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Essex Wildlife Trust provides advice to Local Planning Authorities to inform planning decisions in respect of potential ecological impacts from development. If the applicant or any other interested party requires additional information on the advice we have provided, any such queries should be directed to the Planning Case Officer who will seek further information from us where appropriate and necessary.

Dear Planning Policy Team,

Colchester Green Spaces and Waterways Consultation

Thank you for contacting us regarding the above consultation. We welcome this opportunity to provide our comments.

1. Introduction

It is clear that Colchester City Council's starting point and immediate focus for the current Local Plan Review is the enhancement of Colchester's green network. Essex Wildlife Trust welcomes this strong commitment to "*creating a better environment*". To succeed, this ambition to enhance the green network relies, crucially, on Colchester's network of designated Local Wildlife Sites.

With this clear direction, the Trust calls on Colchester City Council, with its strengthened duties to enhance biodiversity under the Environment Act 2021, to permanently safeguard Middlewick Ranges Local Wildlife Site (Co122).

In spite of its special status for wildlife, recognised by its designation as a Local Wildlife Site in the Colchester Local Plan, and its importance to local people as a highly valued green space, Middlewick Ranges, perversely, remains threatened with destruction under the same Local Plan. This threat is in the form of a proposed housing allocation of 1,000 houses, which would destroy the site.

Essex Wildlife Trust urgently advises that the allocation of Middlewick Ranges for housing should be immediately removed from the Local Plan and the site protected as a vital part of Colchester's Green Spaces Network and the wider Local Nature Recovery Network (LNRN). Ideally it should be formally designated as a Nature Reserve/Country Park managed in perpetuity for the benefit of wildlife and people.

2. Importance of Middlewick Ranges

Middlewick Ranges is an outstandingly important site for wildlife, not only for Colchester but for Essex and the wider region. At 76 hectares, it is one of the largest Local Wildlife Sites in the area and, on its own, represents nearly 4% of the District's total Local Wildlife Site acreage. With tens of hectares of rare acid grassland habitat, Middlewick Ranges encompasses the largest extent of this habitat in north Essex. The habitat is of the same ecological importance as acid grasslands of fully protected Sites of Special Scientific Interest, such as Epping Forest SSSI.

Acid grassland is a type of natural dry grassland that grows on low fertility, sandy and gravelly soils, similar to lowland heath. In these exacting conditions, uncommon grasses and wildflowers thrive and a very unusual and special insect fauna develops. On Middlewick Ranges, the grassland and its underlying carbon-rich soils have been undisturbed for at least two centuries and were also historically part of an even more extensive grass-heath environment to the south of Colchester. This has allowed high levels of biodiversity to flourish.

As Natural England's letter of 28th June 2022 to your Council emphasised, the significance of its special acid grassland is likely to have been underestimated. And yet, this Local Wildlife Site is threatened with destruction to make way for development.

Of real concern to the Trust is the fact that the site's insect biodiversity was inadequately addressed during the Local Plan preparation. Due to its rare soil and grassland type, Middlewick Ranges is home to over 1400 invertebrates, over 150 of these having a conservation status (being threatened/endangered/rare or protected). Examples include Stag Beetle, Purple Emperor butterfly, Four-banded Weevil-wasp and other extremely rare solitary bees, digger and cuckoo wasps and the Necklace Ground Beetle, Britain's fastest declining beetle.

In the Trust's opinion, Middlewick Ranges is almost certainly now of national importance for insect biodiversity. EECOS (now Essex Ecology) advised your officers in early 2021 that the site, with more survey work, could reach a level to be considered of SSSI quality. New data was submitted to you by Essex Field Club and Butterfly Conservation in June 2022 supporting this, including at least 23 Red Data Book Species and a quarter of all Essex's known moths and butterflies.

Middlewick Ranges lies within the Thames Estuary Important Invertebrate Area (IIA). IIAs have been identified by Buglife using the data from 85 national invertebrate recording schemes and data from Local Environmental Records Centres. IIAs are nationally or internationally significant places for the conservation of invertebrates and the habitats upon which they rely. Natural England, in its letter to your authority, stated that it would expect this exceptional biodiversity to be properly safeguarded.

In addition to its exceptionally important invertebrate assemblage, Middlewick Ranges Local Wildlife Site supports an abundance of other wildlife including common lizard, slow worm and grass snake, a range of bat species (including the rare Barbastelle bat), badgers, and over 10 Red Listed Birds of Conservation Concern (BOCC), including Grasshopper Warbler, Skylark and Nightingale. It also supports several Essex Red Listed plants and a range of Waxcap fungi associated with acid grassland.

3. Birch Brook Local Wildlife Site

In addition, Birch Brook Local Wildlife Site would be subjected to significant harmful impacts by the proposed development of Middlewick Ranges; this currently tranquil green corridor supports

one of the county's most important Nightingale populations, as well as many other breeding birds and Essex Red Listed plants, including a variety of rare ferns. It provides a vital resource for wildlife and a connecting corridor, directly linking to the Roman River Valley SSSI. Development of Middlewick Ranges would threaten this wildlife haven, including the breeding Nightingales, due to the increased pollution, noise, lighting, trampling and predation by domestic pets associated with a large new housing estate.

4. Weir Lane Grasslands

The mitigation for the destruction of Middlewick Ranges, which was proposed at the Local Plan examination in 2021, was completely flawed and would in no way safeguard the Ranges' biodiversity. The proposed mitigation did not take account of the richness of the insect fauna nor the undisturbed, carbon-rich soils and, furthermore, proposed the ploughing up and destruction of old grasslands to the south of the Ranges, in the area of Weir Lane.

These old grasslands currently represent one the largest tall and tussocky grasslands in the Colchester District, being over 100 hectares in total area. They also form part of a vital green corridor which connects the Roman River SSSI to Birch Brook and Middlewick Ranges LoWS, reaching into the heart of Colchester.

These permanent grasslands have established to provide a home for an important assemblage of invertebrates and the small mammals, reptiles, amphibians, birds and bats which feed on them. Apex predator species include Kestrel, Barn Owl and Common Buzzard.

The hedgebanks which divide the grasslands into smaller fields support many large and ancient oaks. The presence of bracken, broom and wood sage is indicative of relatively sandy soils, as evidenced by soil tests. Some areas of grassland support finer grasses such as common bent and meadow grasses, and there are areas of abundant flowers such as yarrow, oxeye daisy and St John's-wort. This demonstrates the considerable potential of these grasslands if they are protected and managed sensitively for wildlife.

5. Policy context

Colchester City Council has a statutory duty to protect biodiversity under the NERC Act 2006, which has now been strengthened by the Environment Act 2021. The allocation for housing at Middlewick Ranges is in direct conflict with Government aspirations for nature's recovery, being contrary to National Planning Policy Framework (NPPF) guidelines on the Environment and Government legislation on Local Nature Recovery Networks and Biodiversity Net Gain (Environment Act 2021). These jointly require protection of Local Wildlife Sites to recognise their importance and the contribution they make to wider ecological networks and as core areas of habitat vital to emerging Local Nature Recovery Networks.

Paragraph 174 of the NPPF 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'

Paragraph 175 states that 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.'

Paragraph 179 states that 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.'

Paragraph 180 states that 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'

This protection quite explicitly steers development away from Local Wildlife Sites in all but the most socially significant situations where an **overriding need** for the development **in that location** has been established. Local Wildlife Sites represent the critical natural capital of the county and it is essential that they receive this level of protection.

It is abundantly clear that the allocation of Middlewick Ranges for development does not accord with the above legislation and policy. Development of the Ranges would result in: the permanent loss of an extensive and important ecological network; the destruction of a site designated for its nature conservation value, and estimated to be of national importance and potential SSSI status due to its exceptional invertebrate assemblage; failure to protect and enhance a natural asset; and failure to maximise opportunities for the preservation, restoration, enhancement, and connection of natural habitats. It would also result in increased habitat fragmentation and directly conflict with Government initiatives to support nature's recovery.

The applicant has not demonstrated an over-riding need for housing development in this location to justify such a catastrophic loss of biodiversity in the District. Given the increasing urgency of the need to tackle the burgeoning nature and climate emergencies, locally, nationally, and globally, this is patently unacceptable.

6. Conclusion

Accordingly, in the face of the climate emergency and the UK's deepening biodiversity crisis, and with your Council's now strengthened duties to enhance biodiversity, Essex Wildlife Trust takes the view that the full, long-term protection of Middlewick Ranges, and their management for wildlife and people, is essential. Safeguarding this green space for current and future generations of

local people, and visitors from farther afield, is also of paramount importance for future well-being. Such a wildlife-rich, accessible, and large open space allows encounters and engagement with the full diversity of nature, where wildlife and human history combine to make it unique and irreplaceable.

We are therefore requesting and advising that Colchester City Council removes the current site allocation for housing at Middlewick Ranges and provides revised housing allocations at alternative, more suitable and environmentally sustainable locations. We also request that the Council commits to fully protecting Middlewick Ranges by formally designating the site as a Local Nature Reserve or Country Park.

In addition, we request that the old grasslands to the south of Middlewick Ranges (Weir Lane) should be included in Colchester's Green Network by including them as part of a protected Local Nature Reserve/Country Park alongside Middlewick Ranges and Birch Brook Local Wildlife Site for wildlife and the people of Colchester to enjoy.

Kind regards,

Annie Gordon

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We are the county's [leading conservation charity](#), committed to [protecting wildlife](#) and inspiring a [lifelong love of nature](#).