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LAND AT WARISH HALL FARM, NORTH OF JACK'S LANE,
TAKELEY | UTT/22/3126/FUL / S62A/2023/0016

BRIEFING NOTE: BYWAY IMPROVEMENTS

Introduction

1. Comments received from Ella Gibbs, Senior Ecological Consultant with Place Services, in relation to the planning application for the land north of Jack's Lane, Takeley (Planning ref: UTT/22/3126/FUL), dated 31 May 2023, are addressed in this briefing note. A holding objection has been registered due to insufficient ecological information.

2. Comments received are as follows:

Further to our comments on 24th May 2023, it has been brought to our attention that this application may require upgrades along the restricted Byway to the north of the site. From aerial photography, this currently appears to be lined with vegetation on both sides and is currently unsurfaced and so may be used by protected species. The Director for Highways and Transportation at Essex County Council has stated that the Byway is currently unsuitable to be used by proposed residents to access amenities from the application site. Since then it has been suggested it would need to be resurfaced and lit to be acceptable to be used as a main pedestrian link.

[The previously submitted ecology and arboriculture reports] did not assess these impacts along the Byway and so we are now not satisfied that there is sufficient ecological information available for determination of this application. It is recommended that an update or addendum is submitted assessing the ecological impacts by the proposed upgrades. It is also recommended that the proposals are discussed with an Arboricultural consultant.

3. This report is split into two parts. Part 1 contains information relating to the section of the byway which starts at the southeast corner of the Jack's Field application site and runs eastwards along Jack's Lane to Burgattes Road. Ecology Solutions visited the site and walked this section of the site on 4 June 2023.
4. Part 2 of the report contains information relating to section of the byway which starts at the same point as Part 1, in the southeast corner of Jack's Field, and runs northwards along the eastern boundary of the site. Ecology Solutions visited the site and walked this section of the site on 7 June 2023.
5. This note sets out the findings of that work and any implications for the proposed improvements. Arboricultural matters are addressed in a separate submission from Barton Hyett.

Walkover Survey – Part 1

6. The area of study extends from southeast corner of the Jack's Field application site along Jack's Lane to Burgattes Road (see Weston Homes plan at Appendix 1). The initial stretch of Jack's Lane, adjacent to the site, serves residential properties to the south and east of the site (see Photograph 1). This is a tarmac single-track lane in good condition, and presumably there is limited improvement work proposed here. The remainder and majority of the study area is a byway closed to motor vehicle traffic that serves as a footpath and cycleway between Burgattes Road and Jack's Lane proper (see Photographs 2 to 4). Several pedestrians including dog walkers were observed during the course of the survey. Though consisting of a hardstanding surface, the feel is of an enclosed footpath with canopy closure overhead in places. Fixed bollards are present at both ends. Jack's Lane continues in this fashion to the east of Burgattes Road.

Habitats

7. On the initial metalled stretch, species include semi-mature Oak *Quercus robur* and Weeping Willow *Salix babylonica*, set in area of amenity grassland. The area to the immediate south consists of a bank of tall ruderal, with species including Cow Parsley *Anthriscus sylvestris*, Common Nettle *Urtica dioica*, Broad-leaved Dock *Rumex obtusifolius*, Hogweed *Heracleum sphondylium* and Creeping Thistle *Cirsium arvense*. This grades into Hawthorn *Crataegus monogyna* and Dogwood *Cornus sanguinea* scrub then mature Oak and Ash *Fraxinus excelsior* trees.
8. The byway section is a hardstanding path is approximately two metres wide (NB the path is not currently unsurfaced as suggested in the Place Services response). To the immediate north and south are banks of tall ruderal and small amounts of rough grassland. The initial stretch is relatively open, with the following species present: Cow Parsley, Broad-leaved Dock, Common Nettle, Hogweed, Cleavers *Galium aparine*, Cocksfoot *Dactylis glomerata*, False Oat-grass *Arrhenatherum elatius*, Creeping Thistle, Great Willowherb *Epilobium hirsutum*, Wood Avens *Geum urbanum*, Garlic Mustard *Alliaria petiolata*, Hedge Woundwort *Stachys sylvatica*, Wood Dock *Rumex sanguineus*, and Barren Brome *Anisantha sterilis*. This grades into scrub, including Hawthorn, Grey Willow *Salix cinerea*, Hazel *Corylus avellana*, Elm *Ulmus* sp., Elder *Sambucus nigra*, Ivy *Hedera helix*, Bramble *Rubus fruticosus* and White Bryony *Bryonia dioica*. This is backed by mature and semi-mature trees including Ash, Field Maple *Acer campestre*, Holly *Ilex aquifolium* and Horse-chestnut *Aesculus hippocastanum*.
9. Along much of the northern edge of the feature there is wooden close board fencing to residential properties, while to the south, at least initially, the land beyond is not visible. The land to the south here consists initially of a playing field and further east the municipal precinct of Prior's Green, which includes a Tesco supermarket, a café and a restaurant. As this becomes more apparent to the east, a wooden close board fence to the rear of the business units becomes apparent. North and south of the main track are occasional paths made through vegetation to these boundaries but these are man-made rather than attributed to protected or notable species.
10. There are depressions to the north and south of the track, which would appear to be the remnants of former ditches, but these are uniformly dry throughout and typically colonised by Ivy.
11. Towards the eastern end, the feature narrows significantly and feels more enclosed by urban features to both north and south, contrasting with the more open and rural feel to the west. The rear of the Prior's Green centre is obvious, as

are houses to the east and north. Ruderal and scrub presence is reduced, and the trees are more overhanging with limited sun penetration at this point.

12. The work will involve improving the existing hard surface of the path and installing low level lighting bollards at intervals (see Appendix 2). This will result in the removal of some vegetation, principally tall ruderal and grass species, and possibly some scrub. This is not considered to be significant.

Species

13. The land to the immediate south rises in an embankment to the rear of the business units, but there are no signs of Badgers *Meles meles*.
14. None of the trees present have any potential roost features for bats, but it is understood that all trees are to be retained in any event. The byway is likely to be used by foraging and commuting bats. The installation of low level lighting bollards as shown on the proposals drawings is not considered to be significant.
15. Singing Wrens *Troglodytes troglodytes*, Robins *Erithacus rubecula* and Blackbird *Turdus merula* were recorded during the survey. The vegetation, particularly the scrub, offers good habitat for nesting and foraging birds, and any necessary removal should be undertaken outside of the nesting birds season. Where this cannot be done a nesting birds survey should be done immediately prior to works commencing. In the event any active nests were recorded a buffer zone of at least five metres would be established around the nest, which would be left in situ until the young had fledged.
16. The extent of rough grassland is very limited and the area is not considered to offer any significant opportunities for reptiles.
17. The habitats present are not likely to support any other protected or notable species, and the limited effect of the work is not likely to be significant.

Walkover Survey – Part 2

18. This survey covers the part of the study area (see Appendix 1) which extends northwards from the southeast corner of the Jack's Field application site, along the eastern site boundary. This section of the byway consists of a gravel path which is approximately two metres wide and in good condition. There was a high level of foot traffic observed over the course of the survey, primarily consisting of dog walkers. There is a closed canopy over the majority of the path where the two treeline canopies meet overhead (see Photograph 5). This extends more or less unbroken from the southern end of the byway to the northernmost residential property where the canopy opens up for approximately 30m before closing over again (see Photograph 6). The open section is dominated by dense Bramble. There is a single bollard located at the southern end of the byway to prevent vehicle access.

Habitats

19. Throughout the length of the surveyed path there is a dense understorey of vegetation which is similar on both sides of the path. To the east of the path this vegetated strip is approximately 2-3m wide, with a treeline of mature and semi-mature Hazel, Blackthorn *Prunus spinosa*, Hawthorn, Ash, Elm, and Field Maple, with occasional Cypress *Cupressus* sp. and Oak. Towards the northern end of the surveyed area, past the last residential property, a dry ditch begins and runs parallel with the byway, separating it from an arable field beyond. The majority of

the path is bordered by close-boarded wooden fencing which separates the byway from the adjacent residential properties.

20. To the west of the path the vegetated area is wider, varying between approximately 4m and 7m in width. In this vegetated area there is a treeline consisting of the same mature and semi-mature species as listed on the eastern side with the exception of Oak and Cypress. Beyond the treeline is a ditch which was dry along the entire length of the surveyed area, but contained some small puddles of standing water to the north of the survey area. On the opposite side of the ditch there are several semi-mature trees which appear to be self-seeded and are limited in extent to close to the top of the ditch.
21. The field layer is made up primarily of Common Nettle, Bramble, Cocksfoot, False Oat-grass, Barren Brome, False Brome *Brachypodium sylvaticum*, Cleavers, Cow Parsley, Pendulous Sedge *Carex pendula*, Broad-leaved Dock, Clustered Dock *Rumex conglomeratus*, Spiny Sowthistle *Sonchus asper*, with occasional Dog Rose *Rosa canina*, Germander Speedwell *Veronica chamaedrys*, Ground Ivy *Glechoma hederacea*, Meadow Buttercup *Ranunculus acris*, Red Campion *Silene dioica*, Greater Burdock *Arctium lappa* and Common Snowberry *Symphoricarpos albus*. *Clematis* sp. and Black Bryony *Tamus communis* are also present in places and Ivy is present on many of the trees.
22. The work will involve improving the existing gravel surface of the path and installing low level lighting bollards at intervals (see Appendix 2). This will result in the removal of some vegetation, principally tall ruderal and grass species, and possibly some scrub. This is not considered to be significant.

Species

23. No evidence of Badgers was found during the survey.
24. The treelines on both sides of the byway contain several trees with features suitable for roosting bats. The locations and descriptions of each of these trees, along with a description of the potential roost features are listed below. Locations are provided in the form of What3Words (W3W) locations.
25. East of the byway: A mature Elm with a hollowed-out trunk near the base. The main cavity is occupied by bees but a separate rot hole with a small entrance, approximately 1.5 inches in diameter and of unknown depth, is located next to the cavity. The absence of bees accessing this hole suggests that the two cavities are separate, and it could provide a cavity suitable for roosting bats. The entrance is approximately 3m high and located at W3W *Showcases.Basics.Gentlemen*. This tree is considered to provide low roosting potential.
26. A Mature Ash, located at W3W *Crunched.Submitted.Washing*, has a hollow trunk where the inside has rotted out near the base. The cavity is only deemed to provide low potential for roosting bats given its low height which is approximately 0.5-1.5m from the ground.
27. A mature Field Maple, located at W3W *Ports.Warned.Survivor*, supports a very dense Ivy cover on the trunk which could provide bat roosting potential. This tree is considered to provide a low potential for roosting bats.
28. West of the byway: A mature Hawthorn, located at W3W *wordplay.restored.fade*, with a very dense covering of Ivy which could provide suitable roosting opportunities for bats, or obscure other potential roost features underneath. This tree is considered to provide low roosting potential.

29. A mature ash covered in Ivy, located at W3W *Mystified.Number.Reddish*, has a large split 4m high on the main trunk, and a rot hole on the end of one of the branches facing the path, approximately 5m high (see Photograph 7). The entrance to the rot hole is approximately 2.5 inches in diameter and the depth of the cavity is unknown. Both of these features could provide potential roosting opportunities. The tree is considered to provide moderate roosting potential.
30. A mature Field Maple, located at W3W *Hero.Hampers.Ringers*, has lots of peeling bark on the main trunk which could provide roosting opportunities underneath. This tree is considered to provide low roosting potential.
31. A mature Elm, located at W3W *Device.Object.Renovated*, also has peeling bark on the main trunk and is considered to provide low roosting potential (see Photograph 8).
32. The byway is likely to be used by commuting, foraging and possibly roosting bats. It is understood that all of the trees are to be retained. The low-level lighting bollards to be installed are not considered significant to commuting or foraging bats, but it should be ensured that their positioning will be such that they do not significantly illuminate the potential roost features identified above.
33. A variety of common and widespread species of bird were recorded during the survey including Magpie *Pica pica*, Rook *Corvus frugilegus*, Chiffchaff *Phylloscopus collybita*, Wood Pigeon *Columba palumbus*, Carrion Crow *Corvus corone*, Blue Tit *Cyanistes caeruleus* and Wren. The vegetation, particularly the scrub, offers good habitat for nesting and foraging birds, and any necessary removal should be undertaken outside of the nesting birds season. Where this cannot be done a nesting birds survey should be done immediately prior to works commencing. In the event any active nests were recorded a buffer zone of at least five metres would be established around the nest, which would be left in situ until the young had fledged.
34. The habitats present are not considered to offer any significant opportunities for reptiles.
35. Many deer tracks were seen crossing the ditch at several locations between the byway and Jack's Field.
36. The habitats present are not likely to support any other protected or notable species, and the limited effect of the work is not likely to be significant.

Conclusions

37. The potential bat roosts identified in the vicinity of the works should be protected from significant disturbance, both in terms of construction noise and damage, as well as light spillage from lighting bollards once operational.
38. There are no other significant ecological constraints to the proposed byway improvements. Recommendations have been made in respect of nesting birds.

Photographs

- Photograph 1: Existing road southeast of Jack's Field site
- Photograph 2: Start of restricted byway section, looking east
- Photograph 3: Looking east, residential property to the north
- Photograph 4: Looking east to end of study area at Burgattes Road
- Photograph 5: Looking north from the Jack's Lane
- Photograph 6: Looking north at the northern end of the survey area
- Photograph 7: Small rot hole in mature Ash west of byway
- Photograph 8: Peeling bark on mature Elm west of byway

Appendices

- Appendix 1: Byway Location Plan (Weston Homes)
- Appendix 2: Typical Footpath Rejuvenation Detail (Weston Homes)

PHOTOGRAPHS

PHOTOGRAPH 1: Existing road southeast of Jack's Field site



PHOTOGRAPH 2: Start of restricted byway section, looking east



PHOTOGRAPH 3: Looking east, residential property to the north



PHOTOGRAPH 4: Looking east to end of study area at Burgattes Road



PHOTOGRAPH 5: Looking north from Jack's Lane



PHOTOGRAPH 6: Looking north at the northern end of the survey area



PHOTOGRAPH 7: Small rot hole in Mature Ash west of byway



PHOTOGRAPH 8: Peeling bark on mature Elm west of byway



APPENDIX 1

Byway Location Plan (Weston Homes)



ROUTE TO BE RESURFACED AND LIT FROM DRIVE ACCESS FROM APPLICATION SITE TO PROGS GREEN



PLANNING

1a PROGS GREEN ACCESS ROUTE

Site: JACKS GREEN, TAKELEY

Date: MARCH 2023 Drawn: FMT Checked: SH

Scale: 1:500@A1

Drawing No: WINGS WEST P1_ZZDR PL 1a 10 10

Rev: 1

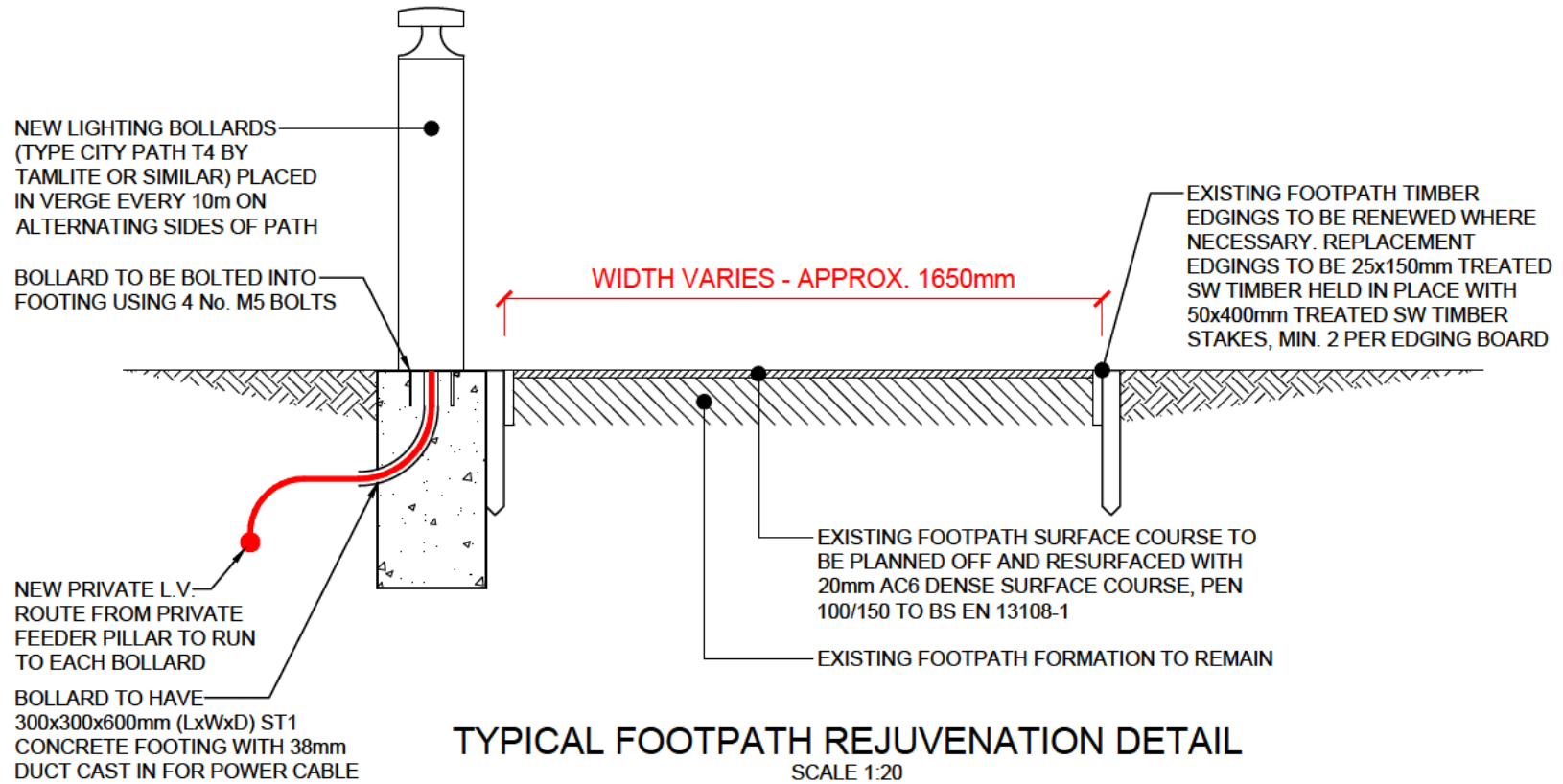


General Notes
 1. This drawing is the property of Weston Homes and is not to be used for any other purpose without the written consent of Weston Homes.
 2. All dimensions are in millimetres unless otherwise stated.
 3. All dimensions are to the centre of the line unless otherwise stated.
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APPENDIX 2

Typical Footpath Rejuvenation Detail
(Weston Homes)





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