1<sup>st</sup> April, 2023

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**Ref: Grange Paddock, Ickleton Road Elmdon, S62A/2023/0015: additional permitted comments on the Essex County Council Ecology & UDC Landscape reports**

Dear Sir/Madam,

My further comments on these two reports are set out below. I remain firmly of the view that this proposed urban and alien development is inappropriate and unsuitable for the highly rural village of Elmdon.

Yours sincerely,  
Charles Pick

**A: The Essex County Council Ecology Report:**

I profoundly disagree with the conclusion expressed here of *"No objection subject to securing biodiversity mitigation and enhancement measures"*. There will, in my view, be considerable – and unavoidable – biodiversity damage from this proposed development. Moreover, upon a scale that mitigation cannot possibly address for many years, if it can ever at all. **Matters are not helped here by the chronic failure of the applicants to assess the starting base as regards the biodiversity damage that would be caused. How can there be a net biodiversity gain planned for from an unmeasured starting base?**

Points here:

- ❖ This report is stated to be based on the Preliminary Ecological Appraisal (PEA) and Arboricultural Impact Assessment (AIA), both of which were dated December 2022. It also makes reference to the use of Magic Maps and aerial photographs. It is therefore a desk-bound study, albeit one compiled after taking into account the on-the-ground studies (the PEA and AIA noted) paid for by the

applicants. The latter situation intrinsically contains scope for bias, on the basis of the old maxim that ‘he who pays the piper calls the tune’. I am therefore of the view that this report would have carried more weight and credibility if Ella Gibbs, the Senior Ecological Consultant who authored it, had actually visited the site herself and seen matters at first hand. Particularly as the PEA report included caveats regarding the 14<sup>th</sup> December 2022 visit made to assess the proposed access road area as there was extensive snow cover then (a point discussed later below). It is therefore inappropriate for Ms Gibbs to comment that *“there is sufficient ecological information available for determination of this application”*.

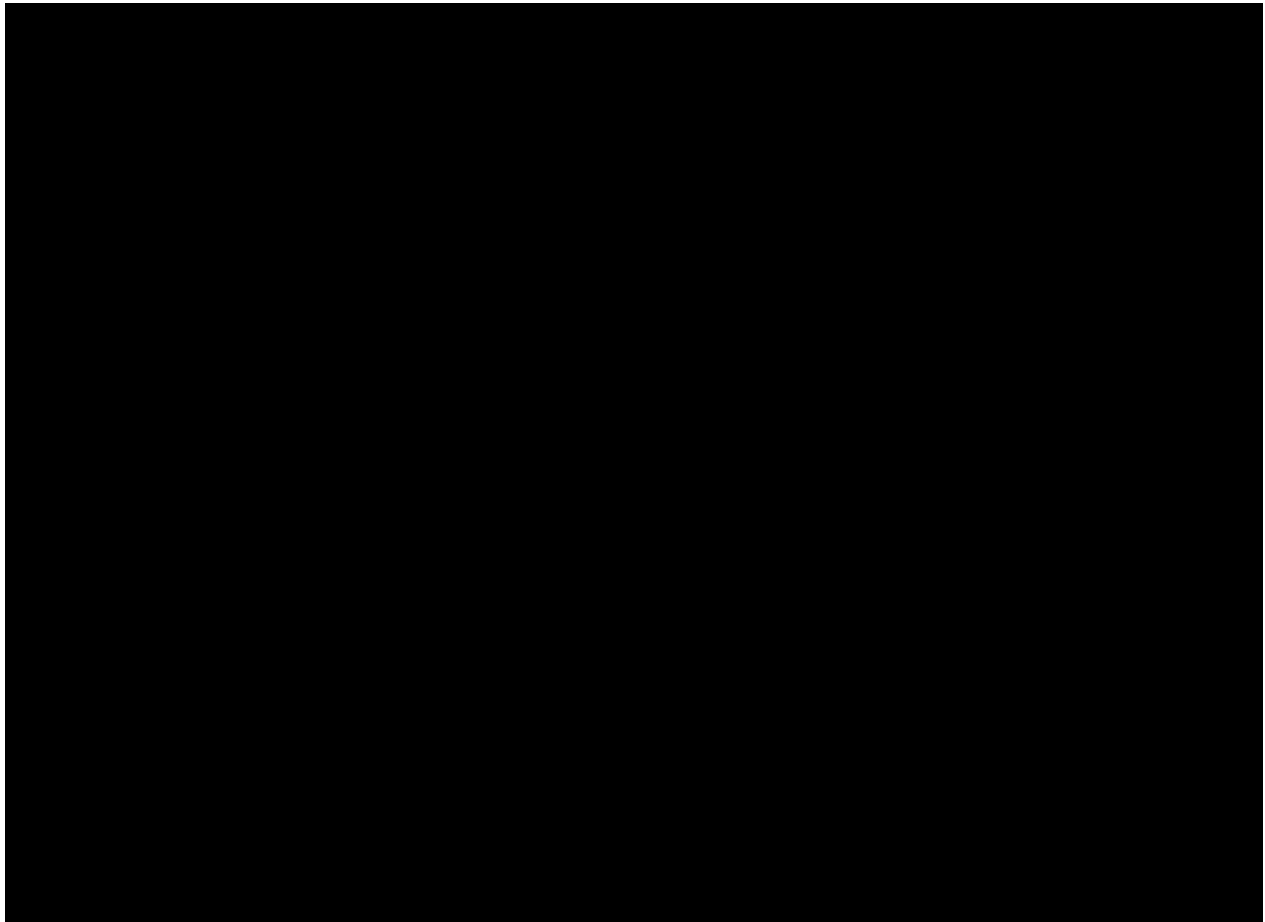
- ❖ Ms. Gibbs rightly notes how there are discrepancies between the PEA and AIA with regard to 2 Horse Chestnut trees proposed to be removed, with the latter’s reporting of this not picked up on in the former. However, she then expresses the view that these 2 trees are *“unlikely to be suitable for roosting bats”*. This instant dismissal of matters needs to be contrasted with the Bat Conservation Trust (see [www.bats.org.uk](http://www.bats.org.uk)) which notes that: *“Trees such as oak, beech and ash are particularly suitable for bats, but any woodland or tree has potential for a bat roost – especially if it has cavities in the trunk or branches, woodpecker holes, loose bark, cracks, splits and thick ivy”*. I live within a quarter of a mile of this site and green woodpeckers are a very common sight so that woodpecker holes are a racing certainty. The remarks of the BAT Conservation Trust also need to be seen in the context of the widespread scale of the tree felling required for the proposed access road. I therefore reproduce below a Table that was included in my objection letter dated the 5<sup>th</sup> of March 2023. Observe how **10 ash trees would be felled which, as per the BAT Conservation Trust, are especially favoured for roosting by bats**. There are incidentally 3 Horse Chestnut trees overall that would be lost:

#### Chainsaw Alley – a summarised version

Reference designation	Variety	Height (metres)	Stem diameter (mm)	Maturity designation
T1	Ash.	9.5	330	Mature.
T2	Hawthorn.	5.5	600	Over-mature.
T3	Ash.	15.0	520	Mature.
G1	Blackthorn.	3.0	125	Mature.
G2	Blackthorn x 2.	3.5-4.0	175 average	Mature.
G5	Horse chestnut x 2.	7.0-9.0	270 max	Semi-mature.
G6	Sycamore x 2.	12.0	360 max	Mature.
T6	Hawthorn.	2.0	100	Young.
T7	Sycamore.	12.0	240	Semi-mature.
T8	Ash.	20.0	590	Mature.
T9	Ash.	17.0	570	Mature.
T10	Ash.	22.0	430	Mature.
T11	Ash.	20.0	400	Mature.
T12	Ash.	22.0	430	Mature.
T13	Ash.	12.0	460	Mature.
T14	Ash.	22.0	550	Mature.
G11 (partial)	Sycamore, hawthorn, ash belt.	10.0–13.0	350 max	Mature.
T19	Sycamore.	11.0	220-430	Mature.
T34	Ash.	19.0	570	Mature.

G22	Mountain ash, field maple, horse chestnut, Norway maple, hornbeam, birch, hawthorn, cherry.	3.0-7.0	125 average	Young/semi-mature.
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- ❖ A major flaw of the PEA was that the proposed access route to the south-east was appraised on 14<sup>th</sup> December 2022 when there was snow on the ground. Hence (p2 of the PEA) contained the caveat that *“No evidence of active/inactive setts/badgers was identified on site. However, given the constrained survey of the proposed access area in December 22 due to heavy snow cover, a precautionary re-visit has been advised”*. **There is no evidence that this advised re-visit took place**. An important point, given that badgers have been regularly seen in this area by residents of the nearby council houses on Ickleton Road. A point highlighted in some of the correspondence from ‘Interested parties’ in the run-up to the 16<sup>th</sup> March deadline for public comment on Grange Paddock. Standing near the entrance to [REDACTED] it is readily possible to see a likely badger sett, a photograph of which is provided below:

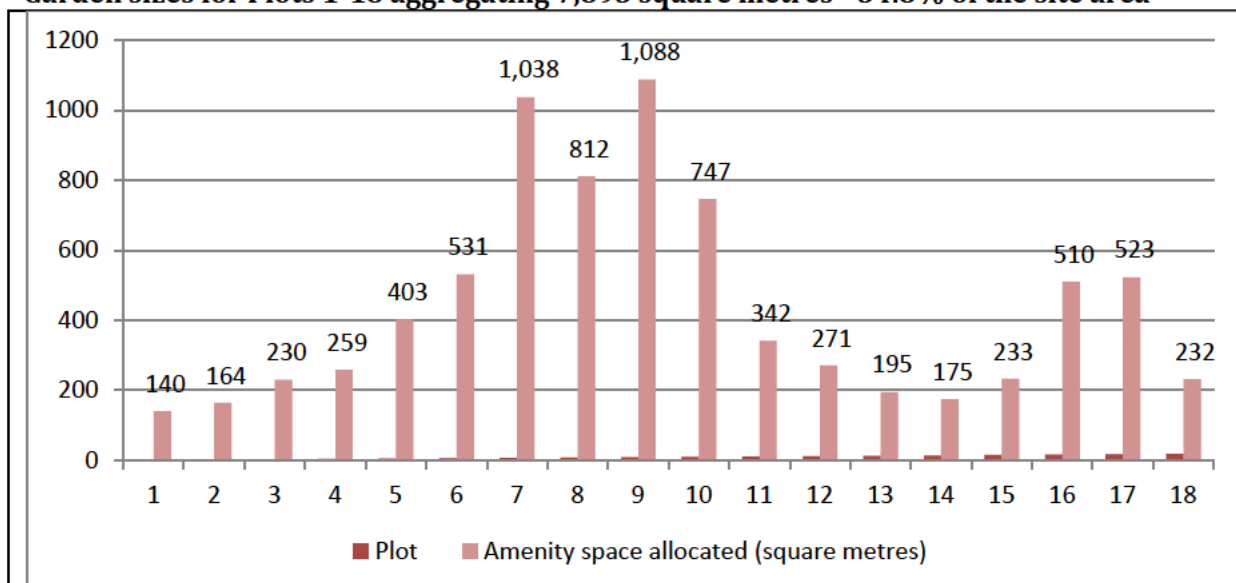


- ❖ Whilst mentioning the ‘Interested parties’ correspondence, observe too the recent photograph of a barn owl taken near the proposed access route that was provided by Peter & Sally Home (the owl was close to the proposed site’s existing stable block). There seems no consideration within either the PEA or the Essex

County Council Ecology report on how any protection would be provided for its current habitat: the focus is mainly on bats.

- ❖ My major objection to both the PEA and the Essex County Council reports is the methodology assumed. Namely that mitigation for biodiversity damage can somehow compensate for the proposed construction of an access road, visitor vehicle parking and 18 houses. **Common sense suggests this will be extremely difficult given the following:**
  - The sheer scale of the tree losses at the proposed access point which, as Ms. Gibbs observes comprises Lowland Mixed Deciduous Woodland that is a Priority habitat as per the Magic Map.
  - The loss of (the admittedly young) native species-based hedges (H1, H4 and H7) which as Ms Gibbs notes are also considered Priority habitats as per the Magic Map.
  - The fact that compensatory planting cannot occur within the proposed gardens, along the proposed access road etc. The Location Plan indicated the amenity spaces allocated to Plots 1-18 and totting these up indicates a figure of 7,893 square metres. On the basis of 1 square metre = 0.0002471 acres then the proposed residential gardens will cover 1.95 acres. After adding in: the access road (including its oval connecting loop); the drainage pond; the footprints of the 18 houses plus associated garages/drives; the visitor car parking spaces; and the playground; then 2.5-3.0 of this circa 5.6 acres site could effectively be 'out of bounds' for any compensatory tree planting to achieve the mitigation being trumpeted. Whilst this might appear to still leave a large available acreage, in practice the applicants clearly wish the large central 'public space' surrounding the pond to remain as such (hence with just a few interspersed specimen trees). Moreover, much of the other residual acreage is out to the west, near to or below the proposed public playground. There is therefore distinctly limited scope in practice to find nearby planting room for new trees that could be sufficient to negate the damage inflicted from the loss of 29 trees (mostly of mature status) from the construction of the proposed access road on Townsend Plantation. The latter would, inevitably, become a much reduced in size Townsend Plantation.

**Garden sizes for Plots 1-18 aggregating 7,893 square metres =34.8% of the site area**



- The installation of integral bird and bat boxes, invertebrate boxes and tree mounted bird & bat boxes as recommended by the PEA are all well and good but why should these be a success for the wildlife concerned given the scale of the vehicular traffic likely? This is not – and will never be – a sustainable site; car use will be extremely extensive such that numerous daily vehicle movements will be a fact of life. At the least, these frequent vehicle movements will periodically disturb the bats, birds etc for which the boxes are designed. More probable is that they will be so disturbed that local species damage occurs and the boxes remain unused.
  - Similarly, a Wildlife Sensitive Lighting Strategy is all well and good but it is still a case of lighting being introduced into a village which currently enjoys Dark Skies status and which has virtually no street lighting. Moreover, the frequent vehicle movements just observed will be accompanied in the hours of darkness by headlamps, often ones on main beam. Wildlife Sensitive car lights have not been invented as yet – probably because they would suffer loss of functionality and would be inherently unsafe. An issue in the winter months when residents of Grange Paddock would be departing for work, the school run etc/returning from work etc in the dark. At the least, these vehicle movements then using headlamps would disturb the wildlife and would negate the supposed mitigation.
  - Mitigation measures proposed in the PEA (and seconded by Ms Gibbs) include the creation of long grass meadow areas. How on earth are these going to be compatible though with 18 nearby residential dwellings where the occupants would tend to favour a neat and tidy appearance for this urban design transplanted into the country? In a similar vein, the maintenance company is likely to instigate a regular schedule for grass cutting in the so-called open and communal spaces.
- ❖ At no point in the PEA or AIA reports is the likely biodiversity loss from this proposed development ever quantified. **This is a massive failing.** It also leads one to question how biodiversity mitigation actions can even be contemplated when the likely starting base line is not specified. Ms Gibbs alludes to the need to secure “*net gains for biodiversity*” as per the NPPF’s stipulations and then mentions that “*A Biodiversity Net Gain Stage Report shall be submitted to and approved in writing by the local planning authority which provides a measurable biodiversity net gain using the DEFRA Biodiversity Metric 4 or any successor*”. Again though what is the initial base line? Are we dealing with an initial biodiversity loss of, say, 10-20% or even more such as 25%+? Nobody has specified – perhaps very conveniently so for the applicants. **A serious flaw to all of the biodiversity-related reports, including that from Essex County Council Ecology.** The fact is there should have been a detailed attempt to analyse what biodiversity damage would be inflicted by this development and then how much of this could perhaps be trimmed back by mitigation actions over time periods of, say, 10, 20 and 25 years. Moreover, this should all have been available for public consultation from Day one. Incidentally, the User Guide published in March 2023 for Biodiversity Metric 4 (a Natural England Joint Publication) states that it is a simple assessment tool “*to calculate the losses and forecast gains in biodiversity unit values resulting from interventions which affect*

*habitats*". If it is this simple a tool, why was it not deployed by the applicants and with the resultant findings then included within the PEA?

## **B: The UDC Landscape Report**

This report by Ben Smeeden is brief and presents fewer grounds for comment.

Points of note here:

- ❖ I am in very full agreement with his comment that *"...the loss of trees towards the Ickleton Road frontage is acknowledged as having a detrimental visual impact"*. The adverse impact (which would in fact prove **highly detrimental**) would though apply both when exiting Elmdon eastwards (towards Ickleton along Quickset Road) and also when looking back towards the village from the local footpaths, including too from the ancient Icknield Way and from Hollow Road. Many of the footpath/Hollow Road/Icknield Way viewing points are from materially higher ground.
- ❖ I commend Mr Smeeden's seconding of the stance of UDC's Principle Urban Design Officer that *"The layout of large homes around a circular green is uncharacteristic of Uttlesford and is overly suburban in character"*. In my prior objection letter of the 5<sup>th</sup> of March I highlighted how extremely erroneous the applicants' Planning Statement was in comparing the proposed design for Grange Paddock to both the existing Elm Court and Horseshoe Close housing within Elmdon. **It is noticeable that the experts are also implying the comparison is utter nonsense.** Also, given that the layout is a fixed quantum as regards the planning application made (as is the access, with everything else outline in nature), **the entire application should now be rejected on the basis of this distinctly unsuitable layout design component alone.**
- ❖ It is also remarked by Mr Smeeden that *"The visual impact of the development on the wider rural landscape may be limited"*. This is erroneous if one is considering the wider rural landscape within and around Elmdon. For the reasons cited in my objection letter of the 5<sup>th</sup> of March, it would be the case that the development would have a highly adverse impact both within and around much of Elmdon. These reasons including the following: the site is on rising ground; its widespread 'sightings' (often in conjunction with the Church or other Grade II listed village Conservation Area buildings) from footpaths, including the ancient Icknield Way; and the dominating aspect of the 18 houses proposed versus the existing ones along Ickleton Road. There would also be the loss of valuable Grade two agricultural land when the UK's food self-sufficiency is in decline and has never been more important.





A view of the proposed site from the top of Hollow Road



Alfred Shott's entrance (on the r.h.s) & the proposed access road (past the 5 bar gate)