

Uttlesford District Council

**Evidence for Biodiversity
Net Gain
Regulation 19 Local Plan**

Final report

Prepared by LUC

July 2024



Uttlesford District Council

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Regulation 19 Local Plan**

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Chapter 1

Introduction

Biodiversity Net Gain in Uttlesford District Council Local Plan Policy

1.1 Uttlesford District Council declared a climate and biodiversity emergency in late 2019 and is seeking to enhance the minimum level of biodiversity net gain of 10% and require 20% within Core Policy 40: Biodiversity and Nature Recovery of their Local Plan. This report sets out the evidence-base to support the requirement for a 20% biodiversity net gain. The minimum mandatory biodiversity net gain of 10% is considered the lowest level that would deliver meaningful biodiversity gains related to development sites.

Policy Context

Legislation and National Policy

1.2 The Government's 25 Year Environment Plan (2018) made a commitment to embed a "*net environmental gain*" requirement for development to support the delivery of environmental improvements. The Environmental Improvement Plan 2023 builds on the vision of the 25 Year Environment Plan and sets out a delivery plan for enhancing the environment and creating a thriving place for plants and wildlife. The plan identifies that the promotion of biodiversity net gain will help to deliver the Government's overarching goal, which is to support national nature recovery.

1.3 Schedule 14 of the Environment Act 2021 made provision for biodiversity gain to be required in relation to planning permission in England. The requirement for Biodiversity Net Gain is set out within Schedule 7A (Biodiversity Net Gain in England) of the Town and Country Planning Act 1990. The legislation has been updated through the Levelling Up and Regeneration Act 2023. Further support is provided for biodiversity net gain through the National Planning Policy Framework, most recently revised in 2024, through paragraph 180 part (d) which states that:

"planning policies and decisions should contribute to and enhance the natural and local environment by":

"minimising impacts on and providing net gains for biodiversity, including by establishing coherent

ecological networks that are more resilient to current and future pressures”.

1.4 This is further supported within NPPF paragraph 185 part (b) which states that plans should “*identify and pursue opportunities for securing measurable net gains for biodiversity*”.

1.5 The UK Government also published Planning Practice Guidance (PPG) in relation to Biodiversity Net Gain. The PPG provides further guidance on how biodiversity net gain should be applied. The PPG states that development should deliver “*at least a 10% increase in biodiversity value*”. The PPG also states that:

“a policy which required a gain greater than 10% on an area wide basis or for an allocation may still be relevant as the statutory biodiversity gain objective is for **at least** a 10% gain.”

1.6 Defra has indicated that 10% was the minimum biodiversity net gain below which biodiversity enhancements and habitat creation would have a negligible impact on biodiversity¹. Ten percent Biodiversity Net Gain is a minimum requirement and not a cap. An increasing number of Local Planning Authorities are adopting local policies that require or encourage a percentage net gain higher than the mandatory 10%² in order to deliver necessary local nature recovery.

1.7 In 2023, Natural England produced a Green Infrastructure Framework which aims to help increase the amount of green cover to 40% in urban residential areas. Biodiversity net gain forms a key part of the framework by supporting the aim of increasing green cover in new developments. The framework sets out guidance for the development of green infrastructure in large scale developments, such as those that will be brought forward in the local plan³. This is complemented by the Council’s own green infrastructure evidence base and strategy.

Regional Policy

1.8 The Lawton Review of England’s Wildlife Sites and Ecological Networks (on which the principles of Biodiversity Net Gain are based) is often paraphrased as calling for important habitats to be ‘bigger, better, more joined-up’ and the Uttlesford Local Plan aims to support this ethos through relevant policies.

1.9 Uttlesford District Council falls within Essex County and therefore works closely with Essex County Council which is the Responsible Authority for delivering the Local Nature

Recovery Strategy (LNRS) for Greater Essex and coordinating the Essex Local Nature Partnership. The Local Nature Partnership will publish the draft Local Nature Recovery Strategy for public consultation in 2024. This will identify areas that could provide the greatest benefit for nature and the wider environment and therefore support the implantation of 20% biodiversity net gain.

1.10 The Essex Planning Officers Association represents the 12 planning authorities in Essex. In collaboration with the Essex Local Nature Partnership, an Essex Biodiversity Net Gain Guidance Pack has been produced. The guidance pack provides details on delivery of biodiversity net gain including the use of the biodiversity metric and onsite and offsite net gain delivery.

1.11 The Essex Green Infrastructure Strategy was published in 2020 and provides a vision and objectives for the future delivery of green infrastructure in Essex. The vision of the strategy is:

“We will protect, develop and enhance a high quality connected green infrastructure network that extends from our city and town centres, and urban areas to the countryside and coast and which is self-sustaining and is designed for people and wildlife”.

1.12 One of the proposals within the strategy is embedding the environmental net gain principle for development. The strategy is supportive of the application of biodiversity net gain to secure multi-functional green spaces.

Uttlesford Local Plan Policy

1.13 The Uttlesford Local Plan 2021 – 2041 is under preparation and will form part of the statutory development plan for the district, providing the basis for all planning decisions. Relevant policies within the Draft Uttlesford Local Plan 2021 – 2041 (Regulation 19) include:

- **Core Policy 38:** The Natural Environment covers the protection and enhancement of designated sites.
- **Core Policy 39:** Green and Blue Infrastructure requires development to adopt an approach that is environment and landscape-led so as to maximise the benefit of GBI for people and nature.
- **Core Policy 40:** Biodiversity covers the conservation and enhancement of habitats, species and sites including the promotion of connections outside the site boundary. It also outlines requirements for BNG.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/839610/net-gain-ia.pdf

²<https://www.wcl.org.uk/biodiversity-net-gain-can-be-more-than-glorified-offsetting-scheme.asp>

³

<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/GISstandards.aspx>

- **Core Policy 41:** Landscape character covers the preservation of the character and appearance of the landscape, ancient landscapes and geological sites.

1.14 The Draft Uttlesford Local Plan 2021 – 2041 (Regulation 18) also contains a number of area-specific policies for North Uttlesford, South Uttlesford, Thaxted and the district's rural areas.

Green and Blue Infrastructure Study

1.15 LUC was commissioned in 2023 to prepare a Green and Blue Infrastructure (GBI) Strategy in support of the Uttlesford Local Plan.

1.16 The strategy forms the basis for a subsequent GBI delivery plan which will be additionally informed by the outcomes of the Local Plan consultation and further targeted consultation on the identified GBI opportunities.

1.17 The strategy set the context for GBI within Uttlesford and provided a framework for different geographic locations within the district, under the following vision:

Vision for the GBI Strategy

- The unique historic and landscape character of Uttlesford and the high-quality of life the district offers to local communities will be enhanced and protected from the effects of climate change and ecological decline through a strategic and well-planned approach to the provision of high quality GBI which is attractive, well managed, resilient, multi-functional and designed to be meet the needs of a growing and ageing population.
- Areas lacking in biodiversity and recreational opportunities (including attractive routes for walking and cycling) and areas that are anticipated to be hardest hit by the effects of climate change (such as increased flood risk) will be prioritised for new GBI.
- Pressures on existing GBI assets will be relieved through better management and by improving movement through the district and access to alternative spaces.
- GBI will support the integration of new development into the landscape, minimising its visual impacts while maximising the opportunities for outdoor recreation and for people to connect with nature.

Implementing BNG above 10%

1.18 The implementation of BNG as a mandatory requirement is relatively recent and so local plan policy and implementation across the country are at a fairly early stage. As discussed elsewhere in this paper, the Defra LNRS impact assessment in relation to biodiversity net gain sets out that there is little additional financial increase compared to the cost of providing 10% and 20% biodiversity net gain on individual development sites. A number of counties have considered the implementation of BNG at a level greater than 10%, and examples from the south east of England are summarised below.

Essex

1.19 The planning authorities and environmental organisations in Essex are at an early stage of preparation of their plans and strategies in relation to the implementation of BNG. The publication of the LNRS at the end of 2024, with its associated evidence base, will provide support for development of the market for offsite BNG, and the framework for individual developments to contribute to wider, landscape level improvements in biodiversity.

Greater Cambridge

1.20 The Greater Cambridge 'First Proposals' Local Plan (Regulation 18: Preferred Options)⁴ includes a proposed policy that will require development to achieve a minimum 20% biodiversity net gain.

1.21 The requirement for 20% BNG was considered in the 'Greater Cambridge Green Infrastructure Opportunity Mapping – Part 2 Recommendations Report'⁵ prepared by LUC on behalf of South Cambridgeshire District Council and Cambridge City Council in September 2021. This set out that due to the landscape of much of Cambridgeshire – largely planned countryside – the area of land within Greater Cambridge that is protected and managed for nature is relatively small compared to other areas of the county, resulting in less protection for habitats and wildlife and fewer opportunities for communities to interact with nature. It also means that there is a greater need to repair that loss and restore biodiversity across the area, where possible, through the planning and development process.

Kent

1.22 Kent County Council prepared a viability assessment for BNG in 2022⁶ which concluded that the biggest cost for delivering BNG was from 0% to 10%. Subsequent increases in requirements for BNG to 15% or 20% did not make a

⁴ <https://consultations.gretercambridgeplanning.org/greter-cambridge-local-plan-preferred-options/supporting-documents>

⁵ https://consultations.gretercambridgeplanning.org/sites/gcp/files/2021-09/GREATER-3_0.PDF

⁶ <https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf>

significant difference to cost, and as the cost of BNG is relatively low, no site within the assessment was considered to be unviable because of increased requirements in relation to BNG.

Surrey (Guildford Borough Council)

1.23 The Surrey Nature Partnership put forward a case for 20% BNG. The paper was concise and provides brief details on biodiversity loss and natural capital. Guildford Borough Council included BNG within their overall Local plan and CIL viability assessment that was submitted for examination. They also commissioned additional studies looking at three developments and how 20% BNG would be dealt with.

1.24 The inspector was satisfied that 20% BNG was viable. However, added the below caveat to the policy within the Local plan: "In the event BNG not viable, requirement will drop from 20% to 10%".

Local Plans with a requirement for greater than 10% BNG

1.25 Through a series of Freedom of Information requests, Wildlife and Countryside Link prepared a paper in February 2024⁷, which sets out which local planning authorities have adopted planning policies that require greater than 10% BNG, or are in the process of consulting on local plans within requirements for BNG above the mandatory requirement. The paper noted that of all local planning authorities (more than 300):

- 20 local authorities have emerging BNG policies above 10%, ranging up to 30% for Kingston Upon Thames and Tower Hamlets.
- A further 6 local authorities are seriously considering BNG policies above 10% and plan to explore this in consultations.
- 24 local authorities had adopted a target of around 10% BNG prior to it becoming mandatory

1.26 The south east of England had the most ambitious BNG policies as:

- All councils that have adopted local plan policies for BNG have set the threshold above 10%; and
- 77% of the local authorities in England that are considering implementation of BNG policies above the statutory minimum are within the south east.

1.27 Other than Uttlesford District Council, the following local planning authorities were identified as having BNG policies with a requirement greater than 10% within draft local plans:

- Birmingham City Council
- Canterbury City Council
- Cherwell District Council
- East Devon District Council
- Elmbridge Borough Council
- Mole Valley District Council
- Mid Sussex District Council
- London Borough of Ealing
- London Borough of Tower Hamlets
- London Borough of Richmond upon Thames
- Sevenoaks District Council
- Sheffield City Council
- South Oxfordshire and Vale of the White Horse Council
- Surrey Heath Borough Council
- Swale Borough Council
- Royal Borough of Kingston Upon Thames
- West Oxfordshire District Council
- Wiltshire Council

⁷

https://www.wcl.org.uk/docs/Biodiversity_Net_Gain_progress_report_7.2.2024.pdf

Chapter 2

Uttlesford's Biodiversity

Uttlesford is a predominantly rural, agricultural district. It contains areas rich in biodiversity, but also areas where biodiversity is significantly depleted.

2.1 There are no Habitats Sites within the District⁸ However, there are several nationally and locally designated sites which are important for biodiversity. These include 14 nationally designated sites, including 12 Sites of Special Scientific Interest (SSSIs), two National Nature Reserves (NNRs) and 282 Local Wildlife Sites. The majority of these designations aim to protect small pockets of remaining Ancient Woodland, now degraded through fragmented within an arable landscape.

2.2 Hatfield Forest is the largest remaining tract of woodland within Uttlesford comprising over 403 ha with a mix of deciduous Ancient Woodland, Wood Pasture and Parkland. It is designated as a Site of Specific Scientific Interest (SSSI) and a National Nature Reserve (NNR). A smaller area of Ancient Woodland in the north-west of the district at Hales Wood is also designated as a NNR.

2.3 Uttlesford District is crossed by a network of Chalk Stream habitats which are both globally and nationally rare. These include the River Cam, River Stort, Wicken Water, Fulfen Slade and Debden Water SSSI. All of these watercourses should support high levels of biodiversity but are currently in suboptimal ecological condition..

2.4 Most of Uttlesford District is classified, according to UK Centre for Ecology & Hydrology Land Cover Maps, as being of arable land cover⁹. Other main land cover categories within the district, though in much smaller proportions, are woodland, improved grassland, suburban and urban. Uttlesford is considered to have a relatively large potential for increasing

⁸ These sites (Special Protected Areas, Special Areas of Conservation, and Ramsar sites) were sites previously protected through international and European legislation, and now form part of the National Sites Network. [Department for Environment, Food and](#)

[Rural Affairs, Natural England, Welsh Government and Natural Resources Wales \(2021\) Habitats regulations assessments: protecting a European site \[online\]](#)

⁹ <https://www.ceh.ac.uk/data/ukceh-land-cover-maps>

biodiversity, due to low baseline levels relative to districts of similar size and population density (Tables A.1 to A.3)¹⁰.

2.5 Across England and within Uttlesford District there has been a significant decline in species numbers and habitat loss. Habitats across the UK have suffered degradation over the last fifty years. England has seen that abundance of wildlife decrease by more the 30% since 1970. The 2023 State of Nature Report found that 16% of England's species are under threat of extinction. Across the UK, 151 species have already become extinct. Since the 1970s more than half of our flowering plants, mosses and their relatives have been lost from areas where they used to thrive. Habitats across the UK have suffered degradation over the last fifty years. England has seen the abundance of wildlife decrease by more the 30% since 1970.

Uttlesford Habitat degradation

2.6 Uttlesford district has followed the national pattern of decline and Uttlesford District Council declared an ecological emergency in 2019. This committed the Council to protecting and enhancing local biodiversity. Additional information is contained within the tables in Appendix A.

2.7 Uttlesford's biodiversity degradation includes:

Hedgerow loss

2.8 Comparison of modern-day satellite maps¹¹ with online historical maps¹² shows that since 1940, Uttlesford District has lost approximately 112km of hedgerow¹³. Assuming a uniform width of 2m and moderate condition, this is the equivalent of approximately 968 Hedgerow Units as defined by the Statutory Hedgerow Metric for BNG¹⁴.

Hedgerow carbon sequestration loss

2.9 By applying protocols for modelling hedgerow carbon sequestration potential developed by the University of Leeds, this historical loss of healthy hedgerow habitat alone represents an estimated loss of the potential to sequester up to approximately 4,246,016 Mg C over this period^{15,16}.

Wildflower meadow loss

2.10 Essex has identified Protected Roadside Verges as a nationally unique category of Local Wildlife Sites (LoWS)¹⁷.

These LoWS are the last remaining remnants of the wildflower meadows and species-rich grasslands, often on chalky soils, that were once common on in the district. The highest spatial density of these protected verges is in Uttlesford District (Appendix A). These are biodiverse habitats and provide a snapshot of the biodiverse habitats that were common across the district in the recent past and the extent of biodiversity decline experienced in Uttlesford through recent intensive arable farming practices. Species recorded in these unique LoWS designations can be considered lost across current arable monoculture biodiversity desert landscapes that dominate the district (Appendix A).

Bird population declines and extinctions

2.11 Recent decades have seen steep declines in bird populations in Uttlesford according to local expert groups¹⁸. Many of these species were once present in Uttlesford's now lost woodland, hedgerow and non-intensively farmed arable landscapes.

Butterfly population declines and extinctions

2.12 Causes of butterfly species decline, described by local expert groups¹⁹, are multi-factoral and include woodland, hedgerow, species-rich grassland and chalk meadow loss as well as climate change.

Moth population declines and extinctions

2.13 Local experts²⁰ advise that populations have seen precipitous declines in recent decades, due to the loss of flower-rich meadows, increased use of herbicides and pesticides, hedge removal and excessive cutting, and ditch clearance. The district has suffered 148 species extinctions (110 micro moths and 38 macro moths) equalling approximately 8% of the total number of species recorded on the Essex Moth Species List, which includes over 1,950 species (Appendix A).

Bat populations

2.14 All UK bats depend on small insects as prey and have been impacted by the large number of extinctions seen in local moth populations caused by modern intensive arable farming practices. Local records show that 10 of the 17 bat species present in the UK have been recorded in Uttlesford²¹. There is

¹⁰ <https://nbnatlas.org/>

¹¹ <https://magic.defra.gov.uk/maintenance.html>

¹² <https://maps.nls.uk/geo/explore/side-by-side>

¹³ Paul Dooley, Uttlesford District Council study

¹⁴ <https://www.gov.uk/guidance/biodiversity-metric-calculate-the-biodiversity-net-gain-of-a-project-or-development>

¹⁵ Biffi, S., et al. 307 (2022) *Journal of Environmental Management*, 114484.

¹⁶ Biffi, S., et al. 892 (2023) *Science of The Total Environment*, 164482.

¹⁷ Special Roadside Verges <https://www.essexwtrecords.org.uk/SRVs>

¹⁸ *Pers comms* Neil Harvey – Natural Environment Manager, Place Services, Essex County Council based on *The Birds of Essex* by Simon Wood and Annual Essex Bird Reports

¹⁹ *Pers comms* Rob Smith – Butterfly recorder for Essex Butterfly Conservation, Cambridgeshire & Essex Branch based on *The Butterflies of Essex* by David Corke

²⁰ *Pers comms*, Simon Wood – Chair, Essex Moth Identification Verification Committee

²¹ Essex Field Club <https://www.essexfieldclub.org.uk/portal.php>

scope to improve habitat for bats within Uttlesford, although some species will remain absent or in low numbers as they prefer habitat that is more prevalent elsewhere in the country.

River habitats

2.15 Uttlesford can accommodate the proposed level of development in relation to the water environment by adhering to the recommendations for watercourse protection and enhancement through re-naturalisation set out in the Local Plan.

2.16 Research by the University of Essex has determined that Uttlesford's rivers are more degraded than the average water body in England and that its Chalk Rivers are more degraded than other English Chalk Rivers. None of Uttlesford's watercourses has been assessed recently by the Environment Agency as being in 'good' ecological condition²².

2.17 Research by the University of Essex has determined that the Chalk Rivers/Streams within Uttlesford have characteristics that are unique for this habitat, including as headwaters with higher elevations and higher gradients, and greater proximity to higher levels of population density²³ thereby increasing their national and global rarity and strengthening their designation as Habitats of Principal Importance

2.18 Agriculture and rural land management are stated by the Environment Agency as Reasons for Not Achieving Good (RNAG) ecological condition for Chalk Stream habitat within Uttlesford including through physical modifications and changes to the natural flow and level of water.

²²Defra River Catchment Data Explorer
<https://environment.data.gov.uk/catchment-planning/v/c3-plan>

²³ Wilkes, M Uttlesford District Council River Environments, Report to Uttlesford District Council 9th May 2024

Chapter 3

Delivering Biodiversity Net Gain in Uttlesford

This chapter considers the case for increasing the requirement for net-gain from 10% to 20%.

3.1 While a 10% biodiversity net gain is mandatory for new developments, Uttlesford District Council is proposing a requirement for a 20% biodiversity net gain to reduce biodiversity loss and support the Nature Recovery Network. Following declaring an ecological crisis, the Council asserts that a 20% biodiversity net gain will provide more opportunity to support the creation of new habitats for wildlife and help to support increased tree cover as part of new development.

3.2 Implementation of 20% biodiversity net gain will be an integral part of delivering housing and employment growth across Uttlesford, compensating for the impacts of development on the natural environment and historic biodiversity loss.

3.3 As well as targeting biodiversity loss, a 20% Biodiversity Net Gain requirement can provide social benefits as part of the creation of multi-functional green space where appropriate. Requiring a higher level of biodiversity net gain can thereby promote health and wellbeing by providing more greenspaces and opportunities for residents to connect with nature. Biodiversity net gain can be used to enhance areas of existing green infrastructure and support the natural resilience of Uttlesford's small towns and settlements.

3.4 Expanding, enhancing and connecting existing sites designated for nature is a stated aim of the Uttlesford Local Plan. A key tool for delivery is through off-site Biodiversity Net Gain. Requiring 20% Biodiversity Net Gain will help to support nature recovery within these designated sites.

3.5 Requiring 20% Biodiversity Net Gain will also help the Council to meet its climate targets, provide shade and natural cooling. Increasing biodiversity and green cover will support the use of nature-based solutions to mitigate and adapt to climate change.

Assessing the potential impact on agriculture within Uttlesford

3.6 Uttlesford is predominately a rural district, with an estimated 80% (513km²) of the land currently being used as intensively farmed arable land²⁴. Therefore, there are many opportunities for promoting sustainable farming methods to ensure food security while enhancing local ecosystems and wildlife habitats.

3.7 Improvements to biodiversity, including the water environment, can be achieved through improved agricultural practices and rural land management. The UK Government, Welsh government, Farming Advisory Service (FAS Scotland), and other farming bodies, within England, have identified that BNG can be a source of income for farmers through the creation and enhancement of habitats offered as Biodiversity Units.

3.8 Many arable farmers in the east of England are looking to share concerns about climate change (including the arrival of new pests and diseases), market volatility and agricultural labour shortages²⁵. Leasing land to local habitat banks is an attractive option to diversify their income and there is huge potential for this in Uttlesford, using less productive land while retaining food production capacity²⁶.

3.9 Existing and emerging Farmer Clusters²⁷ in Uttlesford are keen to work together to deliver biodiversity gains through habitat creation, creating income streams through BNG wherever possible. Dr Simon Lyster, Chair of the Essex Local Nature Partnership is working with Farmer Clusters and Essex County Council to generate a sustainable source of off-site BNG units through arable farmland diversification. Essex County Council is in support of Uttlesford's requirement of 20% BNG and believes this to be a feasible approach²⁸.

3.10 Engagement with the farming community, through these existing networks, has the potential to generate significant capacity to deliver 20% BNG for current levels of development in Uttlesford^{29,30}. The capacity for habitat creation in Uttlesford is so significant that it has the capacity not only to deliver 20% BNG within the district but to deliver off-site units for neighbouring districts with much higher population densities and less land availability. Such habitat creation would represent meaningful biodiversity gains, significant at a

landscape scale in Uttlesford which has seen such radical biodiversity losses in recent decades.

3.11 The least productive land is often wet or prone to flooding and therefore not suitable either for food production or development and is ideal for wetland habitat creation through BNG delivery³¹. Such watercourse biodiversity units are likely to be of high ecological and economic value³².

3.12 The potential for nature recovery through Farmer Clusters and similar agricultural networks is therefore significant.

Viability and deliverability

3.13 A Statutory Biodiversity Metric has been produced by Government as a way of measuring biodiversity value to help net gain requirements to be assessed and implemented. Biodiversity is measured in standardised biodiversity units by measuring the biodiversity value of habitats. Biodiversity Net Gain can be delivered onsite and offsite. The NPPF sets out a Biodiversity Net Gain hierarchy for delivery, requiring that onsite delivery should be the first priority.

3.14 The delivery of 20% biodiversity net gain requirement would be achieved as individual development sites come forward, through the development management process. Therefore, the developer or the landowner will likely take on the cost of biodiversity net gain as a development requirement.

3.15 Dixon Searle have undertaken a viability assessment of the draft Local Plan and have confirmed that the delivery of 20% biodiversity net gain would not significantly affect viability.

3.16 This reflects DEFRA's impact assessment in relation to the delivery of biodiversity net gain, which compared the costs of requiring a 20% biodiversity net gain instead of 10%. The assessment concluded that the cost of delivering 20% net gain is only 19% higher than delivering 10% net gain. This suggests that requiring the delivery of 20% net gain will not result in significant costs to the developer.

3.17 Where there is difficulty in providing BNG on-site, there will be opportunities to provide BNG off-site within Uttlesford and more widely in Essex in accordance with the NPPF hierarchy for BNG delivery. The market for off-site BNG within Essex is relatively new. The opportunities will increase as the market develops, and the Local Nature Recovery Strategy will

²⁴UK Centre for Ecology & Hydrology Land Cover Maps <https://www.ceh.ac.uk/data/ukceh-land-cover-maps>

²⁵ UK Agricultural Finance : 4 factors affecting arable farmer in East Anglia <https://www.ukagriculturalfinance.com/blog/arable-farming-finance-4-factors-affecting-farmers-in-east-anglia/#:~:text=Farmers%20in%20East%20Anglia%20are,to%20help%20manage%20price%20risk>

²⁶Environment Bank Business Diversification <https://environmentbank.com/habitat-bank-creation/>

²⁷ Farmer Clusters <https://www.farmerclusters.com/>

²⁸ *Pers comms* Simon Lyster – Chair, Essex Local Nature Partnership

²⁹Uttlesford District Council Local Plan

<https://www.uttlesford.gov.uk/article/4915/The-new-Local-Plan>

³⁰ UK Centre for Ecology & Hydrology Land Cover Maps <https://www.ceh.ac.uk/data/ukceh-land-cover-maps>

³¹ UK Centre for Ecology & Hydrology Land Cover Maps

<https://www.ceh.ac.uk/data/ukceh-land-cover-maps>

³² <https://www.gov.uk/guidance/biodiversity-metric-calculate-the-biodiversity-net-gain-of-a-project-or-development>

provide guidance to suitable sites to maximise BNG in relation to strategic priorities for nature.

3.18 The new Uttlesford Plan sets out a strategy for medium dispersed growth, and site allocations predominantly have a low to medium density, to align with existing settlement patterns and densities across the district. The level of density within these proposed developments should provide additional options for on-site BNG, above the mandatory 10%, with the potential for off-site delivery where this is not possible.

Biodiversity Net Gain in relation to Suitable Alternative Natural Greenspace (SANG)

3.19 Guidance from Natural England and the experience of The Land Trust³³ suggest that it is possible to provide BNG on sites that also need to contribute SANG. The following key issues need to be addressed to make sure that development adequately addresses the different requirements of SANG and BNG:

- Development must provide separate and distinct areas for SANG and BNG;
- Development must provide BNG on land designated as SANG, but the BNG must be additional to any SANG requirement i.e. SANG may require a level of grassland habitat, and BNG may be provided to further improve the quality of the grassland;
- Biodiversity Units in relation to protected species and habitats can only be used to demonstrate 'no net loss' and cannot be counted towards the 10% or higher net-gain; and
- Developers should be aware of the differences in requirements for management of SANG and BNG, including the legal requirements of maintenance and the timescales involved. SANG are required to be managed 'in perpetuity'.

3.20 SANG sites in Uttlesford have been identified to mitigate the impact of recreational development on Hatfield Forest. Discussions with Natural England in relation to initial evidence to support SANG within Uttlesford, indicate that there may be opportunities to provide BNG within the SANG sites. Given the above, it will be possible to deliver BNG at a level higher than 10% alongside SANG requirements, within Uttlesford.

³³ <https://thelandtrust.org.uk/suitable-alternative-natural-greenspace-sang-and-biodiversity-net-gain-bng>

Chapter 4

Conclusion

Conclusion and Recommendations

4.1 Uttlesford District's current biodiversity levels are far below those in other districts of similar size and population density (Tables A.1 to A3). Decades of intensive arable farming have seen significant habitat loss and degradation as well as species losses across a diverse range of flora and fauna. In some areas arable monocultural desert habitat with extensive hedge removal has replaced the previous landscape of species-rich woodland, grassland, meadow and river habitats, depleting both biodiversity and habitat connectivity.

4.2 The district therefore has enormous potential for nature recovery, through habitat regeneration and creation, with rapidly emerging and supportive Farmer Cluster networks and similar agricultural diversification instruments providing capacity to deliver significant biodiversity gains through BNG.

4.3 Uttlesford District Council is seeking to set a requirement for 20% biodiversity net gain within their Local Plan to help address loss in biodiversity and improve access to nature. The 20% biodiversity net gain target is considered deliverable and achievable within Uttlesford District, and should not affect the viability of new developments.

4.4 The unique combination of characteristics found within Uttlesford District, including low biodiversity levels, significant habitat losses and species extinctions and the practicable means for the delivery of significant biodiversity gain, represent a seminal opportunity to put Lawton's principles into practice through the requirement of 20% Biodiversity Net Gain.

Recommendation

4.5 As this report demonstrates, the low levels of biodiversity across many areas of the district, and the assessment of viability within the district, could allow for an increase in BNG of over 10%, and to at least 20%. The local plan should seek to provide 20% BNG within site allocations and new development, unless there are specific circumstances on site that would impact on the delivery of other local plan objectives, and would impact on the feasibility of development. There is no allowance within the legislation to delivery less than 10% BNG.

4.6 The Local Plan should include provision for the preparation of a technical advice note or supplementary planning document for BNG, to provide more guidance and certainty for development that comes forward within the lifetime of the local plan.

Appendix A

Local Environment Data

The tables below set out some of the key environmental information relating to Biodiversity Net-Gain in Uttlesford.

Table A.1 Relative size (species (spp.) Per km2) of Essex Districts – source National Biodiversity Network Atlas³⁴

Rank	Essex District	Area km ²
1	Uttlesford	641.2
2	Braintree	611.7
3	Maldon	357.8
4	Epping Forest	339
5	Chelmsford	338.8
6	Tendring	336.3
7	Colchester	328.2
8	Rochford	167.1
9	Brentwood	153.1
10	Basildon	110
11	Castle Point	44.67
12	Harlow	30.54

Table A.2 Population density (species (spp.) Per km2) of Essex Districts – source National Biodiversity Network Atlas³⁵

Rank	Essex District	Pop den km-2
1	Harlow	3058
2	Castle Point	2008
3	Basildon	1706
4	Colchester	586
5	Chelmsford	537

³⁴ <https://nbnatlas.org/>

³⁵ <https://nbnatlas.org/>

Rank	Essex District	Pop den km-2
6	Rochford	516
7	Brentwood	504
8	Tendring	443
9	Epping Forest	298
10	Braintree	224
11	Maldon	186
12	Uttlesford	143

Table A.3 Biodiversity (species (spp.) Per km2) of Essex Districts – source National Biodiversity Network Atlas³⁶

Rank	Essex District	Biodiversity spp. km-2
1	Harlow	38.76
2	Castle Point	33.93
3	Basildon	23.10
4	Colchester	15.29
5	Epping Forest	15.18
6	Brentwood	13.52
7	Tendring	13.45
8	Chelmsford	10.98
9	Rochford	9.58
10	Uttlesford	9.49
11	Maldon	9.29
12	Braintree	6.74

Table A.4 Notable plant species listed in Uttlesford Protected Roadside Verge designations

Species	Common Name
<i>Anacamptis pyramidalis</i>	Pyramidal Orchid
<i>Anthyllis vulneraria</i>	Kidney Vetch
<i>Astragalus glycyphyllos</i>	Wild Liquorice
<i>Blackstonia perfoliate</i>	Yellow-wort

³⁶ <https://nbnatlas.org/>

Species	Common Name
<i>Campanula glomerata</i>	Clustered Bellflower
<i>Campanula rotundifolia</i>	Harebell
<i>Campanula trachelium</i>	Nettle-leaved Bellflower
<i>Clinopodium calamintha</i>	Lesser Calamint
<i>Cruciata laevipes</i>	Crosswort
<i>Dactylorhiza fuchsii</i>	Common Spotted Orchid
<i>Erigeron acer</i>	Blue Fleabane
<i>Geranium pratense</i>	Meadow Crane's-bill
<i>Helianthemum nummularium</i>	Rock-rose
<i>Lamiastrum galeobdolon</i>	Yellow Archangel
<i>Lathyrus aphaca</i>	Yellow Vetchling
<i>Lathyrus sylvestris</i>	Narrow-leaved Everlasting-pea
<i>Linum perenne</i>	Perennial Flax
<i>Listera ovata</i>	Twayblade Orchid
<i>Melampyrum cristatum</i>	Crested Cow-wheat
<i>Ophrys apifera</i>	Bee Orchid
<i>Orobanche minor</i>	Common Broomrape
<i>Salvia horminoides</i>	Wild Clary
<i>Succisa pratensis</i>	Devil's-bit Scabious
<i>Rhinanthus minor</i>	Yellow Rattle
<i>Thalictrum minus</i>	Lesser Meadow-rue
<i>Trifolium ochroleucon</i>	Sulphur Clover
<i>Valerian officinalis</i>	Common Valerian

Table A.5 Bird population declines and extinctions in Uttlesford District

Species	Common Name	Uttlesford Decline/Extinction
<i>Acanthis cabaret</i>	Lesser Redpoll	Decline since 1980s and extinct by 2004
<i>Anthus trivialis</i>	Tree Pipit	Formerly widespread but extinct by 1970s

Species	Common Name	Uttlesford Decline/Extinction
<i>Caprimulgus europaeus</i>	Nightjar	Small local population last recorded in 1950s
<i>Coccothraustes coccothraustes</i>	Hawfinch	Last stronghold recorded in Hatfield Forest but extinct by 2000
<i>Emberiza calandra</i>	Corn Bunting	Possibly extinct or few remaining
<i>Lanius collurio</i>	Red-backed Shrike	Formerly widespread, declined rapidly through 1900s. Last pair recorded in 1962 at Great Chesterford
<i>Luscinia megarhynchos</i>	Nightingale	Recorded as particularly abundant around Saffron Walden in 1903 but extinct by early 1980s
<i>Passer montanus</i>	Tree Sparrow	Formerly widespread but population collapse led to extinction by mid 1990s
<i>Perdix perdix</i>	Grey Partridge	Probably naturally extinct though artificial releases may mask this
<i>Phoenicurus phoenicurus</i>	Redstart	Last recorded breeding in Uttlesford woodlands in 1960s but now extinct
<i>Poecile montanus</i>	Willow Tit	Population collapsed in 1990s with last few pairs recorded in early 2000s
<i>Streptopelia turtur</i>	Turtle Dove	Declines in late 1900s, no longer recorded
<i>Vanellus vanellus</i>	Lapwing	Possibly extinct though once present on chalkland in the northwest of the district

Table A.6 Butterfly population declines and extinctions in Uttlesford District

Species	Common name	Uttlesford decline/extinction
<i>Erynnis tages</i>	Dingy Skipper	1 record at Hatfield Forest between 1940 and 1980, now extinct
<i>Fabriciana adippe</i>	High Brown Fritillary	1 record at Hatfield Forest between 1940 and 1980, now extinct
<i>Lasiommata megera</i>	Wall Brown	Locally extinct but present on Essex coast
<i>Leptidea sinapsis</i>	Wood White	Last record at High Wood, Duddenhoe End in 1976 now extinct
<i>Nymphalis polychloros</i>	Large Tortoiseshell	4 records between 1940 and 1980 now extinct
<i>Pyrgus malvae</i>	Grizzled Skipper	3 records between 1940 and 1980 now only at one site on Langdon Ridge, Basildon

Species	Common name	Uttlesford decline/extinction
<i>Speyeria aglaja</i>	Dark Green Fritillary	Extinct but occasional vagrant records

Table A.7 Uttlesford Moth extinctions³⁷³⁸³⁹⁴⁰⁴¹

Species	Common Name
<i>Micropterix tunbergella</i>	Red-barred Pollen-moth
<i>Enteucha acetosae</i>	Sorrel Dot
<i>Stigmella sorbi</i>	Barred Rowan Dot
<i>Trifurcula cryptella</i>	Cryptic Dot
<i>Bohemannia quadrimaculella</i>	Four-spot Dot
<i>Ectoedemia agrimoniae</i>	Agrimony Dot
<i>Ectoedemia arcuatella</i>	Strawberry Dot
<i>Incurvaria praelatella</i>	Strawberry Cutter
<i>Lampronia capitella</i>	Currant Shoot Borer
<i>Lampronia luzella</i>	Raspberry Shoot Borer
<i>Lampronia corticella</i>	Raspberry Moth
<i>Coptotriche gaunacella</i>	Scarce Blackthorn Blotch-miner
<i>Bacotia claustrella</i>	Shining Bagworm
<i>Psyche crassiorella</i>	Scarce Grass Bagworm
<i>Triaxomasia caprimulgella</i>	Tree Hollow Moth
<i>Tinea dubiella</i>	Speckled Clothes Moth
<i>Parornix fagivora</i>	Beech Parornix
<i>Phyllonorycter kuhlweiniella</i>	Scarce Oak Leaf-miner
<i>Ypsolopha lucella</i>	Netted Ochre
<i>Ochsenheimeria vacculella</i>	Cereal Stem Moth
<i>Glyphipterix equitella</i>	Stonecrop Moth
<i>Digitivalva perlepidella</i>	Spikenard Moth
<i>Argyresthia laevigatella</i>	Larch Tip Moth

³⁷ Firmin J et al 1975 A Guide to the Butterflies and Larger Moths of Essex, Essex Naturalist Trust, Colchester³⁸ Emmet AM 1981 The Smaller Moths of Essex, Essex Field Club, London³⁹ Emmet AM and Pyman GA 1985 The Larger Mopths and Butterflies of Essex, Essex Field Club, London⁴⁰ Goodey B, 2004 The Moths of Essex, Lopinga Books, Wimbish⁴¹ Essex Field Club website individual species pages <https://www.essexfieldclub.org.uk/portal.php>

Species	Common Name
<i>Leucoptera lotella</i>	Trefoil Blister Moth
<i>Tinagma ocnestomella</i>	Speckled Bugloss Moth
<i>Crassa tinctella</i>	Plain Bark Moth
<i>Epicallima formosella</i>	Beautiful Epicallima
<i>Pleurota bicostella</i>	Heath Streak
<i>Aplota palpellus</i>	Gold-flecked Hopper
<i>Dasystema salicella</i>	Spring Reveller
<i>Agnoea flavifrontella</i>	Yellow-headed Concealer
<i>Agonopterix atomella</i>	Greenweed Buff
<i>Agonopterix nanatella</i>	Carlina Buff
<i>Depressaria pimpinellae</i>	Pimpinell Brown
<i>Depressaria depressana</i>	White-headed Brown
<i>Hypercallia citrinalis</i>	Milkwort Beauty
<i>Pancalia leuwenhoekella</i>	Violet Beauty
<i>Pancalia schwarzella</i>	Scarce Violet Beauty
<i>Cosmopterix orichalcea</i>	Canary-grass Beauty
<i>Aproaerema cinctella</i>	Scarce White-barred
<i>Aproaerema taeniolella</i>	Common White-barred
<i>Aproaerema albipalpella</i>	Broken White-barred
<i>Metzneria aestivella</i>	Carlina Seedhead Moth
<i>Monochroa tetragonella</i>	Milkwort Borer
<i>Monochroa arundinetella</i>	Pond-sedge Miner
<i>Monochroa suffusella</i>	Cottongrass Borer
<i>Mirificarma lentiginosella</i>	Greenweed Smith
<i>Gelechia sororculella</i>	Eyed Gelechia
<i>Gelechia cuneatella</i>	Willow Spinner
<i>Gelechia turpella</i>	Poplar Gelechia
<i>Scrobipalpula diffluella</i>	Fleabane Miner
<i>Caryocolum junctella</i>	Winter Groundling

Species	Common Name
<i>Coleophora trigeminella</i>	Scarce Thorn Case-bearer
<i>Coleophora fuscocuprella</i>	Hazel Case-bearer
<i>Coleophora orbitella</i>	Dusky Case-bearer
<i>Coleophora genistae</i>	Petty-whin Case-bearer
<i>Coleophora pyrrhulipennella</i>	Heath Case-bearer
<i>Coleophora vibicigerella</i>	Scarce Saltern Case-bearer
<i>Coleophora adjunctella</i>	Saltern Rush Case-bearer
<i>Coleophora virgaureae</i>	Goldenrod Case-bearer
<i>Coleophora squamosella</i>	Blue Fleabane Case-bearer
<i>Coleophora wockeella</i>	Betony Case-bearer
<i>Elachista subocellea</i>	Brown-barred Grass-miner
<i>Elachista unifasciella</i>	Blister Grass-miner
<i>Elachista gangabella</i>	Yellow-barred Grass-miner
<i>Elachista regificella</i>	Wood-rush Miner
<i>Elachista biatomella</i>	Twin-spot Sedge-miner
<i>Elachista alpinella</i>	Marsh Sedge-miner
<i>Elachista cinereopunctella</i>	Glaucous Sedge-miner
<i>Elachista serricornis</i>	Dusky Sedge-miner
<i>Mompha miscella</i>	Rock-rose Mompha
<i>Mompha terminella</i>	Enchanters Mompha
<i>Scythris grandipennis</i>	Gorse Runner
<i>Scythris picaepennis</i>	White-dusted Runner
<i>Scythris cicadella</i>	Sand Runner
<i>Oxyptilus parvidactyla</i>	Small Plume
<i>Porritia galactodactyla</i>	Spotted-white Plume
<i>Phaulernis fulviguttella</i>	Yellow-spotted Drab
<i>Phaulernis dentella</i>	Dusky Ridge-back
<i>Epermenia profugella</i>	Tawny Drab
<i>Prochoreutis sehestediana</i>	Banded Skullcap Skeletoniser

Species	Common Name
<i>Clepsis rurinana</i>	Scarce Pale Tortrix
<i>Acleris shepherdana</i>	Fen Tortrix
<i>Acleris hyemana</i>	Heath Tortrix
<i>Aethes piercei</i>	Greater Marbled Straw
<i>Cochylidia subroseana</i>	Goldenrod Straw
<i>Falseuncaria ruficillana</i>	Rusty-tipped Straw
<i>Hedya atropunctana</i>	Black-spot Marble
<i>Olethreutes arcuella</i>	Coppice Beauty
<i>Endothenia pullana</i>	Woundwort Marble
<i>Eucosmomorpha albersana</i>	Honeysuckle Beauty
<i>Ancylis obtusana</i>	Lesser Hook-wing
<i>Ancylis geminana</i>	Willow Hook-wing
<i>Ancylis apicella</i>	Streaked Hook-wing
<i>Rhopobota stagnana</i>	Scabious Marble
<i>Gibberifera simplana</i>	Scarce Clouded Tortrix
<i>Epinotia pygmaeana</i>	Dingy Spruce Tortrix
<i>Epinotia nigricana</i>	Fir-bud Tortrix
<i>Notocelia tetragonana</i>	Dark Rose Shoot Tortrix
<i>Dichrorampha sylvicolana</i>	Sneezewort Moth
<i>Cydia leguminana</i>	Elm Bark Moth
<i>Pammene spiniana</i>	Blackthorn Flower Moth
<i>Synanthedon sphecoformis</i>	White-barred Clearwing
<i>Pyropteron chrysidiformis</i>	Fiery Clearwing
<i>Adscita statices</i>	Forester
<i>Zygaena trifolii trifolii</i>	Five-spot Burnet
<i>Nyctegretis lineana</i>	Agate Knot-horn
<i>Anania funebris</i>	White-spotted Sable
<i>Paratalanta pandalis</i>	Bordered Pearl
<i>Thisanotia chrysonuchella</i>	Powdered Grass-veneer

Species	Common Name
<i>Eriogaster lanestris</i>	Small Eggar**
<i>Hemaris tityus</i>	Narrow-bordered Bee Hawk-moth
<i>Scotopteryx mucronata</i>	Lead Belle
<i>Hydriomena ruberata</i>	Ruddy Highflier
<i>Chloroclysta miata</i>	Autumn Green Carpet
<i>Colostygia olivata</i>	Beech-green Carpet
<i>Colostygia multistrigaria</i>	Mottled Grey
<i>Minoa murinata</i>	Drab Looper
<i>Rheumaptera hastata</i>	Argent & Sable
<i>Pareulype berberata</i>	Barberry Carpet
<i>Odezia atrata</i>	Chimney Sweeper
<i>Eupithecia irriguata</i>	Marbled Pug
<i>Eupithecia insigniata</i>	Pinion-spotted Pug
<i>Eupithecia extensaria</i>	Scarce Pug
<i>Eupithecia denotata</i>	Campanula Pug
<i>Isturgia limbaria</i>	Frosted Yellow
<i>Cepphis advenaria</i>	Little Thorn**
<i>Plagodis pulveraria</i>	Barred Umber
<i>Pachycnemia hippocastanaria</i>	Horse Chestnut
<i>Cleora cinctaria</i>	Ringed Carpet
<i>Siona lineata</i>	Black-veined Moth
<i>Thetidia smaragdaria</i>	Essex Emerald
<i>Clostera pigra</i>	Small Chocolate-tip
<i>Arctornis l-nigrum</i>	Black V Moth
<i>Dicallomera fascelina</i>	Dark Tussock
<i>Orgyia recens</i>	Scarce Vapourer
<i>Parasemia plantaginis</i>	Wood Tiger
<i>Setina irrorella</i>	Dew Moth
<i>Deltote uncula</i>	Silver Hook**

Species	Common Name
<i>Moma alpium</i>	Scarce Merveille du Jour
<i>Jodia croceago</i>	Orange Upperwing
<i>Dicycla oo</i>	Heart Moth
<i>Anarta myrtilli</i>	Beautiful Yellow Underwing
<i>Polia bombycina</i>	Pale Shining Brown
<i>Polia hepatica</i>	Silvery Arches
<i>Mythimna turca</i>	Double Line
<i>Mythimna litoralis</i>	Shore Wainscot
<i>Actebia praecox</i>	Portland Moth

Table A.8 UK bat species absent in Uttlesford due to habitat loss

Species	Common name	Uttlesford decline/extinction
<i>Myotis alcathoe</i>	Alcathoe bat	Absence likely to be due to decline in woodland and undisturbed open water habitats and prey insect declines caused by intensive farming practices
<i>Myotis bechsteinii</i>	Bechstein's bat	Absence likely to be due to decline in Ancient Woodland and other woodland habitats and prey insect declines caused by intensive farming practices
<i>Myotis brandtii</i>	Brandt's bat	Absence likely to be due to decline in woodland, undisturbed open water habitats, undisturbed barns and buildings prey insect declines caused by intensive farming practices
<i>Myotis mystacinus</i>	Whiskered bat	Absence likely to be due to decline in hedgerows and other wooded habitats prey insect declines caused by intensive farming practices
<i>Rhinolophus ferrumequinum</i>	Greater Horseshoe bat	Absence likely to be due to decline in hedgerows and other wooded habitats and prey insect declines caused by intensive farming practices
<i>Rhinolophus hipposideros</i>	Lesser Horseshoe bat	Absence likely to be due to decline in undisturbed vegetated lowland valleys and prey insect declines caused by intensive farming practices