

17.2.25

Outline application with all matters reserved (apart from access) for the construction of up to 245 dwellings (Use Class C3) and up to 350sqm multi-functional building (Use Class E - commercial, business or service or Use Class F2 - Community), with associated open space and play area, landscaping, SuDS, infrastructure, mobility hub and vehicular access off Mortimers Lane.

Holding objection:

We do not object in principle to the development and there are several positive ecological design features in the scheme. However, we request modifications and additional information to remove our holding objection:

1. The scheme currently shows the extensive loss of a species-rich hedgerow at Mortimers Lane and there are potential additional habitat losses at Mortimers Lane which are currently not fully assessed or mitigated. The loss is excessive and potentially could be reduced.
2. Insufficient BNG information has been provided. Additionally, we request modifications to the proposals (in addition to point 1 above) and reclassification of some of the ecological features which also requires the BNG metric to be updated.
3. Insufficient surface water drainage information has been provided.

Vehicular access to Mortimers Lane

We have concerns regarding the extent of loss of the species rich hedgerow at Mortimers Lane to facilitate the vehicular access. The loss is extensive, potentially could be reduced and has not been fully assessed or mitigated. In addition to the approximate 30m length loss under the footprint of the access (and encroachment into the RPA of a tree potentially proposed for retention), there is additional loss of hedgerow for the visibility splays. Measures must be taken to minimise this loss. Some loss is outside of the red line application boundary and therefore has not been quantified or considered within the Ecological Appraisal (EDP, Nov 24) or BNG calculations and must be.

[Note, there will be additional hedgerow/ verge loss beyond the 1.8m wide footway already approved in the Mortimers Farm approved application F/22/94435 (approved Block Plan 991-D-007 Rev A) which runs from Mortimers Farm to the east of this application site, to Pembers Hill Drive to the west of this application site.]

Additionally, Mortimers Lane is proposed to be widened around the access which will result in the additional loss of verge habitat on the north side of the road. The footprint of the widened road will also encroach into the RPAs of the trees on the north side of the road.

Impacts on these trees and verges will need to be considered in the application and currently have not been.

Cycle and pedestrian access to Mortimers Lane

Although not shown on the preliminary Site Access Visibility Splays plan (Nov 2023), many other submitted documents show an additional pedestrian/ cycle access point to Mortimers Lane at the north-west corner of the site. This has been considered in the Ecological Appraisal and BNG calculations and will result in an additional loss of the species rich hedgerow. However, hedgerow loss must be minimised, and the loss is avoidable here by removing this access point from the scheme and fully utilising the cycle and pedestrian capacity already provided at the nearby main vehicular access to Mortimers Lane.

Vehicular access over central ditch

There is a ditch present on site which bisects the site. This must be crossed to allow vehicular access to the southern development parcel. The ecological appraisal identifies this as a dry ditch as it *was found to be mostly dry across all site visits* (paragraph 3.45). A (wet) ditch, as classed in BNG terms, is likely to retain water for at least 4 months of the year.

It has not been explicitly stated when site visits have taken place, but it appears that the majority of the site visits were carried out during the drier months, for example for dormice and bat surveys, and not over the wetter winter period and for one year only. Therefore, this dry ditch could be a (wet) ditch, or potentially even a modified headwater given its location in the catchment.

Without evidence to show it is not a (wet) ditch, the precautionary principle should be applied and it should be considered to be a ditch, as a minimum, in the BNG calculations. The access across this ditch will result in the loss of ditch habitat and therefore must be incorporated into the BNG metric.

Additional BNG information and modified BNG calculations

The Ecological Appraisal states that the submitted BNG information is a preliminary assessment and can be found in Appendix EDP 8. I can only find the BNG metric. If there is additional information, please can it be forwarded to us.

At this stage, in addition to the metric, we require the pre-development condition assessments and plans showing habitats present before and proposed after development. It must be demonstrated that the proposals maximise the connectivity between the existing and proposed habitat on site and also with habitat in the wider area to avoid fragmented and isolated habitat. It must maximise opportunities from other required green and blue infrastructure elements such as sustainable drainage (SuDS). We also seek an overview of

how the proposed BNG habitats will be implemented, managed, maintained, monitored and funded for a minimum of 30 years (a more detailed HMMP can be conditioned).

The BNG metric and accompanying information must be as accurate as possible at this stage to ensure the required net gain can be delivered on site as proposed whilst satisfying our requirements at the subsequent reserved matters stages. For the reasons already mentioned in the previous sections, the metric will need to be revised.

Other factors to consider when revising the BNG calculations:

Pedestrian connections around the site

The Development Framework plan (P23-2261_DE_007_01_C, Oct 2024) embedded in the Ecological Appraisal, shows a number of pedestrian connections around the site. All these connections will require the removal of perimeter vegetation and at the south of the site, the crossing of the watercourse which adversely impact on the ecology. These access points should therefore be minimised.

The proposed access point of particular concern is the middle one at the southern boundary of the site. Not only will this result in the removal of perimeter vegetation and the crossing of a watercourse but it is also in close proximity to the entrance of the Knowle Lane SINC. Recreational pressure on the SINC will have an adverse effect on its ecology and public access from the new development must be deterred. A pedestrian connection at this location will improve access to the SINC and therefore this connection must be removed from the scheme (the removal of this access point will not have any detrimental impact on the site's pedestrian connectivity)

Development-free buffer to Knowle Lane SINC

The indicative plans show that there may be some development proposed within 20m of the SINC. A minimum 20m buffer to the SINC must be provided which must be free of any development including footpaths, pumping stations, SuDS features, play areas, public open space, fencing etc.

Development-free buffers to other on-site and adjacent ecological features

The watercourse at the south of the site is classed as a ditch in the Ecological Appraisal. At the time of our site visit in November 2024, the watercourse had running water in it and appeared more stream-like in nature. It is not clear what sized buffer has been proposed adjacent to the watercourse (please can this be provided) but a 10m wide (minimum) development-free buffer should be provided to prevent encroachment into the riparian corridor.

It is not stated how large a buffer is being proposed adjacent to the perimeter vegetation on the western boundary of the whole site and the eastern boundary of the northern parcel where the indicative development is in close proximity (please can this be provided). It shows the development being outside of the trees' RPAs (and presumably also away from the tree canopies thus reducing the need for future tree works) which is good but the development must also be set back to provide sufficient space for the hedgerow/ treeline to

function effectively for wildlife without being adversely affected by the impacts arising from development and associated anthropological influences.

Removal of other perimeter trees

Away from the footprint of the development, the Development Framework Plan (P23-2261_DE_007_01_C, Oct 2024) indicates a significant number of trees and groups of trees that are to be removed from around the perimeter of the site and extending away from the site. These appear to be the majority of the Category U trees as identified in the Arboricultural Impact Assessment (EDP Nov 2024). The AIA however does not recommend the removal of these trees. Also, these additional tree losses have not been included in the EDP Ecological Appraisal BNG calculations.

The tree identification numbers in the Ecological Appraisal are not the same as those in the AIA but it looks likely that one or more trees with bat roost potential are classed as Category U trees within the AIA and therefore proposed to be lost as shown on the Development Framework Plan.

We would be opposed to this additional tree loss without justification. Category U trees are often very valuable to ecology as is standing deadwood and form part of natural habitats.

Surface water drainage features, foul drainage and other utilities

Any changes made to the surface water drainage features may affect the BNG calculations.

Details of the outline proposed foul drainage system have not been provided. This or other infrastructure may affect the habitats proposed in certain locations.

Section 106 to secure monitoring fees

Post development, there will be “significant” habitats provided on site to satisfy the BNG requirements. Monitoring fees will therefore need to be secured through a Section 106 **at grant of permission** to cover the LPA’s costs for monitoring the BNG habitats for the legally required 30 years.

Great Crested Newts

The Ecological Appraisal states that the development will be carried out under EBC’s GCN district licence. Therefore, a NatureSpace Report or Certificate will need to be submitted **prior to determination** to demonstrate that the impacts of the proposed development can be addressed through the licence.

Surface water drainage

I cannot find an Outline Design Plan for the surface water drainage scheme which is expected at outline stage. This must be submitted as part of the application to assess if

adequate SuDS can be delivered for the scheme. If this is already available, please can you forward it to me.

The plan should show the layout of the main components of the SuDS and show how these are aligned in a treatment train. It should also show the locations of any discharge points, sub-catchment boundaries, any flow control locations and storage locations and capacity. Water should be kept at the surface wherever possible and the drainage features should be supported by the four pillars of SuDS.

The FRA does not refer to EBC's policy DM6 on Sustainable Drainage. The drainage scheme must satisfy this policy. The policy includes the requirement for all surface water to pass through three forms of naturalised filtration in a treatment train.

Interception is a key part to a sustainable drainage design and water must be treated as close to source as possible. Pervious paving is one example of how these can be achieved and can still be effective on a site with steeper gradients with the use of terracing, traversing (running roads at shallow gradients is preferable for multiple reasons), check dams and staged storage (advice on this is given in Chapter 8 of the CIRIA SuDS manual). This will also reduce the need for storage crates which should be avoided as these are not sustainable drainage features.

Recommended conditions on any permission granted

Once the above matters are resolved, please consult us again for further advice on the following recommended conditions:

- CEMP
- Ecological construction method statement
- Detailed surface water drainage
- Soft landscaping scheme details
- LEMP – to include details of ecological enhancements for species (e.g. hibernacula and integrated nest and roost boxes)
- HMMP
- Other mitigation measures identified in the Ecological Appraisal
- Artificial lighting

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