



30<sup>th</sup> November 2022

Nathan Makwana  
Uttlesford District Council  
London Road  
Saffron Walden  
CB11 4ER

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/22/1897/PINS**

**PINS Reference: S62A/22/0005**

**Location: Canfield Moat High Cross Lane Little Canfield CM6 1TD**

**Proposal: Consultation on S62A/22/0005 – Proposing the erection of 15 new dwellings**

Dear Nathan,

Thank you for consulting Place Services on the above application.

**Holding objection due to insufficient ecological information on European Protected Species (bats)**

**Summary**

We have reviewed the documents supplied by the applicant including the Preliminary Ecological Appraisal (Samsara Ecology, September 2020), Bat Survey Report (TMA Ecology, October 2022), Ecological Impact Assessment (Samsara Ecology, October 2022), Tree Survey (Arbtech, September 2020), Arboricultural Impact Assessment, drawing no. Arbtech AIA 01 (Arbtech, September 2022), Ecology Enhancement Plan, drawing no. 10949/A1/05 Rev R (Anthony Jane Architecture & Interiors, May 2022) and the Proposed Site Plan External Lighting, drawing no. 10949/A1/29 (Anthony Jane Architecture & Interiors, March 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. This is because the Arboricultural Impact Assessment, drawing no. Arbtech AIA 01 (Arbtech, September 2022) shows T60 being removed and the Tree Survey (Arbtech, September 2020) describes this tree as a Common Walnut, with '*Three primary branches from 2.5m; cavities in two, the third has shed a branch.*'. The cavities could provide suitable roosting features for bats. The Ecological Impact Assessment (Samsara Ecology, October 2022) states that '*Some of the larger trees along the driveway have features which may be suitable to support roosting bats...None of these trees will be affected by the*



*proposed development, so no further surveys are recommended*". T60 is one of the larger trees located along the driveway and is to be affected by the proposed development. Clarity should be provided as to whether this tree has potential to support roosting bats (given the presence of cavities) and whether further surveys are required following best practice guidance (Collins, 2016). This confirmation and the results of any further surveys, mitigation and enhancement measures necessary, are required prior to determination of this application.

To fully assess the impacts of the proposal the LPA need ecological information for the site, particularly for bats, European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should *"Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby"*.

The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

This information is therefore required to provide the LPA with certainty of impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or 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.

Further information should also be provided on the proposed lighting, as shown in the Proposed Site Plan External Lighting, drawing no. 10949/A1/29 (Anthony Jane Architecture & Interiors, March 2022). The main house (Building 1) and Coach House (Building 7) were considered to have high potential to support roosting bats in the Preliminary Ecological Appraisal (Samsara Ecology, September 2020) and Ecological Impact Assessment (Samsara Ecology, October 2022). These buildings are shown to have new external lights installed. An assessment as to whether the proposed lighting will impact upon any potential bat roosts or bat access/egress points within these buildings should be undertaken by a suitably qualified ecologist and adjusted if necessary. A wildlife-sensitive lighting strategy can be secured by a condition of any consent.

Subject to the above further information required we support the proposed biodiversity enhancement measures which have been identified in the Ecological Impact Assessment (Samsara Ecology, October 2022). These 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. However, further information into the proposed location of enhancement measures is required on top of that provided within the Ecology Enhancement Plan, drawing no. 10949/A1/05 Rev R (Anthony Jane Architecture & Interiors, May 2022). It is unclear if all of the recommended integrated bird and bat boxes have been provided and the aspect and height they are to be installed at is required. It is recommended that a Biodiversity Enhancement Strategy is produced, alongside any proposed planting details, and is 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.