



12th September 2022

Lindsay Trevillian
Uttlesford District Council
London Road
Saffron Walden
CB11 4ER

By email only

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.

Uttlesford DC Reference: UTT/22/1040/PINS

PINS Reference: S62A/22/0000002

Location: Former Friends School Mount Pleasant Road Saffron Walden CB11 4AL

Proposal: Consultation on S62A/22/0000002 for conversion of buildings and demolition of buildings to allow redevelopment to provide 96 dwellings, swimming pool and changing facilities, associated recreation facilities, access and landscaping

Dear Lindsay,

Thank you for re-consulting Place Services on the above application.

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Biodiversity Validation Checklist (Savills (UK) Ltd., April 2022), updated Ecological Impact Assessment (CSA Environmental, June 2022), Tree Protection Plan, drawing no. 1642-KC-XX-YTREE-TPP01RevA (Keen Consultants, March 2022), Tree Survey and Impact Assessment (Keen Consultants, March 2022) and Supplementary Bat & Ecology Note (CSA Environmental, July 2022) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures.

Results of further bat surveys for building B12 and clarification relating to trees with low potential to support roosting bats have been provided in the Supplementary Bat & Ecology Note (CSA Environmental, July 2022). We are now satisfied that there is sufficient ecological information available for determination of this application.



This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Impact Assessment (CSA Environmental, June 2022) and Supplementary Bat & Ecology Note (CSA Environmental, July 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats and nesting birds.

As bat roosts were found in buildings B1 and B16, due to be demolished or converted as part of the proposals, a bat mitigation licence from Natural England, or registration of the site under a low impact bat licence, should be secured by a condition of any consent. It is noted that B10 should also be included in the mitigation licence due to its close proximity to a bat roost located within B1.

A Construction and Environmental Management Plan for Biodiversity (CEMP: Biodiversity) should also be secured by a condition of any consent. This should include identification of 'biodiversity protection zones', practical measures to avoid or reduce impacts during construction, timing of sensitive works and when ecological supervision is required as well as roles and responsibilities of those on site.

In line with the Ecological Impact Assessment (CSA Environmental, June 2022) we recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme and secured by a condition of any consent to avoid impacts to foraging and commuting bats, especially along tree lines and vegetated boundaries. This must follow the [REDACTED] (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'.

We support the proposed biodiversity enhancement measures including the provision of wildlife-friendly species, scattered trees, wildflower grassland and flowering lawns in the landscape strategy and the installation of at least eight no. bat boxes/and or bat tiles, eight no. bird nesting boxes, log piles and Hedgehog gaps. This is in addition to the mitigation required for the loss/modification of bat roosts on site. Where possible, bat loft voids should be incorporated into the mitigation strategy on site. The biodiversity enhancement measures have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021.



In line with the latest British Standards Institution guidance (BS42021:2022), which recommends a ratio of 1:1 for the number of bird boxes and new residential dwellings (or proportionate to the size of larger buildings), it is recommended that further integrated bird boxes should be installed on site. Integrated Swift boxes should be considered where possible. A Biodiversity Enhancement Strategy detailing the locations, heights and aspects of each enhancement feature should be secured by a condition of any consent.

The management of the habitats provided on site as enhancements should be outlined within a Landscape and Ecological Management Plan (LEMP) and secured by a condition of any consent.

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

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013 and BS42021:2022.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.



Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (CSA Environmental, June 2022) and Supplementary Bat & Ecology Note (CSA Environmental, July 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. ACTION REQUIRED: SUBMISSION OF A COPY OF THE EPS LICENCE FOR BATS

“Any works which will impact the resting place of bats (found within buildings B1 and B16), shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) a method statement relating to a registered site supplied by an individual registered to use a Bat Mitigation Class Licence; or*
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.”*

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.



3. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*
- i) Containment, control and removal of any Invasive non-native species present on site*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

4. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations, heights and aspects of proposed enhancement measures by appropriate maps and plans;*
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;*
- e) persons responsible for implementing the enhancement measures;*
- f) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.”



Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

5. PRIOR TO OCCUPATION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

“A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) Details of the body or organisation responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

6. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)



Please contact us with any queries.

Yours sincerely,

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Senior Ecological Consultant

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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.