

Uttlesford District Council

APPROPRIATE ASSESSMENT  
of  
Core Strategy – Preferred Options

November 2007



## 1. Introduction

1.1 The purpose of this report is to document the process and findings of an Appropriate Assessment of the Uttlesford Core Strategy Preferred Options Consultation document.

1.2 The purpose of Appropriate Assessment (AA) of land use plans is to ensure that protection of the integrity of European sites is a part of the planning process at a regional and local level. The requirement for AA of plans or projects is outlined in Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ("Habitats Directive")

1.3 The most important sites for biodiversity form part of a Europe-wide network known as Natura 2000. This network comprises Special Protection Areas (SPAs) for birds and Special Areas of Conservation (SACs) for other habitats and species.

## 2. Guidance

2.1 The European Commission has developed guidance in relation to Articles 6(3) and (4) of the Habitats Directive (*Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, EC 2002). This recommends the adoption of a four stage approach to addressing the requirements of the Articles 6(3) and (4), as set out below.

- Stage 1 – Screening:

This stage identifies the likely impacts upon a European Site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. For the purpose of this assessment, 'European Sites' includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), proposed SPAs, candidate SACs and Ramsar sites.

- Stage 2 – Appropriate assessment:

Where there are likely significant impacts, this stage considers the impacts of the plan or project on the integrity of the relevant European Sites, either alone or in combination with other projects or plans, with respect to the sites' structure and function and their conservation objectives. Where there are adverse impacts, it also includes an assessment of the potential mitigation for those impacts.

- Stage 3 – Assessment of alternative solutions:

Where adverse impacts are predicted, this stage examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of European Sites.

- Stage 4 – Assessment where no alternative solutions exist and where adverse impacts remain:

This stage assesses compensatory measures where it is deemed that the project or plan should proceed for imperative reasons of overriding public interest (IROPI). The guidance does not deal with the assessment of IROPI.

### 3. Methodology

3.1 The following guidance has been utilized within this assessment process:

- Department for Communities and Local Government (August 2006) *Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents*, DCLG, London  
<http://www.communities.gov.uk/archived/publications/planningandbuilding/planning2>
- Dodd A.M., Cleary B.E., Dawkins J.S., Byron H.J., Palframann L.J. and Williams G.M. (2007) *The Appropriate Assessment of Spatial Plans: a guide to why, when and how to do it*. The RSPB, Sandy.  
<http://www.rspb.org.uk/ourwork/conservation/sotes/england/newguidance.asp>

3.2 The approach of the Council has been based around this guidance and the key stages required. The stages of this assessment have been detailed below.

### 4. Pre-screening Data Collection

4.1 Through consultation with Natural England, the European Sites to be included within this assessment have been established. There are no European Sites within the District itself.

4.2 The Appropriate Assessment of the Draft Revision to the Regional Spatial Strategy of the East of England has used a 9 Miles (15km) zone around each European site; beyond which it can generally be assumed that there is unlikely to be a significant effect on a European site. Other relevant distances used in the assessment have included 200m for road schemes and 3 miles (5km) for increases in recreational use as a result of new residential developments. Using this methodology only a small slice of Uttlesford on the south western boundary of the district falls within 9 miles of a European Site. The majority of this area falls within Metropolitan Green Belt. The appropriate assessment of the RSS has therefore screened out those policies in so far as they relate to Uttlesford from the Assessment.

4.3 The finalised list of European Sites to be considered will be confirmed following consultation. Specific information regarding the interest features, vulnerabilities, condition and conservation objectives has been acquired. This baseline data was then interpreted in order to identify specific vulnerabilities and areas of concern for each of the European Sites that could be assessed directly against each policy.

### 5. Results of Pre-screening Data Collection

5.1 There are no sites within the district of Uttlesford that have been designated for their nature conservation value at the European level.

5.2 However, the following sites outside the District have been considered within this AA.

- Epping Forest SAC
- Blackwater Estuary SPA & Ramsar
- Wormley Hoddesdon Park Woods SAC

- Eversden and Wimpole Woods SAC

5.3 Lee Valley SPA and Ramsar site and other SPA's making up the Essex Estuaries SAC were initially considered within the scope of this assessment, however, due to the distance of the sites from the District they have been screened out from further assessment.

5.4 For each of the four sites outlined above, baseline information has been collected utilising the following resources:

Joint Nature Conservation Committee (JNCC) website ([www.jncc.gov.uk](http://www.jncc.gov.uk));  
English Nature Website ([www.english-nature.gov.uk](http://www.english-nature.gov.uk));  
MAGIC Website ([www.magic.gov.uk](http://www.magic.gov.uk));  
English Nature's advice given under Regulation 33(2) of *The Conservation (Natural Habitats, &c.) Regulations 1994 (SI 1994 No. 2716)* (as amended);

5.4 Information regarding the interest features, sensitivities, vulnerabilities, condition, conservation objectives and management plans has been summarised in Appendix A for each of the above noted sites.

## 6. Policy Screening

6.1 The objective of the screening process is to initially identify those plans or policies that clearly or self-evidently would have no significant effects upon European Sites so that they could be screened out of the assessment at an early stage. A screening process was adopted as follows.

6.2 Each of the Core Strategy Policies were screened and those policies identified to have no effect on any European Site were screened out of the assessment and the reason will be specified within the documentation. The following criteria were used to identify these 'no effect' policies.

- **Non-development policies:** policies that will not lead to development themselves as they relate to design or other qualitative criteria for development.
- **Unknown location development policies:** policies that make provision for a specific type of development but the location of the development is yet to be selected. Fundamentally therefore, unless there is evidence to indicate that the type/quantum of development provided for in the policy cannot be accommodated without potentially affecting a European Site, this would be a policy that would have no effect, because making provision for a type/quantum of development at this strategic level will not itself have any effect on a European Site.
- **Over-arching development policies:** policies that relate to development proposals but no development would occur through the policy itself because other more detailed policies within the DPD will implement the proposals. It is therefore more appropriate to assess these more detailed policies.
- **Urban development policies:** policies promoting a concentration of development in urban areas as generally this policy approach will help to

steer development away from European Sites and associated sensitive areas.

- **Protective policies:** policies that specifically steer development away from European Sites and associated sensitive areas e.g. excluding development from certain areas.
- **Biodiversity policies:** policies that specifically protect the natural environment.
- **Enhancement policies:** policies that specifically enhance the natural, built or historic environment where proposed measures are not likely to result in adverse effects upon European Sites.

## 7. Results of Policy Screening

### 7.1 Appendix B tabulates the screening results of the Preferred Options policies.

Appendix A identifies that the woodlands are vulnerable to mis-management and recreational pressures and the coast from erosion, nutrient enrichment, recreation and drought. The closest development potentially taking place is 17 miles (27km) from a European site. Appendix C tables the distance of the European sites from towns and villages in Uttlesford which are proposed for development. Therefore due to the distance between the development sites and the protected European sites, the most likely impact on the sites from any of the housing options will be from increased pressure for recreational use.

7.2 The European sites are situated beyond the distance recommended by Natural England's Urban Greenspace standards for ensuring access to places of wildlife interest. (A Space for Nature (English Nature 1996) <http://www.english-nature.org.uk/special/greenspace/>) This recommends that an accessible natural greenspace should be 5 minutes walk from home; a 20 ha site within 1 mile (2km) of home; a 100 ha site within 3 miles (5km) of home and a 500 ha site within 6 miles (10km) of home. These benchmarks are for ensuring that people have access to places of wildlife interest and takes into account the distance people are willing to travel to such sites. The residents of Uttlesford are therefore likely to visit more local sites.

7.3 Uttlesford is a rural authority where residents have immediate access to open countryside. Within Uttlesford there are no Statutory Local Nature Reserves. However there are nine Essex Wildlife Trust reserves as well as accessible land owned by Essex County Council, National Trust, English Heritage, Forestry Commission and Woodland Trust. Sites within easy access to the settlements proposed for development include the Flitch Way Linear Country Park which runs through Great Dunmow from Braintree to Start Hill, Hallingbury; Hatfield Forest which provides a 410ha woodland and parkland within 6 miles from Great Dunmow and Stansted Mountfitchet and 7 miles from Elsenham; and Audley End Park (75ha), on the edge of Saffron Walden.

7.4 The screening of the policies concludes that the preferred policies have no effect on European sites and no further assessment is required.

## 8. The 'in combination' Assessment

- 8.1 In order to comply with the regulations, an assessment of the Core Strategy must include whether it would be likely to have significant effects in combination with other plans and projects. In order to make the assessment manageable and effective, the 'in combination' assessment needs to be constrained to only relevant plans and projects.
- 8.2 There is a requirement to consider cumulative impacts that result from the Preferred Options consultation document as a whole within this assessment. This in part also addresses the issues regarding consideration of the "in combination effects", namely consideration of the land use policies in-combination with each other.
- 8.3 The development proposals for the District, particularly relating to housing but also employment, do not result in significant impacts upon European Sites as individual policies. Uttlesford District is located some distance from European Sites. This means that proposals for development, together with the increased levels of population that they bring, are unlikely to have a cumulative adverse impact upon these sites.
- 8.4 There may be cumulative impacts when added to similar projects and proposals in neighbouring districts. Such impacts may be as a result of increased demands for land and water based recreation. The Blackwater Estuary SPA/Ramsar site may, in combination with development elsewhere in the County be affected by water supply and wastewater treatment.
- 8.4 The Appropriate Assessment of the RSS, which looked at the impact of the regional housing provision, did not identify any policies for neighbouring districts which in conjunction with policies for Uttlesford would have a detrimental impact on the integrity of European sites for reasons of recreational pressure.
- 8.5 The supply of water to development in Uttlesford is controlled by Three Valleys Water. Water is sourced locally as well as imported from adjoining regions. Water transfer arrangements will take account of environmental constraints.
- 8.6 Development in the Great Dunmow area would feed into the Great Dunmow Wastewater Treatment Works (WwTW) which discharges into the River Chelmer which flows through Chelmsford and Maldon and eventually into the Blackwater Estuary. Discharge from WwTW is similarly subject to environmental control.
- 8.7 In view of existing environmental controls, and the distance of development from European sites, it is considered that the Core Strategy policies in combination with other plans will not have a detrimental impact on the integrity of the Blackwater Estuary SPA/Ramsar site for reasons of water supply and wastewater treatment.

## 9. Conclusion

- 9.1 The result of the screening of the Preferred Options policies has not identified any policies or growth option which would have an impact on the integrity of a protected European site.
- 9.2 There has therefore been no need to carry out further stages of the appropriate assessment.

APPENDIX A  
**Base Line Data for European Sites**

Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
Wormley Hoddesdon Park Woods	Wormley Hoddesdon Park Woods North  Wormley Hoddesdon Park Woods South	SAC SSSI	Lowland broad leaved, mixed and yew woodland.	To maintain the lowland broadleaved, mixed and yew woodland habitats in favourable condition with particular reference to relevant specific designated interest features. The objective will be satisfied by a majority minimum intervention area but with some areas maintained as high forest, coppice and wood pasture.	North wood 99% favourable 1% unfavourable recovering 1% unfavourable no change  South wood 75% favourable 22% unfavourable recovering 3% unfavourable no change	The majority of the woods in the complex are in sympathetic ownership, with no direct threat. There is some pressure from informal recreation but this is concentrated on well-established paths. Various past management, including neglect has resulted in small areas being planted with conifers or other inappropriate species, distortion of the age structure, and the storage of coppice. Although the natural stand type has been altered in some places, the oak-hornbeam community regenerates strongly even in open grassland. Present management ranges from benign

(1) <http://www.jncc.gov.uk/protectedsites> Primary reason for site selection  
 (2) <http://www.english-nature.org.uk/special/sssi/search.cfm> SSSI Condition Summary  
 (3) <http://www.jncc.gov.uk/protectedsites> Natura 2000 data form

Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
						neglect to active forestry, including management specifically for nature conservation. Most of the complex is covered by a High Forest Zone Plan (Hertfordshire County Council 1996) which sets out a framework for woodland management across the whole area. It aims to restore a varied age structure and natural stand types through sustainable forestry, gradually replacing nonnative planting with appropriate species from local stock.
Epping Forest	Epping Forest SAC	SSSI SAC	Broad leaved deciduous woodland. North Atlantic wet heath European dry heath Stag Beetle	To maintain in favourable condition (or restore if not in favourable condition) the beach forest, European dry heath, north Atlantic wet heaths.	30% favourable 34% unfavourable recovering 26% unfavourable no change 10% unfavourable declining	After neglect of the pollard cycle for over 100 years, re-pollarding of ancient beech trees was started in the early 1990s, and creation of maiden pollards was

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Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
				To maintain in favourable condition (or restore if not in favourable condition) the habitats for the population of stag beetle.		<p>begun in 1995. The forest's epiphytic bryophyte population had been declining due to the death of pollards, shading and pollution from acid rain. The reintroduction of pollarding and wood pasture management is helping to reverse the decline. The slow recovery can also be attributed to the reduction of atmospheric pollutants since the passing of the 1956 Clean Air Act.</p> <p>There is an active policy to leave felled timber on the ground to increase the habitat for stag beetle and other saproxylic insects.</p> <p>In 1988, the Corporation of London, who own and manage the forest, agreed a management</p>

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Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
						strategy with English Nature to take forward the management outlined above. A comprehensive management plan was completed and consented in 1998. The site is subject to the provisions of the Epping Forest Act of 1878.
Eversden and Wimpole Woods		SSSI SAC	Broadleaved, mix and yew woodland and Barbastelle bat	To maintain in favourable condition (or restore if not in favourable condition) the broadleaved, mix and yew woodland.	100%favourable	Wimpole Woods is owned and managed by the National Trust and their management is aimed at maintaining, and where possible, enhancing the barbastelle population. The current use of the wood, including public access, is considered compatible with the barbastelle interest and should not affect the barbastelle

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Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
						population or their roosts. Eversden Wood is privately-owned and the current management is considered compatible with the use of this wood as a foraging area/flight path by barbastelles.
Blackwater Estuary		SPA and Ramsar Site and Essex Estuaries SAC	Mudflats, salt marshes and sandbanks.  Over wintering of wildfowl and wading birds and breeding coastal birds	Subject to natural change to maintain <ul style="list-style-type: none"> <li>• Estuaries</li> <li>• Inter-tidal mudflats and sandbanks</li> </ul> in a favourable condition	28% favourable 7% unfavourable recovering 2% unfavourable no change 63% unfavourable declining.	<b>Coastal erosion</b> The main threat to the site is erosion of intertidal habitats due to a combination of sea level rise and isostatic forces operating on the land mass of Great Britain. The situation is worsened with increasing winter storm events, whilst the hard sea walls along this coastline are preventing the saltmarsh and intertidal areas from migrating inland. This situation is starting to be addressed by alternative flood

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Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
						<p>defence techniques. A shoreline management plan has been prepared for the Essex coast which seeks to provide a blueprint for managing the coastline sustainably.</p> <p><b>Nutrient enrichment</b> Nutrient enrichment occurs from agricultural run-off and treated sewage effluent. This problem will be addressed through the Essex Estuaries candidate SAC scheme of management as well as review of discharge consents under the Habitats Regulations.</p> <p><b>Water-based recreation</b> The control of motorised craft (with particular reference to jet-skis) is being addressed through the Blackwater Estuary Management Plan.</p>

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Site/complex	Components of Site	Status	Qualifying Feature (1)	Conservation Objectives	Condition (2)	Vulnerable to ... (3)
						<p>Enforcement of speed limits should ensure that roosting birds are not subjected to disturbance and saltmarsh habitats are protected from damage by jet-skis.</p> <p><b>Drought</b> The droughts over the last five years have resulted in lowered water tables in grazing marshes. Attempts are being made to restore this by pumping water from adjacent ditches and use of tertiary treated sewage effluent.</p>

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APPENDIX B  
Screening Results – Preferred Option Policies

Policy Number & Title	Brief Description	Anticipated Effect	Screening Results	Further Assessment Required?
<b>Economy &amp; Employment</b>				
E1 – Employment Strategy	Proposes scale and broad location of employment land to be provided	Where this policy does mention locations for development they are in urban/built up areas with no effect on European sites	No Effect Policy:- Over arching development policy, Urban development policy	No
<b>Getting Around</b>				
GA1 – Accessible Development	New development to be accessible by means other than the car	This policy is related to design rather than the promotion of development	No Effect Policy:- Non development policy	No
<b>District Character</b>				
DC1 – Meeting Housing Need	Sets out the scale of housing & affordable housing	An overarching policy on the Council's housing strategy. This policy allows for the provision of 9,666 houses reflecting emerging RSS. This amount of development could have effects upon protected sites, most likely to be as a result of increased demand for water and recreation. However this target has been provided by the emerging RSS and the District does not have the option of departing from it. Consideration of the impact of this amount of housing has been assessed through the AA of the RSS and has not found to effect the integrity of site .	No Effect Policy:- Unknown location development policy, Overarching development policy	No
DC2 – Housing Strategy	Sets out the broad location of housing	A policy setting out the broad locations of committed and proposed residential development.	See Screening results of Options 1-4	No

DC3 - Infrastructure	Ensures the provision of adequate infrastructure.	This policy is not spatially specific and is primarily enforcing a principle that new development should bring with it the appropriate infrastructure to support it.	No Effect Policy:- Non development policy, Unknown location development policy	No
DC4 – Metropolitan Green Belt	Proposes the broad area of green belt as unchanged from that currently adopted	This policy essentially identifies the extent of the Green Belt and does not relate to the promotion of development	No Effect Policy:- Non development policy	No
DC5 – Protecting the Countryside	Protects countryside from development	Specifically promotes the protection of the countryside	No Effect Policy:- Protective policy	No
DC6 – Protecting Agricultural Land	Protects Agricultural Land	Specifically promotes the protection of Agricultural land	No Effect Policy:- Protective policy	No
DC7 – Countryside Protection Zone	Protects the countryside around the airport	Specifically promotes the protection of an area from development	No Effect Policy:- Protective policy	No
DC8 – Landscape Character	Protects the character of the landscape	Specifically promotes protection an enhancement of landscape.	No Effect Policy Protective policy, Enhancement policy.	No
DC9 – Protecting the Historic Environment	Protects the historic environment and open spaces	Specifically promotes the protection of the historic environment	No Effect Policy:- Protection policy	No
DC10 – Protecting Nature Conservation and Geological Sites	Protects designated and non-designated sites	Specifically promotes the protection and enhancement of biodiversity	No Effect Policy:- Protective policy, Biodiversity policy, Enhancement policy	No
DC11 – Function of Market Towns	Maintains and enhances the role of the market towns	Specifically promotes development in the market towns.	No Effect Policy:- Urban development policy	No
DC12 – Character of the Market Towns	Protects and enhances the character of market towns	This is not a spatially specific policy and relates primarily to the design of development rather than promoting development itself.	No Effect Policy:- Urban development policy Enhancement policy	No
DC13 – Use of Natural Resources	Encourages prudent use of natural resources	This is not a spatially specific policy and relates primarily to the design of development	No Effect Policy:- Biodiversity policy	No

		resulting in the consequential protection of natural resources		
DC14 – Renewable Energy	Requires incorporation of renewable energy and low carbon technologies in development	This policy could potentially lead to positive impacts through improved air quality. The policy is not however spatially specific and is in-part a non-development policy as it relates more to the design of energy efficient development.	No Effect Policy:- Non development policy, unknown location development policy.	No
DC15 – Reducing Flood Risk	Prevent development in floodplains	Ensures that flood risk is fully taken into account in the planning process. Distance of European sites from development means that there will be no effect	No Effect Policy:- Unknown location development policy	No
<b>Stansted Airport</b>				
DC16– Land within the Airport	Encourages efficient use of land and protects environmental assets	This policy relates primarily to the design of development resulting in the consequential protection of natural resources	No Effect Policy:- Biodiversity policy	No
DC17– Development at the Airport	Sets requirement for design of development	This policy relates specifically to the design of development at the airport. The scale of development at the airport is laid out in the Air Transport White Paper and the RSS and consideration of the impact is assessed through the RSS	No Effect Policy:- Non development policy	No
DC18 – Transport	Requires necessary transport infrastructure	This policy is to ensure appropriate transport infrastructure is secured to serve the airport and access by public transport is increased. Detailed proposals would be subject to assessment under other consenting processes.	No Effect Policy:- No development policy	No

		Appropriate Assessment of policy T12 of the RSS found that improvements to the M11 to service Stansted Airport would have no effect on the integrity of Epping Forest SAC either during construction or in the longer term.		
<b>Living in Communities</b>				
LC1 – Health & Community Facilities	Requires appropriate facilities as part of development proposals	This is not a spatially specific policy and relates to design rather than development specifics	No Effect Policy:- Non development policy	No
LC2 – Health Impacts	Requires development to assess impacts on health	This policy will lead to an improvement of the environment during and after construction and may therefore lead to a benefit to European Sites	No Effect Policy Non development policy Protection Policy	No
LC3 - Accessibility	Requires development to be accessible	This policy is not spatially specific and relates to the design of development	No Effect Policy Non Development policy	No

## Screening Results – Preferred Growth Options

Spatial Strategy	Brief Description	Anticipated Effect	Screening Results	Further Assessment Required?
Option 1	This option distributes development in Saffron Walden, Great Dunmow and Stansted Mountfitchet.	The likely impact on the European sites of such development will be from increased pressure for recreational use.	It is considered that there are sufficient greenspaces nearer and within Uttlesford so that the protected European sites would not experience undue pressures from the new population.	No
Option 2	This option distributes development across a hierarchy of settlements particularly Saffron Walden, Great Dunmow, Stansted Mountfitchet, Great Chesterford, Newport, Elsenham, Takeley and Thaxted.			
Option 3	This option distributes development across a hierarchy of settlements as listed in Option 2 but with significant development at Elsenham as the start of a new settlement			
Option 4 – Preferred Option	This option distributes the majority of development at a new Settlement the north east of Elsenham with limited development in Saffron Walden, Great Dunmow, Stansted Mountfitchet, Great Chesterford, Newport, Lt Canfield and Thaxted.			

## APPENDIX C

Distance by road between settlements and European protected sites (miles)				
	Wormley Hoddesdon Park Woods	Epping Forest	Eversden and Wimpole Woods	Blackwater Estuary
Saffron Walden	30	33	21	36
Great Dunmow	27	21	41	21
Stansted Moutfitchet	20	17	34	32
Great Chesterford	37	29	19	45
Newport	26	22	25	38
Elsenham	21	18	35	33
Takeley	23	16	34	26
Thaxted	29	25	30	28