



23rd August 2023

██████████
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.

Application: UTT/23/1583/PINS

PINS Reference: S62A/2023/0019

Location: Land Known As Bull Field, Warish Hall Farm Smiths Green Takeley

Proposal: Access to/from Parsonage Road between Weston Group Business Centre and Innovation Centre buildings leading to: 96 dwellings on Bulls Field, south of Prior's Wood, including associated parking, landscaping, public open space, land for the expansion of Roseacres Primary School, pedestrian and cycle routes to Smiths Green Lane together with associated infrastructure

Dear ██████████,

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information in relation to European Protected Species (Great Crested Newt and bats)

Summary

We have reviewed the documents supplied by the applicant including the Biodiversity Checklist, Ecological Assessment (Ecology Solutions Ltd., October 2021), Briefing Note – Ecological Appraisal (Ecology Solutions, June 2023), Bat Report (ecology Solutions, November 2021), Woodland Management Plan (Ecology Solutions, June 2023) and Biodiversity Net Gain Report (Ecology Solutions, June 2023), 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.

Bats

Within the Briefing Note – Ecological Appraisal (Ecology Solutions, June 2023) it is noted that 23 trees were identified with potential to support roosting bats. No further information has been provided as to whether



these trees are being retained but the Arboricultural Impact Assessment (Barton Hyett Associates, June 2023) does state that some trees are being removed. Clarity as to whether the trees with potential to support roosting bats are impacted or what mitigation is required should be provided.

In addition, it should be noted that the 'halo thinning' around mature oaks within Prior's Wood should be done with caution and the affects it could have on the temperature and humidity conditions surrounding the oak assessed. For example, removing trees around a mature tree could lead to changes in temperature and humidity conditions within that tree, making the features less suitable for roosting bats.

We approve of the inclusion of cats eyes along the cycle path south of Prior's Wood and as shown in the Street Lighting Plan, drawing no. WH202C_10_P_10.36 (Weston Homes, June 2023), and as described within the Design & Access Statement (Weston Homes, June 2023). However, in the Landscape Strategy (Weston Homes, June 2023) only bollard or pillar lighting is mentioned. It is recommended that bollard lighting is avoided where possible to prevent insects being drawn down to the level of the bollard, away from the foraging heights of bats. Technical specifications such as colour temperature of the proposed lighting is also missing. It is recommended that the lighting strategy is updated and secured by a condition of any consent.

Great Crested Newt

The Briefing Note – Ecological Appraisal (Ecology Solutions, June 2023) states that eDNA surveys for Great Crested Newt have been undertaken in 2023 but the results are pending. 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."*

In addition, the results of the pending Great Crested Newt eDNA surveys could impact on the management regime of the habitats on site, in particular Prior's Wood.

The information on trees with potential to support roosting bats and Great Crested Newt survey results are 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.

Landscape Ecological Management Plan

Although a 15-20m buffer has been given to Prior's Wood, information as to how Prior's Wood and this buffer will be protected during the construction phase has not been provided within the Landscape Ecological Management Plan (LDA Design Consulting Ltd., May 2023) or Woodland Management Plan (Ecology Solutions, June 2023). Information on the use of fences etc. and creation of the cycleway should be provided to ensure that impacts during the construction phase will be avoided or minimised. This information could be set out in a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) and secured by a condition of any consent.

Information on the installation of bat boxes provided is considered to be vague and it is recommended that further information in relation to installation height and aspect should be provided. Remedial measures for bird and bat boxes have also not been described within the Landscape Ecological Management Plan, (LDA Design Consulting Ltd., May 2023).



In addition, the management of hedgerows should be left until February where possible, to allow birds to forage on the berries over the winter when other food sources are scarce.

Furthermore, information in relation to how the arable field, which will be full of nutrients, will be prepared to provide a good substrate for growing wildflowers, which often require low fertile soil to grow successfully. These details could be provided in an updated Landscape Ecological Management Plan and secured by a condition of any consent.

Biodiversity Net Gain

We are pleased to see that the proposals provide a greater than 10% net gain in biodiversity units for Habitat Units and Hedgerow Units. The LPA should determine if they are satisfied with the estimated net gain for Water Course Units which is currently less than 10%. It was noted that Table 2 of the Briefing Note – Ecological Appraisal (Ecology Solutions, June 2023) (page 148 of the Ecology Documents) that the figures provided do not match those within the Biodiversity Net Gain Report (Ecology Solutions, June 2023). It is recommended the figures are updated within the Briefing Note – Ecological Appraisal (Ecology Solutions, June 2023).

We support the proposed reasonable biodiversity enhancements including the installation of the following:

- Seven bat boxes within Prior's Wood;
- Five bat boxes on surrounding trees;
- Nine bird boxes within Prior's Wood;
- Six bird boxes on surrounding trees;
- At least five log piles/hibernacula within Prior's Wood;
- Three log piles in Prior's Wood Green North;
- Creation of loggeries within Prior's Wood; and
- Three Hedgehog hibernation boxes within Prior's Wood.

These have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework (2021). Details of any integrated or building-mounted habitat boxes have not yet been provided. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout 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)

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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.