Objection to planning application 25/01672/OUT

To: Basildon Borough Council, Planning (case officer for 25/01672/OUT)

From: Protect Langdon, represented by Dr Jackie Lighten (lead and representative),
Langdon Hills, Essex (protectlangdon@gmail.com)

Application: 25/01672/OUT, outline application for up to 61 dwellings, all matters reserved except access from Dry Street, Land at Dry Street Farm Cottages, Langdon Hills

Date: 10 October 2026

Summary

Protect Langdon objects to this application and asks the Council to refuse it. This representation is submitted on its behalf by Dr Jackie Lighten, its lead and representative. The reasons, in order of weight, are:

1. Langdon Ridge Site of Special Scientific Interest (SSSI). The site adjoins the SSSI. The application does not assess recreational, pet, lighting or in-combination effects on it, and the measures it relies on are not secured. On this information it has not been shown that the test in policy N6(1)(b) of the National Planning Policy Framework (NPPF, 17 August 2026) is met. Essex Wildlife Trust, whose pre-application advice the applicant presents as having shaped the buffer and fence, has since objected to the application as submitted, saying they will not adequately mitigate the impacts on the SSSI. Natural England's own records note visitors trampling bluebell ground flora off the paths in the same SSSI woodland.

2. Flood risk. The Environment Agency rates land on the site's Dry Street frontage at high risk of surface water flooding. The application applies no sequential test, the Council's own plan-level sequential test did not assess this land, and the hazard on the only access has not been assessed.

3. Protected species and ecological information. The survey information is not sufficient to show the effects on bats, breeding birds, barn owl, badgers and invertebrates; the Ecology Report predates the submitted masterplan; and the application does not address the Essex Local Nature Recovery Strategy.

4. Green Belt. The Council's own Green Belt Study finds the parcel containing the site "does not meet the definition of grey belt land". If the Council nonetheless treats the field as grey belt, the proposal must still meet every limb of NPPF GB7(1)(g), and the SSSI and flood policies still apply.

5. The draft allocation. The Regulation 19 Policy H20 extension carries limited weight: it has not been examined, the Council has not published an ecological, sustainability or flood appraisal of the extension on its own, and the application exceeds its capacity.

6. Highway safety. The highway authority's recorded concerns about Dry Street have not been shown to be resolved.

The site cannot hold the scheme. The applicant allows for a 3 m buffer to the SSSI, a drainage basin of no stated size, and 0.49 ha of public green space. The correct figures are a 15 m buffer (the applicant's own Ecology Report), a 0.15 ha basin (the applicant's own Flood Risk Assessment) and 1.17 ha of green space (Natural England's standard for green space meant to draw residents away from a protected site; the Golden Rules' own green space requirement is separate and smaller). That takes the land for housing from 1.96 ha to 0.75 ha, the homes from 61 to about 23, and the affordable homes from 31 to about 12. The scheme the application describes does not fit on this field (point 1.7A).

We also ask the Council to take the procedural steps in section 7. Section 8 sets out, without prejudice to this objection, the controls that would be needed if the Council were nevertheless minded to grant permission.

Documents are cited by their titles on the planning register, with paragraph or page numbers. "FRA" in quotations means flood risk assessment. A list of Council and national documents cited is at Annex A.

1. Langdon Ridge SSSI (NPPF N6(1)(b); Wildlife and Countryside Act 1981, sections 28G and 28I)

The test. NPPF N6(1)(b) says development affecting an SSSI "should only be supported if" there would be "no adverse effect (either individually or in combination with other developments) on the site's features of special scientific interest", or the benefits "clearly outweigh" the likely impact, or an Environmental Delivery Plan addresses the impact. No Environmental Delivery Plan has been made for this area.

Policy H20 of the Council's Regulation 19 plan says the extension "requires development to incorporate an appropriate buffer with measures to safeguard this designated site" and that recreational pressure on the SSSI must be assessed and mitigated in line with Natural England's guidance (Regulation 19 plan, PDF pp.450 to 453; para 15.359 and criterion 9). Policy H20 is the draft plan's policy for Land North of Dry Street, which earlier Council documents call site H24.

1.1 The site adjoins the SSSI. The site touches Langdon Ridge SSSI and shares about 114 m of boundary with SSSI unit 14 (broadleaved woodland, assessed "Unfavourable: Recovering"). No point in the site is more than about 160 m from the SSSI. (Measured from Natural England's published SSSI boundary and the Council's application boundary; Ecology Report paras 2.4 to 2.7.) Unit 14 is Willow Park, which the SSSI citation names for "a more specialised scrub-heath assemblage" of invertebrates "associated with the damper areas at Willow Park" (citation, p.2). The adjoining Westley Green estate was permitted in December 2013, before the SSSI was notified in June 2018 (point 1.10); the SSSI's statutory protection post-dates the permission for the estate now beside it.

1.2 Recreational pressure is the SSSI's recorded problem. Natural England records one pressure on the SSSI: recreational disturbance, identified in 2019 and active. Its list of operations likely to damage

the SSSI includes “the release into the site of any… domestic animal” and “recreational or other activities likely to damage or disturb the features of special interest”. The site falls within Natural England’s Impact Risk Zone triggers for residential development of 50 or more units, new footways, and discharges to surface water. (Natural England, Designated Sites View and Impact Risk Zones, read 28 September 2026.)

1.3 The applicant accepts the pressure exists. The Ecology Report records Essex Wildlife Trust’s advice that the SSSI “has been damaged in the past by unauthorised access by nearby residents of new housing” (para 5.3). The Planning Statement reports that the Trust “highlighted existing issues within the SSSI caused by dog walkers and others not adhering designated rights of way” (para 5.7). The applicant’s exhibition boards told residents “The SSSI already faces pressure from heavy use of footpaths, anti-social behaviour, and encroachment into sensitive areas” (Statement of Community Involvement, PDF p.48).

1.4 No quantified assessment, and a different test. The Ecology Report quotes the “individually or in combination” test (para 1.13) but considers the scheme alone (paras 5.1 to 5.4). It contains no estimate of visits, no assessment of dogs or cats, no lighting assessment, and no assessment of effects in combination with the adjoining 725 homes (12/01080/OUT).

It reasons that because the SSSI’s units are in favourable or recovering condition the SSSI “is capable of absorbing significant amounts of recreational access without impacting its condition”, and concludes that the development “is unlikely to result in a significant adverse impact on Langdon Ridge SSSI” (para 5.4; the Planning Statement repeats this at paras 8.59 to 8.60).

No evidence is offered for that capacity. Natural England’s condition record is a snapshot from June 2018 (point 1.12). “Unfavourable: Recovering” means a unit has been damaged and is judged to be recovering; it does not mean the unit has spare capacity for more use. Every one of the SSSI’s 14 woodland units, including unit 14 beside the site, carries that status. Natural England’s own 2019 note on another unit warns that it is “likely to become unfavourable in the future” if its management fails. The Trust makes the same point (1.11).

N6(1)(b) does not ask whether an impact is significant; it asks whether there would be “no adverse effect”. No visitor data or analysis supports either conclusion. The ecologist’s remark that there is “relatively little evidence of off-trail recreational access” in the SSSI (para 2.6) is undated, and the report’s survey visits in 2025 ran from May to October (paras 1.4, 3.2, 4.9, 4.24); the only winter visit, in December 2021, was “in dry and bright conditions” (para 3.1).

No survey looked at the SSSI in wet winter conditions, when walkers and dogs spread off muddy paths, or in spring, when the “carpets of bluebells” the SSSI citation records in its historic woodlands are most exposed to trampling (Natural England, Langdon Ridge SSSI citation, p.2). Natural England’s own site check of the SSSI’s woodland records that behaviour (point 1.12). Winter is when off-path use is greatest: walkers and dogs leave muddy paths, and the trampling compacts the soil over bluebell bulbs that lie dormant below ground until spring. The damage is done in the wet months and shows only when the plants fail to emerge, so a survey in a dry summer sees neither the trampling nor its cause.

1.5 The scale is not trivial. Using national averages (2.4 persons per dwelling; PDSA Animal Wellbeing Report 2025 rates of dog and cat ownership), 61 homes would house about 146 people, 23 dogs and 22 cats, every home within about 160 m of the SSSI. The adjoining 725 homes, many already occupied, add about 1,740 people and 280 dogs to the same edge of the SSSI, so in combination the figures are about 1,890 people and 300 dogs. These are estimates; the method and inputs are at Annex B. The applicant has made no estimate at all.

1.6 The design brings recreation to the SSSI edge. The Ecology Report describes "a minimum 15 m wide permanent no-build soft landscape strip" to be "retained as a dark (unilluminated by artificial lighting) semi-natural native vegetation buffer habitat to ensure that the SSSI and any associated nocturnal wildlife are protected from any direct and indirect development related disturbance" (para 5.2), and also says the buffer is to be managed to "meet nature conservation as well as recreational objectives" (para 5.15).

The submitted Landscaping Details drawing labels only a "Minimum 3m wide landscape buffer" beside the SSSI (the first issue of the same plan is the Ecology Report's own Appendix A, point 3.5), and places "A play area, incorporating recessive, timber equipment" as "a focal point within the development", with "Informal, mown paths […] creating a loop walk", in the green space facing it.

The Design and Access Statement offers a "New circular dog walking route within the Site" and a perimeter trail for "the new and existing communities" for "dog walking" (printed pp.5 and 50). The Health Impact Assessment says the right of way will be linked across the site "allowing access to the wider countryside to the northwest" (PDF p.34), where the right of way runs beside the SSSI woodland. No document explains how a strip used for play and daily dog walking would also protect the SSSI from "any direct and indirect" disturbance; Natural England's standing advice allows access to a buffer only "if the habitat is not harmed by trampling". Is it realistic to expect residents living beside ancient woodland to exercise their dogs on a mown loop round their own estate rather than in the woodland; the applicant's own documents market the countryside access to them.

1.7 The buffer and the open space are the same land. A 15 m strip along the SSSI-facing boundary is about 0.38 ha. The Design and Access Statement offers "Up to 1.2 acres" (about 0.49 ha) of open space. About three quarters of the open space is therefore the 15 m buffer strip itself (calculation at Annex B). The applicant reports that Essex Wildlife Trust encouraged play, open space and a walking loop within the site as an alternative to the SSSI (Planning Statement para 5.7), and we accept that on-site recreation can draw people away from sensitive land.

But recreational open space and the alternative natural green space that draws people away from a protected site are different things, and Natural England sets different standards for each. Its guidelines for Suitable Alternative Natural Greenspace (SANG), written for space whose specific function is to divert visitors from a protected site, call for semi-natural land with little artificial structure, a circular walk of 2.3 to 2.5 km and 8 ha for every 1,000 new residents, put the smallest SANG at 2 ha, and allow other uses only where they do not conflict with that function. The 0.49 ha offered here is ordinary amenity space: a play area as its "focal point", a mown loop, the drainage basin and the buffer strip. For 146 residents the SANG standard is about 1.17 ha, and the 2 ha minimum is most of this 2.45 ha field. The

accessible green space the Golden Rules require (point 1.7A) is a separate and smaller requirement. The applicant's 0.49 ha cannot be the buffer, the play space, the drainage land, the Golden Rules green space and the alternative to the SSSI all at once.

And a loop inside a field of about 2.45 ha cannot be longer than the field's perimeter of about 676 m, and it runs along the SSSI boundary.

1.7A What the field can hold. The Golden Rules require new green space that supports nature recovery and, where no local standard exists, meets Natural England's standards on accessible green space (GB8(1)(c)). Those standards look first for natural green space within a short walk of the homes. Here the only such space is the SSSI itself, so the green space limb of the Golden Rules would be met by the very use that point 1 says is unassessed.

The table sets the application's own allocations against what the same field needs once the buffer, the drainage basin and the green space are counted properly. Ranges and sources are at Annex B4.

	As the application has it	What it should be
Site	2.45 ha	2.45 ha
Buffer to the SSSI	A 3 m strip, about 0.08 ha, inside the open space (Landscape Strategy Plan)	A 15 m strip, about 0.38 ha, kept free of play and paths (the Ecology Report's own figure, para 5.2)
Drainage basin	Inside the open space; no area given	About 0.15 ha for the 900 cubic metre basin the Flood Risk Assessment specifies
Accessible green space (Golden Rules; Natural England's Green Infrastructure standards)	"Up to 1.2 acres", about 0.49 ha, and it contains the strip, the play area and the basin	At least 0.5 ha outside the buffer and the basin (Natural England's doorstep standard; its capacity standard of 3 ha per 1,000 people gives about 0.44 ha)
Alternative natural green space to draw residents away from the SSSI (Natural England's SANG guidelines)	None as such; the play area and mown loop in the same 0.49 ha are offered as the alternative (Planning Statement para 5.7)	8 ha per 1,000 people, about 1.17 ha, semi-natural, with a 2.3 to 2.5 km circular walk; the smallest SANG in Natural England's guidelines is 2 ha
Land left for homes, roads and parking	About 1.96 ha	About 0.75 ha (the Golden Rules space taken as lying within the 1.17 ha)
Homes at the application's own density (about 31 per hectare)	61	About 23
Density needed to fit 61 homes	31 per hectare	81 per hectare
Affordable homes at the 50% the application commits to	31	About 12 (10 to 14)*

* At the same 50% share. No build costs or land values have been published for this scheme, so viability cannot be tested from the record; if the applicant were later to argue viability, the affordable share could fall further still.

Even on the applicant's own 0.49 ha of open space, moved outside the buffer and the basin, the land for homes falls to about 1.43 ha, a reduction of about a quarter, and 61 homes would need about 43 per hectare.

The 15 m in the table is the applicant's own figure, and it is the minimum in Natural England's standing advice for ancient woodland, set "to avoid root damage". The same advice says a larger buffer is likely to be needed "where assessment shows other impacts are likely to extend beyond this distance", that larger buffers are more likely to be needed where the surrounding area is "close to residential areas", and that access to a buffer may be allowed only "if the habitat is not harmed by trampling". Recreation, lighting and cats reach further than roots. At 30 m the strip is about 0.72 ha, the land for homes falls to about 0.4 ha and the field holds about 13 homes; at 50 m nothing is left.

The point is not that one of these numbers is right. It is that the application has not shown that 61 homes, a buffer that is really a buffer, the drainage land required, the green space the Golden Rules require and 50% affordable housing all fit on this field. Under GB8(3) a viability case for falling short of the Golden Rules may be made only in three stated circumstances, none of which is claimed. Before granting "up to 61", the Council needs to know how many homes the constrained field can hold and whether the affordable housing and the SSSI measures survive that number.

1.8 The protective measures are not fixed. The applicant offers a condition or planning obligation to secure fencing, resident briefing and on-site recreation (Planning Statement para 8.60). But the fence relied on in the Essex Biodiversity Validation Checklist and the Ecology Report ("robust fencing", para 5.3) is described in the Landscape Visual Impact Assessment and Green Belt Assessment as temporary: "A post and wire fence would be erected within this landscape buffer in the shorter term to reinforce the defensible edge. This can then be dismantled as the planting matures" (para 3.5). Once dismantled, nothing would stop people, dogs or cats passing from the gardens and open space into the SSSI.

Layout is reserved, and no parameter plan fixes the buffer's width or what it may be used for. The ranger funding and works within the SSSI shown on the exhibition boards appear in no submitted document and in no planning obligation offered.

1.9 The Council's own practice on this edge. For a single house at Well Green Cottage, Dry Street, the Council's ecology advisers recorded "Temporary holding objections due to insufficient information on European Protected Species (Bats and Great Crested Newts) and Statutory Designated site (Langdon Ridge SSSI)", lifted once a bat roost assessment was supplied (officer report, 25/01142/FULL, PDF p.4).

For Northlands, on Dry Street beside the same SSSI, the Council's ecologists wrote "Potential for recreational impact on SSSI likely to be a concern" (Strategic Sites Ecology Assessment 2025, PDF p.34). This application, for 61 homes directly adjoining the SSSI, contains no SSSI recreational assessment and no lighting assessment.

1.10 The adjoining 725 homes are not a precedent. They were permitted on 13 December 2013, before the SSSI was notified on 29 June 2018, and their parameter plans kept Dry Street Pastures and the Langdon Complex local wildlife sites as retained open space on the woodland side.

1.11 Essex Wildlife Trust objects. The Trust's letter to the Council of 3 March 2026, re-sent on 29 September 2026 because it had not been published, objects to the application. It says:

- "the proposed 15-metre buffer and boundary fence will not be sufficient to nullify or adequately mitigate the impacts on the Langdon Ridge SSSI";
- that the Ecology Report "conflates the prevention of unauthorised trespass with the wider issue of increased lawful recreational use", since a fence does nothing about new residents using the SSSI's formal entrances;
- that unit 14's "Unfavourable: Recovering" condition "does not indicate a capacity to absorb further recreational pressure";
- that "No Recreational Impact Assessment has been undertaken"; and
- that the absence of any contribution to SSSI management, wardening or restoration is "a material omission".

The applicant relies on the Trust's involvement: the Ecology Report says the development "has been designed, in consultation with the Essex Wildlife Trust" (para 5.2), and the Planning Statement cites the Trust's advice (para 5.7). The Trust's own position is that the design does not answer the problem. In arguing against the site's earlier exclusion from the plan, the Planning Statement says "No site-specific evidence has been published to substantiate the assertion that development on the Site would give rise to ecological concerns" (para 6.55). The Trust's letter is site-specific evidence of exactly that.

1.12 Natural England's own record of trampling. Natural England's unit records for the SSSI include a site check on 12 September 2019 of Martinhole Wood (unit 29), woodland about 280 m from the application site, with the officer's comment: "The woodland is heavily poached by human visitors who often wander off the paths and trample areas that support bluebells and other ground cover."

The recreational disturbance pressure on the SSSI was recorded the same day. The Ecology Report says unit 14 was "last assessed by Natural England in 2020" (para 2.7). The record shows no assessment in 2020: the 2020 entry was created in the office on 6 August 2020 against the June 2018 survey, and its field visit date is blank. The report takes the unit's status from the same database that holds the 2019 site check but does not mention the check. The same records show that the condition of every one of the 35 units, including unit 14's "Unfavourable: Recovering", rests on the Common Standards Monitoring assessment of 27 June 2018, two days before notification; no later field assessment is recorded, and the entries dated 2020 are administrative re-entries of the 2018 result.

The Ecology Report's reasoning that the SSSI "is capable of absorbing significant amounts of recreational access" therefore rests on a condition snapshot taken at notification, while Natural

England's only later field note on the woodland records visitors trampling the ground flora off the paths. (Natural England, Designated Sites View, unit details 014 and 029, read 10 October 2026.)

What the SSSI is. Natural England notified Langdon Ridge as "a landscape-scale interconnected area of conservation priority" whose features "occur within and are supported by the wider habitat mosaic", with meadows, hedgerows and woodland edges providing "linkages across the landscape" (citation, pp.1 to 2). A site of that kind is protected by what surrounds and connects it, not only by its boundary line. The application field is the open land between the Westley Green estate and the SSSI woodland on this edge; building on it brings the estate to the woodland boundary.

Conclusion on point 1. On the information submitted there is no assessment that could support a conclusion of no adverse effect on the SSSI's features, alone or in combination, and no assessed impact against which benefits could be weighed. Natural England gave no pre-application advice: the Planning Statement records that it "was unable to respond via its Discretionary Advice Service due to capacity constraints" (para 5.10).

We ask the Council to have Natural England's advice on the application before deciding, and to record in the officer report how it has met its duties under sections 28G and 28I. Natural England was consulted on 24 February 2026; on 10 October 2026 its response was still not published on the register. Please publish it before the decision.

Essex Wildlife Trust has asked the Council not to determine the application until Natural England's written advice has been obtained and made available (letter of 3 March 2026, item (i)); I support that request.

Refusal reason sought: "The site adjoins Langdon Ridge SSSI. The application does not assess the recreational, domestic animal, lighting and in-combination effects of the development on the SSSI's special features, and the buffer, fencing and access controls on which it relies are neither fixed nor secured. It has not been demonstrated that there would be no adverse effect on the SSSI, individually or in combination with other developments, contrary to NPPF policy N6(1)(b) and emerging Policy H20."

2. Flood risk (NPPF F5, F7 and F8)

The test. NPPF policy F5(2) says the sequential test "should be used in areas known to be at risk now or in the future from any form of flooding". The exceptions are sites allocated in the development plan "which were subject to the sequential test during plan preparation", and sites where a site-specific flood risk assessment "demonstrates clearly" that no built development, "including access or escape routes", would be in an area at risk, or (surface water only) that layout and mitigation would keep occupiers safe for the lifetime of the development.

Under F7(2), development in a location known to be at risk "should be refused unless", among other things, "safe access and escape routes are included where appropriate, as part of an agreed emergency plan". Under F8(3), proposals "should not enclose existing watercourses where this is not already the case, unless there are compelling reasons to do so" (NPPF, printed pp.85 to 87).

2.1 The frontage is at high risk. The Environment Agency's long-term flood risk service gives the land around the cottages at the site's south-west corner, on the Dry Street frontage, a High yearly chance of surface water flooding (more than 3.3%), now and for 2040 to 2060 (check-long-term-flood-risk.service.gov.uk, searched by the address 1 Farm Cottages, Dry Street).

On my reading of the Council's Level 2 depth map (Figure 8 of the study in 2.2), surface water lies along the site's Dry Street boundary, where the access, the footway works and the outfall ditch are. The Flood Risk Assessment and Drainage Strategy says "the site has very low flood risk related to surface water flooding" (para 6.3).

2.2 The Council's own Level 2 study says more work is needed. The Council's Level 2 Strategic Flood Risk Assessment for Land North of Dry Street (Wallingford HydroSolutions, version 1.1, 4 March 2026, marked "Draft") covers the application site. It says "parts of the site are at significant pluvial flood risk", "constraints may remain with regard to site access which will need to be explored as part of a site-specific FRA", "it is unlikely that any access route will entirely avoid areas of surface water flood risk", and "a sequential approach to development is required".

It places the site in Critical Drainage Areas. It also notes that the mapped flooding appears to affect "existing development areas rather than open spaces in the west of the site where it is presumed new development will be located"; it did not assess access from Dry Street. The access and egress route it identifies runs north towards Basildon, where it describes the risk as "generally considered manageable"; it identifies no route from the Dry Street frontage, which is the only access this application proposes.

The applicant's Flood Risk Assessment does not itself mention the Critical Drainage Area (only its appended flood authority letter does), applies no sequential test and does not assess the hazard on the access.

2.2A What the draft plan says. The Regulation 19 plan describes the extension as in Flood Zone 1 with "low pluvial flood risk", but also records that it lies within the Kingswood Critical Drainage Area and states that "Development within a Critical Drainage Area should deliver additional benefits to the wider community through measures that reduce flood risk and improve surface water management" (para 15.362), and that site-specific flood risk assessments "should take account of the borough's most recent Strategic Flood Risk Assessments" (para 15.363).

We do not suggest the field itself is at high risk. Our concern is the Dry Street frontage and access, where the Level 2 study says "Areas of surface water flood risk are present within the site and along the access routes" (para 5.4), and the absence of any measure in the application that would reduce flood risk for the wider community, as the plan asks.

2.3 The land has not been sequentially tested. The Council's Sequential Table for the draft Local Plan (published December 2025) leaves every figure for H24 Land North of Dry Street blank and records: "Not assessed site already has planning permission. Should be possible to locate development outside of flood risk areas." The extension has no planning permission.

The Level 2 cover document (version 2.1, 4 March 2026) lists the 29 sites it assessed; H24 is not among them. So the extension was not "subject to the sequential test during plan preparation", and the application does not claim either of the other exceptions in F5(2).

2.4 Dry Street carries overland flow. The Council's Level 2 assessment for Northlands (site IF5, September 2025), on Dry Street about 1.2 km west of the site, says "The northernmost part of the site along Dry Street is an area at risk due to overland flow from the Langdon Hills area" and places it in the Kingswood Critical Drainage Area.

2.5 The works would affect the frontage ditch. The Dry Street footway drawing says the "Existing ditch to be repositioned or culverted" and shows a steel sheet pile retaining wall; the Council should establish which is proposed. No flood or ecological document assesses these works. The drainage strategy discharges to "the ditch running across the site frontage along Dry Street" (para 4.4), while the application form states the site is not within 20 m of a watercourse.

The Council's Level 1 assessment defines ordinary watercourses to include "every river, stream, ditch, drain", so F8(3) is relevant if the ditch is to be culverted. Emerging Policy H20 criterion 11 also requires development to accord with the flood measures in the borough's most recent Strategic Flood Risk Assessments, which include the study in 2.2.

2.6 Residents raised drainage at consultation. The Statement of Community Involvement records that residents of Bebington Drive described existing drainage problems, that the adjacent third-party ditch "was mentioned frequently as a key issue", and fears of "further road closures". The applicant replied that the site will not drain to that eastern ditch but to the Dry Street ditch, and that "Available flood mapping and existing data do not indicate any issues with this strategy". The Flood Risk Assessment contains no survey of the Dry Street ditch's capacity, condition or downstream route.

2.7 The utility evidence has lapsed. The Anglian Water pre-planning report relied on was for 60 dwellings and expired on 16 July 2026.

2.8 Why this has to be settled at outline. The drainage basin is the one fixed land take in the layout, and its size follows from the flood modelling. The Flood Risk Assessment sizes it at a minimum of 900 cubic metres, using Flood Studies Report rainfall (the runs in Appendix G are labelled "FSR") with a 45% climate change uplift, and records that the lead local flood authority did not require network modelling at outline (para 5.13). But the basin's footprint, with the buffer and the green space, sets how many homes the field can hold (point 1.7A), and that number sets the affordable housing and the SSSI measures. The Council should have the modelling, on current rainfall data confirmed by the lead local flood authority, before it fixes "up to 61".

Refusal reason sought: "It has not been demonstrated that the development passes the sequential test required by NPPF policy F5: the Dry Street frontage and the only access are in an area at risk of surface water flooding, the extension was not sequentially tested at plan-making, and the flood risk assessment does not demonstrate that the access and escape route is outside the area at risk or would be safe. The proposed works to the Dry Street ditch are unassessed, and no measures are proposed to reduce flood

risk in the Critical Drainage Area, contrary to NPPF policies F7(2) and F8(3) and emerging Policy H20 (criterion 11 and para 15.362)."

3. Protected species and ecological information (NPPF; Wildlife and Countryside Act 1981; Conservation of Habitats and Species Regulations 2017; Protection of Badgers Act 1992)

The test. The Council needs enough information on protected species to understand the likely effects before it decides.

3.1 Bats. The Ecology Report records eight bat species, including light-sensitive brown long-eared, Natterer's, Daubenton's and barbastelle (paras 4.34 to 4.38). Pipistrelles recorded minutes before sunset indicate "a roost in very close proximity to the Site" (para 4.35); the roost was not located. Static detector effort was one location, in the north-west corner, for seven, six and five nights in the three seasons (paras 4.28 to 4.29), which matches the minimum in the Bat Conservation Trust guidelines (Collins 2023, Table 8.3) only for habitat of low suitability, while the site's boundary is SSSI woodland edge.

No lighting assessment was made, although the footway drawing allows street lighting on Dry Street "if required". The Ecology Report does not mention the veteran oak on the northern boundary, whose tree survey records a cavity. Essex Wildlife Trust makes the same points on detector effort and lighting, and notes that no lighting design strategy or lux contour modelling is referenced or recommended, which it says is contrary to Bat Conservation Trust and Institution of Lighting Professionals guidance (Guidance Note 08/23).

3.2 Birds. No breeding bird survey was done; the assessment rests on one walkover on 6 June 2025, although the records search returned 66 records each of hawfinch and lesser spotted woodpecker. A barn owl was seen flying from an off-site roost or nest; no barn owl assessment followed (paras 2.13, 4.13 to 4.17). Essex Wildlife Trust says at least two breeding season visits using a recognised census method would be expected, given the woodland SSSI and those records.

3.3 Badgers, reptiles, newts, invertebrates. Badger paths through the boundary were found and robust perimeter fencing is proposed, but the effect of the fence on badger movement is not assessed (paras 4.19, 4.20, 5.3). Slow-worm and grass snake were found on the northern boundary, in the strip also proposed for recreation (paras 4.5 to 4.12). Great crested newt evidence is habitat scores from 2021 (paras 4.1 to 4.4), and the applicant proposes to rely on Natural England's district licensing scheme (paras 5.9 and 5.14).

No invertebrate survey was done, although the records search returned 2,781 invertebrate records, and water vole and the ditch that will take the site's drainage were not assessed.

3.4 Reliability. The Essex Biodiversity Validation Checklist states the site is not within 10 km of a Special Protection Area or Ramsar site (the Ecology Report itself puts the Thames Estuary and Marshes SPA and Ramsar site 5.25 km away, para 2.8) and that "There are no priority habitats within 250 m", although the adjoining SSSI woodland is priority habitat.

The Ecology Report contains errors of fact: great crested newt is given as “Triturus vulgaris” (para 4.2); the badger search is dated to “the baseline habitat survey on 6 May 2025” (para 4.18), a date not among the survey dates given in para 3.2 (20 May and 6 June 2025); and an “April survey” is referred to although the surveys were in May, July and September (para 4.25).

3.5 The Ecology Report does not assess the submitted layout. The Ecology Report is dated 31 October 2025. Its Appendix A, headed “Illustrative Masterplan”, is in fact the October 2025 first issue of the Landscape Strategy Plan, which labels a “Minimum 3m wide landscape buffer between the proposals and the neighbouring SSSI” and places a play area as “a focal point within the development” in the corner facing the SSSI (PDF p.33).

The only layout the report appends therefore shows a 3 m buffer beside play space and a mown loop walk, not the 15 m dark buffer its text relies on (para 5.2). The Illustrative Masterplan submitted with the application is dated 17 December 2025. The ecological conclusions have not been confirmed against it, a point Essex Wildlife Trust also makes.

3.6 Nature recovery. The Essex Local Nature Recovery Strategy was published on 10 July 2025. The Regulation 19 plan says “Developers must have regard to the LNRS when preparing proposals” (para 11.23), and its Policy NE1(9) asks that proposals “demonstrate how they have had regard to the LNRS”. None of the application documents on the register mentions the Strategy. Essex Wildlife Trust objects on this ground. We accept that Policy NE1 has not been examined; the point is that a site beside the SSSI has been submitted with no consideration of nature recovery at all.

3.7 Biodiversity net gain. The submitted metric claims a 24.64% gain in habitat units and 67.82% in hedgerow units, all on site. Most of the habitat gain depends on the buffer strip reaching moderate condition as semi-natural habitat, while point 1.6 shows the same strip is the play area and dog walking loop, and the baseline does not include the scattered scrub, the ditch or the uncut margins shown on the applicant’s own habitat map. The statutory minimum is 10%. A claimed gain that rests on a strip used for recreation is not a safe basis for discharging it. Essex Wildlife Trust asks for a narrative showing how the 10% is achieved (letter, item (iv)). The Council should require the metric to be re-run on the layout actually proposed, after the surveys in point 8.7, and in this setting should expect gain well above the minimum, delivered as habitat that strengthens the SSSI edge rather than as recreation space.

Refusal reason sought: “Insufficient information has been submitted on bats (roost location, lighting and survey effort), breeding birds, barn owl and badger, and the ecological assessment has not been made against the submitted layout, to enable the Local Planning Authority to assess the effects of the development on protected and priority species.”

4. Green Belt (NPPF GB6 to GB8)

The test. Housing in the Green Belt is inappropriate unless it meets a category in GB7. For this site that is GB7(1)(g), which requires all of: grey belt land that would not fundamentally undermine the remaining Green Belt; unmet need; a sustainable location; and compliance with the Golden Rules (GB8). The housing presumption in S5 “does not apply to development proposals in the Green Belt”.

4.1 The Council's own evidence. The Council's Green Belt Study (November 2025) rates parcel BA32, which includes this field, Strong on purposes A, B and C and concludes "The parcel makes a strong contribution to Green Belt Purposes A and B and therefore does not meet the definition of grey belt land" (PDF pp.206 to 209). The applicant's own Landscape Visual Impact Assessment appends that page (Appendix 7) and its Planning Statement quotes it (para 6.60). Where the Council has treated individual plots on Dry Street as grey belt, it has done so on a site-level assessment; none has been published for this field, and the only assessment on the record, the Council's own study, says the opposite.

4.2 Earlier advice. The applicant records that officers advised at pre-application stage (23/00041/PREAPP, 2023) that the scheme would be inappropriate development. Its landscape consultants accept the site is "classed as open" and that the proposals "would affect the perceived openness of the Green Belt in this location from a land use perspective" (Landscape Visual Impact Assessment, printed p.42 and para 5.3.6).

4.3 The applicant's reading of the definition. The Green Belt serves five purposes (NPPF GB2): (a) checking the unrestricted sprawl of large built-up areas; (b) preventing neighbouring towns merging; (c) safeguarding the countryside from encroachment; (d) preserving the setting and special character of historic towns; and (e) assisting urban regeneration. Grey belt is Green Belt land that "does not strongly contribute to any of purposes (a), (b), or (d)" (NPPF Annex B). The Council's study rates this parcel Strong on (a) and (b). The Landscape Visual Impact Assessment argues "The fact that Parcel BA32 does not strongly contribute to Purpose D means that it can be considered as Grey Belt" (para 5.4.11), while quoting a definition that turns on the land not strongly contributing to any of purposes (a), (b) or (d). Purpose (d), historic towns, is not in issue here; the argument rests on it and passes over the two purposes the Council's study found the land serves strongly.

4.4 The exhibition boards. The exhibition boards (September 2025) said the Council's study meant the land "could be considered 'grey belt'". No Council study has reached that conclusion.

4.5 Even if grey belt, GB7(1)(g) must be met in full. On sustainable location, the highway authority advised at pre-application stage that most trips would be by car given the "lack of passenger transport facilities" (Transport Assessment, appended correspondence). On the Golden Rules, the green space offered is largely the SSSI buffer strip (point 1.7). And the SSSI and flood policies apply whatever the Green Belt status (points 1 and 2). The grey belt label does not make the SSSI go away: GB7(1)(g) applies only where all four of its limbs are met, and the Golden Rules' green space limb would here be met only by the SSSI itself (point 1.7A). Whatever label is put on the field, building on it brings an estate permitted before the SSSI existed up to the SSSI's boundary.

5. Weight of the Regulation 19 allocation

5.1 The Council's published appraisals did not assess the extension on its own, and its Level 2 flood study of the whole allocation is still a draft. The Integrated Impact Assessment scores the whole 46.88 ha H24 site by distance thresholds, and we have found no published statement of the Council's reasons for adding the extension (the Integrated Impact Assessment says its report must communicate how the

relevant factors “have been taken into account by the Council in selecting the preferred policy options”, printed p.73, para 4.3).

The Strategic Sites Ecology Assessment (2025), which the applicant cites as the Council’s “Ecological Constraints Review”, says of H24 only “Recent Planning Permission granted, no need for desktop assessment” (PDF p.23). The sequential table did the same for flood risk (point 2.3).

5.2 Order of events. In November 2025 the Council’s landscape consultants wrote of the consented H24 site that there is “little opportunity for expansion or further development on this site”. The application was received on 23 December 2025. A landscape addendum covering the “H24 Extension” was commissioned in January 2026 and issued in April 2026. The extension was then allocated at Regulation 19.

5.3 Capacity. Policy H20 gives the extension 45 to 60 homes; the application seeks up to 61.

5.4 The plan has not been examined. Its policies carry weight according to the stage of preparation and the extent of unresolved objections.

6. Highway safety (NPPF safe and suitable access)

6.1 The highway authority’s pre-application advice required visibility splays of 2.4 m by 120 m for a 40 mph road (April 2024). The Transport Assessment offers 2.4 m by 72 m to the left and 76 m to the right, based on recorded speeds (paras 3.8 to 3.9). No correspondence in the Transport Assessment shows the highway authority accepting the shorter splays, although the Planning Statement says pre-application discussions “confirmed the acceptability of the proposed vehicular access from Dry Street” (para 5.11).

6.2 The footway works need a one-way shuttle section of 53 m and a footway narrowing to 1.2 m, supported in the narrowest part by steel sheet piles beside the ditch (Transport Assessment paras 3.10 to 3.12 and the footway drawing). After the capacity work, the highway authority’s May 2025 email still recorded “concerns around constructability”, asked for cross sections “with particular attention to the piling / fencing element”, and asked whether vehicle restraint systems are needed given the “proximity to watercourse / 40mph”.

The applicant’s consultants describe Dry Street as a “narrow lane” and give “significant potential for the existing road to fall into the ditch” as a reason for the works.

6.3 The Transport Assessment says a stage 1 road safety audit was submitted to the highway authority (para 3.13). It is not on the register. Please publish it with the designer’s response.

6.4 The 2013 permission for the adjoining homes treated Dry Street west of the Nether Mayne access as a “minor arm” and sought to discourage through traffic there. The new access, about 130 m west of the Dixon Road junction, would load 61 homes onto that section.

7. Procedural requests

7.1 Please publish the consultee responses on the register before the decision, including those of Natural England, Essex County Council (ecology, highways and sustainable drainage), Essex Wildlife Trust and Anglian Water. The register records that 10 of 21 consultees have responded (read 10 October 2026); none of their responses is published.

Essex Wildlife Trust, which the applicant presents as having shaped its buffer and fencing, has told the Council that its objection of 3 March 2026 was never published and re-submitted it on 29 September 2026 (point 1.11). Please publish it, and record in the officer report how the Trust's objection has been taken into account.

7.2 Please refer the application to the Planning Committee, given the SSSI, flood and Green Belt issues.

7.3 Please record in the officer report how the Council has met its duties under sections 28G and 28I of the Wildlife and Countryside Act 1981, and whether it has screened the proposal under the Conservation of Habitats and Species Regulations 2017 for the Thames Estuary and Marshes SPA and Ramsar site, whose zone of influence includes the site.

7.4 Please record whether the proposal has been screened under the Environmental Impact Assessment Regulations as a change to or extension of the adjoining 725-home development, which was accompanied by an Environmental Statement (the 12/01080/OUT register lists "Nethermayne Environmental Statement"). The register for this application records no environmental impact assessment.

8. If the Council is minded to approve (without prejudice to this objection)

Our request is that the application be refused. If the Council nevertheless decides to grant permission, the SSSI safeguards the application describes are not fixed by anything in it (points 1.6 to 1.8), because layout is reserved. We ask that permission be subject to conditions or a planning obligation securing at least the following:

8.1 A parameter plan, approved with the outline permission, fixing a buffer of at least 15 m along the whole SSSI-facing boundary, measured from the site boundary, with no buildings, gardens, roads, parking or drainage features within it. The applicant's own Ecology Report describes a "minimum 15 m wide permanent no-build" strip (para 5.2).

8.2 No play equipment, formal or mown paths, or other recreational facilities within that buffer, so that it functions as the dark, semi-natural buffer habitat the Ecology Report relies on rather than as recreation space. Play and the walking route to be provided elsewhere within the site.

8.3 A permanent boundary fence or barrier along the SSSI edge, of a specification approved with Natural England, retained and maintained for the lifetime of the development, in place of the post and wire

fence that the Landscape Visual Impact Assessment says “can then be dismantled as the planting matures” (para 3.5). Maintenance responsibility to be secured in the planning obligation.

8.4 A lighting scheme, approved before any development, that keeps the buffer and the woodland edge unlit, including any street lighting on Dry Street (the footway drawing provides for it “if required by the LHA”). The Ecology Report records light-sensitive bat species on the site (para 4.38). The scheme to include lux contour modelling of the buffer and woodland edge, as Essex Wildlife Trust requests.

8.5 A recreation monitoring and management plan for the adjoining SSSI land, agreed with Natural England and the land manager, including surveys in winter and spring (the seasons the applicant’s surveys did not cover, point 1.4), with defined triggers and further measures if damage is recorded.

8.6 A financial contribution, secured by planning obligation, to fund ranger or warden time and path and access management on the SSSI land next to the site, for a period and at a level agreed with the land manager and Natural England. The applicant’s exhibition boards (September 2025) offered “funding a dedicated ranger” and “improving paths and planting within the SSSI”; neither appears in the application or the obligations offered. Essex Wildlife Trust calls the absence of any contribution to SSSI management, wardening or restoration “a material omission”.

8.7 Before reserved matters: a lighting and bat assessment including the veteran oak on the northern boundary, a breeding bird and barn owl assessment, an assessment of the perimeter fence’s effect on badger movement, confirmation that the ecological conclusions hold for the layout submitted at reserved matters, and a statement of how the scheme has had regard to the Essex Local Nature Recovery Strategy (point 3).

8.8 A construction ecological management plan protecting the buffer and the SSSI edge during works, and an assessment of the Dry Street ditch and footway works before they start (point 2.5).

Yours faithfully,

Dr Jackie Lighten

Protect Langdon

Annex A. Documents cited

Application documents (planning register, 25/01672/OUT):

- Planning Statement (Bidwells)
- Ecology Report (Applied Ecology, 31 October 2025)
- Essex Biodiversity Validation Checklist

- Landscape Visual Impact Assessment and Green Belt Assessment (December 2025)
- Landscaping Details drawing (Landscape Strategy Plan)
- Design and Access Statement
- Health Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Transport Assessment (November 2025, including appended highway authority correspondence and the Dry Street footway drawing IT2216/SK001 rev H)
- Statement of Community Involvement
- Application Form

Council documents:

- Basildon Borough Local Plan, Regulation 19 Proposed Submission (2026), Policy H20 and paras 15.354 to 15.361.
- Integrated Impact Assessment and Site Appraisal Proformas, Regulation 19 (July 2026).
- Basildon Green Belt Study (LUC, November 2025), parcel BA32 (PDF pp.206 to 209): basildon.gov.uk/media/12758
- Strategic Sites Ecology Assessment (Place Services, 2025), listed on the evidence base as the Ecological Constraints Review of Provisional Strategic Sites: basildon.gov.uk/media/12398
- Landscape Sensitivity Assessment Part Two: Housing Sites (Place Services, November 2025), printed p.162; and its Addendum (April 2026).
- Level 1 Strategic Flood Risk Assessment (August 2024): basildon.gov.uk/media/12162
- Level 2 Strategic Flood Risk Assessment, Land North of Dry Street (H24) (Wallingford HydroSolutions, v1.1 Draft, 4 March 2026): basildon.gov.uk/media/12893
- Level 2 Strategic Flood Risk Assessment cover document (v2.1 Draft, 4 March 2026): basildon.gov.uk/media/12894
- Level 2 Strategic Flood Risk Assessment, Northlands, Langdon Hills (IF5) (v2.0 Draft, September 2025): basildon.gov.uk/media/12721
- Sequential Table for the draft Local Plan (December 2025): basildon.gov.uk/media/12776

- Officer report, 25/01142/FULL (Well Green Cottage, Dry Street), 13 February 2026.
- 12/01080/OUT decision notice (13 December 2013) and parameter plans 3257_401 and 3257_405 (October 2012).
- Regulation 19 plan, para 11.23 and Policy NE1(9) (PDF pp.214 to 217).

Consultee:

- Essex Wildlife Trust, letter to the Council objecting to 25/01672/OUT, 3 March 2026 (re-sent 29 September 2026).

National and other sources:

- National Planning Policy Framework (17 August 2026), policies S5, GB6 to GB8, N6, F5, F7, F8.
- Natural England: Langdon Ridge SSSI citation and Operations Requiring Natural England's Consent (notified 29 June 2018); Designated Sites View (pressures, unit condition and unit site checks, units 014 and 029, read 10 October 2026); SSSI Impact Risk Zones.
- Environment Agency, Check your long term flood risk service (result for 1 Farm Cottages, Dry Street, 28 September 2026): check-long-term-flood-risk.service.gov.uk
- GOV.UK, Environmental Delivery Plans collection (read 28 September 2026).
- Natural England, Langdon Ridge SSSI citation (notified 29 June 2018): designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/2000857.pdf
- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edition, Bat Conservation Trust, Table 8.3.
- PDSA Animal Wellbeing (PAW) Report 2025.
- Essex Local Nature Partnership, Essex Local Nature Recovery Strategy (published 10 July 2025): essexnaturepartnership.com/essex-lnrs-published
- Natural England and Forestry Commission, Ancient woodland, ancient trees and veteran trees: advice for making planning decisions (standing advice, 14 January 2022): gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions
- Natural England, Guidelines for Creation of Suitable Alternative Natural Greenspace (SANG) (August 2021), published copy: runnymede.gov.uk/downloads/file/1648/updated-natural-england-sang-guidelines-2021

- Natural England, Green Infrastructure Framework, Accessible Greenspace Standards (read 10 October 2026): https://designatedsites.naturalengland.org.uk/GreenInfrastructure/AccessibleGreenspaceStandard.aspx

Annex B. Estimates and calculations

B1. Site and SSSI geometry.

Method: the Council's published application boundary and Natural England's SSSI boundary (Planning Data Platform), both converted to British National Grid.

Results: site area 2.47 ha by calculation (2.45 ha declared); the site touches the SSSI; the farthest point of the site is about 160 m from it; about 114 m of the site boundary lies within 5 m of SSSI unit 14.

Limits: public boundaries are accurate to a few metres.

B2. Residents and pets (estimates).

Inputs: 2.4 persons per dwelling (range 2.2 to 2.6); 11.1 million dogs and 10.5 million cats in the UK (PDSA 2025) against a UK population of about 69.3 million (ONS mid-2024), giving about 0.16 dogs and 0.15 cats per person; 56% of dogs get off-lead or long-lead exercise and 64% of cats have outdoor access (PDSA 2025).

Results for 61 homes: about 146 people (134 to 159), 23 dogs (21 to 25), 22 cats (20 to 24). For the adjoining 725 homes: about 1,740 people, 280 dogs, 264 cats.

Limits: national averages, not a local survey.

B3. Buffer land budget.

Method: area of the site within set widths of the part of the site boundary facing the SSSI (about 270 m of the 676 m perimeter).

Results: 3 m, 0.08 ha; 15 m, 0.38 ha; 30 m, 0.72 ha; 50 m, 1.16 ha. Measured from the SSSI itself: 0.20 ha of the site is within 15 m (0.11 to 0.31 ha allowing 5 m boundary error), 0.53 ha within 30 m, 0.91 ha within 50 m.

If a 15 m strip were kept free of public use and the 0.49 ha of open space provided elsewhere, about 1.6 ha would remain for 61 homes (about 38 dwellings per hectare, gross).

Limits: gross areas; roads, the drainage basin and gardens not netted off.

B4. Land budget with the drainage basin and green space.

Inputs: site 2.45 ha; 15 m buffer 0.38 ha (B3); drainage basin 900 cubic metres minimum at about 0.85 m depth with 1 in 3 slopes, footprint 0.11 to 0.19 ha (0.15 used); alternative natural green space at Natural England's SANG standard of 8 ha per 1,000 people for 134 to 159 residents, 1.07 to 1.27 ha (1.17 used); the applicant's open space 0.49 ha; the application's own gross density, 61 homes on about 1.96 ha, about 31 per hectare.

Results: with the Natural England yardstick, 0.75 ha remains (0.61 to 0.89), about 81 homes per hectare for 61 homes, or about 23 homes (19 to 28) at the application's own gross density of 31 per hectare (61 homes on 1.96 ha); with the applicant's 0.49 ha outside the buffer and basin, 1.43 ha remains, about 43 per hectare, or about 45 homes at that density.

Buffer sensitivity: a 30 m strip (0.72 ha) leaves about 0.41 ha, about 13 homes; a 50 m strip (1.16 ha) leaves nothing.

Affordable homes at 50%: 31 of 61 becomes about 12 of 23 (10 to 14).

Shrinkage: the application's implied buildable land is about 1.96 ha (2.45 less 0.49); the constrained figure of 0.75 ha (0.61 to 0.89) is a reduction of about 62% (55% to 69%); with only the applicant's 0.49 ha moved outside the buffer, 1.43 ha, a reduction of about 27%.

Limits: gross areas; the yardstick is an order of magnitude, not a local standard; no viability appraisal is made.