

From: **Annie Gordon** [REDACTED]
Date: Tue, 6 Apr 2021 at 13:21
Subject: Colchester Section 2 examination local plan
To: copseyandrea@gmail.com <copseyandrea@gmail.com>

Dear Andrea,

Re:

Day 2 – 0930 - Wednesday 21 April 2021 • Main Matter 4a – Generic Infrastructure and Mitigation Requirements (Policy PP1) • Main Matter 4b – Colchester Town Centre (Policies TC1 to TC4) • Main Matter 5 – North Colchester (Policies NC1 to NC4) • Main Matter 6 – South Colchester (Policies SC1 to SC3)

With regard to the above Main Matter 6 – South Colchester (Policies SC1 to SC3), we would ask for confirmation that our submission to the DIO public consultation (in 2019) will be included as our formal representation at this hearing? I have attached a copy of this document for reference.

Kind regards,

Annie

Annie Gordon
Landscape Conservation Planning Coordinator
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We are the county's **leading conservation charity**, committed to **protecting wildlife** and inspiring a **lifelong love of nature**.

Find out more on our **website**, **Facebook**, **Twitter** and **Instagram**.

19 July 2019

Defence Infrastructure Organisation
c/o Camargue,
11 Waterloo Street,
Birmingham B2 5TB

BY EMAIL ONLY

Dear Sir/Madam,

Redevelopment of Middlewick Ranges, Colchester

Essex Wildlife Trust is the county's leading conservation charity. We manage and protect over 8,400 acres of land on 87 nature reserves and 2 nature parks and run 11 visitor centres. We are supported financially by more than 38,000 members, and by local businesses and grant making organisations. We are one of the largest of the 47 county wildlife trusts that work together throughout the British Isles as The Wildlife Trusts.

In respect of the current public consultation on the initial plans for the redevelopment of Middlewick Ranges, we wish to submit a number of comments.

Essex Wildlife Trust **objects** to proposals for the redevelopment of Middlewick Ranges for housing.

Middlewick Ranges Local Wildlife Site (Co122)

Middlewick Ranges is one of the most important and valuable Local Wildlife Sites in the Colchester borough.

The 70.1ha site comprises tall sward grassland to the north, short-mown acidic turf over the rifle ranges and scrubby acidic grassland behind the main butts. The flora is dominated by Red Fescue (*Festuca rubra*), Field Wood-rush (*Luzula campestris*) and Common Bent-grass (*Agrostis capillaris*), with scrub of Gorse (*Ulex europaeus*), Broom (*Cytisus scoparius*) and Hawthorn (*Crataegus monogyna*).

The site is of exceptional value for its diverse invertebrate populations, which include a substantial number of rare and/or threatened species.

The main rifle butts at the south end of the site, along with smaller sandy banks to the north, provide nesting habitat for a range of insects.

The best-studied group of insects here is the Hymenoptera (bees, wasps and ants), within which seven nationally threatened (Red Data Book) and eight Nationally Scarce species have been recorded.

The most significant species are the digger wasp *Cerceris quadricincta* (RDB1), the UK BAP digger wasp *Cerceris quinquefasciata* (RDB3), its brood-parasite cuckoo-wasp *Hedychrum niemelai* (RDB3) and the Small Blue Carpenter bee *Ceratina cyanea*



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(RDB3). Some of the shortmown sandy banks bordering the range roads support a large population of the RDB2 (pRDB4) Beewolf digger wasp (*Philanthus triangulum*).

Impacts of development on Middlewick Ranges

It should be noted that the extensive grasslands surrounding the rifle butts and the sandy banks to the north, including those areas kept closely mown over the active parts of the rifle range, are a vital component of the local ecology in providing essential foraging grounds for these invertebrate populations. The loss of a large part of this open grassland foraging habitat to development will have a detrimental impact on both invertebrate population size and species diversity.

It is our contention that the loss of a large part of Middlewick Ranges LoWS to development will result in a significant reduction in biodiversity and therefore cannot be considered sustainable. The ecological value of Middlewick Ranges LoWS must be recognised and protected if Colchester Borough Council's new local plan is to deliver an overall biodiversity net gain.

Birch Brook Wood LoWS (Co128)

This 30.3ha stream valley wood shows remarkable variation in woodland types. On the higher, dry ground is a wood of mainly Pedunculate Oak (*Quercus robur*), Holly (*Ilex aquifolium*), Birch (*Betula* spp.) and Ash (*Fraxinus excelsior*), but this quickly gives way down slope to willow scrub woodland with Crack Willow (*Salix fragilis*) and Grey Willow (*S. cinerea*). The immediate streamside is fringed by Alder (*Alnus glutinosa*).

Occasional seepage springs have encouraged slumping of the valley sides and small, localised sedge-beds have formed as a result. The ground flora is rich in ferns, with Narrow Buckler-fern (*Dryopteris carthusiana*), Hart's-tongue Fern (*Phyllitis scolopendrium*) and Scaly Male Fern (*Dryopteris affinis*) of particular note. The flora also includes Wood Anemone (*Anemone nemorosa*), Lady Fern (*Athyrium filix-femina*), Pignut (*Conopodium majus*), Bluebell (*Hyacinthoides non-scripta*), Creeping Jenny (*Lysimachia nemorum*), Wood Sorrel (*Oxalis acetosella*), Remote Sedge (*Carex remota*) and Wood Horsetail (*Equisetum sylvaticum*) at one of its few Essex locations. The area around the Redoubt comprises dry acid grassland and scrub, providing additional habitat diversity.

Impacts of development on Birch Brook Wood

While the proposed development of Middlewick Ranges will not damage Birch Brook Wood LoWS directly, the considerable increase in anthropogenic pressures as a result of the new housing will likely have a serious detrimental impact on the quality of the habitat. These impacts include:

- Significant reduction in area of semi-natural habitat connected to the woodland
- Increased disturbance to wildlife caused by a large increase in visitors to the site
- Increased light pollution
- Increased littering and fly-tipping
- Increased foraging and predation by domestic cats
- Increased dog disturbance
- Loss of tranquillity and other changes in landscape character of the area

Hazel dormice (*Muscardinus avellanarius*)

There is some evidence that the woodland habitat of Birch Brook Wood LoWS may support a population of hazel dormice (*Muscardinus avellanarius*). Surveys will be required to confirm their presence.

Dormice are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 making dormice a European Protected Species. This means that all competent authorities, when exercising their functions, must have regard to the requirements of the **Habitats Directive** (See **Regulation 9(5)** of the **2010 Habitats Regulations**).

Dormice are protected by law because their numbers and distributional range have declined by at least half during the past 100 years. They are vulnerable to woodland and hedgerow management operations; they also hibernate on or under the ground from about October until March or April and are thus affected by ground disturbance in winter and early spring.

Other protected species

Other protected species present on Middlewick Ranges and Birch Brook Wood include bats (species composition and presence of roosts to be confirmed by surveys), common lizard, grass snake, slow worm, badger and a breeding birds assemblage that includes skylark and potentially nightingale.

Additional notable invertebrate species

Additional notable invertebrate species recorded on Middlewick Ranges include stag beetle, tiger beetle, white-letter hairstreak, green hairstreak and wall brown.

Much of this important wildlife and biodiversity will be lost if this development proposal is allowed to proceed, through a combination of direct loss of habitats, damage to retained habitats and a reduction in habitat quality due to anthropogenic impacts.

Importance of LoWS networks

A Local Wildlife Site designation such as Middlewick Ranges should always serve as a warning that development is highly likely to be damaging and an alternative location should be sought. These sites are of great significance as core wildlife-rich habitats of substantive nature conservation value. While the network of Sites of Special Scientific Interest (SSSIs) is crucially important, they represent only a small sample of our most important habitats and their species; the SSSI network is selective and not intended to be comprehensive. This means that many sites like Middlewick Ranges have equivalent nature conservation value but are not designated as SSSIs and have no statutory protection, despite being of equal or greater value to wildlife.

It is of vital importance to recognise that Middlewick Ranges and all the other local wildlife sites across the country represent a major national asset, essential to nature's recovery. They play a critical conservation role by providing wildlife refuges, acting as stepping stones, corridors and buffer zones to link and protect nationally and internationally designated sites – improving ecological coherence and connectivity and contributing to a climate resilient landscape. With no statutory status, their only form of protection is through good planning policy and decisions.

Local wildlife sites support locally and nationally threatened species and habitats; they are the essential building blocks of ecological networks and the core from which we can achieve nature's recovery. Unlike SSSIs, which for some habitats are a representative sample of the sites that meet national standards, LoWS systems are more comprehensive and select *all* sites that meet the criteria. As a result, many LoWS are of SSSI quality and together with the statutorily protected sites, contain most of the country's remaining high-quality natural habitat and threatened species.

Regardless of statutory status, it is absolutely paramount that the county's core sites for biodiversity are protected from developmental loss and damage, if we are to avoid a net loss in biodiversity. In considering this, it is crucial to recognise that all components of biodiversity are important, not just formally protected species. We are currently undergoing a catastrophic decline in overall species richness and in population size, density and range. The aspiration should be to protect, enhance and create diverse, species-rich, ecologically functional habitats that benefit the widest range of species possible and secure the provision of ecosystem services, particularly pollination in the case of Middlewick Ranges.

This can only be achieved through robust protection of the local wildlife site network and adopting a pro-active approach to habitat creation and enhancement schemes designed to build better connectivity among this core network of wildlife sites.

The National Planning Policy Framework (NPPF) defines sustainable development as follows:

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

It is clear that the proposal to destroy a large part of Middlewick Ranges LoWS, while putting the remaining habitats at serious risk of degradation, does not conform with the definition of sustainable development as it fails to deliver the environmental objective.

The NPPF goes on to explain (para. 32) that significant adverse impacts on the sustainability objectives should be avoided and alternative options should be pursued wherever possible. It then continues:

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

*a) **protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);***

*d) **minimising impacts on and providing net gains for biodiversity***

The proposals do not conform with the guidelines in paragraph 170; the development does not protect and enhance a valued landscape and site of biodiversity value. It also fails to minimise impacts on biodiversity and provide net gains in biodiversity. We are firmly of the opinion that in destroying a large part of a designated local wildlife site and subjecting the retained habitats to an enormous increase in anthropogenic pressures, it will not be possible to deliver a measurable net gain in biodiversity.

*171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; **allocate land with the least environmental or amenity value**, where consistent with other policies in this Framework; **take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure**; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.*

The proposals for the development of Middlewick Ranges do not conform with the above guidelines; the site is of high environmental and biodiversity value and development of the site would amount to a failure to maintain and enhance a habitat network.

Para. 174 states:

174. To protect and enhance biodiversity and geodiversity, plans should:

*a) Identify, map and **safeguard components of local wildlife-rich habitats** and wider ecological networks, including the hierarchy of international, national and **locally designated sites of importance for biodiversity**; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*

*b) **promote the conservation, restoration and enhancement of priority habitats**, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*

The proposals for the development of Middlewick Ranges do not conform with the guidelines in paragraph 174; the plans do not safeguard components of local, wildlife-rich habitats, on the contrary the proposals will damage and destroy a locally designated site of importance for biodiversity. The development also fails to promote the conservation, restoration and enhancement of priority habitats.

Finally, in paragraph 175 the NPPF states:

175. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused

The mitigation hierarchy has not been followed as a result of the fact that the site was not allocated through the normal policy-driven, spatial planning process which should underpin all housing allocations.

Summary

It should be acknowledged that Middlewick Ranges is vitally important not only for wildlife but also for local people in the area. The site adds immeasurable value to the local community and contributes significantly to quality of life, health and well-being by providing a nature-rich, open green space consisting of an interconnected mosaic of habitats, some of which are relatively rare.

We acknowledge that the Government and the MOD are committed to a Defence Estate Optimisation programme to dispose of surplus land; we are also aware that the aim is to maximise “value for money” by selling these surplus sites for housing. However, housing site allocations should always be determined by local authorities through a coordinated approach to spatial planning which is policy-led and takes into account local sites of biodiversity value and ecological networks. We would support an alternative, environmentally sustainable disposal of the site and would recommend gifting it to the local authority to be managed in perpetuity as a country park or local nature reserve, for the benefit of wildlife and the local community.

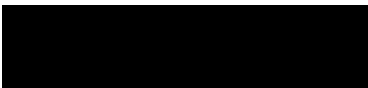
The State of Nature report 2013 revealed that over the past 50 years, 60 percent of 3,148 UK native wildlife species studied have been in decline, with 30 percent in sharp decline. Currently, more than one in ten of all the species assessed are under threat of disappearing altogether. If society wants to

stop and reverse this trend of wildlife loss and provide for nature's recovery, we have to expand, restore and recreate habitats on a landscape-scale, way beyond the boundaries of traditional nature reserves and wildlife sites.

In reiteration, Essex Wildlife Trust objects to the allocation of Middlewick Ranges LoWS for housing development. The proposals do not represent sustainable development and will result in the destruction of a large area of valuable wildlife habitat and the degradation of retained habitats; the proposals do not conform to NPPF guidelines for the protection of the environment and biodiversity; the proposals will result in unacceptable biodiversity loss and cause irreparable harm to a highly valued Local Wildlife Site.

Thank you for providing this opportunity to comment on the proposals.

Kind regards,



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