



16th September 2022

Femi Nwanze
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.

UDC Application: UTT/22/2174/PINS

PINS Reference: S62A/2022/0007

Location: Land South Of Henham Road Elsenham

Proposal: Consultation of S62A/2022/0007 – Town and Country Planning Act 1990 (Section 62A Applications) Residential development comprising 130 dwellings, together with a new vehicular access from Henham Road, public open space, landscaping and associated highways, drainage and other infrastructure works (all matters reserved for subsequent approval apart from the primary means of access, on land to the south of Henham Road, Elsenham)

Dear Femi,

Thank you for consulting Place Services on the above 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 (SES, July 2022), Biodiversity Net Gain Design Stage Report (SES, August 2022), Arboricultural Constraints Advice (APII) (Hallwood Associates Ltd., March 2022) and Lighting Strategy REV P01 (MMA Lighting Consultancy, June 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 as the Ecological Assessment (SES, July 2022) states that the '*open field habitats supported a typical breeding community of Skylark*' and yet no further information on the mitigation of the loss of nesting habitat for this Priority species is provided.



The site was considered sub-optimal to support ground nesting birds such as Skylark. We agree with this given the intensively grazed nature of the grassland on site and limited area over than 50m from surrounding potential predator perches (hedgerows, trees, buildings etc.) and so it's possible this is a 'copy and paste' error from another report. Clarification on this point is required before we can lift this holding objection. If Skylark were found to be nesting on site then a mitigation strategy for the loss of the Skylark nesting habitat should be submitted prior to determination.

Designated Sites

We note that the development site is situated within the 10.1km evidenced Zone of Influence for recreational impacts at Hatfield Forest Site of Special Scientific Interest (SSSI)/National Nature Reserve (NNR) as shown on MAGIC map (www.magic.gov.uk). Therefore, Natural England's letter to Uttlesford DC relating to Strategic Access Management and Monitoring Strategy (SAMM) – Hatfield Forest Mitigation Strategy (28 June 2021) should be followed to ensure that impacts are minimised to this site from new residential development.

As a first step towards a comprehensive mitigation package, the visitor management measures required within Hatfield Forest SSSI / NNR have been finalised in a Hatfield Forest Mitigation Strategy. Natural England are now working with the LPA to consider what level of developer contribution towards a package of funded Strategic Access Management Measures (SAMMs) at Hatfield Forest is appropriate for all residential development within the evidenced Zone of Influence. Natural England's advice is that during this interim period before a co-ordinated strategic solution has been established by all authorities, housing projects of 50 units or greater should provide a proportionate mitigation contribution to be agreed with the National Trust.

For the largest, strategic housing sites (100+ units) such as this proposal, Natural England advises that recreational pressure impacts on this designated site are additionally mitigated via the provision of Suitable Accessible Natural Greenspace (SANG), a specific form of Green Infrastructure, to be provided within the red-line boundary of the proposed development. Natural England advise on using a distance of 2.7km for a daily walking route within attractive greenspace on the site and/or with links to surrounding public rights of way (PRoW). ANG 'standard' accepted by Natural England is 8ha greenspace per 1000 population as per Thames Basin Heaths and this requires a commitment to its long-term maintenance and management to be secured by a Landscape and Ecological Management Plan to be secured by a condition of any consent. Such green infrastructure should be designed to absorb significant proportions of the day-to-day recreational needs of new residents, such as walking, dog walking, jogging / exercise, children's play facilities, and other informal recreation. It should also aim to provide a semi-natural character, with significant proportion of tree / woodland cover, and as may be appropriate, café / basic refreshment facilities.

We also note that the Ecological Assessment (SES, July 2022) states that the proposed scheme will be expected to contribute towards mitigating the potential increase in recreational pressure on Hatfield Forest SSSI and that this will be achieved through a financial contribution towards the SAMM and the provision of on-site ANG. It is noted that the proposed on-site circular route is only 0.8km rather than the recommended 2.7km although it does link directly to public footpaths within the wider landscape. It is recommended that permanent interpretation boards are installed on site to advertise the circular walk on site and available offsite circular walks, in addition to advertising it through leaflets to householders.



This will benefit future residents that may not be the first owners of the proposed properties and would therefore miss out on the leaflets. The financial contribution should be secured by a legal agreement to avoid impacts on Hatfield Forest NNR/SSSI.

In addition, the site is also within the Impact Risk Zone for the Elsenham Woods SSSI in relation to increased recreational impacts. The Ecological Assessment (SES, July 2022) states that proportionate mitigation measures are yet to be agreed between the applicant and Natural England, but it is expected that Natural England will also require a financial contribution to the management of Elsenham Woods SSSI.

Priority Habitats

Although the site is adjacent to the Stansted Brook, it has been predicted that no impacts to this watercourse is predicated and pollution prevention measures have been recommended. Although no Priority habitats have been identified on site, there are Priority habitats within 50m of the site. Although not specifically mentioned in relation to Priority habitats, methods to protect Stansted Brook from construction impacts such as dust have been discussed and are considered adequate to protect the surrounding Priority habitats as well. A Construction and Environmental Management Plan for Biodiversity (CEMP: Biodiversity) should outline all measures to protect biodiversity (including Stansted Brook and Priority habitats) during the construction phase and should be secured by a condition of any consent.

Protected Species

Results of the summer and autumn bat activity surveys have not yet been submitted for this application, however, given the boundary hedgerow and trees with potential to support roosting bats are being retained and protected from proposed street lighting it is considered unlikely that there is significant additional information that can be obtained from these surveys.

Enhancements

Subject to the above clarification, we support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity including the installation of five small hole bird boxes, ten small open-fronted bird boxes, five sparrow terraces, ten Swift boxes and bat boxes as well as the provision of Hedgehog gaps, hibernacula, log piles and creation of wildflower areas, orchard and pond, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent. It is recommended that additional integrated bird boxes are used, for example, to be 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).

Off-site biodiversity enhancement measures have also been provided in Biodiversity Net Gain Design Stage Report (SES, August 2022) which shows over a 20% increase in biodiversity units overall. The proposed habitats on- and off-site should be managed for the benefit of wildlife. This should be outlined within a Landscape and Ecological Management Plan (LEMP) and secured by a condition of any consent.



The above requested information 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

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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.