

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

Hertfordshire County Council

Farnham House
Six Hills Way
Stevenage, Herts SG1 2ST
www.hertfordshire.gov.uk

Contact: Chloe Weingarten
Tel: [REDACTED]
Email: ecology@hertfordshire.gov.uk
Date: 10/07/2025

Dear Steve,

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:

- ☒ Application can be determined with no ecological objections (with any informatives/conditions listed below).

Summary of Advice:

All previous advice relating to the CEMP, LEMP, badgers, and biodiversity enhancements still stands.

The below will supersede advice on bats, breeding birds, reptiles, great crested newts, water voles, and otters.

Construction Environmental Management Plan (CEMP) **Condition** including mitigation for the lowland mixed deciduous woodland, nesting birds, reptiles, great crested newts, and badgers (pre-commencement survey).

Landscape Ecological Management Plan (LEMP) **Condition** detailing habitat retention and enhancement for all species, but with a focus on breeding birds.

The LEMP should also include measures to ensure the condition of the lowland mixed deciduous woodland onsite is maintained.

Lighting Design Strategy Condition.

The metric has minor amendments, however we are unable to provide further comment on this since the trading summaries tab is not available to view.

This issue regarding BNG can be addressed either now, or at the post-determination stage. The minimum requirement for determination has been demonstrated, therefore the application **can be determined accordingly**.

Significant BNG – **HMMP should be secured via the legal agreement.**

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).

Biodiversity Metric – CSA Environmental (May 2024).

Ecological Impact Assessment (CSA Environmental, February 2025).

Biodiversity Net Gain Assessment (CSA Environmental, May 2025).

Biodiversity Metric (CSA Environmental, 2025).

Comments:

Further to our letter dated 12/07/2024, an updated Ecological Impact Assessment has now been submitted.

All previous advice relating to the CEMP, LEMP, badgers, and biodiversity enhancements still stands. However, the below will supersede advice on bats, breeding birds, reptiles, great crested newts, water voles, and otters. It should be noted that additional measures below are recommended to be included in the already conditioned CEMP and LEMP.

Bats: A Ground Level Tree Assessment (GLTA) was undertaken, whereby no trees were identified to have potential roosting features for bats, therefore no further surveys have been recommended.

The results of bat activity surveys have now been included in the report. These were carried out between April and August 2024, whereby five species were identified to be utilising the site. Most species identified during the surveys are common and widespread species, however some activity was from barbastelles, which are known to be rarer. However, the report states that there were only occasional passes from barbastelle, therefore it was considered that this is from opportunistic behaviour as opposed to indicating that a roost is nearby. I do not dispute this conclusion.

“A lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should accurately identify the features/areas of interest, describe levels of illumination prior to, during, and post-development, and should be shown in suitable contour plans and charts so that it can be clearly demonstrated that lit areas will not compromise existing use. Proposed lighting should accord with best practice (Bats

and Artificial Lighting at Night 08/23) and maintained accordingly. No further external lighting should be added unless agreed with the LPA. These proposals should also be accompanied by a statement by an ecologist on how it achieves these goals”.

Water vole and otter: No evidence of water vole or otter was found during the surveys conducted in 2024. Justification has been made in the report as to why they were considered to be absent from the site, and I do not dispute this. No further surveys or mitigation has been recommended for both water vole and otters.

Breeding birds: A total of 49 species of bird were recorded onsite, and immediately adjacent to the site, 35 of which were confirmed to be breeding onsite. 17 of those species are listed as priority species. Furthermore, eight skylark breeding territories were confirmed to be present, along with two corn bunting territories and five yellowhammer territories.

There will be a permanent loss of skylark territories as a result of the development. It has been noted in the EcIA that the open space will benefit breeding bird populations. However, this open space will be insufficient to mitigate the loss of the skylark territories. Given this, I consider that compensation measures should be in place. **The report states that skylark plots should be created to compensate for this loss. I advise that this should be adhered to, and this should be detailed and form part of the already conditioned LEMP.**

Reptiles: Reptile surveys were undertaken onsite in May and June 2024, whereby no reptiles, or evidence of reptiles were found.

Great crested newts: Five ponds within the 250m radius were subject to a Habitat Suitability Index (HSI) and were subsequently subject to eDNA sampling. All results were negative, confirming the likely absence of GCN in the ponds.

Mitigation to ensure no great crested newts or reptiles are harmed during the works should be included in the already conditioned CEMP.

Lowland mixed deciduous woodland: The lowland mixed deciduous woodland onsite has been listed in the biodiversity metric as an irreplaceable habitat. **I advise that mitigation to protect this habitat should be included in the already Conditioned CEMP, and the measures listed in s5.20 to ensure the condition of the woodland is maintained should be included in the LEMP.**

Summary of Conditions:

Construction Environmental Management Plan (CEMP) including mitigation for the lowland mixed deciduous woodland, nesting birds, reptiles, great crested newts, and badgers (pre-commencement survey).

Landscape Ecological Management Plan (LEMP) detailing habitat retention and enhancement for all species, but with a focus on breeding birds. The LEMP should also include measures to ensure the condition of the lowland mixed deciduous woodland onsite is maintained.

Lighting Design Strategy.

Biodiversity net gain: An updated biodiversity metric and biodiversity net gain assessment report have been submitted (May 2025).

The metric has very minor changes compared to the previous metric. However, instead of a 13.85% net gain in habitat units, it is now a 11.22% net gain. The newly updated metric states that the trading rules have not been met, however I am unable to look at this since the trading summaries tab has been deleted. This does not necessarily need to be made available at this stage as the minimum requirement for determination is the completed baseline. However, we are unable to provide further comment on the BNG proposals unless the full metric is made available for us to assess.

If the LPA would like further comments on the BNG, then the full metric including all tabs should be submitted.

However, as the minimum requirement for determination has been demonstrated in the form of a completed baseline, I advise that the application can be determined accordingly.

The biodiversity gain condition will apply to this application, whereby a biodiversity gain plan will be submitted as part of this condition. We advise that the government template for the biodiversity gain plan should be used, and a metric which corresponds with the gain plan should be submitted alongside this.

The claims for BNG for this site would be considered as 'significant' net gain. This is because of the creation of medium and high distinctiveness habitats. In this instance the LPA are advised to secure this significant net gain for the respective habitat units via legal agreement whether through an S106 agreement or conservation covenant.

Given that BNG for this site is significant, if the LPA were minded granting permission, a Habitat Management and Monitoring Plan (HMMP) should be secured via the legal agreement. This shall demonstrate how the habitat enhancement and creation, and subsequent target habitat conditions on-site will be created, enhanced, and monitored over 30 years following the completion of the capital works required to create them. It is recommended that the HMMP should be in line with the HMMP template produced by DEFRA. Considerations should also be given within any legal agreement to secure resources to allow adequate monitoring over the 30-year period.

Regards,

Chloe Weingarten
Assistant Ecology Advisor, Hertfordshire LEADS

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