landscape and Ecological Management Plan (LEMP) should be produced, detailing this management and should be secured by a condition of any consent.

This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Please contact me with any queries.

Yours sincerely

**Ella Gibbs ACIEEM BSc (Hons)**

Senior Ecological Consultant

Place Services at Essex County Council

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**Place Services provide ecological advice on behalf of Uttlesford District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.