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Our ref: 500413
Your ref: 24/2073/OUT



Claire Westwood
Three Rivers District Council

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BY EMAIL ONLY

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Dear Claire

Planning consultation: Outline Application: Development of up to 600 residential dwellings , construction of a 5-bedroom property for children's social care and supported living cafe provision, car parking and associated infrastructure. A country park, areas for play and recreation, allotments, community orchard and landscaping with associated infrastructure including sustainable urban drain-age systems
Location: Land To North Of Little Green Lane Croxley Green WD3 3SP

Thank you for your consultation on the above dated 22 January 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- damage or destroy the interest features for which Whippendell Wood Site of Special Scientific Interest and Croxley Common Moor Site of Special Scientific Interest have been notified.

In order to mitigate these adverse effects and make the development acceptable, the following options should be secured:

- Provision of 24ha green space/country park with secured management plan/maintenance for the lifetime of the development
- Minimum 30m buffer zone around ancient woodland within and adjacent to the proposed development
- An ancient woodland recreational management plan
- Information packs for residents on sensitive use of local habitats/protected sites
- A Construction Environment Management Plan for both construction and operational measures

We advise that an appropriate planning condition or obligation is attached to any planning

permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

The proposed development falls within the Impact Risk Zones (IRZs) for Whippendell Wood SSSI and Croxley Common Moor SSSI and, without appropriate mitigation, has the potential to impact the sites' interest features. Natural England are satisfied that subject to securing of the below measures, the development will have minimal impact on the above designated sites. We have come to this conclusion after review of the following documents:

- Planning statement MNP-00124.C8622 December 2024
- Ecological Impact Assessment and Biodiversity Impact Assessment RSE_8239 _R1_V 4_E cIA December 2024
- Agricultural Land Classification and Soil Resources July 2024
- Landscape & Visual Impact Assessment and Green Belt Assessment I000010_DL100_E December 2024

Protected sites - Open Green space design

Having reviewed the provided landscape mitigation plan Natural England are satisfied that subject to implementation of the open Green Space design set out within the planning statement and illustrative masterplan, adverse impacts on Whippendell Wood SSSI and Croxley Common Moor SSSI can be avoided/mitigated. In order to provide an alternative to these highly sensitive protected sites, it is important that the development delivers, at the appropriate phasing, a suitable scale and quality of Green Space, ideally in accordance of Natural England's Green Infrastructure Framework: Principles and Standards, and particularly the [ANGst guidelines](#). Ideally this should include:

- Circular walk of at least 2.3km
- Provision for dogs along SANG guidelines e.g. off lead areas, dog waste bins
- Signage and interpretation of PRoW/paths
- On-site maintenance and management of greenspace/country park secured in perpetuity

Due to the location of the proposed development within the Area of Search for the Chilterns National Landscape we recommend liaising with the Chilterns Conservation Board to inform such designs, ensuring they are sympathetic to the landscape character.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Protected Landscapes – Chilterns National Landscape

The proposed development is located partly within/ within a proposed area of search which Natural England is considering as a possible boundary variation to the Chilterns Area of Outstanding Natural Beauty (AONB, known as National Landscape). Whilst this assessment process does not

confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the proposal. Natural England considers the Chilterns to be a valued landscape in line with paragraph 180 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 182 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies. In addition, [Section 245](#) (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities to seek to further the statutory purposes of the area in carrying out their functions in relation to, or so as to affect, land in an AONB.

We expect consultation with the appropriate statutory body, in this case, the Chilterns Conservation Board to inform design and mitigation measures associated with this development.

An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issuing of the designation Order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.

Ancient woodland, ancient and veteran trees

The proposed site contains ancient woodland both within and adjacent to the red line boundary. Natural England acknowledges and welcomes provision of the aforementioned Green Infrastructure and a minimum 30m buffer zone for all ancient woodland within the site.

We strongly recommend liaising with the Forestry Commission as the statutory body for woodland habitats to inform a management plan and appropriate mitigation.

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. The [Natural England Access to Evidence - Ancient woodlands Map](#) can help to identify ancient woodland. Natural England and the Forestry Commission have produced [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK \(www.gov.uk\)](#) (standing advice) for planning authorities. It should be considered when determining relevant planning applications.

The following should be secured:

- An Ancient woodland recreational management plan
- A minimum 30m buffer around ancient woodland and woodland habitats, with associated root protected zone in design plans.

Other advice

Best and Most Versatile Agricultural Land or Minerals and Waste reclamation

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#). [Find open data - data.gov.uk](#) on Agricultural Land Classification or use the information available on [MAGIC \(defra.gov.uk\)](#).

The Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites \(publishing.service.gov.uk\)](#) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and

landfilling, we refer you to [Reclaim minerals extraction and landfill sites to agriculture - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/mineral-extraction-and-landfill-sites-to-agriculture), which provides guidance on soil protection for site restoration and aftercare. The [Soils Guidance \(quarrying.org\)](https://www.gov.uk/government/publications/soils-guidance) provides detailed guidance on soil handling for mineral sites.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter, please contact me on consultations@naturalengland.org.uk.

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above.

Should the proposal change, please consult us again.

Yours sincerely

Betsy Brown
Sustainable Development Higher Officer – West Anglia Team

Annex A - Natural England General Advice

Wider landscapes

Paragraph 180 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](#) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](#) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](#) for further information.

Designated nature conservation sites

Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](#) and Natural England must be consulted on 'appropriate assessments' (see [Appropriate assessment - GOV.UK \(www.gov.uk\)](#) for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](#) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](#)).

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities \(gov.uk\)](#) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply - GOV.UK \(www.gov.uk\)](#) for more information.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(www.gov.uk\)](#) may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as 'priority habitats and species' in the England Biodiversity List published under section 41 of the Natural

Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your 'biodiversity duty' to your policy or decision making

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](https://www.brownfieldhub.org.uk/) for more information and Natural England's [Open Mosaic Habitat \(Draft\) - data.gov.uk](https://data.gov.uk/dataset/open-mosaic-habitat-inventory) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/115122/nppf-2019-glossary.pdf) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

For further information on the timetable for mandatory biodiversity net gain, we refer you to [Biodiversity Net Gain moves step closer with timetable set out - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/biodiversity-net-gain-moves-step-closer-with-timetable-set-out). [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain-guidance) provides more information on biodiversity net gain and includes a link to the draft [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain-guidance) Planning Practice Guidance.

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/calculate-biodiversity-value-with-the-statutory-biodiversity-metric) for more information. For small development sites, [The Small Sites Metric - JP040 \(naturalengland.org.uk\)](https://naturalengland.org.uk/the-small-sites-metric) may be used. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](https://naturalengland.org.uk/sites-of-special-scientific-interest-managing-your-land). Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](https://naturalengland.org.uk/the-environmental-benefits-from-nature-tool-beta-test-version) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/natural-environment) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI) we refer you to [Green Infrastructure Home \(naturalengland.org.uk\)](https://naturalengland.org.uk/green-infrastructure-home) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality

parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 [GI How Principles \(naturalengland.org.uk\)](https://naturalengland.org.uk/gi-how-principles). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The [Green Infrastructure Map \(naturalengland.org.uk\)](https://naturalengland.org.uk/green-infrastructure-map) and [GI Mapping Analysis \(naturalengland.org.uk\)](https://naturalengland.org.uk/gi-mapping-analysis) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation:

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails:

Paragraphs 105,185,187 and 193 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby National Trails. We refer you to [Find your perfect trail, and discover the land of myths and legend - National Trails](#) for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIIIECP) is a National Trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of the KCIIIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIIIECP and the benefits of maintaining a continuous coastal route.

Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal access, and National Trails.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/natural-environment).