

**Steve Fraser-Lim
East Herts Council
Wallfields,
Pegs Lane,
Hertford,
SG13 8EQ**

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Contact: Chloe Weingarten
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Date: 12/07/2024

Dear Steve Fraser-Lim,

Application: Outline planning application for development of up to 600 dwellings (C3), elderly accommodation (C3), Mixed Use Local Centre (including flexible use E, F and Sui Generis), First School, informal and formal open space, associated works and infrastructure including a new access from the A507 and pedestrian bridge over the A10, with all matters reserved except access.

Address: Land North Of A507, West Of A10 Buntingford

Application No: [3/24/0966/OUT](#)

ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Overall Recommendation:

- ☒ Further information required prior to determination.

Summary of Advice:

- No fundamental objection based upon available information.
- Insufficient information to support proposal – The proposed 2024 surveys for bats, breeding birds, reptiles, water vole, and habitats (optimal survey period) have either not been undertaken, completed, or submitted. Consequently, the current Ecological Impact Assessment is insufficient to adequately consider ecological impacts.
- CEMP condition.

- LEMP condition.
- BNG currently insufficient for determination.

Supporting documents

- Ecological Impact Assessment Part 1 – CSA Environmental (May 2024).
- Ecological Impact Assessment Part 2 – CSA Environmental (May 2024).
- Biodiversity Net Gain Assessment: Design Stage – CSA Environmental (May 2024).
- Statutory Biodiversity Metric – CSA Environmental (May 2024).

Comments

The application site covers 50.12ha with the following habitats present: arable fields, central ditch and associated other neutral grassland, lowland mixed deciduous woodland, boundary hedgerows, mixed scrub, and other broadleaved woodland plantation.

An Ecological Impact Assessment (Part 1 and 2) has been submitted (May 2024) by CSA Environmental.

1. **Bats – further information required:** Whilst there are no buildings on site, the habitats on site provide some opportunities for bats in the form of the woodland copse, and boundary hedgerows. It was stated in the EclA that bat activity surveys will be undertaken to determine bat activity across the site. There is currently no evidence that these surveys have been undertaken, therefore I advise that the proposals should not be approved until they have, along with the Ground Level Tree Assessments (GLTA) stated in the EclA which will be for the mature trees at the centre of the site. **The results of these surveys should be submitted to the LPA for approval, along with appropriate mitigation measures (if applicable).**
2. **Breeding birds – further information required:** The site has potential for breeding birds. It was stated in the report (s5.83) that breeding bird surveys will be undertaken in 2024, however these have not been submitted. Under the assumption that these surveys will be carried out, **I advise that the results should be submitted to the LPA for approval, along with appropriate mitigation measures (if applicable).**
3. **Reptiles – further information required:** It was identified during the ecological survey that the site provides some areas which could be appropriate for reptiles. It was stated in the report (s5.87) that reptile surveys are to be undertaken, however these have not been submitted. **I advise that once these surveys have been conducted, the results along with appropriate mitigation measures should be submitted to the LPA for approval.**
4. **Water vole and otter – further information required:** The River Rib is located 0.7km east of the site and is connected to the Thistle Vale Brook, which runs adjacent to the site boundary. This is also connected to the ditch (D1) on site,

therefore the site is well connected to the watercourses in the wider landscape. The ecology report outlines that these habitats could potentially support both otters and water voles, albeit no evidence of these species was observed during the survey. Whilst it is not considered that the site could host an important population of water vole, there is the possibility that small numbers may be present. To conclude, the site was considered to be of low suitability for both water voles, and otters.

It was stated in the report (s4.52) that surveys to confirm presence/absence will be undertaken in 2024, however evidence of these surveys are lacking. **I advise that once they are undertaken, the results along with appropriate mitigation (if applicable) should be submitted to the LPA for approval.**

5. **Great crested newts (GCN) – further information required:** Whilst there are no ponds on site, there are six within the vicinity which are within the dispersal range for great crested newts. There is a ditch onsite which was deemed to provide suboptimal habitat for great crested newts, albeit this feature would likely only be used for dispersal. It was suggested that GCN surveys are to be undertaken in 2024, however evidence that these surveys have been carried out is lacking. If the development seeks to go down the traditional licensing route, then the further surveys should be carried out, and if GCN are confirmed to be present and affected, mitigation should be provided which will inform a license. Alternatively, CSA provided other options relating to great crested newts (s5.102 of the EclA):

The development can now use District Level Licensing, in which case, the **Impact Assessment and Conservation Payment Certificate (IACPC) should be submitted for approval.**

If a non-licensed approach is sought, a non-licensed method statement should be incorporated into a Construction Environmental Management Plan (CEMP) which should be submitted as a condition of approval.

6. **Wintering birds:** A total of 34 wintering birds were observed on site during the 2023/2024 surveys, 22 of which are classified as priority species. It was confirmed that golden plovers are utilizing the arable fields for roosting, loafing, and feeding, and various other wintering birds were observed foraging. Whilst it was stated that habitats for skylark and grey partridge will be lost, given that there is a vast range of appropriate arable habitat in the vicinity, with mitigation in place, this was not considered a significant loss.

Mitigation has been outlined in s5.73 relating to habitat creation/enhancement, and lighting. **I advise that a Landscape Ecological Management Plan (LEMP) should be submitted as a condition of approval.** This should include all habitat creation/enhancements for wintering birds, which is outlined in the EclA (s5.75-5.79).

7. **Badgers:** No badger setts were located on site, however two badger setts were observed offsite in the woodland belt which is to the southeast. Additionally,

evidence of badger use onsite was confirmed via the presence of mammal push throughs within the boundary vegetation and hedgerows. Mitigation has been provided in the EclA (s5.55). **I advise that this mitigation, which includes a pre-construction badger survey, mitigation during the construction period, and timings of work should be incorporated in the already conditioned CEMP.**

8. **BNG:** This application is subject to Mandatory Biodiversity Net Gain. A Biodiversity Net Gain Assessment, and Statutory Metric have been submitted.

It was stated in the EclA that the wooded copse (W1) at the centre of the site is visible on historic maps dated 1888-1915. Therefore, this was considered as potentially ancient, and is subsequently classified as an irreplaceable habitat in the metric. This woodland is proposed to be retained and will supposedly be subject to further surveys in 2024. Whilst this habitat is to be retained, the proposals should not be approved until the survey has been carried out, which will inform the appropriate mitigation to protect this habitat.

The development will achieve a 13.85% net gain in habitat units, and a 10.69% in hedgerow units. The habitats which will be lost to the development are not considered as particularly ecologically important, and the habitat creation includes some valuable habitats of medium and high distinctiveness such as other woodland; broadleaved, ponds, other neutral grassland, trees, and scrub.

It was outlined that the botanical work was carried out outside of the optimal period for plant surveying, and that confirmatory surveys are to be carried out in 2024. Whilst I have no reason to consider that the BNG condition will not be met, the classification of habitats may have discrepancies due to the above. As this information informs the habitats in the metric, **without the updated 2024 survey within the optimal survey season, I do not consider the current metric is sufficient for determination.**

Consequently, **I advise that subsequent to the updated botanical survey, the current metric should be reviewed against the updated habitat data, and the metric should be amended if necessary.** The results of the updated survey should also be incorporated into a report.

It should be noted that the General Biodiversity Net Gain Condition will apply to this application, therefore requiring a Biodiversity Gain Plan (BGP) and Habitat Management and Monitoring Plan (HMMP).

9. **Additional Biodiversity enhancements:** North East Herts Swift Group have specified that 300 integrated swift bricks should be incorporated into the development plan. **I advise that these recommendations should be indorsed, and the swift bricks, along with 50 integrated bat boxes should form part of the already conditioned LEMP.** The LEMP should specify which brand will be used, and the location in which they will be erected **should be displayed within a Biodiversity Enhancement Plan which will form part of the LEMP.**

10. Whilst I consider there to be very limited ecological constraints associated with the proposals given the majority of the site is dominated by intensively farmed arable fields, the EclA is currently lacking in certain aspects to properly inform the proposals. As such, **the application should not be determined until the above information has been submitted.**

I trust these comments are of assistance,

Regards,

Chloe Weingarten
Assistant Ecology Advisor, Hertfordshire LEADS

Hertfordshire LEADS provides Landscape, Ecology, Archaeology, Design and Sustainability support to planning departments in Hertfordshire.