

DUNTON HILLS

BRENTWOOD

Representations to Brentwood Borough Council
Regulation 18 Consultation:
Preferred Site Allocations and associated evidence
January 2018

Biodiversity

March 2018





Brentwood Borough Council Regulation 18 Consultation on Preferred Site Allocations DPD (2018) –Biodiversity Review

Dunton Hills Farm, Brentwood, Essex

On Behalf of:

CEG Land Promotions Ltd

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1.0 Introduction

- 1.1** This report has been prepared by Southern Ecological Solutions Ltd (SES) to support representations being made to the Brentwood Borough Council (BBC) Regulation 18 Consultation on the Preferred Site Allocations DPD (PSA, 2018) on behalf of CEG Land Promotions Ltd.
- 1.2** The report considers the findings of PSA (2018) and relevant supporting documents in relation to ecology at Dunton Hills Garden Village (DHGV).
- 1.3** PSA (2018) continues to promote the spatial strategy for higher-level strategic housing growth through the creation of DHGV.
- 1.4** The report is reviewed in light of extensive ecology survey work on the site and a knowledge of the key features. The Phase 1 survey report (SES, 2018) is provided in Appendix 1. Phase 2 surveys will be published later in 2018.

2.0 Methods

Regulation 18 Review

- 2.1** The review assesses the soundness of PSA (2018) through an evaluation of the ecological evidence; the following documents produced since an initial review was undertaken in 2016 (SES, 2016) are the basis for this appraisal:
- Interim Sustainability Appraisal (Aecom, 2018a);
 - Habitats Regulations Assessment (HRA) of BDC Draft Local Plan: Preferred Site Allocations Regulation 18 Consultation (Aecom, 2018b); and
 - Green Infrastructure (GI) Study for Basildon BC and BCC (Place Services, November 2017).
- 2.2** Other relevant documents that retain a bearing on the proposals and for which a brief assessment is provided include:
- Local Wildlife Site Review (ECCOS, 2012)
 - Green Infrastructure Study (September, 2015)

3.0 Interim Sustainability Appraisal (Aecom, 2018a)

- 3.1** The SA sustainability objectives are unchanged from the 2016 appraisal and include:

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- *The boroughs natural assets need to be protected from impacts of development;*
- *The borough's network of green infrastructure should be protected, enhanced and strategically expanded to deliver benefits for people and wildlife; and*
- *Areas that are home to declining species or habitats should be a particular target for protection and ecological restoration.*

3.2 DHGV is the preferred Strategic Site Allocation within the A127 Corridor, with an indicative dwelling yield of 2,500 – 3,500 identified by PSA (2018) within the plan period.

3.3 The review options under Biodiversity stated:

Whilst it is difficult to draw strong conclusions, on balance options involving a focus to the North of Brentwood, and minimal growth along the A127 corridor, are judged to perform best.

The A127 corridor is sensitive given proximity to the woodlands of Thorndon Park to the north, with small 'fingers' of ancient woodland stretching south of the A127. In this respect it is the East of West Horndon site that is notably constrained.

Another consideration is the importance of the landscape in respect of maintaining ecological connectivity between Thorndon Living Landscape (as identified by the Wildlife Trusts) and the Langdon Hills and/or the Bulphan Fen Living Landscapes to the south. In this respect, it is the Dunton Hills Garden Village site that is most constrained, although there is a clear opportunity to leave areas within the site undeveloped as green corridors (including land in the vicinity of Eastlands Spring, which links to habitat patches/landscapes to the north and south).

In conclusion, Option 7 performs notably well, as North Brentwood and West Horndon West are seemingly relatively unconstrained sites, from a biodiversity perspective. However, there is considerable uncertainty ahead of further investigation (in particular in respect of North Brentwood). Significant negative effects are not predicted for those options that perform less well, as there will be very good opportunity to design-in effective green infrastructure (including, it is assumed, at the East of West Horndon site under a 1,000 home scenario).

3.4 The SA appraisal concluded that:

the preferred approach is Option 3, which involves allocating DHGV only, in addition to the sites that are a 'constant' across the reasonable alternatives, and thereby putting in place an overall land supply sufficient to provide (assuming no delayed delivery) for 413 dpa.

3.5 The SA appraisal in relation to DHGV concluded:

Finally, it is important to note that the proposed strategy for the A127 corridor remains broadly unchanged (from the 2016 SA). Work has been ongoing to examine green infrastructure issues and opportunities associated with DHGV and the wider area; however, detailed findings are yet to emerge. There is a need for further detailed examination of issues/impacts and opportunities. An important consideration is the maintenance of ecological connectivity between Thorndon Living Landscape (as identified by the Wildlife Trusts) and the Langdon Hills and/or the Bulphan Fen Living Landscapes to the south. There is a clear opportunity to leave areas within the site undeveloped as green corridors (including land in the vicinity of Eastlands Spring, which links to habitat patches/landscapes to the north and south).

3.6 The review is considered to provide a sound focus for DHGV to contribute to enhancing ecological connectivity. SES considers that the current proposals for DHGV broadly concur with the SA appraisal (Aecom 2018b). DHGV will seek to deliver net biodiversity gain within DHGV through:

- 1) preserving and enhancing the Eastlands Spring LWS and the associated corridor around the stream;
- 2) maintaining significant other green infrastructure corridors and replacing the wetland/scrub/improved grassland mosaics of the golf course and the arable farmland to the north with wetland/scrub/lowland meadow mosaics;
- 3) delivering biodiversity net gain by retaining green infrastructure and managing the various habitats and associated protected and priority species for long term.

4.0 HRA of BDC Draft Local Plan: Preferred Site Allocations Regulation 18 Consultation (Aecom, 2018b)

4.1 The Brentwood Borough Council (BBC) Preferred Allocations HRA (Aecom, 2018) sets out how BBC intends to screen for and manage all likely direct and indirect significant effects on European designated sites (designated and proposed SPA, SAC and Ramsar sites) in relation to proposed housing allocations.

4.2 The sole likely significant effect at DHGV is an increased level of recreational disturbance impacts. The mitigation to ensure any disturbance effects are not significant is to be based on the emerging Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The RAMS is based on the advice set out in a letter from Natural England (NE, 2017), the government's statutory nature conservation advisor.

4.3 Aecom (2018b) states that those schemes complying with the requirements of the RAMS and contributing financially per household in advance of occupation, will be deemed to not have in-isolation or in-combination likely significant recreational effects on European sites, and therefore not require any further mitigation or a site-specific and in-combination HRA. The level of the contribution is currently not specified; it is also not specified if the level of contribution will be linked to the quality, quantity of informal open space provided by the allocation which serves an alternative resource for residents that thus avoids using areas outside of DHGV including European sites. It is SES' opinion that the likely significance of impacts is also linked to the driving distance to European sites and related factors such as the provision of visitor facilities available at these sites. Hence, SES reserves the right to review these issues upon receipt of the Essex RAMS strategy.

4.4 Notwithstanding, the current lack of detail and the lack of any inclusion of avoidance mechanisms, SES supports the principles of the proposed Essex RAMS as a sound approach to managing increasing recreational disturbance arising from new housing in the Borough, particularly at coastal designated sites, and especially by managing current and predicted increased recreational boat usage of the Thames Estuary which is identified from recent research as a critical issue (Liley *et al.*, 2012). Payments to enable protection from disturbance of high tide water bird roosts sites and mudflat, saltmarsh and grazing marsh feeding grounds, coupled with other local measures such as better signage and other communications, should lead to overall nature conservation benefits for coastal European designated sites.

4.5 Aecom (2018b) screens in any development within a 10km Zone of Influence (ZOI) of the Thames Estuary and Marshes SPA and Ramsar site. The straight-line distance of DHGV to the Thames Estuary

and Marshes SPA and Ramsar site is 8.3km. The nearest road distance of DHGV to the Thames Estuary SPA and Ramsar site is c.12km.

4.6 There is an acknowledged lack of visitor data relating to the Essex section of the Thames Estuary and Marshes SPA and Ramsar site. Visitor surveys are being conducted during winter 2017/2018 by Place Services, as part of the RAMS preparation process, and currently publication is due October 2018. While we welcome the gathering of such data we do not currently understand the scope of such surveys and thus also their specificity and applicability to DHGV and respectfully reserve the right to review the robustness of these surveys to inform an appropriate 'Zone of Influence' for recreational impacts.

4.7 SES concurs with both the Natural England and AECOM recommendations that in the absence of a relevant policy an alternative approach for BBC to consider would be to develop an Interim Policy Statement or similar mechanism. AECOM acknowledge the current lack of visitor data for the Thames Estuary and Marshes SPA and Ramsar site and that Zone of Influence currently put forward is subject to change.

4.8 SES propose that a project level HRA screening report is prepared, which will assess all relevant published evidence and available policy in addition to an appropriate level of specificity to DHGV in accordance with the Habitat Regulations (2017).

4.9 The 24km ZOI for recreational effects on the Essex Estuaries SAC is proposed according to the same Natural England letter providing interim guidance re the 'Essex RAMS'. The SAC qualifying features, intertidal habitats and their 'associated plant species, are unlikely to be impacted by increased recreational pressure, other than a very small amount of erosion from leisure-based boats. We do not agree with this buffer distance; we argue that it should be similar to that for the Thames Estuary and Marshes SPA and Ramsar site which is a 10km ZOI. Any proposed ZOI buffer distance should also be justified through appropriately conducted and published visitor surveys.

5.0 Wildlife Sites Review (Essex Ecology Services, 2012)

5.1 The Eastlands Spring LWS will be managed to accord with the recommendations in the LWS sites review (coppice management etc). Current baseline levels of disturbance from motorbikes etc. are already high and damaging) and this will require to be managed to enhance habitat quality in the long term.

6.0 Green Infrastructure Strategy (Groundwork South (Kent and Medway), September 2015)

6.1 DHGV is described as a Key Opportunity Site for GI. The sole requirement related to biodiversity is for high level oversight to ensure local sites are not being degraded or lost. This basic requirement will be met through the proposals re Eastlands Spring LWS and seek to deliver biodiversity gain (as discussed above).

6.2 The southern section of Eastlands Spring LWS is located within the north section of DHGV. Opportunities are presented by the allocation to protect and enhance Eastlands Spring through

buffering and management (in accordance with ECCOS, 2012 recommendation) of this fragment of woodland. This buffer of habitats will consist of a mosaic of interconnected priority habitats (as described above). It is predicted that a positive impact upon this woodland can be achieved following mitigation.

7.0 Conclusions

- 7.1** The allocation at DHGV provides opportunities to not only achieve no net loss to biodiversity but aspires to deliver real biodiversity gains targeting priority habitats and species. Hence, there are no significant divergences from the requirements of the SA Appraisal (Aecom 2018a)
- 7.2** There are concerns with the mitigation requirements in relation to the indirect effects of increased recreation as outlined by the HRA Assessment (Aecom 2018b) in relation to the proposed allocation.
- 7.3** With regard to the delivery of biodiversity net gain within the site, DHGV can deliver against National and Local planning policy.

8.0 References

AECOM. 2018 (a). *Sustainability Appraisal (SA) of the Brentwood Local Plan: Interim SA Report*.

AECOM. 2018 (b). *Habitats Regulations Assessment (HRA) of BDC Draft Local Plan: Preferred Site Allocations Regulation 18 Consultation*.

Department for Communities and Local Government. 2012. *National Planning Policy Framework*.

ECCOS. 2012. *Local Wildlife Site Review*.

Liley, D., Lake, S. & Fearnley, H. (2012). *Phase I – Bird Disturbance Report*. Footprint Ecology, GGKM and Natural England.

Natural England (ref 231488, dated 16 November 2017) 'Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) – Interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations'.

Appendix 1. Extended Phase 1 Habitat Survey Report of DHGV (SES, 2018)

Provided separately.

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