

S62A/22/0006 Berden Hall Farm

Hearing of the Planning Inspectorate, Uttlesford District Council Offices, March 9 2023

I am Katherine Armstrong and I live in Berden.

I ask you to reject this Application on Ecology grounds.

Firstly, utility hawthorn hedging and solar grassland seed mix do not equate to Biodiversity Net Gain. The Applicant has underestimated the value of existing field margins and by their own admission their Defra metric does not meet trading rules.

Secondly, a large and active badger sett lies within a few metres of the proposal Site. The Applicant's indication that works may be carried out within 30 metres of the sett is unacceptable. Moreover, the Applicant acknowledges that badger paths criss-cross the Site in all directions, and to prevent dogs passing through, the solar farm fencing will not include small mammal gates along public rights of way. Again, these rights of way cross and surround the Site. The badgers' existing territory will therefore be significantly impacted by the development as will their ability to commute to related setts nearby.

Thirdly, contrary to Essex County Council Place Services' view that Local Wildlife Sites will not be harmed by the development, the nearest, Pelham Field Centre, has already been damaged by extensive tree fellings most likely in preparation for the solar farm.

Fourthly, the development will destroy a population of skylarks recorded as breeding on the Site since at least 1994 and probably for far longer. Skylark exhibits strong birthplace fidelity,¹ and old maps show that these open arable fields have scarcely changed for centuries.² Skylark is classified as a red list bird and a UK Biodiversity Action Plan Priority species. The leader of the Stort Valley RSPB Group, Peter Allen, has visited the Site and expressed deep dismay at the severe impact of the development on the skylarks.

There are at least five reasons why the Applicant's Skylark Mitigation Strategy is likely to fail:

1. Place Services suggests that compensation for the loss of habitat should be provided in 'nearby agricultural land.' Rather than 'nearby', the proposed mitigation fields are 2 and 1.6 kilometres respectively from the Site. It is unclear why these fields were selected, or why better options were not considered. British breeding skylarks are highly territorial and are believed not to move far between seasons – on average, only 130 metres.³

¹ Juan D. Delius and Julia A.M. Delius (2021) 'Skylarks show a tendency to remain in the same location (territory) from one breeding season to the next [...] Of my 101 returning skylarks, 57 (56%) settled in the previous year's territory, while the remaining 44 (44%) settled at an average distance of 130m, at most 380m away from their previous territory' ('The Behaviour of Skylarks,' p. 5).
https://pure.mpg.de/rest/items/item_3319555_1/component/file_3319556/content

² See, for example, <https://www.british-history.ac.uk/os-1-to-10560/essex/013>

³ Delius and Delius (2021); see also <https://www.bto.org/understanding-birds/species-focus/skylark>

2. Field 2 is home to a family of red kites which prefer carrion but are known to prey on the chicks of ground-nesting birds such as Skylark.⁴

3. Research by the British Trust for Ornithology describes the limited success of Skylark plots, explaining that the reasons are not fully understood, but one factor may be *concentrating birds and encouraging predators or diseases*.⁵

4. Policy AB4: Skylark Plots was designed to reward farmers for boosting existing populations of Skylark on their land. The policy was not created to enable developers to greenwash the destruction of Skylark habitats by claiming that skylarks will move elsewhere for their convenience. The Mitigation Strategy does not explain how it will work because there can be no reliance that it will work.

5. The Applicant does not explain how the Strategy will be enforced, merely stating that: 'The plots will be maintained on an annual basis for the duration of the operational life of the [solar farm].' The Applicant has provided no details of any legal or controlling interest in Fields 1 and 2.

Skylark is an iconic species of the English countryside, a figurehead in the fight to restore farmland bird populations. Sadly, its numbers have been in steep decline for 50 years. The UK is one of the most nature-depleted countries in the world, according to its own government.⁶ As David Attenborough said just this week, 'Never has there been a more important time to invest in our own wildlife.'⁷

We owe it to nature and future generations to protect threatened species and habitats, and view with care mitigations based on wishful thinking, not science. I therefore ask you to reject the application.

⁴ <https://www.c4pmc.co.uk/post/locals-in-uproar-over-devastating-impact-of-red-kites-across-the-chilterns>

⁵ <https://www.bto.org/understanding-birds/species-focus/skylark>

⁶ <https://www.gov.uk/government/publications/nature-for-people-climate-and-wildlife/nature-for-people-climate-and-wildlife> (Defra policy paper, 'Nature for people, climate and wildlife,' May 2021)

⁷ *Wild Isles*, BBC1, to be broadcast March 12th, 2023.