



**Planning Committee**  
**5<sup>th</sup> September 2023**

<b>Application No</b>	:	22/01877/FUL Full Application
<b>Location</b>	:	Land South Of Colam Lane Little Baddow Chelmsford Essex
<b>Proposal</b>	:	<b>Change of use of agricultural land to use as equestrian land. Construction of a barn and riding arena. Formation of access. Associated area of hardstanding.</b>
<b>Applicant</b>	:	Mr & Mrs S. Gunn
<b>Agent</b>	:	Mr Marc Willis
<b>Date Valid</b>	:	31st October 2022

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## **1. Executive summary**

- 1.1. The application is referred to the Planning Committee at the request of a local ward member so that the impacts of the proposal on the character and beauty of the countryside can be considered by the Planning Committee.
- 1.2. The site lies the Rural Area beyond the Metropolitan Green Belt. Scattered development is present in the area intercepted by large verdant fields. It is bordered by a public footpath along the western site boundary. The site is accessed from Colam Lane.
- 1.3. The site is in use for the keeping and breeding of alpacas and also for the keeping of horses and poultry. It is a mixed-use site with some agricultural uses and some uses which do not fall within the definition of agriculture but are uses appropriate to the rural area.
- 1.4. The proposal consists of the change of use of agricultural land to use as equestrian land, the construction of a barn, formation of a riding arena and an area of hardstanding ancillary to the proposed development. The proposed access from Colam Lane is retrospective as the access has been created already.
- 1.5. The proposed barn is intended for use in association with the existing alpaca breeding business. It would have dimensions of 11m x 11m, with eaves height at 3.6m and a ridge height of 5m. It would be a multipurpose building which could be used for the storage of hay, fodder and machinery but it would also be suitable for housing livestock in an emergency. The proposed building would have a functional, utilitarian appearance which reflects its intended purposes and would be appropriate for the rural context of the site.
- 1.6. The proposed riding arena would be 40m by 20m and would be set against southern and eastern boundaries of the application site. It would be an appropriate facility for outdoor recreation. A condition regarding the installation of lighting to the menage is recommended to ensure a minimal visual impact of this development on the rural character of the surrounding area.
- 1.7. The vehicular access to the site from Colam Lane has been created without the benefit of planning permission and this application seeks to regularise this. There are no objections to the access from the Local Highway Authority. They have confirmed that the existing visibility splays are well in excess of the minimum requirements. The impact on the character of the rural area is also minimal and would not require removal of further planting along the lane.
- 1.8. The proposals comply with the requirements of Chelmsford Local Plan Policies S1, S11 and DM8 in respect of new development in the Rural Area.
- 1.9. Approval is recommended subject to conditions.

## **2. Description of site**

- 2.1. The application site is located in the Rural Area beyond the Metropolitan Green Belt. Scattered development is present in the area intercepted by large verdant fields. The site is bordered by an existing footpath along the western site boundary.
- 2.2. The application site is accessed from Colam Lane, which is a narrow lane with passing places lined with trees and well-established hedgerow.

2.3. A timber prefabricated building in use as temporary residential accommodation is located on the site. The site is used of keeping horses, alpacas and poultry.

### **3. Details of the proposal**

3.1. This planning application seek planning permission for:

- The change of use of agricultural land to use as equestrian land;
- The construction of a barn and riding arena;
- The formation of an access from Colam Lane.
- The creation of an area of hardstanding ancillary to the proposed development.

### **4. Other relevant applications**

4.1. 22/00841/FUL - Refused 15th July 2022

Change of use of agricultural land to use as equestrian land. Construction of a barn and riding arena. Formation of access. Car park with provision for 3 vehicles

4.2. 22/01650/FUL - Approved 20th June 2023

Erection of rural workers dwelling for a temporary period of up to 3 years

### **5. Summary of consultations**

- Little Baddow Parish Council - Strongly objects to the proposal. Council maintains the following reasons for objecting. Council feels that the application does not meet the requirements of Policy DM8 in the Chelmsford Local Plan in that the development will adversely impact the intrinsic character of the area as an open rural landscape; both in terms of the proposed building and of vehicles parked on site. There is a public footpath close to the development and so the proposed building will be clearly visible to walkers enjoying the rural scenery. In addition, Colam Lane is narrow and in places a single track road with poor sight lines at its junctions creating traffic issues from any increase in vehicle numbers
- Essex County Council Highways - From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.
- Ramblers Association – no comments
- Public Health & Protection Services – no comments
- Local residents - Four objections received. Main points raised:
  - The proposals would be harmful to the character and beauty of the Rural Area
  - The site would have a harmful, developed and urbanised appearance
  - Prior to any planning permission being granted, various structures have been placed on the land and the access from Colam Lane has been created
  - There has been a change in the character and appearance of the site from the previous undeveloped grassland
  - The proposals are contrary to planning policy and would lead to urbanisation of the rural area
  - The development will result in congestion of Colam Lane

## 6. Planning considerations

### *Main Issues*

6.1. The main issue:

- Whether the proposed development would have an adverse impact on the intrinsic character and beauty of the Rural Area.

### *Relevant Policy Summary*

6.2. Chelmsford Local Plan Policy S1 sets out the spatial principles within the Local Plan and identifies that the Council will require all new development to accord with the stated spatial principles. This includes a requirement to “respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity”.

6.3. Policy S11 states that when determining planning applications, the Council will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with the Spatial Strategy, and to support thriving rural communities whilst ensuring that development does not have an adverse impact on the different roles and character of the countryside.

6.4. Part C of this policy specifically relates to the Rural Area:

“The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt, is designated as the Rural Area. The intrinsic character and beauty of the Rural Area outside of the Green Belt, and not designated as the Green Wedge, will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.”

6.5. Policy DM8 relates to new buildings and structures in the rural area; planning permission will be granted for new buildings and structures where the development will not adversely impact on the identified intrinsic character and beauty of the countryside and where the development is for one of a specified type of development set out in the policy.

6.6. Two exceptions in the policy which would be relevant to the proposals are points ii. and iv. which allow for development for:

- ii. agriculture and forestry or the sustainable growth and expansion of an existing, authorised and viable business where it can be justified that there is a justified need;
- iv. appropriate facilities for outdoor sport, outdoor recreation and cemeteries;

### *Discussions*

6.7. The site is in use for the keeping and breeding of alpacas and the keeping of horses and poultry. It is a mixed-use site with some agricultural uses and some uses which do not fall within the definition of agriculture but are nonetheless appropriate to the rural area.

6.8. The proposed barn is intended for use in association with the alpaca breeding business which is run from the site, in addition to the equestrian activities and the poultry rearing. The building would have dimensions of 11m x 11m, with eaves height at 3.6m and a ridge height of 5m. It would be



located adjacent to the southern site boundary which comprises mature native species vegetation. The roof would be clad with profiled steel sheeting with black timber cladding to the walls.

- 6.9. The proposed building is of a size which is commensurate with the needs of the different uses which have been established on the site. It would be a multipurpose building which could be used for the storage of hay, fodder and machinery but it would also be suitable for housing livestock in an emergency. The proposed building would have a functional, utilitarian appearance which reflects its intended purposes.
- 6.10. The proposed location of the building, close to the existing vegetation, would minimise its visual impact when viewed from public footpaths positioned to the north of the site. Glimpsed views of the building would be possible from the access onto Colam Lane however the building would be seen in the context of the existing authorised agricultural development on the site, grouped in the southern corner of the site.
- 6.11. The proposed menage would be located further to the southeast of the barn and would be set against southern and eastern boundaries which comprise mature vegetation. Subject to the imposition of a condition regarding the installation of lighting to the menage, it would have a minimal visual impact on the rural character of the surrounding area. It would be an appropriate facility for outdoor recreation.
- 6.12. In addition to a lighting condition, it would also be necessary to impose a condition that the use of the manage is restricted to the landowner. The commercial use of the facility would introduce a level of activity and vehicle movements which would not be appropriate for this rural location.
- 6.13. The vehicular access to the site from Colam Lane has been created without the benefit of planning permission and this application seeks to regularise this. The position of the access is in the southeast corner of the site, adjacent to existing development. Although vegetation has been removed to create the access, the gap created is not excessive and no further planting is required to be removed as adequate visibility splays currently exist.
- 6.14. There are no objections to the access from the Local Highway Authority. They have confirmed that the existing visibility splays are well in excess of the minimum requirements. As such there are no concerns regarding highway safety, either in respect of vehicles and pedestrians entering or leaving the site, or in relation to passing traffic.
- 6.15. A previous planning application for the barn, riding area were not supported because of concern about the impact of that development on the rural area particularly in the absence of any need or residency at the site. Since that decision, following a robust assessment of the applicant's agricultural business plans, the site now benefits from a planning permission for a temporary rural worker's dwelling (see planning history). The Council has accepted in granting that planning permission, that there is a rural business operating from the site. The proposed barn is required in part in association with that rural business but also for the equestrian and agricultural activity on the site. Although at this time it is not known whether the alpaca breeding business will be viable in the longer term, there is nothing to prevent the applicant or any other future owner of the site from keeping animals on the land or cropping hay from it.
- 6.16. It is therefore acceptable for planning permission to now be granted for this development. It would be unreasonable to only grant a temporary planning permission for development which is permanent in nature, such as the barn, access and menage which are applied for as part of this application.

## ***Other Matters***

6.17. There are no close neighbouring properties which would be impacted by the proposed development.

6.18. It is noted that the access element of this application has already been constructed. Notwithstanding this, the Local Planning Authority is required to assess each proposal on its own merits, in accordance with relevant National and Local Planning Policies in force at the time of the application. The fact that development has been undertaken without the benefit of planning permission is not justification for refusal of an application and a reason for refusal on this basis could not be substantiated in the event of an appeal against any refusal.

## **7. Community Infrastructure Levy (CIL)**

7.1. This application is not CIL liable.

## **8. Recommendation**

**The Application be APPROVED subject to the following conditions:-**

### **Condition 1**

The development hereby permitted shall be carried out in accordance with the approved plans and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site.

### **Condition 2**

Prior to their installation details of any means of external lighting to serve the manège shall be submitted to and approved in writing by the local planning authority. The lighting shall then be installed in accordance with the approved details.

Reason:

To ensure that the development would not result in unacceptable light pollution within the rural area in accordance with Policy DM8 of the Chelmsford Local Plan.

### **Condition 3**

The manège hereby permitted shall not be used for commercial purposes and shall remain for the personal use of the landowner.

Reason:

The use of the site for commercial equestrian uses would result in increased vehicle movements and activity which would need to be assessed in respect of impact on the local highway network and the intrinsic character and beauty of the countryside in accordance with Chelmsford Local Plan Policy DM8.

### **Condition 4**

Prior to their use, details of the materials to be used in the construction of the barn hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is visually acceptable in accordance with Policy DM23 of the Chelmsford Local Plan.

**Notes to Applicant**

- 1 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 2 This planning permission is subject to planning condition(s) that need to be formally discharged by the Council. Applications to discharge planning conditions need to be made in writing to the local planning authority. Forms and information about fees are available on the Council's website.

**Positive and Proactive Statement**

During the life of the application the Local Planning Authority suggested amendments to the proposal in order to improve the development. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

**Little Baddow Parish Council**

Comments
<p>14.12.2022 - Little Baddow Parish Council considered this application at its meeting on December 13, 2022 and strongly objects to the proposal. Council feels that the application does not meet the requirements of Policy DM8 in the Chelmsford Local Plan in that the development will adversely impact the intrinsic character of the area as an open rural landscape; both in terms of the proposed building and of vehicles parked on site. There is a public footpath close to the development and so the proposed building will be clearly visible to walkers enjoying the rural scenery. In addition Colam Lane is narrow and in places a single track road with poor sight lines at its junctions creating traffic issues from any increase in vehicle numbers</p> <p>03.02.2023 - Little Baddow Parish Council re-considered this application at the Council meeting held on February 2, 2023 and strongly objects to the proposal. Council maintains the following reasons for objecting. Council feels that the application does not meet the requirements of Policy DM8 in the Chelmsford Local Plan in that the development will adversely impact the intrinsic character of the area as an open rural landscape; both in terms of the proposed building and of vehicles parked on site. There is a public footpath close to the development and so the proposed building will be clearly visible to walkers enjoying the rural scenery. In addition Colam Lane is narrow and in places a single track road with poor sight lines at its junctions creating traffic issues from any increase in vehicle numbers</p>

**Essex County Council Highways**

Comments
<p>A new gated vehicular access has been constructed, however:</p> <p>I. It does not benefit from hardened construction in accord with current Highway Authority standard. The Highway 'Confirm' System Record System has been examined and it is confirmed that there has been no application made to the Highway Authority for permission to construct the access. It has therefore been constructed without the necessary permissions from the Highway Authority. It has therefore not been legally constructed.</p> <p>II. It is not perpendicular to the Colam Lane carriageway ' it approaches at 15 degrees and is not acceptable. The vehicular access must be made perpendicular to the Colam Lane carriageway as shown in principle in the Site Plan, drawing no. SG-JH-02.</p> <p>III. Width measured at 6 metres.</p> <p>IV. Gate set back measured at 8 metres.</p> <p>V. Not located in the position as proposed and supported by the Highway Authority in the Highways and Transportation CO/EGD/SD/RM/CHL/52405/Pre App January 2022 - FS393845271 '</p> <p>Colam Lane, Lt Baddow, New Access Opp Cranley Cottage. The position shown was located 39 metres south of</p>

the Rectory Wood Cottage Access. It is 58 meters south, issued 18 February 2022 to COTTEE ' Andrew Firmin for Mr Gunn.

VI. Colam Lane is subject to a de-restricted or 60mph speed limit. However, the measured 85th percentile vehicle speeds by ATC (Automatic Traffic Counter) were:

- o North-bound 33.3mph

- o South-bound 33.4mph

VII. Manual for Streets visibility standard is therefore required for the 85th percentile vehicle speeds above. This is 2.4 metres by 35 metres. The visibility splays measured at X distance 2.4m were well in excess of this distance in both directions:

- o To the north; 49 metres (beyond the Rectory Wood Cottage access).

- o To the south; in excess of 49 metres.

- o Appropriate visibility is therefore provided to the vehicular access, in both directions.

VIII. However, the vehicular access has not been authorised or constructed lawfully. The applicant is therefore vulnerable to enforcement action by the Highway Authority to remedy the situation. This must be addressed by the applicant by making an application to the Highway Authority, for construction of the vehicular access. Appropriate conditions have been included in the conditional recommendation for approval below.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

Note - MUD / DEBRIS ON HIGHWAY - Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

2. The public's rights and ease of passage over public footpaths no.21 and no.22 (Little Baddow Parish 224)

shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11.

3. The vehicular access shown in the Site Plan, drawing no. SG-JH-02, at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 49 metres to the north and 2.4 metres by 35 metres to the south, as measured from and along the nearside edge of the carriageway. The visibility splays shall be provided before the vehicular access is first used by vehicular traffic and retained free of obstruction clear to ground at all times.

Reason: To provide adequate inter-visibility between vehicles using the vehicular access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

4. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway as shown in the Site Plan, drawing no. SG-JH-02. The width of the access at its junction with the highway shall be 6 metres and shall be provided with an appropriate vehicular crossing of the highway verge.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

5. No unbound material shall be used in the surface treatment of the vehicular access within 15 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

6. There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

7. The gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 8 metres from the back edge of the metalled carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent carriageway in the interest of highway safety in accordance with policy DM1.

8. Notwithstanding the details shown in the Site Plan, drawing no. SG-JH-02, prior to occupation of the development a vehicular turning facility of a design to be approved in writing by the Local Planning Authority, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

9. The proposed development shall not be occupied until such time as the 3no. vehicle parking with turning area shown in principle in the Site Plan, drawing no. SG-JH-02, has been constructed appropriately hard surfaced ready for use. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking and turning of vehicles that are related to the use of the development.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

10. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Please include the informative:

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

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**Ramblers Association**

Comments
No Comments

**Public Health & Protection Services**

Comments
No PH&PS comments with regard to this application

**Local Residents**

Comments
Representations received: <ul style="list-style-type: none"><li>- The proposals would be harmful to the character and beauty of the Rural Area</li><li>- The site would have a harmful, developed and urbanised appearance</li><li>- Prior to any planning permission being granted, various structures have been placed on the land and the access from Colam Lane has been created</li><li>- There has been a change in the character and appearance of the site from the previous undeveloped grassland</li><li>- The proposals are contrary to planning policy and would lead to urbanisation of the rural area</li><li>- The development will result in congestion of Colam Lane</li></ul>

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**Appendix 2 – Policy Summary**

**SUMMARY OF RELEVANT ADOPTED PLANNING POLICIES:**

SPS1



Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.

#### SPS11

Strategic Policy S11 The Role of the Countryside - The openness and permanence of the Green Belt will be protected. Inappropriate development will not be approved except in very special circumstances. The Green Wedge has an identified intrinsic character and beauty and is a multi-faceted distinctive landscape providing important open green networks. The countryside outside of the Urban Areas and Defined Settlements, not within the Green Belt is designated as the Rural Area. The intrinsic character and beauty of the Rural Area will be recognised, assessed and development will be permitted where it would not adversely impact on its identified character and beauty.

#### DM8

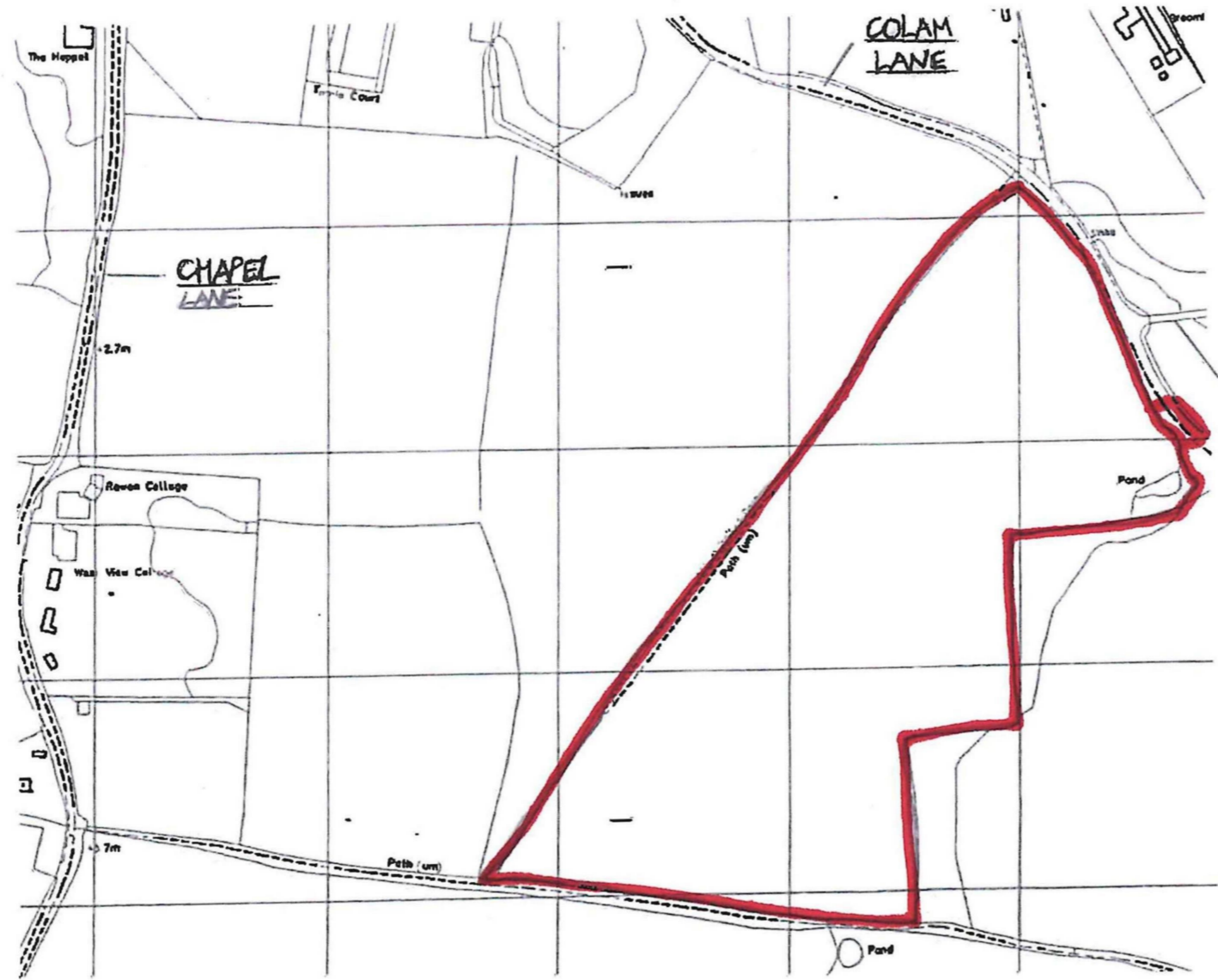
Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.

#### DM23

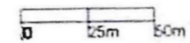
Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.

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## Appendix 3 – Drawings



EXISTING  
ACCESS TO  
PROPERTY



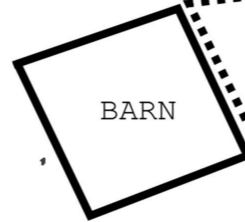
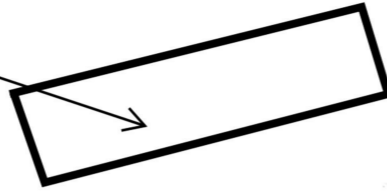
<b>Willis &amp; Co.</b> Chartered Town Planners 30 The Causeway, Chippenham, Wiltshire, SN15 3DB. Telephone: 01249 444975 Facsimile: 01249 656558 Email: <a href="mailto:Willispen@aol.com">Willispen@aol.com</a>	
Client:	Mr S. Gunn.
Title:	Land at Colam Lane, Little Baddow, Chelmsford, Essex. Location Plan.
Scale:	1:2500 @ A3
Date:	February 2022
Drawing no:	SG-JH-01
This drawing is copyright and may not be reproduced, in whole or part, without the express consent of Willis & Co.	

Existing TIMBER CABIN  
(SUBJECT TO APPLICATION  
22/01650/FUL)

EXISTING ACCESS

VISIBILITY SPLAYS:  
2.4 x 35m (SOUTH)  
2.4m x 49m (North)

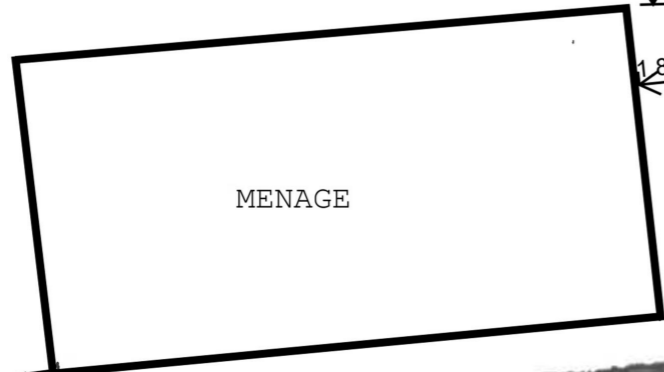
NORTH



POND

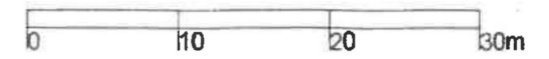
AREA OF  
HARDSTANDING

24.68 m



1.83 m

1.5 m



**Willis & Co.**

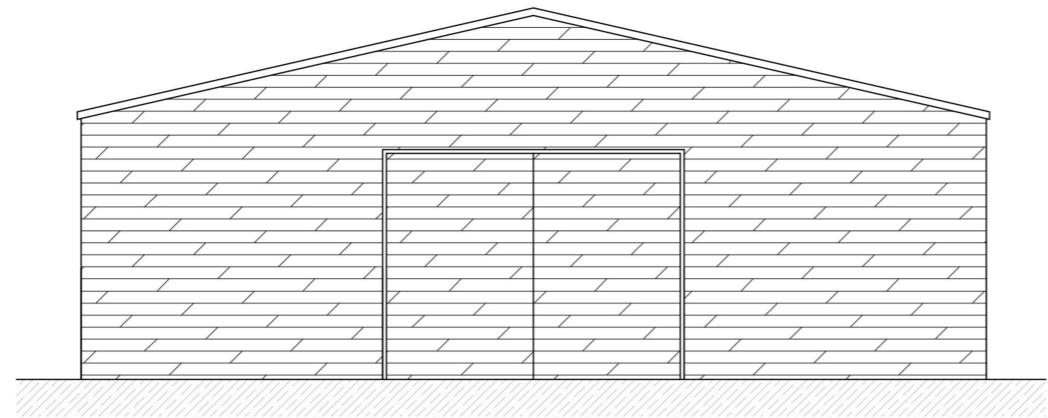
Chartered Town Planners  
30 The Causeway, Chippenham, Wiltshire, SN15 3DB.  
Telephone: 01249 444975 Facsimile: 01249 655556  
Email: [Willisplan@aol.com](mailto:Willisplan@aol.com)

Client; Mr S. Gunn.  
Title; Land at Colam Lane, Little Baddow, Chelmsford, Essex.

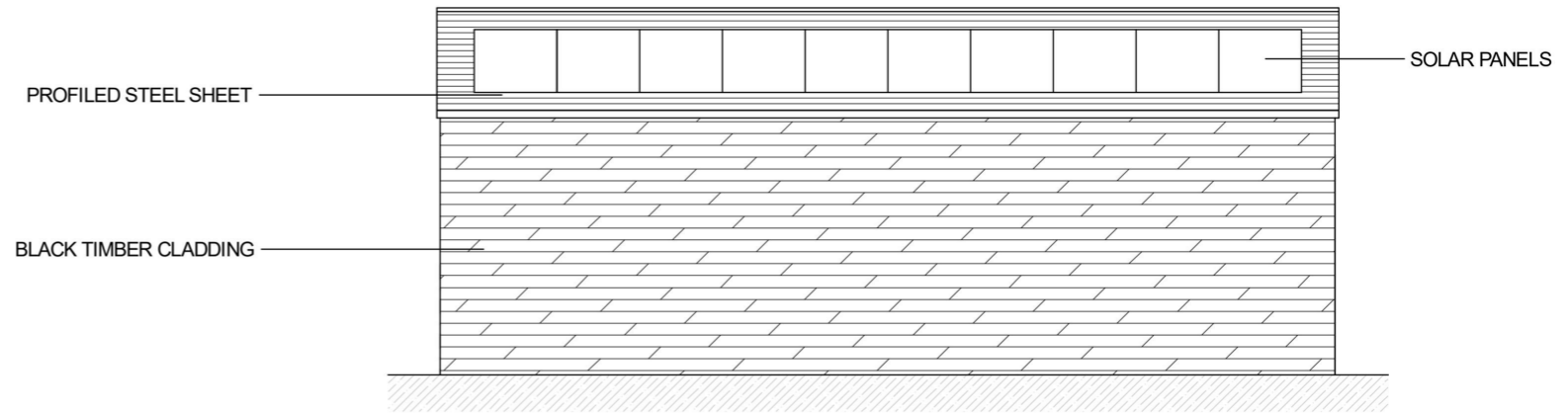
Site Plan.

Scale; 1:500 @ A3 Date; February 2022 Drawing no; SG-JH-02

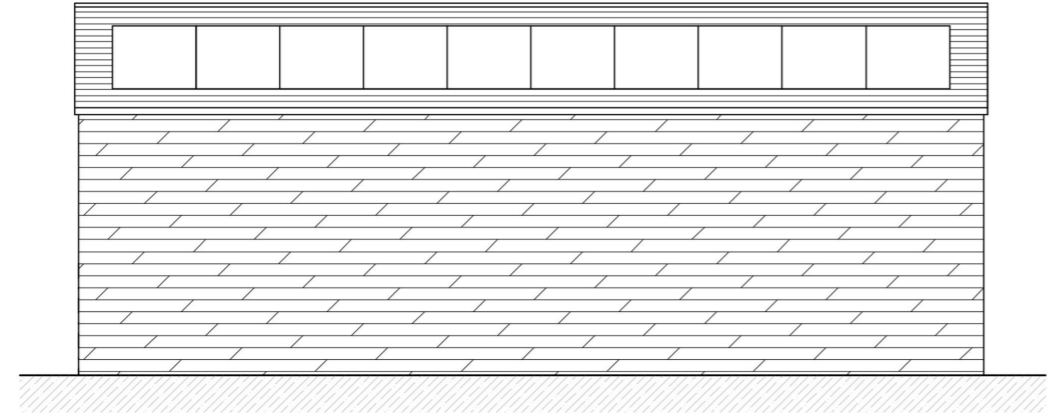
This drawing is copyright and may not be reproduced, in whole or part, without the express consent of Willis & Co.



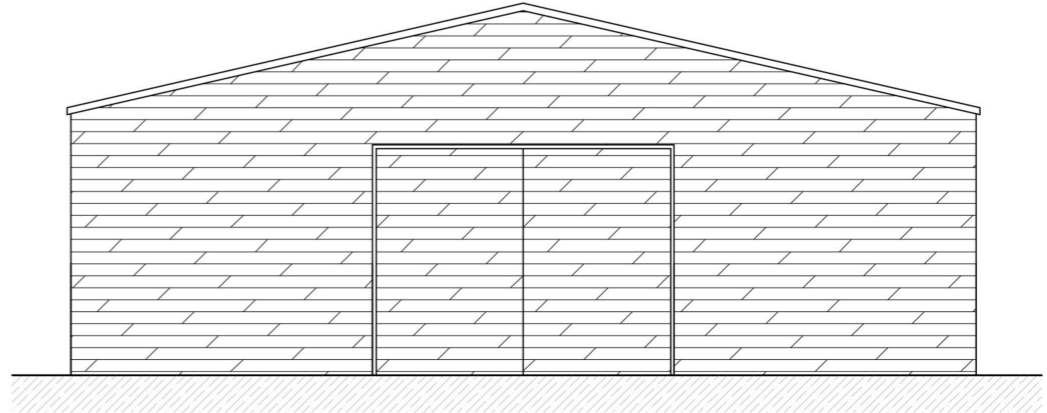
FRONT (EAST) ELEVATION



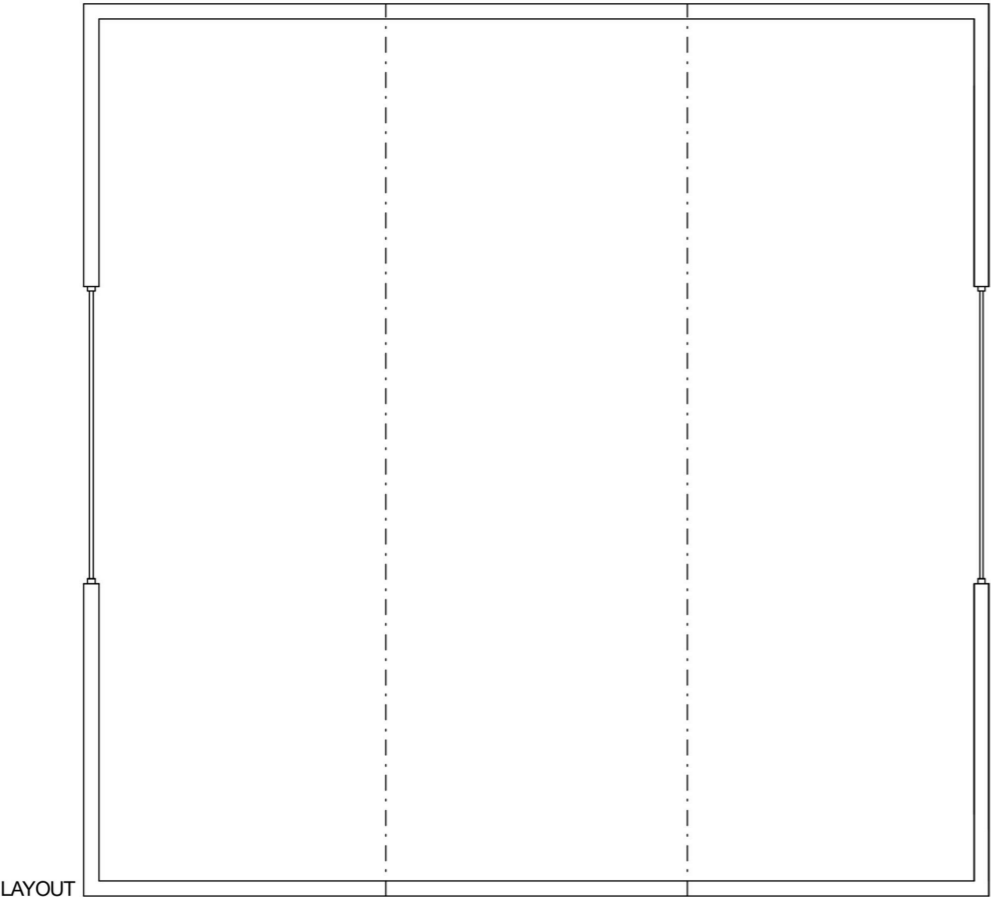
SIDE (NORTH) ELEVATION



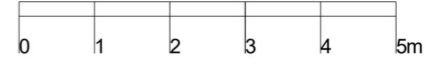
SIDE (SOUTH) ELEVATION



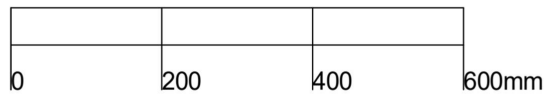
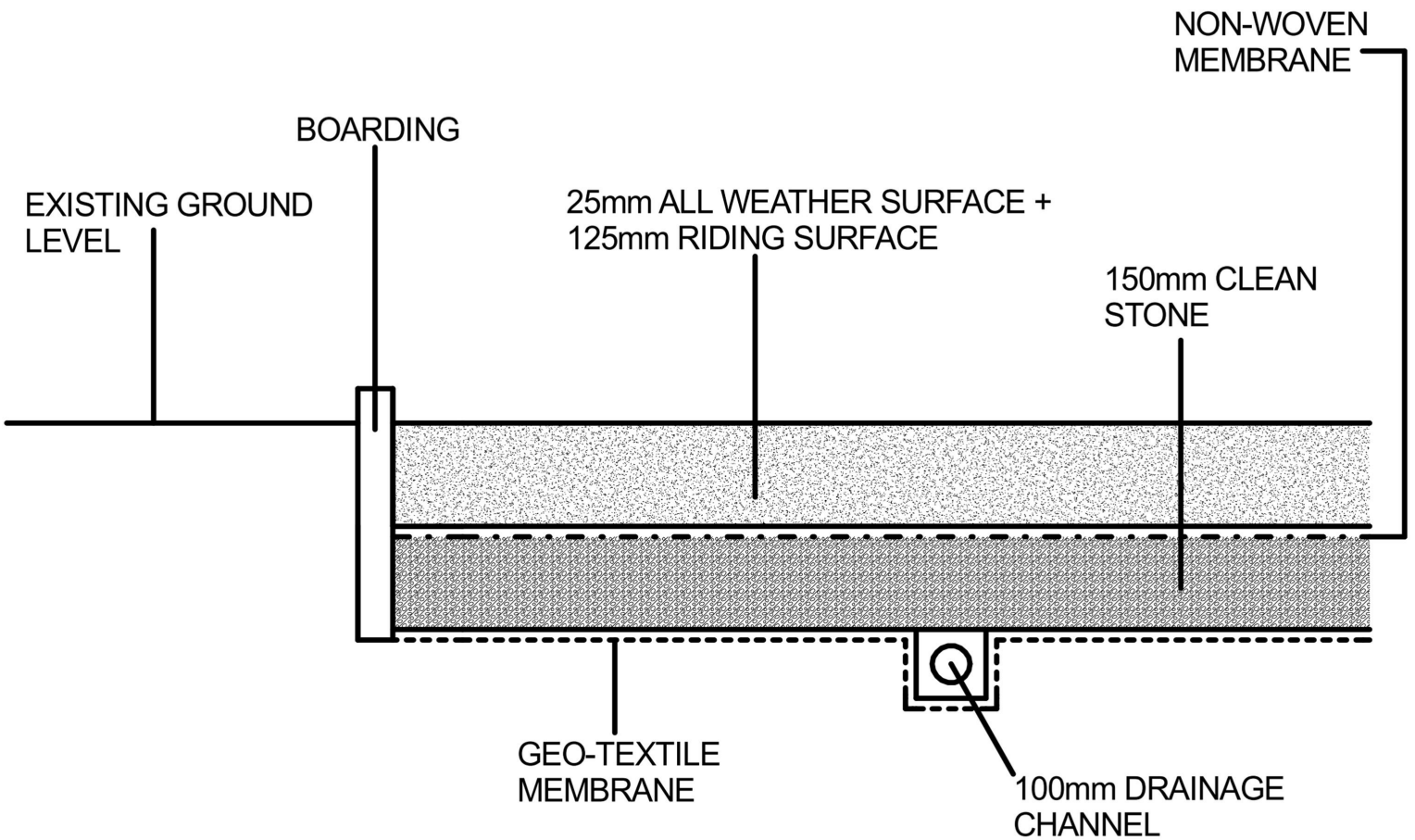
REAR (WEST) ELEVATION



LAYOUT



<p><b>Willis &amp; Co.</b> Chartered Town Planners 30 The Causeway, Chippenham, Wiltshire, SN15 3DB. Telephone: 01249 444975 Facsimile: 01249 655556 Email: Willisplan@aol.com</p>	
<p><b>Client;</b> Mr S. Gunn. <b>Title;</b> Land at Colam Lane, Little Baddow, Chelmsford, Essex.</p>	<p>Elevations and floor plan of proposed barn.</p>
<p><b>Scale;</b> 1:100 @A3    <b>Date;</b> February 2022    <b>Drawing no;</b> SG-JH-03</p>	
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***Willis & Co.***

Chartered Town Planners  
 30 The Causeway, Chippenham, Wiltshire, SN15 3DB.  
 Telephone: 01249 444975 Facsimile: 01249 655556  
 Email: Willisplan@aol.com

**Client;** Mr S. Gunn.  
**Title;** Land at Colam Lane, Little Baddow, Chelmsford, Essex.

Section through menage.

**Scale;** 1:10 @A4      **Date;** February 2022      **Drawing no;** SG-JH-04

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Our Ref: CP/Gunn

25<sup>th</sup> May 2023

Chelmsford City Council,  
Civic Centre,  
Duke Street,  
Chelmsford,  
CM1 1JE

*Willis & Co.*

Chartered Town Planners  
30 The Causeway  
Chippenham  
Wiltshire  
SN15 3DB

Telephone: (01249) 444975  
Facsimile (01249) 655556  
Email: Willisplan@aol.com

Dear Sir/Madam,

**Town and Country Planning Act 1990  
Change in use of land to equestrian: erection of American barn;  
riding arena; new vehicular access and yard (resubmission) at  
Land at Colam Lane, Little Baddow, Chelmsford, Essex, CM3 4BL.**

Introduction

1. We have been asked by the planning Officer via an email dated 22<sup>nd</sup> May 2023 for further information regarding the sited application at the above address under application reference 22/01877/FUL.

2. For reference, the following documents have been included:

- a) A covering letter to address the points raised; and,
- b) Elevations and floor plan of proposed barn (Revised Plan A, May 2023, SG-JH-03/1)

The Equestrian development  
Menage

3. The applicants remain wanting an arena which measures 40m x 20m (800sqm). This menage is for personal use only, where the applicants are expecting this to be conditioned.

4. The menage will also provide fencing and a structure to provide halter training for alpacas which the applicants will be required to do.

Agricultural building

5. The applicant seeks the erection of a agricultural building. Please see the revised plan titled (Elevations and floor plan of proposed barn (SG-JH-03) revised May 2023 attached). The barn will have black timber cladding on the walls down to the ground. There will be a profiled steel sheet roof above. There will be solar panels placed on the roof as well. Please see the revised plan which show these details.

6. The agricultural barn is to be black in line with the proposed timber cabin (as proposed under reference 22/1650/FUL).

7. I also turn to the appeal made at Ashdale Barn, Dalwood, Axminster, Devon, EX13 7HS under reference APP/U1105/A/08/2093012 for the refused siting of an agricultural barn. I refer you to paragraph 8 of the



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Chelmsford City Council

25<sup>th</sup> May 2023

## **Land at Colam Lane, Little Baddow, Chelmsford, Essex, CM3 4BL.**

appeal which responds to the concerns raised about the size of the proposed barn.

***I note a particular concern of the Council is the height of the proposed barn, with some question about the need for a barn of this overall size. However, in my experience it would not be unduly high in terms of modern agricultural buildings and requirements. Also the height reduction, indicated by the Council at the hearing that would apparently make it more acceptable, would not make that much difference. It does seem, however, that there would be some scope to cut the building into the sloping ground and this could be controlled by a planning condition. In terms of the barn's size I consider that it would be fairly modest. I also have nothing of any substance to cause me to find that the barn would be out of scale with the needs of the enterprise bearing in mind the larger building that has been accepted by the Council on another alpacas breeding venture elsewhere.***

8. In the case of the applicant's proposal, the size of the barn is 11m x 11m, totalling a footprint of 121m<sup>2</sup>. This barn is appropriately sized for the needs of the proposed equestrian and agricultural enterprises consisting of alpacas primarily and 2 or 3 horses for the applicants own personal use (per the proposals under reference 22/1877/FUL & 22/1650/FUL).

9. The barn will be used for the storage of hay, fodder and machinery. In addition, in accordance with The Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 6: Agriculture and Forestry, the building is suitable for livestock in an emergency (such as a visit from the vet or in an event of severe weather). The horses are not going to be housed in the barn and will remain on the clients land outside. The horses will only be in the barn in an emergency.

9. I also turn to the appeal at Holly Tree Farm, Northleigh, Colyton, Devon (EX24 6DA) (under reference [APP/U1105/A/05/1194/074](#)) which showed a 14m x 14m (196m<sup>2</sup>) agricultural building. The agricultural building in the appeal had a larger proposed footprint compared to our applicant's proposal of agricultural building of 11m x 11m (121m<sup>2</sup>). The appeal at Holly Tree Farm discussed the appropriate size of the agricultural building in Paragraph 11:

***In any event I note that a barn has already been erected here which is smaller and in a less prominent position, being dug into the land. In this respect it is far less intrusive in the landscape and although it provides a reduced floor area it seems to me that it is perfectly adequate for the***

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Chelmsford City Council

25<sup>th</sup> May 2023

## **Land at Colam Lane, Little Baddow, Chelmsford, Essex, CM3 4BL.**

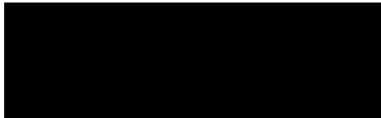
***needs of the farm in terms of providing storage space for machinery and animal foodstuffs etc and the provisions of pens for those animals that are having difficulty giving with. Bearing this in mind I see no justification for the erection of the proposed barn the subject of this appeal on the basis of an agricultural need.***

10. Likewise to the appeal (under reference APP/U1105/A/05/1194/074), the building of this type and scale is appropriate for the proposed enterprise, as set out by the agricultural appraisal by Reading Agricultural Consultant's as part of the application for the temporary rural workers dwelling under reference 22/1650/FUL at the same site.

### Concluding Remarks

11. Please let me know if you require any further points in addition to the council's queries connected to the application. Please find this covering letter along with the plan of the revised materials for the proposed barn for your consideration. I look forward to hearing from you regarding the determination of the application.

Yours faithfully,



Chris Popkin





## **greenwillows associates ltd**

Green Willows Farm, First Turf Fen Drove, Warboys, Cambs PE28 2TZ  
Tel: 01487 823198 / 01487 801638 Email: [info@greenwillowsassociates.co.uk](mailto:info@greenwillowsassociates.co.uk)  
[www.greenwillowsassociates.co.uk](http://www.greenwillowsassociates.co.uk)

Ecological Surveys • Habitat Management • Arboricultural Surveys • Vegetation Clearance

### **Ecological Impact Assessment**

**Colam Lane, Little Baddow  
[NGR: TL 77109 07590]**

**Project Manager: Hannah Bushnell BA (Hons)  
Prepared by: Emma Watson BSc (Hons) and Hannah Bushnell BA (Hons)**

**On behalf of: Steve Gunn**

**(GWA\_Little\_Baddow\_EcIA\_20210528)**

**June 2021**

## DOCUMENT CONTROL SHEET

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Version	Purpose of Issue	Author(s)	Reviewed	Approved	Date
001	Ecological Impact Assessment	Emma Watson BSc (Hons) Hannah Bushnell BA (Hons)	Emma Parnwell BA (Hons) MSc MCIEEM	Emma Parnwell BA (Hons) MSc MCIEEM	04/06/21

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## 1.0 Executive Summary

### 1.1 Rationale

Greenwillows Associates Ltd. was commissioned to conduct an ecological appraisal of a parcel of land at Little Baddow. The area surveyed is referred to as ‘the site’ for the purposes of this report.

The aim of the ecological appraisal was to provide *inter alia*, an assessment of the likely impacts a proposed scheme might have upon notable and/or protected species and habitats and where such features might be affected to identify the need for any follow up detailed/specialist surveys and/or mitigation to ameliorate the potential impacts.

The construction proposals relate to the construction of a new stable building.

### 1.2 Essential Evidence, Conclusions and Recommendations

#### 1.2.1 General Site Description

The site comprises predominantly improved grassland with a boundary species-rich hedgerow along the north-east, extending south-east of the site. Adjacent to the hedgerow is a small area of woodland and pond is also situated in the north-east corner within the woodland.

**Table One: Conclusions and Recommendations**

Potential Receptor	Conclusions	Recommendations
<b>Designated Sites and Species-Rich Hedgerows</b>	<p>There is a Special Road Verge (Colam Lane Verges) that runs immediately adjacent to the north-eastern boundary. Rectory Wood, a Local Wildlife Site (LWS), also lies 10m to the north-east. A species-rich hedgerow forms part of the north-eastern and south-eastern boundaries.</p> <p>Proposed works are not anticipated to impact on the road verge, adjacent woodland or any hedgerows.</p>	<p>As per the current proposals impacts on hedgerows and the road verge is not anticipated, however, if these change and impacts could occur the Local Planning Authority (LPA) must be consulted for further guidance prior to any works.</p>
<b>Nesting Birds</b>	<p>There is potential for nesting birds within the hedgerows and trees around the site and wider site.</p> <p>The proposals are not anticipated to impact on any hedgerows or</p>	<p>It is recommended that mitigation procedures are followed to avoid impacting on nesting birds. See Section 8 for more details.</p>

	<p>trees.</p> <p>If nests are disturbed during the process of incubation and rearing, then mortality of chicks could occur.</p>	
<b>Bats</b>	<p>The linear features of the hedgerows/tree lines provide good foraging and commuting habitat for bats. Some trees within the site were noted as having potential to support roosting bats, however, direct impact on trees is not anticipated.</p> <p>Any increase in lighting could adversely impact suitability of adjacent habitats for commuting/foraging bats.</p> <p>If trees used as roosting habitat are removed/worked on without mitigation, there is a risk of killing/injuring bats and destroying roosting habitat.</p>	<p>Although current proposed plans show no impacts to hedgerows or trees, if plans alter and impacts to either could occur, further surveys will be required. The final design for the stables have not yet been issued, if the plans contain any lighting these will need to avoid impacting on the surrounding hedgerows and trees. See Section 8 for more details.</p>
<b>Badgers</b>	<p>The site is potentially suitable to support foraging and commuting badgers and sett creation, although no immediate evidence of badgers was recorded and it is considered unlikely that the proposed working areas would support a badger sett.</p> <p>If badgers are using the site during the works, there is risk they could become trapped in open pits/trenches.</p>	<p>Any trenches/pits created over the course of the works should be covered nightly to prevent badgers from becoming trapped.</p> <p>Alternatively, ramps should be installed in any such pits/trenches to allow badgers to exit freely. See section 8 for more details.</p>
<b>Great Crested Newts</b>	<p>There is one pond (P1) onsite that was assessed as having some potential to support great crested newts. An eDNA survey carried out on this pond returned negative results of great crested newt presence.</p>	<p>Mitigation measures should be followed to avoid impact on great crested newts using the site. See Section 8 for more details.</p>



	<p>The terrestrial habitats within the working areas have minimal potential in supporting this species.</p>	
<p><b>Hedgehog</b></p>	<p>There is potential for hedgehogs to use the site, particularly the boundary hedgerows, for use as shelter, foraging and commuting habitat.</p> <p>The proposed plans indicate no impacts to hedgerows/woodland.</p> <p>Hedgehogs may become trapped in any open pits/trenches left open at night.</p>	<p>Badger recommendations above regarding trenches/pits apply to hedgehogs too.</p> <p>Mitigation measures to avoid causing harm to hedgehogs are recommended. See Section 8 for more details.</p>

## 2.0 Introduction and Terms of Reference

2.1 This report was commissioned to provide *inter alia*:

- An assessment of the likely impacts the proposed scheme might have upon notable and/or protected species and habitats and where such features might be affected to identify the need for any follow up detailed/specialist surveys.
- Recommendations to avoid potential adverse impacts upon notable and/or protected species and habitats identified as potential receptors within the construction footprint or the relevant zones of influence associated with each receptor.
- An informative document for use by the Local Planning Authority as part of the planning process.

2.2 Based on the JNCC (2010) guidelines an Extended Phase 1 Habitat Survey was undertaken by means of a walkover of the site and its immediate environs, including the licensable impact zone relative to the individual species.

2.3 Phase 2 surveys relating to great crested newts were also undertaken.

2.4 The surveys were based on and proposed plans provided by the client and aerial photographs (See Appendix Two).

2.5 This report outlines the methodology employed to undertake the surveys, results obtained and a discussion of the implications arising there from.

2.6 The areas surveyed are referred to as the 'site'. Anything beyond the site boundary, but within the same land ownership is referred to as 'the wider site'. Anything beyond this is referred to as 'neighbouring habitat'.

## 3.0 Site Location

3.1 The site is situated on Colam Lane, Little Baddow, Chelmsford, Essex, CM3 4BL

[NGR: TL 77109 07590] (see Appendix One).



## 4.0 Legislation and Policy

### 4.1 Statutory Legislation

The Conservation of Habitats and Species Regulations 2017, or the ‘Habitats Regulations 2017’, transposes European Directives into English and Welsh legislation. This has recently been amended to the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) which continues the same provision for European Protected Species after Brexit. Under these regulations, wild animals of a European Protected Species and their breeding sites or resting places are protected. It is an offence to deliberately capture, injure or kill any such wild animal and, in the case of great crested newts, deliberately take or destroy their eggs. It is also an offence to deliberately damage or destroy a breeding site or resting place of any such wild animal.

Wild animals of a European Protected Species are protected from disturbance. Disturbance of such wild animals includes in particular any disturbance which is likely:

*(a) To impair their ability:*

- *to survive, to breed or reproduce, or to rear or nurture their young; or*
- *in the case of animals of a hibernating or migratory species, to hibernate or migrate,*  
*or*

*(b) To affect significantly the local distribution or abundance of the species to which they belong.*

The Wildlife and Countryside Act 1981 (as amended) adds further protection to wildlife in England and Wales under Part 1. It is unlawful to intentionally kill, injure or take any wild bird or take, damage or destroy the nest of any wild bird whilst the nest is in use or being built. If the bird is included on the Schedule 1 list, it is additionally an offence to intentionally disturb its nest during the breeding season.

Certain species of animal are protected under the Wildlife and Countryside Act 1981 (as amended) by being included in Schedule 5 in respect of certain offences under Section 9. Such offences include:

*9(1) Intentional killing, injuring or taking of a Schedule 5 animal,*

*9(4a) Damage to, destruction of, obstruction of access to any structure or place used by a Schedule 5 animal for shelter or protection,*

*9(4b) Disturbance of a Schedule 5 animal occupying such a structure or place.*

Badgers are primarily protected by the Protection of Badgers Act 1992, under which it is a criminal offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so and to intentionally or recklessly interfere with a sett.

Under the Hedgerows Regulations 1997 it is an offence to remove most hedgerows without permission from the Local Planning Authority. Permission for the removal of hedgerows may

be refused if the Local Planning Authority determines any hedgerow to be ‘important’ under criteria listed in Part II of Schedule 1 of the Regulations.

#### 4.2 Planning Policy

The National Planning Policy Framework relating to biodiversity (NPPF) is both guidance for local governing authorities on the content of their Local Plans and material consideration in determining planning applications. The NPPF has replaced much existing planning policy guidance, including Planning Policy Statement 9: Biological and Geological Conservation. However, the government circular 06/05: ‘Biodiversity and Geological Conservation- Statutory Obligations and their impact within the Planning System’, which accompanied PPS9, remains valid.

The NPPF places much emphasis on sustainable development and the need for the planning system to perform a number of roles including ‘improving biodiversity’ by protection of designated sites, priority habitats and priority species, ancient woodland and veteran trees.

The NPPF places more emphasis on ecological networks and their creation and states that the planning system should:

- Avoid, mitigate and compensate for significant harm to biodiversity and protect Sites of Special Scientific Interest and irreplaceable habitats such as ancient woodland.
- Provide a net gain for biodiversity wherever possible and contribute to the Government’s commitment to halt the loss of biodiversity.

#### 4.3 Notable Species and Habitats

4.3.1 The UK Biodiversity Action Plan (UK BAP) was drafted for ‘Priority’ species and habitats in which specific conservation targets were set and are regularly reviewed. UK BAP features do not receive any legal protection *per se*, but have biodiversity value within a national context. The UK BAP also serves as a framework for local biodiversity conservation efforts. UK BAP priority species and habitats were those that were identified as being the most threatened and requiring conservation action under the UK BAP. The original lists of UK BAP priority species and habitats were created between 1995 and 1999, and were subsequently updated in 2007, following a 2-year review of UK BAP processes and priorities, which included a review of the UK priority species and habitats lists. As a result of new drivers and requirements, the ‘UK Post-2010 Biodiversity Framework’, published in July 2012, has now succeeded the UK BAP. The UK BAP lists of priority species and habitats remain, however, important and valuable reference sources. Notably, they have been used to help draw up statutory lists of priorities in England and BAP species and habitats are still referred to at a local level (JNCC, 2013).

4.3.2 The Natural Environment and Rural Communities (NERC) Act 2006: Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The list has been



drawn up in consultation with Natural England, as required by the Act.

4.3.3 The Section 41 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under Section 40 of the NERC Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions.

4.3.4 Section 17 of The Crime and Disorder Act (1998) places a duty on the local authority to *inter alia* “exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime in its area”; this includes prevention of wildlife crime.

4.3.5 The Chelmsford, Essex local Plan (2020) states:

“The policy provides a framework for conserving and enhancing biodiversity assets. The Council will support the creation, restoration, retention and enhancement of biodiversity interests. Where opportunities allow, the design of a development should incorporate beneficial biodiversity features, such as swift boxes, bat or bird boxes, bat bricks, green roofs or the creation and connection of wildlife corridors through landscaping or other means. New water features such as attenuation ponds that can provide new wetland areas, and removal of redundant in-channel structures and culverts, can also create and restore wildlife habitats. Developments adjacent to main rivers should take opportunities to improve water related biodiversity through a variety of initiatives including buffer strips, riparian tree planting, alien species removal and increasing in-channel morphology diversity.

The NPPF seeks to protect and enhance the natural environment. All development proposals should aim to secure opportunities for enhancing biodiversity. This will be assessed on a proportionate basis taking into account the size and type of development and its location.

Biodiversity enhancements in and around development should have regard to the Council's Green Infrastructure Strategic Plan and be led by an understanding of ecological networks such as:

- Improved links between existing sites
- Buffering of existing important sites
- Habitat restoration, recreation and expansion
- New biodiversity features within development
- Securing management for long term enhancement.

Trees and woodland provide a vital benefit, and help to improve the wellbeing of the public and the environment. Some of their many benefits include the provision of shelter and shade stabilisation of soil, filtering air pollution, reducing noise, improving and softening the landscape, an creating and connecting wildlife habitats.

Planning permission will only be granted where the development proposal would not conflict with the purposes of the preservation order of the tree or woodland unless there is a substantiate justification. Harm to protected trees may include, but is not limited to, excessive

pruning, incursion in the root protection area, alterations to ground levels or complete removal of the tree.”

## 5.0 Methodology

### 5.1 Desktop Study

A search of the Multi-Agency Geographic Information for the Countryside (MAGIC) website was undertaken with regards to the presence of statutory nature conservation sites within the potential zone of influence. In addition, a high-level screening review of the National Biodiversity Network (NBN) website was undertaken for an indication of the potential presence of protected species within 2km of the survey site; and records held by Essex Wildlife Trust Records Centre (EWT) of protected/notable species and designated sites within 2km of the target site, since 2010, were also consulted.

A search for waterbodies within 250m of the site was also undertaken using a range of mapping resources, including Google Earth, MAGIC and OS Maps.

A search of the Local Planning Portal was undertaken to identify any previous ecological surveys and planning applications close to the site.

### 5.2 Field Surveys

#### 5.2.1 Extended Phase 1 Habitat Survey

A walkover of the site was undertaken on 28th April 2021, by Hannah Bushnell and Emma Watson, based on the JNCC (2010) Handbook for Phase 1 habitat survey.

The Phase 1 Survey was extended to include a search for signs of protected, principal importance and biodiversity action plan priority species and an assessment of the habitats present for their likelihood to support such species (see Annex One). Target notes (TN) are shown on a habitat map in Appendix Three.

#### 5.2.2 Phase 2 Great Crested Newt Surveys- eDNA Surveys

When great crested newts inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. Analysis of pond water samples for these small environmental DNA (eDNA) traces can be undertaken to confirm great crested newt habitation or establish great crested newt absence.

Pond 1 was subject to eDNA surveying with water samples collected on 28<sup>th</sup> April 2021 by Hannah Bushnell and Emma Watson who have been trained in the use of eDNA sampling.

The samples were taken from the waterbody and were submitted for eDNA analysis to the protocol stated in DEFRA WC1067 (Biggs et al., 2014).

### 5.3 Constraints and Survey Limitations

There were no constraints specific to the survey site but generally, surveys only provide a 'snap-shot' of information temporally and spatially from which behaviour can be extrapolated to make an ecological evaluation. Ecological conditions can vary on a yearly and seasonal basis.



Waterbodies were identified using multiple mapping sources during the desktop survey. Some waterbodies are not illustrated on maps, particularly those that are small in size and within residential properties. Therefore, some waterbodies may have gone undetected. Furthermore, HSI and eDNA surveys of ponds three and four were not taken as landowner permission to access these was refused. It is considered that this will not significantly impact the findings of this report as there is extensive woodland surrounding these ponds which is considered to be more optimal habitat for great crested newts than the improved grassland onsite. Both ponds are also >100m from the proposed working areas and "research sponsored by Natural England has shown that most newts within terrestrial capture programmes are found within 50 metres of the pond with few animals captured at distances greater than 100 metres (Cresswell and Whitworth 2004). "

## 6.0 Results

### 6.1 Background Data

#### 6.1.1 Statutory and Non-Statutory Nature Conservation Sites

**Table Two: Statutory and Non-Statutory Nature Conservation Sites**

Site Name	Designation	Grid ref	Distance from site	Reasons for designation
Colam Lane Verges	SRV	TL77170751	Immediately adjacent (north)	The verge on the south side of the road has of an abundance of Wood Melick ( <i>Melica uniflora</i> ), whilst that to the north side lies adjacent to and is complemented by Ch129 Rectory Wood, Little Baddow. This roadside verge bank has a well-established population of Common Cow-wheat ( <i>Melampyrum pratense</i> ), an Essex Red Data List species.
Rectory Wood	LWS	TL77290747	10m	Rectory Wood is a likely small remnant of ancient wood. Hornbeam ( <i>Carpinus betulus</i> ) coppice and standards with Pedunculate Oak ( <i>Quercus robur</i> ) standards dominate this wood. Wild Service-tree ( <i>Sorbus torminalis</i> ) occurs on the edge adjacent to Colam Lane. Ancient woodland indicators recorded include Wood Anemone ( <i>Anemone nemorosa</i> ), Bluebell ( <i>Hyacinthoides non-scripta</i> ), Wood Millet ( <i>Milium effusum</i> ), Wood Melick ( <i>Melica uniflora</i> ) and the Essex Red Data List species Common Cow-wheat ( <i>Melampyrum pratense</i> ).
Hollybred Wood	LWS	TL77390804	337m	Hornbeam ( <i>Carpinus betulus</i> ) coppice and Pedunculate Oak ( <i>Quercus robur</i> ) standards dominate virtually all of this wood. Some Sweet Chestnut ( <i>Castanea sativa</i> ) coppice is found in the centre of the site and there is also some Silver Birch ( <i>Betula pendula</i> ), mostly

				<p>to the south. A few Wild Service-trees (<i>Sorbus torminalis</i>) occur on the east edge of the wood. Elder (<i>Sambucus nigra</i>) is part of a very sparse shrub layer. The ground flora has Bluebell (<i>Hyacinthoides non-scripta</i>), Wood Melick (<i>Melica uniflora</i>) and Wood Millet (<i>Milium effusum</i>) surviving under the dense Hornbeam canopy.</p>
Little Baddow Heath	LWS	TL78790618	442m	<p>The northern section comprises heathland that has undergone recent restoration to remove much of the invasive Birch (<i>Betula</i> spp.) scrub. It now comprises an acid grassland/heathland mosaic characterised by abundant Common Bent (<i>Agrostis capillaris</i>), with lesser amounts of Heather (<i>Calluna vulgaris</i>), Pill Sedge (<i>Carex pilulifera</i>), Heath Bedstraw (<i>Galium saxatile</i>), Trailing St.-john's-wort (<i>Hypericum humifusum</i>), Heath Wood-rush (<i>Luzula multiflora</i>), Sheep's Sorrel (<i>Rumex acetosella</i>), Heath Speedwell (<i>Veronica officinalis</i>) and, most notably, a strong population of Milkwort (<i>Polygala</i> sp.).</p> <p>The southern section is quite different in character and comprises a broad-leaved woodland of very varying types, reflecting the changing soil drainage. The canopy comprises a mix of Downy Birch (<i>Betula pubescens</i>), Pedunculate Oak (<i>Quercus robur</i>), Hornbeam (<i>Carpinus betulus</i>), Ash (<i>Fraxinus excelsior</i>) and several other species at low density. The understorey has Hazel (<i>Corylus avellana</i>), willows (<i>Salix</i> spp.), Hawthorn (<i>Crataegus monogyna</i>), Rowan (<i>Sorbus</i></p>



				<p><i>aucuparia</i>) and Elder (<i>Sambucus nigra</i>). The ground flora is very diverse and includes several species generally typical of ancient woodland, although likely to have colonised the site from elsewhere. These include Primrose (<i>Primula vulgaris</i>), Wood Melick (<i>Melica uniflora</i>), Bluebell (<i>Hyacinthoides non-scripta</i>) and Yellow Pimpernel (<i>Lysimachia nemorum</i>). Lady Fern (<i>Athyrium filix-femina</i>) is unusually widespread.</p>
The Chapel	LWS	TL76690778	442m	<p>Despite its relatively small size, this unimproved grassland supports a very rich assemblage of plants. Amongst the grassland are herbs such as Agrimony (<i>Agrimonia eupatoria</i>), Common Knapweed (<i>Centaurea nigra</i> agg.), Field Wood-rush (<i>Luzula campestris</i>), Heath Speedwell (<i>Veronica officinalis</i>), Cuckooflower (<i>Cardamine pratensis</i>) and Burnet-saxifrage (<i>Pimpinella saxifraga</i>). Of particular interest is the presence of Betony (<i>Betonica officinalis</i>), Harebell (<i>Campanula rotundifolia</i>) and Meadow Saxifrage (<i>Saxifraga granulata</i>) which are all Essex Red Data List species, whilst Lesser Calamint (<i>Clinopodium calamintha</i>) though not scarce in Chelmsford or the county is, however, a nationally scarce species. Sixteen species of fungi have also been recorded from this churchyard.</p>
Long Spring Wood	LWS	TL76110672	795m	<p>This large ancient woodland has a westerly flowing stream close to the southern edge of the wood, adding to the diversity of woodland habitats present. The composition is mainly Sweet Chestnut (<i>Castanea sativa</i>),</p>

				<p>Hornbeam (<i>Carpinus betulus</i>) and Ash (<i>Fraxinus excelsior</i>) as coppice with Pedunculate Oak (<i>Quercus robur</i>) standards. The shrub layer beneath is scattered and has Hawthorn (<i>Crataegus monogyna</i>) and Elder (<i>Sambucus nigra</i>), but Holly (<i>Ilex aquifolium</i>) is also found throughout this wood. Though the ground flora is dominated by carpets of Bluebell (<i>Hyacinthoides non-scripta</i>) and smaller areas with Dog's Mercury (<i>Mercurialis perennis</i>), there are a number of other ancient woodland indicators present. These include Wood Anemone (<i>Anemone nemorosa</i>), Yellow Archangel (<i>Lamiastrum galeobdolon</i>), Moschatel (<i>Adoxa moschatellina</i>), Pignut (<i>Conopodium majus</i>), Primrose (<i>Primula vulgaris</i>) and Three-nerved Sandwort (<i>Moehringia trinervia</i>). Wood Speedwell (<i>Veronica montana</i>), another ancient woodland plant, is generally found close to the stream.</p>
Heather Hills/Scrub Wood	LWS	TL78230768	854m	<p>An undulating topography either side of a deeply incised stream valley gives rise to a wide range of soil types and hence habitats within The Warren and Heather Hills. To the west, Pedunculate Oak (<i>Quercus robur</i>) and Silver Birch (<i>Betula pendula</i>) dominate, with Bramble (<i>Rubus fruticosus</i>) and Bracken (<i>Pteridium aquilinum</i>) characterising the ground flora. To the east, the canopy comprises Oak, Beech (<i>Fagus sylvatica</i>) and Sycamore (<i>Acer pseudoplatanus</i>), with much Holly (<i>Ilex aquifolium</i>), whilst Bracken (<i>Pteridium aquilinum</i>) thrives beneath, especially where the woodland gives way</p>

				<p>to clearings. Within clearings on the highest, most freely draining ground, heathland and acid grassland have developed. Wavy Hair-grass (<i>Deschampsia flexuosa</i>), Sheep's Sorrel (<i>Rumex acetosella</i>), Heather (<i>Calluna vulgaris</i>), Sand-spurrey (<i>Spergularia rubra</i>) and Pill Sedge (<i>Carex pilulifera</i>), a rare plant in Essex, are present. Harts-tongue (<i>Asplenium scolopendrium</i>) is found in the stream valley.</p> <p>Scrub Wood is immediately to the north of Heather Hills/The Warren. This area comprises ancient and non-ancient blocks of woodland with a central stream valley, which flows northwards. The ancient woodland is typical of the area, with Hornbeam (<i>Carpinus betulus</i>) coppice dominating. Other tree species of the high canopy include Pedunculate Oak, Sweet Chestnut (<i>Castanea sativa</i>), Ash (<i>Fraxinus excelsior</i>) and Sycamore and birch (<i>Betula</i> spp.). Species of interest in the ground flora include Bluebell (<i>Hyacinthoides non-scripta</i>), Yellow Archangel (<i>Lamium galeobdolon</i>) and Climbing Corydalis (<i>Ceratocarpus claviculata</i>). The most northerly block of woodland still contains Hornbeam, but also Birch coppice and some Oak and Ash standards in the high canopy. The stream flows through a small ravine and species such as Lady Fern (<i>Athyrium filix-femina</i>) and Great Horsetail (<i>Equisetum telmateia</i>) are to be found associated with these damp conditions.</p>
Boreham	LWS	TL76700864	898m	This area south of the River Chelmer is a complex mosaic of

Meads			<p>grassland, marshy grassland and swamp dominated habitat. The central area has stands of Common Reed (<i>Phragmites australis</i>), pond-sedges (<i>Carex</i> spp.) and Reed Canary-grass (<i>Phalaris arundinacea</i>), which are bounded on the south side by scrub. Among small patches of wooded scrub, rushes (<i>Juncus</i> spp.), Tufted Hair-grass (<i>Deschampsia cespitosa</i>) and Large Bitter-cress (<i>Cardamine amara</i>) (an Essex Red Data List (ERDL) species) are found. The marshy areas support Marsh Marigold (<i>Caltha palustris</i>) and another ERDL plant, Brown Sedge (<i>Carex disticha</i>). The land near Hoe Mills bridge to the east comprises willow plantation over a grassy ground cover. Recent disturbance has seen the appearance here of Ragged-Robin (<i>Silene flos-cuculi</i>) and Yellow-rattle (<i>Rhinanthus minor</i>).</p> <p>To the north side of the river lies a large block of grassland. This was ploughed in the early 1990s but has subsequently recovered. Species of interest recorded from this area include Ragged-Robin, Cuckooflower (<i>Cardamine pratensis</i>) and three ERDL species: Meadow Saxifrage (<i>Saxifraga granulata</i>), Pepper-saxifrage (<i>Silaum silaus</i>) and Dropwort (<i>Filipendula vulgaris</i>), this last species at possibly its only native location within Essex. This area includes the Boreham Special Roadside Verge (TL 76230867 to 76270861), which has been designated due to the presence of Common Meadow-rue (<i>Thalictrum flavum</i>), a rare Essex plant that is included on the ERDL.</p>
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Waterhall Meadows	LWS	TL75880702	960m	<p>Situated on the west bank of the Sandon Brook, this site comprises an Essex Wildlife Trust nature reserve. The reserve consists of old flood meadow, a small spinney and an area of Blackthorn (<i>Prunus spinosa</i>) thicket. A varied suite of grasses has been recorded, including Sweet Vernal-grass (<i>Anthoxanthum odoratum</i>), Crested Dog's-tail (<i>Cynosurus cristatus</i>), Meadow Barley (<i>Hordeum secalinum</i>), Yorkshire-fog (<i>Holcus lanatus</i>) and, in the damper areas, Marsh Foxtail (<i>Alopecurus geniculatus</i>). A rich herb flora is also present. Three Essex Red Data List plants (Meadow Saxifrage (<i>Saxifraga granulata</i>), Devil's-bit Scabious (<i>Succisa pratensis</i>) and Pepper-saxifrage (<i>Silaum silaus</i>)) have been recorded here, along with Lady's Bedstraw (<i>Galium verum</i>) and Cowslip (<i>Primula veris</i>). Among a wide range of birds to be found, there are eight species of Warbler, while the Kingfisher (<i>Alcedo atthis</i>) is a regular visitor and has bred in the reserve. A rich insect fauna includes dragonflies and damselflies including the Nationally Scarce (Nb) White-legged Damselfly (<i>Platycnemis pennipes</i>), a rare species in Essex.</p>
River Chelmer	LWS	TL 75100766	1020m	<p>This site comprises the watercourse and the associated marginal vegetation of the river Chelmer downstream from the city centre. Other sections of the river are included within a series of LoWS running along the Chelmer valley (see Ch67, Ch68, Ch76 and Ch87). A few sections of the river are</p>



				<p>bordered by planted trees, in particular willows (<i>Salix</i> spp.), but for much of its length it is open. The marginal vegetation is particularly lush along both banks of the channel. Many plant species commonly found are Branched Bur-reed (<i>Sparganium erectum</i>), Reed Canary-grass (<i>Phalaris arundinacea</i>), Greater Pond-sedge (<i>Carex riparia</i>), Reed Sweet-grass (<i>Glyceria maxima</i>) and Common Reed (<i>Phragmites australis</i>). However, many other species are to be found interspersed along the watercourse, including Sweet-flag (<i>Acorus calamus</i>), Flowering-rush (<i>Butomus umbellatus</i>), Marsh Woundwort (<i>Stachys palustris</i>), Purple-loosestrife (<i>Lythrum salicaria</i>), Common Club-rush (<i>Schoenoplectus lacustris</i>) and the Essex Red Data List Water Dock (<i>Rumex hydrolapathum</i>). Apart from the intrinsic quality of the river and its vegetation, it also forms a very valuable linking corridor between other riverine Wildlife Sites. The river Chelmer also supports a diverse dragonfly and damselfly assemblage. Otters frequent the river Chelmer and it also supports Water Voles.</p>
Hall Wood	LWS	TL76450604	1040m	<p>Coppiced Hornbeam (<i>Carpinus betulus</i>), Sweet Chestnut (<i>Castanea sativa</i>) and Pedunculate Oak (<i>Quercus robur</i>) standards are the main trees that characterise this woodland, while Alder (<i>Alnus glutinosa</i>) coppice straddles the stream running through the centre. The ground flora displays a rich mix, with species such as Marsh</p>

				<p>Marigold (<i>Caltha palustris</i>) and the Essex Red Data List species Opposite-leaved Golden-saxifrage (<i>Chrysosplenium oppositifolium</i>) near the stream. The drier soils exhibit a range of other ancient woodland indicators, including Bluebell (<i>Hyacinthoides non-scripta</i>), Wood Anemone (<i>Anemone nemorosa</i>), Moschatel (<i>Adoxa moschatellina</i>), Pignut (<i>Conopodium majus</i>), Yellow Archangel (<i>Lamiastrum galeobdolon</i>), Wood Sorrel (<i>Oxalis acetosella</i>), Wood-sedge (<i>Carex sylvatica</i>) and Climbing Corydalis (<i>Ceratocarpus claviculata</i>).</p>
Riffhams Lane Wood	LWS	TL77310607	1130m	<p>Whilst most of this site comprises Pedunculate Oak (<i>Quercus robur</i>), Hornbeam (<i>Carpinus betulus</i>), and Beech (<i>Fagus sylvatica</i>), there are some conifers found mainly towards the southern end of the woodland. It is fairly open beneath the canopy in the northern part of the wood, but further south is a better developed shrub layer, with Hawthorn (<i>Crataegus monogyna</i>) dominating. The ground flora is diverse and quite species-rich with Wood Anemone (<i>Anemone nemorosa</i>), Dog's Mercury (<i>Mercurialis perennis</i>), Remote Sedge (<i>Carex remota</i>) and Moschatel (<i>Adoxa moschatellina</i>) found as locally frequent patches. Other ancient woodland indicators found include Yellow Archangel (<i>Lamiastrum galeobdolon</i>), Primrose (<i>Primula vulgaris</i>), Wood Speedwell (<i>Veronica montana</i>), Wood-sedge (<i>Carex sylvatica</i>) and Wood Melick</p>

				( <i>Melica uniflora</i> ).
Pheasanthouse Farm	LWS	TL78620720	1270m	<p>Pheasanthouse Farm is owned and managed by the Essex Wildlife Trust. Only the more species-rich grasslands at the northern end of the reserve are included within the LoWS. The swards include Common Bent (<i>Agrostis capillaris</i>), Sweet Vernal-grass (<i>Anthoxanthum odoratum</i>), Common Knapweed (<i>Centaurea nigra</i> agg.), Marsh Thistle (<i>Cirsium palustre</i>), Yorkshire-fog (<i>Holcus lanatus</i>), Meadow Vetchling (<i>Lathyrus pratensis</i>), Common and Greater Bird's-foot Trefoils (<i>Lotus corniculatus</i> and <i>L. pedunculatus</i>), Rough Meadow-grass (<i>Poa trivialis</i>), Meadow Buttercup (<i>Ranunculus acris</i>) and, in drier, sandier areas, Sheep's Sorrel (<i>Rumex acetosella</i>). Within a damper area in the far south-eastern corner, the flora Marsh Woundwort (<i>Stachys palustris</i>) and Common Spotted Orchid (<i>Dactylorhiza fuchsii</i>). The scarce Bitter Vetch (<i>Lathyrus linifolius</i>) has also been recorded from the reserve.</p> <p>The fields are bounded by thick, tall and species-rich hedgerows, with a small area of scrub centrally adding to the habitat diversity.</p>
Bassetts Wood	LWS	TL78710785	1310m	<p>This site comprises ancient and non-ancient woodland. Bassetts Wood, strictly referring to the northern part of this LoWS, is a block of predominantly ancient woodland and lies either side of a small stream valley. A variety</p>

			<p>of tree species occur as coppice and standards throughout. Hornbeam (<i>Carpinus betulus</i>) is dominant towards the north end, whilst Pedunculate Oak (<i>Quercus robur</i>), Silver Birch (<i>Betula pendula</i>), Sweet Chestnut (<i>Castanea sativa</i>) and Rowan (<i>Sorbus aucuparia</i>) are all to be found at canopy and sub-canopy level.</p> <p>Several ancient woodland indicators are found in the herb flora, including Bluebell (<i>Hyacinthoides non-scripta</i>), Wood Anemone (<i>Anemone nemorosa</i>), Yellow Archangel (<i>Lamium galeobdolon</i>), Wood Melick (<i>Melica uniflora</i>), Wood Millet (<i>Milium effusum</i>), Three-nerved Sandwort (<i>Moehringia trinervia</i>) and Wood Speedwell (<i>Veronica montana</i>). The damper valley area is home to Moschatel (<i>Adoxa moschatellina</i>), whilst the well-drained upper slopes have locally dominant patches of Bracken (<i>Pteridium aquilinum</i>) and where grassy areas prevail then Heath Speedwell (<i>Veronica officinalis</i>) and Climbing Corydalis (<i>Ceratocarpus claviculata</i>) are present. The southern part of the site is recent woodland but exhibits a varied structure with tall canopy trees and lower growing scrub vegetation. Sweet Chestnut, Silver Birch, Ash (<i>Fraxinus excelsior</i>), Pedunculate Oak, Hawthorn (<i>Crataegus monogyna</i>) are the most characteristic species. The ground flora has developed into a species-rich assemblage typical of older woodlands, including Dog's Mercury (<i>Mercurialis perennis</i>), Bluebell, Yellow Archangel, Moschatel and</p>
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				Primrose ( <i>Primula vulgaris</i> ).
New Wood	LWS	TL78120861	1340	<p>This woodland is characterised by a structure comprising Hornbeam (<i>Carpinus betulus</i>) coppice and Pedunculate Oak (<i>Quercus robur</i>) standards. Other tree species recorded include Ash (<i>Fraxinus excelsior</i>), Field Maple (<i>Acer campestre</i>) and Sweet Chestnut (<i>Castanea sativa</i>). Amongst the shrub layer are Hawthorn (<i>Crataegus monogyna</i>) and Elder (<i>Sambucus nigra</i>) and frequent patches of Honeysuckle (<i>Lonicera periclymenum</i>). Bluebell (<i>Hyacinthoides non-scripta</i>) is abundant in the ground flora of the wood and also present is Wood Anemone (<i>Anemone nemorosa</i>), a strong indicator of ancient woodland.</p>
Common Lane Woods	LWS	TL78320646	1370m	<p>This woodland provides a useful habitat extension to the adjacent SSSI. The southeastern section is arguably ancient, with abundant old Hornbeam (<i>Carpinus betulus</i>) coppice over Bluebell (<i>Hyacinthoides non-scripta</i>). There is also an extensive patch of Lily-of-the-valley (<i>Convallaria majalis</i>). This rare Essex plant is often present as a garden escape and its status in this wood is uncertain, although its extent suggests that it has been present for a considerable period of time.</p> <p>The northern block is largely Sweet Chestnut (<i>Castanea sativa</i>), with some Sycamore (<i>Acer pseudoplatanus</i>), Birch (<i>Betulus</i> spp.) and Holly (<i>Ilex</i></p>



				<p><i>aquifolium</i>). Overall, the ground flora is characterised by frequent Bracken (<i>Pteridium aquilinum</i>), Broad Buckler-fern (<i>Dryopteris dilatata</i>) and Wood Sage (<i>Teucrium scorodonia</i>). Species of interest include Primrose (<i>Primula vulgaris</i>), Butcher's-broom (<i>Ruscus aculeatus</i>), Wood Anemone (<i>Anemone nemorosa</i>) and Wood Melick (<i>Melica uniflora</i>).</p>
Brickwell Wood	LWS	TL78540868	1660	<p>This is a predominantly coppiced Hornbeam (<i>Carpinus betulus</i>) wood with Pedunculate Oak (<i>Quercus robur</i>) and Ash (<i>Fraxinus excelsior</i>) standards with some elm (<i>Ulmus</i> sp.) clones. Wild Service-tree (<i>Sorbus torminalis</i>), a species usually confined to ancient woodland, is found in the north-eastern part of the wood. Elder (<i>Sambucus nigra</i>), Hawthorn (<i>Crataegus monogyna</i>) and Blackthorn (<i>Prunus spinosa</i>) are the main components of the shrub layer, whilst the ground flora is characterised by abundant Bluebells (<i>Hyacinthoides non-scripta</i>). Wood Anemone (<i>Anemone nemorosa</i>), a strong indicator of ancient woodland, is also present as is the diminutive Moschatel (<i>Adoxa moschatellina</i>).</p>
Brakey Wood	LWS	TL77210965	1860m	<p>This site, whilst not designated as ancient wood within the English Nature Inventory, has a structure and composition that indicates an ancient status. Hornbeam (<i>Carpinus betulus</i>) coppice and Pedunculate Oak (<i>Quercus robur</i>) standards are the main tree species, with a small amount of Ash (<i>Fraxinus excelsior</i>) coppice. The shrub canopy includes Hawthorn (<i>Crataegus monogyna</i>) Midland</p>

				<p>Hawthorn (<i>C. laevigata</i>) with Spindle (<i>Euonymus europaeus</i>) also found. The far north-western corner of the wood has many young Wild Service-trees (<i>Sorbus torminalis</i>). The ground flora includes Bluebell (<i>Hyacinthoides non-scripta</i>) found in greatest quantity in the northern half of the wood. Other recorded ground flora species indicative of ancient woodland are Early Purple Orchid (<i>Orchis mascula</i>), Wood Spurge (<i>Euphorbia amygdaloides</i>), Moschatel (<i>Adoxa moschatellina</i>), Goldilocks Buttercup (<i>Ranunculus auricomus</i>), Wood-sedge (<i>Carex sylvatica</i>), Primrose (<i>Primula vulgaris</i>) and Wood Speedwell (<i>Veronica montana</i>). Curiously, the local authority boundary cuts across the northeast corner, so that this undefined part of the wood is a Braintree LoWS (Bra99).</p>
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Nb. SSSI= Site of Special Scientific Interest, SRV= Special Road Verge, LWS= Local Wildlife Site

### 6.1.2 Notable Species and/or Protected Species

Within the records consulted, notable species of relevance to the onsite habitats recorded within 2km of the site included: an assemblage of bird species (most relevant to site: cuckoo and woodpecker species), pipistrelle bat species, long-eared bat species, great crested newt, and badger.

## 6.2 Field Survey - Habitats

### 6.2.1 Vegetation

#### 6.2.1.1 Improved Grassland

The site predominantly comprises improved grassland. Species include cow parsley, creeping thistle, Yorkshire fog, perennial rye grass, cock's foot, chickweed, red fescue, and meadow foxtail.

#### 6.2.1.2 Boundary Hedgerow/Trees

A species-rich hedgerow runs along the north-eastern boundary of the site and extends along the south-eastern boundary. The hedgerow falls under the category of species-rich due to the number of woody species present, along with the herbaceous species and adjacent pond.

The hedgerow species comprise; hawthorn, oak, dog rose, field maple, blackthorn, holly, spindle, ash, hornbeam and elder. The ground flora species comprise ground ivy, greater stitchwort, bramble, lords and ladies, cleavers and bluebells.

#### 6.2.1.3 Ponds

One pond was situated adjacent to the species-rich hedgerow, within an area of woodland, within the north-eastern corner of the site. The pond was quite shallow and heavily shaded with a build-up of leaf litter from surrounding trees, with very minimal aquatic vegetation.

#### 6.2.2 Neighbouring Habitat

The site is situated within a rural area to the south-west of the small village of Little Baddow. Located between Danbury and Chelmsford. The site is predominantly surrounded by improved grazing fields, hedgerows, trees, and woodland to the north-east.

### 6.3 Field Survey – Notable and/or Protected Species

#### 6.3.1 Nesting Birds

The hedgerows and trees onsite could support nesting birds during the breeding season.

#### 6.3.2 Bats

##### 6.3.2.1 Trees

The trees on site were not individually assessed for their potential to support roosting bats as they will not be impacted and are some distance from the proposed works. However, during the survey some trees, particularly two trees within the hedgerow (T1+T2) and two standalone trees (T3+4), were noted as having potential roosting features (TN2). The potential roosting features included rot holes, woodpecker holes, cracks and split bark.

#### Foraging/Commuting

The site was noted during the walkover to have potential to support foraging and commuting bats, particularly along the boundary hedgerows and wooded area.

#### 6.3.3 Badgers

There is suitable habitat for foraging and commuting badgers, and sett creation although no immediate evidence of badgers or any setts were seen during the survey.

#### 6.3.4 Great Crested Newt

##### 6.3.4.1 Terrestrial Habitat

The boundary hedgerows/trees offer potential opportunities to foraging/commuting resting/sheltering great crested newts. However, there are poor opportunities within the improved grassland habitat.



#### 6.3.4.2 Waterbodies

There were four water bodies within 250m of the site, with one pond (P1) located onsite. The pond onsite (P1) was shallow and heavily shaded with a lot of leaf litter and minimal aquatic vegetation. Pond 2 (P2) was almost dried up and therefore was not considered for further assessment or surveying. Ponds three and four (P3+P4) were not surveyed as access was not granted by the landowner.

#### 6.3.4.3 Habitat Suitability Index (HSI) Assessment

Pond 1 was subject to an HSI assessment. The results of this are given below in Table Three.

Pond 1 was assessed as being 'below average' for supporting great crested newts.

**Table Three: Habitat Suitability Index Scores**

Pond reference:	P1
Location	1
Pond area	0.2
Pond drying	0.5
Water quality	0.33
Shade	0.35
Fowl	1
Fish	1
Ponds	1
Terr'l habitat	0.67
Macrophytes	0.3
HSI	<b>0.55</b>

**Table Four: Categorisation of HSI Scores**

HSI	Pond Suitability
<0.5	Poor
0.5-0.59	Below Average
0.6-0.69	Average
0.7-0.79	Good
>0.8	Excellent

#### 6.3.4.4 Phase 2 Great Crested Newt Surveys- eDNA

The results from the eDNA survey of Pond 1 were negative for the presence of great crested newt. The results are given below in Table Five.

**Table Five: eDNA Survey Results**

Waterbody Reference	Result	Positive Replicates
P1	Negative	0/12

### 6.3.5 Herpetofauna

#### 6.3.5.1 Terrestrial Habitat

The onsite habitats (boundary hedgerows/woodland) could support reptiles and amphibians. However, the greater extent of onsite habitat (improved grassland) is considered sub-optimal for supporting herpetofauna. The proposed works are not anticipated to impact on habitats suitable for herpetofauna, therefore, no further recommendations have been made in relation to this species.

#### 6.3.6 Hedgehog

The onsite habitats could support commuting/foraging hedgehogs. The boundary hedgerows could support resting/sheltering hedgehogs.



## 7.0 Impact Assessment Criteria

Where possible, features have been subjected to a full impact assessment using the criteria below. For those features where further surveys are deemed necessary, a full impact assessment will be undertaken once sufficient information is available, based on the results of such surveys.

The assessment of the impacts and effects<sup>1</sup> on important ecological features within the Zone of Influence (Zoi) of the Scheme has been based on the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines (2018). This process includes:

- Identification of ecological features likely to be affected;
- Identification of which ecological features are ‘important’, and therefore should be subject to detailed assessment;
- Characterising whether the effect on these ecological features is ‘significant’ in terms of the extent, magnitude, duration, reversibility, frequency/timing and whether it is likely to have a positive or negative effect.

### 7.1 Identifying the Zone of Influence (Zoi)

The ‘Zone of Influence’ for a project is the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities. This may be confined to within the site boundaries and land immediately adjacent, but for some ecological features may extend beyond the project site. For example, great crested newts (and breeding colonies) could potentially also be affected within 250-500m metres of construction activities, depending on the scale of works and habitats present.

### 7.2 Evaluation

#### 7.2.1 Determining Importance of Ecological Features and Resources

The CIEEM Guidelines acknowledge that determining importance of ecological features and resources is a complex and subjective process, but it provides key factors to take into consideration. These include geographic context; legal protection or control; site designations and features; habitat type and priority; biodiversity value; species of conservation value (including; population size, distribution and abundance); ecosystem value/natural capital.

Focusing on assessments of biodiversity value, there are various characteristics that can be used to identify ecological resources or features that are likely to be important in terms of biodiversity. These include:

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<sup>1</sup> Note: The following definitions are used for the terms ‘impact’ and ‘effect’:

Impact – Actions resulting in changes to an ecological feature. For example, the construction activities of a development removing a hedgerow.

Effect – Outcome to an ecological feature from an impact. For example, the effects on a dormouse population from loss of a hedgerow (CIEEM 2018).

- Rare or uncommon species in the local, national or international context;
- Endemic or locally distinct sub-populations of a species;
- Species on the edge of their distribution;
- Notably large populations of animals or concentration of animals considered uncommon or threatened in a wider context;
- Species-rich assemblages of plants or animals;
- Ecosystems and their component parts which provide the habitats required by the above species, populations and/or assemblages;
- Plant communities (and associated animals) considered typical of valued natural/semi-natural vegetation types;
- Habitat diversity, connectivity and/or synergistic associations.

This assessment also measures the contribution to nature conservation interest from non-statutory sites, and the presence of habitats and species which, although not specially protected, are still considered to be of local, regional or national conservation importance.

This latter category includes identification of flora and fauna that are listed as Species of Principal Importance under the Natural Environmental and Rural Communities Act 2006 (NERC), those prioritised under the UK Biodiversity Action Plan (UK BAP)/Local Biodiversity Action Plans (LBAP), as well as Red Data Book Species.

#### 7.2.2 Considering Geographic Context

The following frame of reference<sup>2</sup> is used when considering the importance of an ecological feature:

- International and European;
- National;
- Regional;
- Metropolitan, County, vice-county or other local authority-wide area;
- River Basin District;
- Estuarine system/Coastal cell; and
- Local<sup>3</sup>

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<sup>2</sup> Note- this is not a hierarchy

<sup>3</sup> Where appropriate, impacts may also be assessed at the site scale, although it is acknowledged that this can be difficult to assess



### 7.2.3 Prediction of Ecological Impacts and Effects

This assessment has considered potential impacts on each ecological feature determined as 'important' from all phases of the project. Impacts are characterised, through consideration of their magnitude and/or extent, the route through which they occur (whether direct, indirect, secondary or cumulative) and their duration and their reversibility. Positive impacts are assessed as well as negative ones.

### 7.2.4 Significance of Effects

The CIEEM guidelines (2018) explain 'significant effect' with the following definition:

*"For the purpose of EclA, 'significant effect' is an effect that either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general. Conservation objectives may be specific (e.g. for a designated site) or broad (e.g. national/local nature conservation policy) or more wide-ranging (enhancement of biodiversity). Effects can be considered significant at a wide range of scales from international to local."*

A significant effect is an effect that is sufficiently important to require assessment and reporting so that the decision maker is adequately informed of the environmental consequences of permitting a project.

The following characteristics are considered when describing ecological impacts and effects:

- positive or negative
- extent
- magnitude
- duration
- frequency and timing
- reversibility

Following the characterisation of impacts and effects, an assessment of the ecological significance of an effect is made. The Guidelines promote a transparent approach in which a beneficial or adverse effect is determined to be significant or not, in ecological terms, in relation to: the conservation objectives of the defined site, the structure and functions of the ecosystem(s) and/or the conservation status<sup>4</sup> of habitats or species within a given geographical area. The Guidelines also advise that it is important to consider the likelihood of a predicted impact.

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<sup>4</sup> Habitats: conservation status is determined by the sum of the influences acting on the habitat that may affect its extent, structure and functions as well as its distribution and its typical species within a given geographical area

Species: conservation status is determined by the sum of influences acting on the species concerned that may affect its abundance and distribution within a given geographical area.

The Guidelines also state that:

*“After assessing the impacts of the proposal, all attempts should be made to avoid and mitigate ecological impacts. Once measures to avoid and mitigate ecological impacts have been finalised, assessment of the residual impacts should be undertaken to determine the significance of their effects on ecological features. Any residual impacts that will result in effects that are significant, and the proposed compensatory measures, will be the factors considered against ecological objectives (legislation and policy) in determining the outcome of the application.”*

For the purposes of this report, a detailed impact assessment has only been presented for residual effects present after mitigation, although the above assessment has been undertaken for each important ecological feature pre-mitigation, to inform the recommendations outlined in Section Eight.

#### 7.2.5 Key Principles Underpinning Recommendations

The following hierarchy of principles underpin EclA and are followed in the assessment undertaken in this report:

- Avoidance - Seek options that avoid harm to ecological features (for example, by locating on an alternative site). This is the preferred option.
- Mitigation - Negative effects should be avoided or minimised through mitigation measures, either through the design of the project or subsequent measures that can be guaranteed – for example, through a condition or planning obligation.
- Compensation - Where there are significant residual negative ecological effects despite the mitigation proposed, these should be offset by appropriate compensatory measures.
- Enhancement - Seek to provide net benefits for biodiversity over and above requirements for avoidance, mitigation or compensation.

#### 7.2.6 Potential Effects

Based on the results outlined in Section Six, Table Six provides a summary of the important species and habitats that are known to be present and/or have potential to be significantly affected by the proposed construction without mitigation.

**Table Six: Potential Receptors**

Potential Receptor
Designated Sites
Nesting Birds
Bats
Badger
Great Crested Newts
Hedgehog



## 8.0 Impact Assessment, Conclusions and Recommendations

### 8.1 General Description and Best Practice Recommendations

#### 8.1.1 Conclusions

The site comprises predominantly improved grassland, with a species-rich hedgerow and trees along the north-east and south-east boundaries. It is anticipated that the proposed development will not impact the trees and hedgerows, within, and surrounding the site. There was one pond situated within an area of woodland to the north-east of the site.

#### 8.1.2 Recommendations

The proposed development is not anticipated to impact on any trees or hedgerows. However, if the proposals change any works close to trees and/or hedgerows should be undertaken in accordance with the British Standard BS 5837: 2012 and National Joint Utilities Group Guidelines (NJUG 4).

### 8.2 Desktop Search Results - Designated Sites and Notable/Protected Species

#### 8.2.1 Conclusions

There are 17 ecological designations within 2km of the site. Colam Lane Verges is an SPV (TN1) that is situated immediately adjacent to the north-east boundary of the site. Proposed works are not anticipated to impact this site.

Within the records consulted, notable species of relevance to the onsite habitats recorded within 2km of the site included: an assemblage of bird species (most relevant to site: cuckoo and woodpecker species), pipistrelle bat species, long-eared bat, great crested newt, and badger.

#### 8.2.2 Recommendations

Any impacts to the species-rich hedgerow and/or the SPV will be avoided. Where this is not possible, further guidance should be sought from the LPA prior to any works being undertaken.

Species-specific recommendations have been detailed below under the appropriate headings for the majority of the species found with the records consulted. Recommendations made for great crested newts and reptiles will also benefit smooth newt, common toad and common frog that have not had species-specific recommendations made.

### 8.3 Nesting Birds

#### 8.3.1 Conclusions

The hedgerows and trees within the site and site boundary provide suitable habitat for general nesting birds.

If birds' nests are disturbed during the process of incubation and rearing then mortality of chicks could occur.



### 8.3.2 Recommendations

Impacts to hedgerows or trees are not anticipated as per the proposed plans. If plans change and tree works are necessary, then it is recommended that the operational set-up should ideally avoid the bird-breeding season (late February to August inclusive) to avoid damage to nesting species. If this is not practicable then an experienced ecologist will undertake a nesting bird survey of any hedgerow/trees to be affected, to identify whether active nests are present. If any are found, they will be clearly marked and avoided until after the young have left the nest. Results of nesting bird surveys are only valid for 48hrs and, therefore, multiple surveys may be required for phased works.

Following mitigation and/or enhancement measures, no significant effect on nesting birds is anticipated.

## 8.4 Bats

### 8.4.1 Conclusions

The trees and boundary hedgerows are considered suitable to support foraging /commuting bats. Some trees within the site and boundary hedgerows (TN2), were noted particularly for having obvious potential bat roosting features, however, there is potential that other trees within the boundary hedgerow, could support roosting bats. No direct impact on these trees is anticipated within the proposed plans.

The site is currently unlit, as is the surrounding habitat. Any new lighting arising from development could impact upon the adjacent foraging and commuting habitat.

### 8.4.2 Recommendations

Plans indicating any lighting have not been seen. However, if any lighting is to be installed the lighting levels should avoid the boundary hedgerows/trees to retain dark commuting corridors. Generally, any potential new lighting impacts associated with the proposed development (both during and post-construction phase) should be minimised by the use of warm white light sources and directional downlights - illuminating below the horizontal plane which avoids light trespass into the environment. The use of light directional accessories such as baffles, hoods and louvres can assist with this. Particular attention should be made to avoid lighting of the trees and boundary hedgerows within and neighbouring the development site. Lighting types to be avoided include any blue-white light sources, metal halide and mercury lamps, and any form of up-lighting, which lights above the horizontal plane, illuminating trees and foraging habitat. Any lighting impacts to occur on hedgerows or trees will require further assessment by an ecologist.

If plans change and direct impacts to the hedgerow or any trees are anticipated, then further ecological surveys will be required.

Following mitigation measures, no significant effect is anticipated on bats.

## 8.5 Badger

### 8.5.1 Conclusions

The site and wider area are suitable to support foraging/commuting badgers. There is scope for sett creation within the boundary hedgerows/trees, however, minor potential within the proposed working areas within the open improved grassland field, which is also adjacent to a used public right of way path. No evidence of badgers was noted at the time of surveying within the site or potential zone of influence.

Badgers foraging/commuting through working areas may become trapped in any open trenches/pits.

### 8.5.2 Recommendations

It is recommended to cover any trenches/pits created during the works nightly to prevent any badgers from becoming trapped. Alternatively, a ramp should be installed in these features to allow badgers to escape.

Following mitigation and/or enhancement measures, no significant effect is anticipated.

## 8.6 Great Crested Newts

### 8.6.1 Conclusions

There is one pond (P1) within the site boundary and one pond (P2) adjacent to the southern boundary of the site. Pond 1 held water at the time of surveying and was subject to an eDNA survey and HSI assessment. The eDNA survey revealed no presence of great crested newts within the pond and the HSI assessment showed poor suitability in supporting great crested newts.

The water level was significantly low in Pond 2 for an eDNA survey to be undertaken and was evident the pond is only seasonally wet.

Ponds 3 and 4, were not surveyed, however are 126m and 218m away from the site within good quality great crested newt habitat, with the proposed working area being of negligible value to great crested newts. Research sponsored by Natural England has shown that most newts within terrestrial capture programmes are found within 50 metres of the pond with few animals captured at distances greater than 100 metres (Cresswell and Whitworth 2004).

Due to the small construction footprint and lack of suitable terrestrial habitat it is assessed that great crested newts are unlikely to be present within the construction zone, and negligible impact on this species is anticipated.

### 8.6.2 Recommendations

No further recommendations have been made in relation to great crested newts. In the unlikely event that great crested newts are found, works will be stopped immediately, and a licensed ecologist contacted.

## 8.7 Hedgehog

### 8.7.1 Conclusions

The site could support foraging/commuting hedgehogs. The hedgerows onsite could also support resting/sheltering hedgehogs, however, impacts on these are not anticipated.

If hedgehogs are present on site during the time of works, then there is a risk of them becoming trapped in any open trenches/pits created during the works.

### 8.7.2 Recommendations

As with badgers, any trenches/pits created during the works should be covered/fenced nightly to prevent hedgehogs from becoming trapped. Alternatively, ramps should be installed to allow hedgehogs to escape.

If this mitigation is followed, then no significant effect on hedgehogs is anticipated.



## 9.0 References

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## 10.0 Photographs



Species-Rich boundary hedgerow (SRV)(TN1).



Proposed working area (improved grassland).



Continuation of hedgerow along north-eastern boundary (outside of SRV protection).



Wooded area adjacent to P1.



TN2 - Ash tree with bat roost potential (T1).



TN2 - Oak with bat roost potential (T2).





TN2 - Oak tree with bat roost potential and woodpecker holes (T3).



TN2 – Oak tree with woodpecker holes (T4).



Pond 1 (P1).



Pond 2 (P2).

## 11.0 Appendices

**Appendix One:** Client Proposed Working Area and Site Boundary

**Appendix Two:** Location Plan

**Appendix Three:** Habitat Map with Target Notes

**Appendix Four:** Flora and Fauna Referred to in the Report (Common and Latin Names)

**Appendix Five:** Examples of Potential Site Enhancements/Mitigation

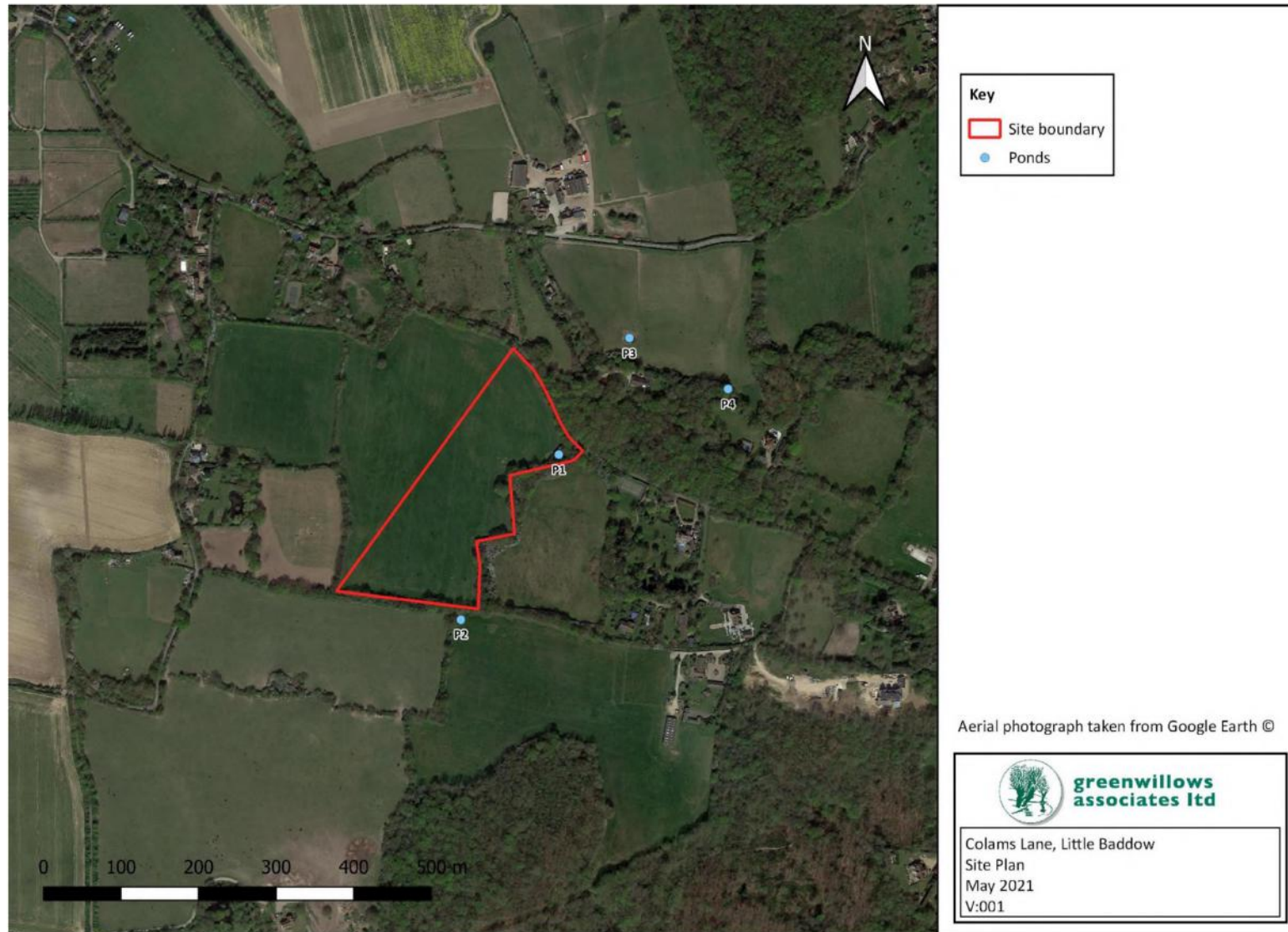
**Annex One:** Standard Survey Methodologies

## Appendix One: Client Proposed Working Area and Site Boundary





## Appendix Two: Location Plan



Colams Lane, Little Baddow  
Site Plan  
May 2021  
V:001

### Appendix Three: Habitat Map with Target Note





### Appendix Four: Flora and Fauna Referred to in the Report (Common and Latin Names)

Flora	
Common name	Latin name
Ash	<i>Fraxinus excelsior</i>
Blackthorn	<i>Prunus spinosa</i>
Bluebells	<i>Hyacinthoides non-scripta</i>
Bramble	<i>Rubus fruticosus agg.</i>
Chickweed	<i>Stellaria media</i>
Cleavers	<i>Galium aparine</i>
Cocks foot	<i>Dactylis glomerata</i>
Cow parsley	<i>Anthriscus sylvestris</i>
Creeping thistle	<i>Cirsium arvense</i>
Dog rose	<i>Rosa canina agg.</i>
Elder	<i>Sambucus nigra</i>
Field maple	<i>Acer campestre</i>
Greater stitchwort	<i>Stellaria holostea</i>
Ground ivy	<i>Glechoma hederacea</i>
Hawthorn	<i>Crataegus monogyna</i>
Holly	<i>Ilex aquifolium</i>
Hornbeam	<i>Carpinus betulus</i>
Lords and ladies	<i>Arum maculatum</i>
Meadow foxtail	<i>Alopecurue pratensis</i>
Oak	<i>Quercus sp.</i>
Perennial rye grass	<i>Lolium perenne</i>
Red fescue	<i>Festuca rubra</i>
Spindle	<i>Euonymus europaeus</i>
Yorkshire fog	<i>Holcus lanatus</i>
Fauna	
Common name	Latin name
Cuckoo	<i>Cuculus canorus</i>
Eurasian badger	<i>Meles meles</i>
Great crested newt,	<i>Triturus cristatus</i>
Long-eared bat	<i>Plecotus auritus</i>
Pipistrelle bat species	<i>Pipistrellus sp.</i>
Woodpecker	<i>Dendrocopos major</i>

## Appendix Five: Examples of Potential Site Enhancements/Mitigation

<b>Bat Friendly Planting Suggestions</b>	
<b>Bedding Plants</b>	
Nottingham catchfly	<i>Silene nutans</i>
Night-scented catchfly	<i>S. noctiflora</i>
Bladder campion	<i>S. vulgaris</i>
Night-scented stock	<i>Matthiola bicornis</i>
Sweet rocket	<i>Hesperis natronalis</i>
Evening primrose	<i>Oenothera biennis</i>
Tobacco plant	<i>Nicotiana affinis</i>
Cherry pie	<i>Heliotropium arborescens</i>
Soapwort	<i>Saponaria officinalis</i>
<b>Climbers</b>	
European honeysuckle	<i>Lonicera caprifolium</i>
Italian honeysuckle	<i>L. etrusca superba</i>
Japanese honeysuckle	<i>L. japonica halliana</i>
Honeysuckle (native)	<i>L. periclymenum.</i>
White jasmine	<i>Jasminium officinale</i>
Dog rose	<i>Rosa canina</i>
Sweetbriar	<i>R. rubiginosa</i>
Field rose	<i>R. arvensis</i>
Ivy	<i>Hedera helix</i>
Bramble	- many species
<b>Large trees, small trees and shrubs</b>	
Oak	<i>Quercus robur &amp; Q. petrea</i>
Ash	<i>Fraxinus excelsior</i>
Silver birch	<i>Betula pendula</i>
Field maple	<i>Acer campestre</i>
Hawthorn	<i>Crataegus monogyna</i>
Alder	<i>Alnus glutinosa</i>
Goat willow	<i>Salix caprea</i>
Guelder rose	<i>Viburnum opulus</i>
Hazel	<i>Corylus avellana</i>
Blackthorn	<i>Prunus spinosa</i>
Elder	<i>Sambucus nigra</i>
Buddleia	<i>Buddleja davidii</i>
<b>Rock plants for walls</b>	
Ivy-leaved toadflax	<i>Cymbana muralis</i>
Wall pennywort	<i>Umbilicus rupestris</i>
Stoncrop	<i>Sedum acre</i>

**ANNEX ONE****Standard Survey Methodologies**

A site walkover is undertaken to identify potential habitats suitable for protected species and/or evidence of field signs indicating presence of protected species and invasive plants.

**Species Specific Methodologies**

**Great Crested Newts:** A habitat suitability assessment for newts is undertaken taking due note of the presence of water bodies within 250 metres of the site (based on English Nature (2001) now Natural England) guidelines and potentially suitable terrestrial resting and shelter habitat.

At certain times of the year and/or in some years but not others ponds may be seasonally dry but these are not necessarily ruled out as ephemeral ponds can be important 'stepping stones' from one pond to another and/or refuges from the ravages of fish populations that can build up in permanent ponds.

Ponds are assessed using a combination of professional judgment and applying the nationally accepted Habitat Suitability Index (HSI) for Great Crested Newts based on Oldham *et al* 2001 which uses nationally accepted formulae based on a number of factors which are assigned a score ranging from 0 to 1 with a score of <0.5 assessed as poor, 0.5 to 0.59 below average, 0.6 to 0.69 average, 0.7 to 0.79 good and >0.8 excellent.

If appropriate, follow-up pond surveys are undertaken in the spring to cover all ponds within 250 metres (or further where professional judgment dictates) of the construction footprint to determine presence/absence of this species. Night-torch surveys, egg searching, netting and funnel trapping are the main methods employed where practicable

**Bats:** A habitat suitability assessment for bats is undertaken by identifying buildings and trees likely to be affected by the proposed construction works.

The tree assessments involve looking for the following signs:

- Holes
- Fissures
- Broken Limbs
- Loose Bark
- Urine Staining
- Fur Rubbing
- Dense Ivy



A scoring system is applied to the buildings and trees using the following criteria.

- **Low/Negligible probability of bat interest.** Buildings in this category fall into two main types: Generally well maintained without cracks and crevices, no gaps between bargeboard or soffit and wall or without an attic space. Or those which contain some or all of the above features, but are both draughty and thick in cobwebs or contain strong odours such as solvents, diesel etc.

It must be borne in mind that a building from this latter group can become suitable for bats due to refurbishment. This often happens to houses once the attic space has been cleaned and under-felted prior to timber treatment.

No licence is required for development to a building classified as Low probability of bat interest.

Trees with low bat interest are usually young trees without any deadwood or holes. Most conifers fall into this category as they are usually planted as a crop and are then felled prior to becoming old, although once maturity is attained as in a landscape tree, suitable bat roosts may develop.

- **Medium probability of bat interest.** The buildings in this category contain many sites suitable for roosting bats although no obvious signs were recorded during the survey. In exposed conditions on large buildings the signs of bat usage such as droppings and urine marks can be obliterated by heavy rain.

Occasionally a light scattering of droppings will be recorded in an attic or a semi-derelict building, which is considered by the surveyor unsuitable for use as a bat roost. The medium probability of bat interest category can be used based on the surveyor's experience.

Whilst no licence is required for development to a building classified as Medium probability of bat interest, it is often best practice to conduct sensitive roof stripping or architectural salvaging to minimise any possible disturbance.

Trees in this category will have holes, cracks and crevices and loose bark suitable for roosting bats but no obvious roost signs such as staining and droppings at entrances.

- **High probability of bat interest.** This group includes buildings with known roosts or signs of bat occupancy such as droppings and staining at a roost entrance. The description of high probability buildings will also contain an indication as to the time of the year when it will be occupied by bats i.e. Summer – nursery roost, Winter – hibernation.



A licence is normally required for development to a building classified as High probability of bat interest.

Trees within this category will contain all the obvious roost features such as holes, cracks and crevices and loose bark and will also contain staining and droppings at the roost entrance or have been identified as a roost via a visual sighting of an existing bat.

If appropriate, follow-up surveys are undertaken incorporating detailed inspections of the buildings/trees by a licensed bat worker and where necessary bat activity surveys are also undertaken to determine presence/absence of this group of species.

**Reptiles:** A habitat suitability assessment for reptiles is undertaken looking for, *inter alia*, areas of rough scrub, tussocky/rank grassland, areas of structural diversity offering short open areas of grassland and bare soil for basking with taller vegetation and habitat edges offering shelter and rapid escape routes, natural refugia such as brash piles and rubble heaps.

Where appropriate, follow-up surveys are undertaken utilizing artificial refugia to determine presence/absence of this species.

**Badgers:** Field signs are searched for including setts, runs, prints, dung pits, hairs and feeding signs.

**Otters:** Field signs are searched for including holts, prints, spraints, haul out points and feeding signs.

**Water Voles:** A habitat suitability assessment for water voles is undertaken within riparian habitat assessment factors including, *inter alia*, water levels and seasonal longevity of water table, seasonal flash floods, bank profiles and substrates, vegetation for cover and suitable food sources, over shading, and evidence of the presence of mink. Where appropriate, follow-up surveys are undertaken where field signs are searched for including burrows, prints, runs, droppings, latrines and feeding signs.

**White-Clawed Native Crayfish:** A habitat suitability assessment for crayfish is undertaken within riparian habitat assessment factors including, *inter alia*, water levels and quality and seasonal longevity of water table, water flow, underlying geology, bank and watercourse substrates, suitable submerged refugia and known presence of signal crayfish. Where appropriate, follow-up surveys are undertaken to search for presence of this species by stone turning in the stream bed, netting and searching for burrows in the stream banks. Humane trapping may also be employed.

**Harvest Mice:** A habitat suitability assessment for harvest mice is undertaken within rough grassland and tall ruderal vegetation. Harvest mice build breeding nests in dense vegetation by weaving a nest out of leaves which will be at the top of a tussock of grass or around half way up the stem of cereals. To search for these nests surveyors walk transects of the target habitat checking within tussocks of grass and on stems. All areas of suitable vegetation are checked.

**Notable Flora and Invasive Weeds:** A habitat suitability assessment for notable flora (rare and protected) is undertaken and species are recorded. Evidence of the presence of invasive weeds included within Schedule 9 of the Wildlife and Countryside Act 1981 as amended is searched for.

## **Equine Barn**

This barn is required to store the hay and bedding for the horses and will be located near to the stables and arena, in the equine part of the site. The barn is to be 10m x 20m and will be naturally finished featheredge with a green felt tile roof. The ridge will be approx. 5.5m. There will be 2 double doors to the front.

## **Agricultural Barn**

This barn is required for storing livestock feed and machinery and could also provide isolation/shelter for sick or wounded livestock. It will be situated in the agricultural section of the site. The barn is to be 10m x 20m and will be naturally finished featheredge with a green felt tile roof. The ridge will be approx. 5.5m. There will be 2 double doors to the front, and the general appearance will be similar to the barn below.



## **Social**

The owners of the plot have 2 daughters and a son who will benefit from the facilities which are proposed. The family are keen equestrians and wish to provide for this leisure pursuit on this recently purchased plot. One of the daughters, Emilia, has significant additional needs and would greatly benefit from an accessible site where she can enjoy the countryside and animals without the social and emotional pressures of livery yards and public spaces. Emilia is on the clinically extremely vulnerable list and has been unable to attend school for 18 months due to shielding. She has a degenerative heart and lung condition and lowered immunity which makes her extremely vulnerable. She has Down syndrome, autism and sensory processing disorder and this along with her health needs means attending public places is not possible. Emilia's work with horses is not only essential for her mental health but also provides physiotherapy which helps with her low muscle tone and associated problems. Unfortunately the time she can spend with horses is very limited at present due to the lack of a private yard for the family.

## **Economic**

This proposal is not for economic gain but for the better care/exercise of the existing animals of the owner and to further their daughters' equine career as well as providing an inclusive recreational area for the disabled daughter with additional needs. The contracts for building the barns, stables and manège will provide useful contracts for local contractors who specialise in this field. Local contractors have already been identified.

## **Sustainability and Environment**

This proposal will raise the quality of animal life and the environment in this rural location. The plot can easily sustain the scale of development. The site is currently not being used and would benefit from returning to its historic use as grazing as well as the addition of the equine facilities. The construction and design will be to the highest standards, using good quality sustainable materials and high quality finishes, in keeping with the surroundings.

No wildlife or vegetation (including trees) will be adversely affected by the proposals. No large scale felling is expected. The proposal has been designed to have the minimal impact on anyone other than the land owners in terms of view, noise, or accessibility. No flooding is expected in this area. The design is considered to be environmentally sustainable and should improve the character of the area. An ecological study has been carried out and has been provided with the pre-application.



## Design Considerations

### Amount

- total plot = 4.8 ha (11.9 acres).
- proposed development site area = 2.2ha (which consists of the area of change of use to equine and an area to include the proposed agricultural barn)
- final area of equine use = 2.0 ha.
- final agricultural area = 2.8 ha.

### Change of use

The site is believed to be agriculturally classified and has been used to graze livestock. It is therefore proposed that the site be divided into an equine area and an agricultural area. Change of use from agricultural to 'keeping of horses for recreational purposes' is therefore sought for part of the plot.

### Access and Parking

**Permanent** - There is ample grass parking for the owners on the site. It is proposed that permeable access tracks will be constructed from the existing access as shown on the site plan. There will be a dedicated area set aside for parking a horse box. The construction of the manège/stables will result in additional vehicles needing access and parking facilities; these will include hay/bedding deliveries, farrier and vet. It is estimated that the additional traffic movements would be approximately 1 per week.

**During construction** - There is sufficient space within the site for trade/construction vehicles during construction. There is also area which can be set aside for building materials. This sufficient off road parking will ensure that contractors will not park the public road or cause any congestion.

**Existing Crossovers** – There is an existing crossover with large timber gates on Colam Road outside the boundary at the north of the site. As part of the sale the owners have right of access over this crossover. There is a pedestrian gate adjacent to the fields gates to access the public footpath which runs along the boundary of the plot. There is also an historic additional crossover at the east of the site near to the pond and adjacent to the proposed equine barn. It is the intention that this will become the main access to the site and has much better visibility onto the lane.

**Public Footpath** – The site has a public footpath running along one boundary within the site. The footpath is accessed from Colam Lane by a timber gate. The site will be animal stock fenced within the site to allow footpath use to remain unchanged. The fencing will ensure no animals graze on the footpath.

## **New Planting –**

he applicant has applied to the Woodland Trust to plant a hedge along the entire footpath border. There will also be some native tree planting within the site to provide natural shelter for the horses and livestock. They will also be planting a wild flower/sensory garden and vegetable/herb patch with their daughter. This will result in a net biodiversity gain.

## **Summary**

- For personal use only by owners
- Will provide important leisure/recreational facility for a young person with additional needs
- Will assist in the recreational pursuits/wellbeing of the whole family
- Land to be used is not currently farmed
- Not in a flood zone
- Not in a protected area
- No felling of mature trees required
- Sustainable materials used
- No ecological impact expected
- Excavated material from manège construction is to be used on site and not removed from site via local highways.
- Natural hedging and tree planting planned
- No disruption to existing footpaths

## Pre-application Advice Planning Statement Land adjacent to Culvert Cottage, Culverts Lane, Chelmsford, CM3 4BL/4SY

This statement has been prepared to accompany a pre-application advice application for the **change of use from agricultural land to equine use, construction of an equestrian manège, construction of stables construction of equine and agricultural barns**. The riding arena will be 20m x 60m as required for dressage schooling of horses. The development is intended for the sole use of the land owners. The boundaries of the property are identified on the Block Plan and Location Plan on the Planning Drawing **2021/273/01**

**Applicant:** Mr and Mrs Gunn, 5 Deyncourt Gardens, RM14 1DE

**Agent:** Dorli Newbery, Shingle Hall, Ongar Road, Dunmow, CM6 1JB - 01371 859942

### Physical

The land has recently been purchased. The land is believed to be currently classed as agricultural and has a history of grazing sheep. The total plot area is 4.8ha (11.9 acres). The intention is to have a change of use on part of the land to enable equine use, with the remaining land remaining agricultural land for the purpose of grazing sheep.

Approximate extent of site subject to remain as agricultural land with the addition of an agricultural barn



Approximate extent of site subject to change of use to keeping horses and addition of equine barn, stables and manège

See site plans for accurate site boundaries



Looking towards the East corner  
(preferred access)



## Photographs of the Site



Looking along the NE boundary  
towards the shared access



Looking West



## The Proposal

### **Manège**

The intent is to utilize part of this land parcel for equine pursuits, in particular for the training and exercise of horses already owned by the applicant. In order to use the site all year round an all-weather arena is proposed. This will enable the riders to exercise and school safely in all-weather without causing injury to either rider or horse by slippery or water-logged ground. The finished area of the manège is to be 60m x 20m. The manège is to have a proprietary surface, Flexiride, which is a high specification product giving a flexible, hardwearing and free draining surface suitable for normal equestrian needs. The riding surface is mixed with the silica sand layer and the final appearance is beige/grey – thus fitting into the rural landscape. The manège will have kick boards around the edge to prevent the surface from spreading but no post and rail fencing, similar to the image below.



### **Stable Block**

The horses are currently stabled elsewhere and would be moved to live full time at this site (subject to planning permission). There is ample grazing for 4 horses in the proposed paddock area, in addition to the area to be used for the manège, stables and barn. It is proposed that the stable block will take a L shaped form and will consist 4 stalls, a tack room and feed store. The long side will be 18.28m with a short side of 8.53m. The width of the L shape will be 3.66m. An approximate ridge will be 4m and an eave of 2.4m. The roof will have an overhang of 1.2m. The external finish will be timber featheredge with a natural finish to blend into the rural landscape, similar to the image below. The roof will be green felt shingles.



## **Equine Barn**

This barn is required to store the hay and bedding for the horses and will be located near to the stables and arena, in the equine part of the site. The barn is to be 10m x 20m and will be naturally finished featheredge with a green felt tile roof. The ridge will be approx. 5.5m. There will be 2 double doors to the front.

## **Agricultural Barn**

This barn is required for storing livestock feed and machinery and could also provide isolation/shelter for sick or wounded livestock. It will be situated in the agricultural section of the site. The barn is to be 10m x 20m and will be naturally finished featheredge with a green felt tile roof. The ridge will be approx. 5.5m. There will be 2 double doors to the front, and the general appearance will be similar to the barn below.



## **Social**

The owners of the plot have [REDACTED] who will benefit from the facilities which are proposed. The family are keen equestrians and wish to provide for this leisure pursuit on this recently purchased plot. One of the [REDACTED] [REDACTED] would greatly benefit from an accessible site where she can enjoy the countryside and animals [REDACTED] of livery yards and public spaces. [REDACTED]

[REDACTED]

## **Economic**

This proposal is not for economic gain but for the better care/exercise of the existing animals of the owner [REDACTED]

[REDACTED] The contracts for building the barns, stables and manège will provide useful contracts for local contractors who specialise in this field. Local contractors have already been identified.

## **Sustainability and Environment**

This proposal will raise the quality of animal life and the environment in this rural location. The plot can easily sustain the scale of development. The site is currently not being used and would benefit from returning to its historic use as grazing as well as the addition of the equine facilities. The construction and design will be to the highest standards, using good quality sustainable materials and high quality finishes, in keeping with the surroundings.

No wildlife or vegetation (including trees) will be adversely affected by the proposals. No large scale felling is expected. The proposal has been designed to have the minimal impact on anyone other than the land owners in terms of view, noise, or accessibility. No flooding is expected in this area. The design is considered to be environmentally sustainable and should improve the character of the area. An ecological study has been carried out and has been provided with the pre-application.

## Design Considerations

### Amount

- total plot = 4.8 ha (11.9 acres).
- proposed development site area = 2.2ha (which consists of the area of change of use to equine and an area to include the proposed agricultural barn)
- final area of equine use = 2.0 ha.
- final agricultural area = 2.8 ha.

### Change of use

The site is believed to be agriculturally classified and has been used to graze livestock. It is therefore proposed that the site be divided into an equine area and an agricultural area. Change of use from agricultural to 'keeping of horses for recreational purposes' is therefore sought for part of the plot.

### Access and Parking

**Permanent** - There is ample grass parking for the owners on the site. It is proposed that permeable access tracks will be constructed from the existing access as shown on the site plan. There will be a dedicated area set aside for parking a horse box. The construction of the manège/stables will result in additional vehicles needing access and parking facilities; these will include hay/bedding deliveries, farrier and vet. It is estimated that the additional traffic movements would be approximately 1 per week.

**During construction** - There is sufficient space within the site for trade/construction vehicles during construction. There is also area which can be set aside for building materials. This sufficient off road parking will ensure that contractors will not park the public road or cause any congestion.

**Existing Crossovers** – There is an existing crossover with large timber gates on Colam Road outside the boundary at the north of the site. As part of the sale the owners have right of access over this crossover. There is a pedestrian gate adjacent to the fields gates to access the public footpath which runs along the boundary of the plot. There is also an historic additional crossover at the east of the site near to the pond and adjacent to the proposed equine barn. It is the intention that this will become the main access to the site and has much better visibility onto the lane.

**Public Footpath** – The site has a public footpath running along one boundary within the site. The footpath is accessed from Colam Lane by a timber gate. The site will be animal stock fenced within the site to allow footpath use to remain unchanged. The fencing will ensure no animals graze on the footpath.

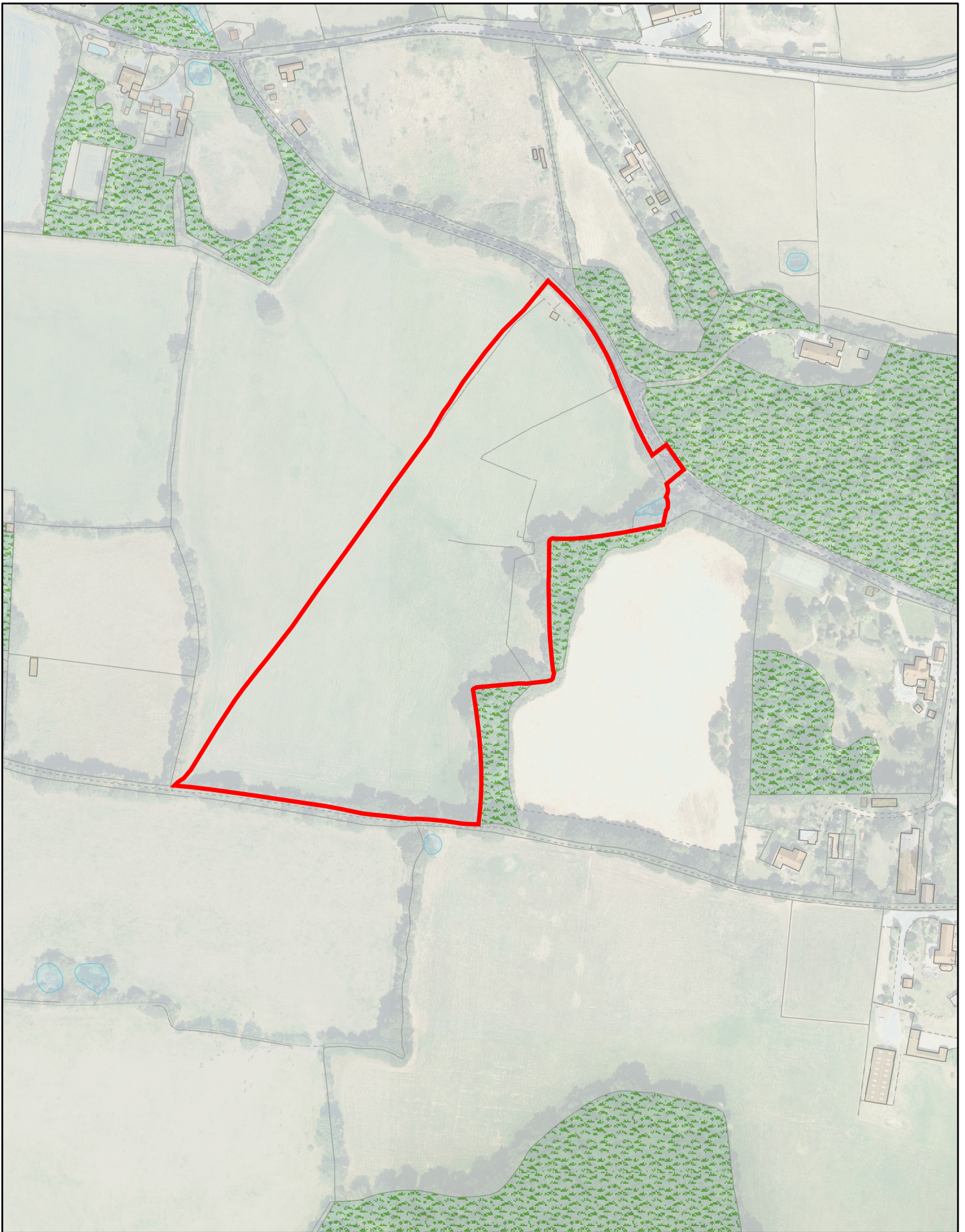


## **New Planting –**

he applicant has applied to the Woodland Trust to plant a hedge along the entire footpath border. There will also be some native tree planting within the site to provide natural shelter for the horses and livestock. They will also be planting a wild flower/sensory garden and vegetable/herb patch with their daughter. This will result in a net biodiversity gain.

## **Summary**

- For personal use only by owners
- Will provide important leisure/recreational facility [REDACTED]
- Will assist in the recreational pursuits/wellbeing of the whole family
- Land to be used is not currently farmed
- Not in a flood zone
- Not in a protected area
- No felling of mature trees required
- Sustainable materials used
- No ecological impact expected
- Excavated material from manège construction is to be used on site and not removed from site via local highways.
- Natural hedging and tree planting planned
- No disruption to existing footpaths



0 30 60 120 Metres

1:3,000



**Planning Committee**  
**22/01877/FUL**

**Planning & Development Management**  
**Directorate for Sustainable Communities**

PO Box 7544 Civic Centre  
Duke Street, Chelmsford, CM1 1XP

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Telephone: 01245 606826