



23rd December 2022

Chris Tyler
Uttlesford District Council
London Road
Saffron Walden
CB11 4ER

By email only

Thank you for requesting advice on this outline 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.

Application: UTT/22/3258/PINS

PINS Reference: S62A/2022/0014

Location: Land To The West Of Thaxted Road Saffron Walden

Proposal: Consultation on S62A/2022/0014 – Outline application with all matters reserved except for access for up to 170 dwellings, associated landscaping and open space with access from Thaxted Road

Dear Chris,

Thank you for consulting Place Services on the above outline application.

Holding objection due to insufficient ecological information on Priority species (Skylark)

Summary

We have reviewed the documents supplied by the applicant including the Ecological Assessment (Tyler Grange, December 2022) and Arboricultural Impact Assessment (Tyler Grange, November 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 outline application as the Ecological Assessment (Tyler Grange, December 2022) noted a singing male Skylark over the field. This indicates that the site is part of the Skylark's territory and so impacts upon this Priority species needs to be considered. A bespoke Farmland Bird Mitigation Strategy is required to ensure that impacts upon nesting Skylark are mitigated and compensated for this application. This may require compensation measures to be provided on site or 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.



In line with the Ecological Assessment (Tyler Grange, December 2022) we recommend a Construction Management Plan for Biodiversity (CEMP: Biodiversity) is secured by a condition of any consent concurrent with reserved matters, outlining the protection measures and method statements required to avoid impacts to protected species including bats, Great Crested Newt, reptiles, Badger and other Priority species such as Hedgehog and Common Toad, during the construction period.

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

Also in line with the Ecological Assessment (Tyler Grange, December 2022) we recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme and secured by a condition of any consent concurrent with reserved matters to avoid impacts to foraging and commuting bats, especially on the 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'.

Subject to the above required information, we support the proposed reasonable biodiversity enhancements including the creation of areas of wildflower grassland, hedgerow and shrub, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). However, we would also expect proposed enhancements to include provision of integrated bird and bat boxes. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent concurrent with reserved matters.

We recommend that a Landscape and Ecological Management Plan (LEMP) is secured as a condition of any consent concurrent with reserved matters, detailing how the retained and proposed habitats will be managed in order to benefit wildlife.

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)

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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.