Landscape & Biodiversity Consultation

Proposal: Construction of up to 5no. dwellings	**Location:** Land Adjacent the Nurseries Earith Road Colne
Case Officer: KSI **Landscape Officer:** PBAI	**Application No:** 25/00678/PIP

Documents Viewed:

- Schematic Block Plan
- Planning Statement
- Location Plan
- Site photos
- Preliminary Ecology Appraisal Dated April 2021 (21/01222/OUT)
- Arboricultural Impact Assessment Dated April 2021 (21/01222/OUT)
- Site visit photos 22/06/2021 (21/01222/OUT)
- Officer Report August 2021
- Decision August 2021

Context:

Permission in Principle (PiP) is sought to construct up to 5 dwellings to the NE of Earith Road in Colne. The site is rectangular in form and extends to approximately 0.26ha. It currently comprises rough amenity land set to grass. The site frontage to Earith Road consists of established trees and hedgerows which partially filters views of the site from the road. The SE boundary with the neighbouring property includes dense hedgerow with trees and a wet ditch/watercourse. The NW boundary with the neighbouring property is a wooden fence and to the NE there is no physical boundary, it is indicated in blue on the accompanying Location Plan confirming that it is under the ownership of the Applicant.

The current PiP application follows application 21/01222/OUT outline planning permission (all matters reserved except means of access) for the erection of up to 4no. self and custom build dwellinghouses on a slightly larger area of 0.29ha which was refused in August 2021 for the following reasons:

1. *The application site is considered to be outside of the built-up area of Colne and primarily relate to the characteristics and nature of the surrounding countryside. In addition, the proposed development does not accord with any of the specific opportunities for development on land well related to small settlements provided for by other policies of the Local Plan. The development proposal would lead to the irreversible loss of some of the District's best and most versatile agricultural land and would fail to recognise the intrinsic character and beauty of the countryside through the loss of trees, hedges and part of an orchard which are fundamental and intrinsic characteristics of the Fen Margins Landscape Character Area. The development proposal therefore conflicts with Policies LP2, LP9 and LP10 parts a & b, LP11, and LP12 parts a. and b of the Huntingdonshire Local Plan to 2036. The proposal is also contrary to the page 26 of the Huntingdonshire Landscape and Townscape SPD 2007, and paragraphs 130 part c. and 174 parts a. and b. of the NPPF 2021.*

2. *The development proposal fails to conserve and enhance trees that are recognised as a UK Priority Habitat. The importance of orchard land in the vicinity of Colne and its protection is paramount. The unjustified and unmitigated part loss of a UK Priority Habitat is contrary to policy LP31 of the Huntingdonshire Local Plan to 2036 and conflicts with the guidance contained within Huntingdonshire Tree Strategy 2020-2030.*

3. *The application has failed to incorporate adequate provision for refuse (wheeled bins) by virtue of the omission of a unilateral undertaking agreement, contrary to the requirements of the Developer Contributions Supplementary Planning Document (2011) and Policy LP4 of the Huntingdonshire Local Plan to 2036.*

In June 2023 the site was put forward for the Huntingdonshire Call for Sites Land Availability Assessment. In their submission, the site promoter states that the site is *'formerly an orchard, the trees have since been grubbed up and the site lies unused.*'

Furthermore, the constraints were assessed highlighting *'[…] the eastern boundary is contiguous with the remaining elements of the orchard use which leads into the open countryside beyond. The site is situated within the Fen Margin, the key characteristics of which include "generally well vegetated, with deciduous woodland, hedgerow trees and orchards, particularly around the village of Colne", meaning the remaining orchards represent a significant value in terms of the history of the settlements and its identity. The Landscape Townscape Assessment SPD 2022 noted that the establishment or reinstatement of these orchards are of importance to the character of these areas.'* This reflects reason 1 given to the refusal of the preceding application discussed above. The assessment concludes that the site: *'[…] the loss of orchard land is a constraint […]. Is inappropriate for built development due to its potential impact on losing valuable landscape characteristics and risk from surface water flooding.'*

TPO'd Trees:

There are TPO protected trees indicated in the southern corner of the site. On further investigation, 4 large elms were issued a TPO in September 2000 to ensure their protection and retention for the following reason:

> *'The owner at the above address has been lighting fires under fine large Elms which if continues will irreparably damage and could kill the trees.'*

Aerial imagery shows the TPO's trees in 2003. By 2008 the trees had been removed. There are no records of applications to remove TPO'd trees.

Landscape value of traditional orchards:

Of greatest concern is loss of historic land use of traditional orchard habitat. The land under proposal was one of a few remaining working apple orchards in a village which was historically a fruit producing area and was surrounded by orchards.

The remaining orchards around Bluntisham and Colne make a significant contribution to the landscape character area. Extensive apple and plum orchards formerly dominated much of the eastern part of the LCA, meaning the remaining orchards represent a significant value in terms of the history of these settlements and their identity.

The traditional orchards found in this area are remnants and relics of a once thriving fruit growing industry. In medieval times most orchards were situated on small crofts or enclosures of land with the villages, close by the farmhouses and other properties. As the industry developed in the late 19th century arable land was converted to orchards, a response to the Great Agricultural Depression and falling cereal prices. Commercial orchards have been important landscape features for more than a hundred years, large scale commercial fruit growing started in Cambridgeshire in the mid-1800s and have provided employment for thousands of local people in Cambridgeshire.

The area of orchards in the county is now around 20% of what it was in 1950, and the surviving orchards are still being lost by development for housing or paddocks, by neglect or by conversion to arable land. As native woodland cover is only around 2% in the county the loss of orchards has had a drastic effect on the appearance of the landscape as well as a detrimental effect on biodiversity.

Biodiversity value of traditional orchards:

Wood decay is part of the natural ageing process of a tree, and old fruit trees have a particular way of aging with hollow trunks, cracks in bark and rot holes that provide an incredible habitat for all manner of invertebrates, fungi, birds, bats and other small mammals. From a wildlife perspective, standing decaying wood is one of the most valuable elements of the orchard habitat. Cavities in veteran trees provide some of the most important habitats in the natural world.

Because it is impossible to plough an orchard without running the risk of damaging the tree roots, the soil in orchards have often been left undisturbed for as long as the orchard has been standing. Unlike most forms of cultivation which lead to a gradual decline in soil structure, the structure of orchard soil is left largely intact, and the complex ecosystem of the subterranean world undisturbed. The result is reduced soil erosion and less damage to fungal hyphae networks.

Orchards increase habitat connectivity in fragmented landscapes. Habitat loss and fragmentation are two of the main threats to much of our wildlife. Orchards, hedgerows and woodlands act as stepping stones or corridors, helping many species to disperse, interact and avoid isolation which can otherwise lead to local extinction. This network of habitats is also important at the landscape scale to sustain scarce species that require continuity of habitat through time. The Habitat Action Plan for Cambridgeshire includes traditional orchards for their importance to wildlife.

Traditional orchards are a long-established and widely distributed habitat and hotspots for biodiversity in the countryside, supporting a wide range of wildlife and containing UK BAP priority habitats and species, as well as an array of Nationally Rare and Nationally Scarce species. They make a significant contribution to biodiversity, landscape character and local distinctiveness across the UK.

Through the 2021 outline application, it was highlighted to the applicant the importance of the traditional orchard habitat in the Landscape Character Area and its significant contribution to biodiversity. This has resulted in the applicant to pre-emptively clear the habitat within the footprint of the red line boundary in May 2023 ahead of submitting the site for the Huntingdonshire Call for Sites Land Availability Assessment. Following which, the remaining area of traditional orchard habitat within the blue line boundary on the accompanying Location Plan (confirming that it is under the ownership of the Applicant) has also since been grubbed out, resulting in significant landscape impacts and detrimental harm to the character of the settlement.

Biodiversity Net Gain:

Any future application will require a minimum 10% BNG.

The on-site baseline calculations will need to account for the traditional orchard priority habitat which has been degraded. It will also need to account for any RLB encroachment onto the riparian fringe habitat along the SE boundary, which is approximately 35m to 40m in length.

When assessing and measuring the potential biodiversity gains or losses using the Defra Biodiversity Metric, it is important that the application documents are accurate and thus any planning report or decision notices are accurate.

Within Schedule 14 of the Environment Act, measures have been included allowing LPAs to take note of any habitat degradation or deliberate destruction undertaken on a site since 30th January 2020, and to take the earlier habitat state as the baseline for the purposes of biodiversity net gain.

As part of the planning application the applicant must provide a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value (‘degradation’), and where they have:

- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this

There are special provisions for establishing the pre-development biodiversity value of onsite habitat when loss or impact to habitats (or 'degradation') has occurred prior to the submission of a Biodiversity Gain Plan. This is in order to discourage the deliberate degradation of existing onsite habitats to reduce the pre-development biodiversity value.

If there has been degradation and there is insufficient evidence about the biodiversity value of the onsite habitat immediately before the degradation, the pre-development biodiversity value of the onsite habitat must be taken to be the highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it. This requirement must be applied to the calculation of pre-development biodiversity value in the metric tool, and the Biodiversity Gain Plan template asks for information regarding whether there has been prior habitat degradation.

Site photographs taken 22/06/2021 RE 21/01222/OUT (shown below) provide the best source of evidence about the biodiversity value of the onsite habitat before the degradation. The PEA April 2021 (21/01222/OUT) 3.4.1 describes the vegetation and habitat:

3.4 Protected, Priority & Rare Species

Vegetation & Habitats

3.4.1 The main site area was a commercial orchard dominated by heavily pruned domestic apple *Malus domestica*.

The PEA also describes the herbaceous species on site, indicating one species of grass and ten herbs. This is by no means a grassland survey nor a condition assessment.

Section 3.4.22 suggests that the habitat is not a traditional orchard as it is a commercial orchard.

In 2007 traditional orchards became recognised as a priority habitat under the UK Biodiversity Action Plan (UK BAP). Traditional Orchards are defined, for priority habitat purposes, as groups of fruit and nut trees planted on vigorous rootstocks at low densities in permanent grassland; and managed in a low intensity way. Cobnut plats are also included.

The UKHab definition for traditional orchards does not define a traditional orchard as not being a commercial orchard:

Definition

Open-grown fruit trees within herbaceous vegetation. The defining feature is habitat structure, rather than vegetation type, topography or soils. Traditional orchards are structurally and ecologically similar to wood-pasture and parkland (see 26), with open-grown trees set in herbaceous vegetation, but they are generally distinguished from these Priority Habitat complexes by the following characteristics: the species composition of the trees, these being primarily in the Rosaceae family; the usually denser arrangement of the trees; the small scale of individual habitat patches; and the wider dispersion and greater frequency of occurrence of habitat patches in the countryside.

Species

Species in the orchard field layer vary with soil type, current management and management history. Most frequently, the field layer will be neutral grassland, on the spectrum of species-richness from lowland meadows (see g3a) to modified grassland (see g4). Localised areas of species associated with past disturbance and nutrient enrichment are typical. Traditional orchards on acid grassland (see g1~) and calcareous grassland (see g2~) are less common.

Back to Essential Secondary Code List

The nearby Heath Fruit Farm in Bluntisham is indeed a commercial orchard, it is also a Cambridgeshire County Wildlife Site due to its traditional orchard habitat type in association with semi-natural habitat and managed in a traditional practice which is sympathetic with biodiversity objectives and that reflects local cultural traditions.

The UKHab definition for intensive orchards:

c1e Intensive orchards

Category Type
Primary Level 4

Spatial Feature Type
Area

Definition
Orchards with a ground cover that is intensively managed (treated with herbicide and heavily mown) – usually Modified grassland (see g4), and often with young tree stock and dwarf varieties.

Inclusions
The number of trees is ≥5.

Nut and Hop plantations.

Exclusions
Traditonal orchards (see 27).

Species
Between the bare ground strips controlled by herbicides, species typically include Perennial Rye-grass *Lolium perenne*, Dandelion *Taraxacum spp.*, Buttercup *Ranunculus spp.*, Nettle *Urtica dioica*, Cut-leaved Crane's-bill *Geranium dissectum*, Field Forget-me-not *Myosotis arvensis*, Germander Speedwell *Veronica chamaedrys* and Lesser Burdock *Arctium minus*.

It is clear from the above UKHabs definitions for both orchard types can be separated primarily from the presence/absence of bare ground strips controlled by herbicides and the age class and range of age classes of fruit trees present.

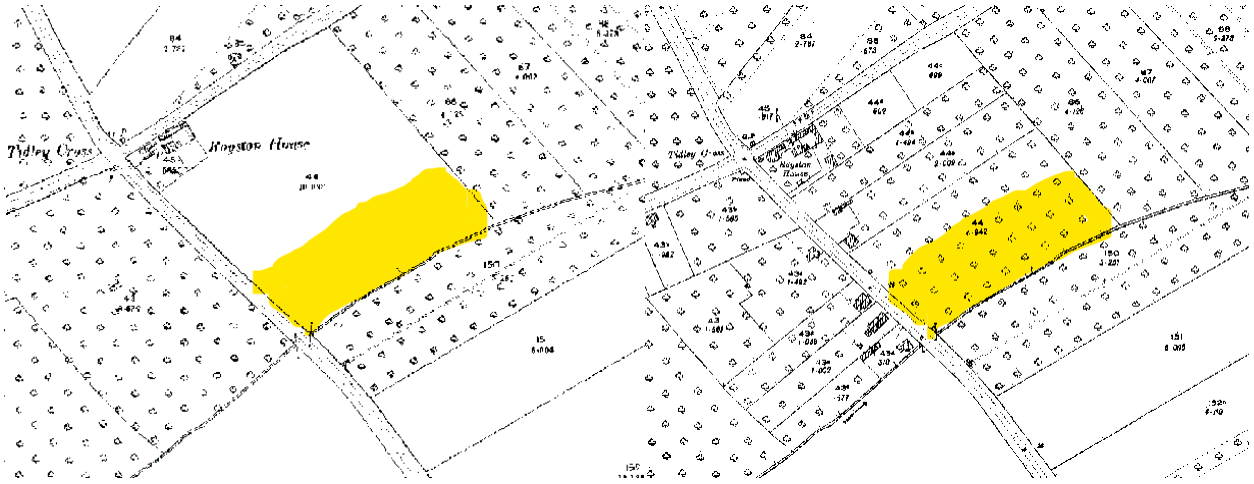
Site photograph taken 22/06/2021 RE 21/01222/OUT (below) shows mown and structured grassland, but not bare ground strips associated with herbicide treatment. As there is no traditional orchard habitat remaining to undertake the appropriate surveys and associated condition assessment, it is reasonable to take the highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it. This is presented below showing photographic evidence and historic mapping from 1900, prior to the planting of the orchard and from 1920 following the planting of the orchard, placing the age of the orchard well over 100 years.



Site photo RE 21/01222/OUT taken 22/06/2021 & site photo RE 25/00678/PIP taken 17/04/2025



Aerial imagery May 2020 & 2025



Historic Ordnance Survey Mapping 1900 & 1920

The below extract from the Defra Biodiversity Metric 4.1 highlights the difference between outputs of different habitat types: Traditional orchards vs Intensive orchards. Please also note the required action to meet trading rules for traditional orchards, whereby the same habitat is required.

Traditional orchard habitats are in scarce supply, as shown below in the BNG Pricing guide.

	Existing area habitats				Distinctiveness		Condition		Strategic significance			Required Action to Meet Trading Rules	Ecological baseline
Ref	Broad Habitat	Habitat Type	Irreplaceable habitat	Area (hectares)	Distinctiveness	Score	Condition	Score	Strategic significance	Strategic significance	Strategic significance multiplier		Total habitat units
1	Grassland	Traditional orchards	No	0.26	High	6	Good	3	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	Same habitat required =	4.68
2	Cropland	Intensive orchards	No	0.26	Low	2	Condition Assessment N/A	1	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	1	Same distinctiveness or better habitat required ≥	0.52

England South

Habitat Type	Habitat Distinctiveness	In LPA* / NCA** Price	Supply Levels
Heathland and Scrub	Medium	£31,500	Abundant
Individual Trees	Medium	£35,200	Uncommon
Lakes / Ponds Non-Priority Habitat	Medium	£65,625	Uncommon
Lowland Meadow	Very High	£41,375	Uncommon
Mixed Deciduous Woodland	High	£57,125	Uncommon
Other Neutral Grassland	Medium	£27,200	Abundant
Traditional Orchard	High	£42,700	Scarce
Watercourses	High	£164,575	Very Rare
Wet Woodland	Medium	£40,825	Scarce
Woodland and Forest	Medium	£32,800	Uncommon
Woodland and Forest	High	£49,300	Scarce

BNG Pricing – England (South) (Biodiversity Units UK)

https://arbtech.co.uk/bng-unit-cost/

Signed: PBAI

Dated: 07/05/2025