

Holli Fielden

From: Annie Gordon [AnnieG@essexwt.org.uk]
Sent: 08 July 2012 13:18
To: Planning Applications
Subject: Application no. 12/00252/FUL
Attachments: response letter.docx

For the attention of Claire Robinson:

Application no: 12/00252/FUL Star Lane Brickworks Star Lane Great Wakering Essex

With regard to the above application, please find attached a letter comprising our comments and recommendations.

Kind regards,

Annie Gordon

Dr Annie Gordon
Conservation Officer
Essex Wildlife Trust
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09/07/2012

08 July 2012

Claire Robinson
Planning and Transportation
Rochford District Council
Council Offices
South Street
Rochford
SS4 1BW

BY EMAIL ONLY

Dear Ms Robinson,

**Re: Application No. 12/00252/FUL
Star Lane Brickworks Star Lane Great Wakering Essex**

Thank you for consulting Essex Wildlife Trust regarding the above application, in respect of which we would like to submit a number of comments and register a holding objection.

Whilst we accept the selection of this brownfield site for housing provision, we do have serious concerns regarding this particular development proposal, due to the potential for adverse impacts from increased recreational pressure on the adjacent Star Lane Pits Local Wildlife Site (R35). This LoWS has been designated for its mosaic of rough grassland, scrub and aquatic habitats, which includes the Essex rare species Hemlock Water-dropwort and the Essex Red List species Pyramidal Orchid, as well as areas of reedbeds, a UK BAP Priority habitat. The LoWS supports nationally significant and Essex Red List invertebrate species; furthermore, the site has the potential to qualify under species selection guidelines SC18 (UK BAP priority invertebrates) - due to the presence of the BAP species *Odynerus melanocephalus* (the Black Headed Mason Wasp) and SC19 - important invertebrate assemblages.

The ecological survey recorded evidence of the presence of water voles, a UK and local BAP species, on one of the lakes within the LoWS. Water voles are fully protected under **Schedule 5 of the Wildlife and Countryside Act 1981 (as amended)**. Legal protection makes it an offence to:

- intentionally kill, injure or take (capture) a water vole;
- possess or control a live or dead water vole, or any part of a water vole;
- intentionally or recklessly damage, destroy or obstruct access to any structure or place which water voles use for shelter or protection or **disturb water voles while they are using such a place;**
- sell, offer for sale or advertise for live or dead water voles.

The water vole has suffered one of the most catastrophic declines of any British mammal this century and its widespread survival is now seriously threatened. This decline has been most rapid in the last 30 years, and a recent survey showed that the species has been lost from almost 90% of the sites where it occurred earlier this century. Many remaining populations are now severely fragmented and their survival is in doubt. The reasons for this decline are complex but involve a combination of loss and fragmentation of bankside vegetation, altered riparian management and, most critically, the introduction and spread of the American mink, an effective predator of water voles. However, strategic habitat management and enhancement in conjunction with sustained mink control has led to significant localised water vole range expansions in several areas.



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Examination of the submitted plans for this current application has shown that the developer makes little (if any) provision for areas of open (public) green space within the development footprint; it is clear that the intention is to open up the LoWS as allocated green space provision for the development. The Design and Access document (p35) states:

"To ensure that the development...enables...the opening up of the wildlife designated area as an amenity for the wider Great Wakering population."

Conversely, the Ecological Assessment (p37) states:

"...it is not considered the proposed development will result in a significant increase in public pressure on this LWS."

These two statements clearly contradict one another; the stated position of the developer is that the LoWS is to be "opened up" as an amenity, a move which will inevitably increase recreational pressure on this relatively small site. Star Lane Pits is already suffering from the adverse effects of disturbance and serious littering and increased access will serve to further exacerbate these problems, to the detriment of the wildlife in the area. It has been suggested to EWT (pers.comm) that the developer's plans for the LoWS include "levelling" some sections to create picnic areas; such actions will only serve to further reduce the biodiversity of the site. It is notable that the area around the fishing lake, which has been "tidied" and partially cleared of bankside vegetation, supports significantly less wildlife diversity than the remainder of the site.

It is the opinion of Essex Wildlife Trust that, without a clear and detailed mitigation plan in place, the proposed development will have unacceptable adverse impacts on the Star Lane Pits Local Wildlife Site.

Within Rochford District Council's *Core Strategy Submission Document*, **Policy ENV1** states:

"The Council will work with key stakeholders to promote designing in wildlife schemes in order to obtain a gain in biodiversity, and ensuring any unavoidable impacts from development are appropriately mitigated against."

Local Planning Authorities also have a duty to conserve biodiversity under **Section 40 of the Natural Environment and Rural Communities Act 2006**.

Before this application proceeds, we would respectfully urge you to secure a mitigation plan from the developer which demonstrates a commitment to the protection and enhancement of biodiversity on the LoWS and a recognition of its value for wildlife. The plan should set out clear habitat management priorities and actions which are linked to the designation criteria for the site. Additionally, the water vole is included in the Government's list of species of principal importance for the conservation of biodiversity in England and thus requires special attention. Favourable management for water voles should be promoted through the adoption of a targeted habitat management plan (which should include a mink control policy). Furthermore, the encouragement of increased access by the public onto the LoWS would need to be very carefully managed, with clear strategies to minimise disturbance to wildlife and to control the problem of litter. Such strategies should be clearly described in the mitigation plan and made available for examination and comment.

In summary, Essex Wildlife Trust wishes to register a holding objection with regard to this application. We are of the opinion that the developer should be expected to produce a detailed mitigation plan for the Star Lane Pits LoWS before the application is allowed to proceed.

Kind regards,

Annie Gordon

Dr Annie Gordon
Conservation Officer
Essex Wildlife Trust