

From: Liam Ryder | Code DP
Sent: 23 October 2023 16:45
To: Terence Garner
Cc: Stephen Garner; Mark Sperrin
Subject: RE: Biodiversity Applications - 23/0085/OUT East of Rayleigh Road and 23/0104/OUT South of Daws Heath Road

Good afternoon, Terry

Hope you are well.

Further to Hamish's email of 16 October 2023, could I please ask you to send me a copy of the HRA completed by Place Services for our planning application? I note his comment that, *"I don't have any issues with the Project Habitats Regulations Assessment (Southern Ecological Solutions Ltd, November 2022) submitted for this scheme and have attached a draft HRA on behalf CPBC - Please see attached. This should be reviewed by the developer and then submitted to Natural England."* I noted in your email of 16 October 2023 that you considered, *"we will need to have a complete agreed position prior to sending the shadow HRA to Natural England."*

Could I please ask why this has not yet been sent to Natural England (if it has, then please accept my apologies)? The reason for asking is that Natural England's defined role in the determination of planning applications is as follows: *"Natural England is a statutory consultee in the planning system for development plans, Environmental Impact Assessments, Strategic Environmental Assessment, Habitats Regulations Assessments, Local Development Orders and for certain planning applications relating to Sites of Special Scientific Interest (SSSI) and best and most versatile agricultural land. We may also be consulted on a range of other development proposals. Natural England is also a competent authority, issuing consents where there will be impacts on protected species and sites."* Given the description of Natural England's role in commenting upon planning applications, and conscious of the timeframe before your committee report is due to be finalised (6 November 2023), I would be grateful if Place Services' HRA could be shared with us and Natural England as soon as possible to enable a consultee response to be received ahead of determination by the planning committee.

Kind regards
Liam



Liam Ryder MPlan (Hons) MRTPI
Associate Director

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From: Terence Garner <TGarner@castlepoint.gov.uk>
Sent: Monday, October 16, 2023 2:54 PM
To: Liam Ryder | Code DP <liamryder@codedp.co.uk>
Cc: Stephen Garner <SGarner@castlepoint.gov.uk>
Subject: RE: Biodiversity Applications - 23/0085/OUT East of Rayleigh Road and 23/0104/OUT South of Daws Heath Road

Hi Liam, this is hot off the press. Can you have a read through and see if you have the information already to hand to provide Hamish with, or you can obtain from your consultants.

It might also be a good idea to post copies to Hamish and myself directly, to save a little time, as we will need to have a complete agreed position prior to sending the shadow HRA to Natural England. Any questions please let me know.

Kind regards,

Terry

Terence Garner Dip TRP MRTPI
Principal Planning Officer (Strategic)
Place and Policy

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From: Hamish Jackson – Senior Ecological Consultant <Hamish.Jackson@essex.gov.uk>

Sent: 16 October 2023 14:43

To: Terence Garner <TGarner@castlepoint.gov.uk>

Cc: Stephen Garner <SGarner@castlepoint.gov.uk>

Subject: RE: Biodiversity Applications - 23/0085/OUT East of Rayleigh Road and 23/0104/OUT South of Daws Heath Road

Hi Terrance,

I am currently drafting comments for this application, but note that following information has not been included within the planning website:

- Ecological Impact Assessment v1 (Southern Ecological Solutions Ltd, 2020)
- Full Biodiversity Metric calculation 3.1 (Appendix 6 of the Biodiversity Net Gain Stage Report)

In addition, it would be useful to have unredacted copies of the following documents:

- EWT Comments (May 2023)
- Ecological Impact Assessment v2 (Southern Ecological Solutions Ltd, 2020)

Therefore, is it possible for me to have this information sent to me directly to allow me to understand all potential ecological issues with this scheme?

I am aware that Heath Fritillary has been recorded within Little Haven Nature Reserve, but note the invertebrate surveys don't appear to list this invertebrate (protected under the Wildlife Countryside Act 1981 and a Priority species under the NERC Act 1981. It is highlighted that larva foodplant is Common Cow-wheat and Ribwort Plantain and associated with the species associated with sunny early coppiced woodlands. Therefore, I will review the woodland plant species listed in the ecological impact assessment and consider the likely impacts upon the butterfly, as well as potential recreational impacts upon Southern Wood Ant.

However, it highlighted that my response will likely be holding objection if an appropriate translocation and compensation strategy has not been secured in advance for the good reptile population identified on-site.

I don't have any issues with the Project Habitats Regulations Assessment (Southern Ecological Solutions Ltd, November 2022) submitted for this scheme and have attached a draft HRA on behalf CPBC - Please see attached. This should be reviewed by the developer and then submitted to Natural England.

Kind regards,

Hamish

Hamish Jackson ACIEEM BSc (Hons)
Senior Ecological Consultant at Place Services

telephone: 03330 320980 mobile: 07740901139

email: hamish.jackson@essex.gov.uk / PlaceServicesEcology@essex.gov.uk

web: www.placeservices.co.uk

linkedin: [www.Linkedin.com/in/hamishjackson/](https://www.linkedin.com/in/hamishjackson/)

Pronouns: He / Him



From: Terence Garner <TGarner@castlepoint.gov.uk>

Sent: 16 September 2023 12:53

To: Hamish Jackson - Senior Ecological Consultant <Hamish.Jackson@essex.gov.uk>

Cc: Stephen Garner <SGarner@castlepoint.gov.uk>

Subject: RE: Biodiversity Applications - 23/0085/OUT East of Rayleigh Road and 23/0104/OUT South of Daws Heath Road

CAUTION: This is an external email.

Hi Hamish, hope your well sorry for the mix up here but the above applications require a level of input from you to assist us with determining the applications.

23/0085/OUT East of Rayleigh Road – Outline planning application for the development of up to 455 new homes, a new multi-use community hall, land for the provision of a healthcare facility, land for a stand-alone early years and childcare nursery, new vehicular/pedestrian access points from Stadium Way in the north and Daws Heath Road in the south, new greenways and green links, multi-functional open space, green infrastructure, surface water attenuation, landscaping and associated infrastructure. All matters reserved except access.

I am writing this application up to try to get it on the October planning committee list and need some input from you in regard to:

- Essex Wildlife Group - Little Haven Nature Reserve - Heath Fritillary butterflies (priority species under uk post 2010 bio-diversity framework) & Valerie Wells Wood Nature reserve – Southern Wood Ant - (priority species under uk post 2010 bio-diversity framework)
- Essex Badger Protection Group - Badgers fully protected by Badger Protection Act 1992 and Wildlife and Countryside Act 1981, surveys are out of date, this area has large number of active setts (33) including one substantial sett in the middle of the site which is proposed to be removed and relocated. Development will also remove a very large area of foraging for them as well as being displaced. Appreciate

mitigation works but issues are whether this is achievable without damaging the setts forever.

- Provision for nesting birds is inadequate
- The site also falls within the Hadleigh and Daws Heath Complex Living Landscape, an area identified for its network of wildlife-rich habitats.
- The site falls within the Impact Risk Zone (IRZ) for four statutory designated sites of international importance, with Benfleet and Southend Marshes Special Protection Area (SPA) and Ramsar site the closest at 3.0km south of the site. A project level Habitats Regulations Assessment was undertaken and is reported on separately (with the application submission - SES, 2022a).

I would appreciate your comments as I am concerned at the damage that will ensue to the badger setts and in particular to the Heath Fritillary butterflies as I am informed they were nearly extinct in the 1970's and the southern wood ant only survives in this location.

Attached is a draft layout for the site, which as can be seen is quite intensive and extensive across the site, leaving little area for badgers to forage.



s, together with

23/0104/OUT South of Daws Heath Road – Outline application for 58 dwellings with associated vehicular access, parking, public open space, play space and attenuation basin landscaping enhancements (all matters reserved except access) with this one Natural England are asking for an HRA to support the developers case on biodiversity etc.

I hope the above is sufficient, but if you need any further information please do not hesitate to contact me.

Kind regards,

Terry

Terence Garner Dip TRP MRTPI
Principal Planning Officer (Strategic)
Place and Policy

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From: Hamish Jackson - Senior Ecological Consultant <Hamish.Jackson@essex.gov.uk>

Sent: 15 September 2023 18:52

To: Stephen Garner <SGarner@castlepoint.gov.uk>

Cc: Terence Garner <TGarner@castlepoint.gov.uk>; Place Services Ecology
<PlaceServicesEcology@essex.gov.uk>

Subject: RE: Biodiversity Applications

Hi Stephen,

These applications have not been on my consultation list, as I had requested a formal consultation to be sent to PlaceServicesEcology@essex.gov.uk to allow us to demonstrate the Castle Point had formally requested our support on these applications (see the attached emails highlighting this).

I can add both to our tracker now as you have requested this, but please can the formal consultation be arranged? We typically request that a 21 day consultation deadline is required for all new applications, but I could do a 14 day deadline if the response is urgent.

Kind regards,

Hamish

Hamish Jackson ACIEEM BSc (Hons)
Senior Ecological Consultant at Place Services

telephone: 03330 320980 mobile: 07740901139
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Pronouns: He / Him



From: Stephen Garner <SGarner@castlepoint.gov.uk>
Sent: 13 September 2023 16:06
To: Hamish Jackson - Senior Ecological Consultant <Hamish.Jackson@essex.gov.uk>
Cc: Terence Garner <TGarner@castlepoint.gov.uk>; Place Services Ecology <PlaceServicesEcology@essex.gov.uk>
Subject: Biodiversity Applications

CAUTION: This is an external email.

Hi Hamish,

Just after an update on a couple of applications 23/0085/OUT East of Rayleigh Road and 23/0104/OUT South of Daws Heath Road which Terry has been dealing with and has been emailing you about.

For East of Rayleigh Road there are some issues with Badgers and protected species I think (butterfly's and ants).

For South of Daws Heath it is the HRA that we need.

My main question is are you working on these ones which Terry has brought up and if so what is the timeframe for getting a response as we need one pronto on the Rayleigh Road site? If not what do you require from us to get going on these?

Kind regards

Stephen Garner BSc (Hons) MSc MRTPI
Planning Manager
Place and Policy

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