

# HERTFORDSHIRE ECOLOGY

Providing ecological advice to Hertfordshire's Local Authorities and communities

Environmental Resource Planning  
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Mr Mark Peacock  
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Ask for: Simon Richards  
Tel: 01992 588483  
Date: 06/05/2021

Dear Mark

**Application.** Demolition of existing buildings and erection of 14 dwellings  
**Address:** Wells Farm Northaw Road East Cuffley Potters Bar EN6 4RD  
**Reference** 6/2020/3451/MAJ

Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments:

Hertfordshire Environmental Records Centre has no data specific to the application site but does have field records of bats and badgers from the nearby vicinity. The application site contains a number of former agricultural buildings all of which are weatherboarded or timber-clad. Most of these are relatively recent in age as the other than the cottage, the site was cleared in 1978 (DAS).

#### Protected species and habitats.

The application is supported by an Ecological Constraints Review by BMD (report date 11/11/2020). This is a high-level report and concludes that some level of protected species mitigation may be required and states that trees and buildings on site might provide roosting and nesting opportunities for bats and birds. In addition, the report identifies ponds within 150m of the site that could provide suitable conditions for breeding amphibians including great crested newt. I would support these conclusions. Beyond this general summary of the likely impact, the report gives no details of any surveys that have been carried out to assess the actual presence or absence of protected species or habitats. However, the LPA requires sufficient information on European Protected Species (such as bats and great crested newts) prior to determination to ensure it can discharge its legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended). Consequently, I advise that the application should not be determined as there is presently insufficient information to assess the biodiversity value of the site or impact of the proposal on protected species and habitats.

In order for the applicant to address this I advise a Preliminary Ecological Appraisal of the site including a Preliminary Roost Assessment of structures and trees, is carried out by a suitably qualified and experienced ecologist. This should identify the presence, absence or potential for protected species and

habitats. Now we are in the survey season it should also include additional surveys for presence / absence of bats if these are considered necessary. It should also give detailed recommendations for any mitigation or compensation that may be required. Any surveys carried out should be in line with best practice as laid out by the appropriate body such as CIEEM or the Bat Conservation Trust.

#### Biodiversity net gain and enhancements

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and consistent with other planning policy aspirations. I advise that any measures for biodiversity compensation or net gain are demonstrated in a Landscape and Ecological Management Plan (LEMP). Furthermore, I recommend that, a Biodiversity Impact Calculation is provided to assess the measurable ecological losses and gains associated with the development. This approach to achieving Biodiversity Net Gain (BNG) is outlined within the 2019 Environment Bill. However, as this is not yet planning law an application cannot be refused if the applicant does not agree to providing BNG unless there is planning policy to the contrary in an adopted local plan. Nevertheless, I strongly support this approach and advise that the most current version (v2) of the NE Biodiversity Metric is used to inform this process.

#### Landscaping proposals

Landscaping within the application site has been proposed; this includes creating wildflower grasslands within the gardens, as well as small meadow areas beneath trees along Northaw Road East. Whilst I support the intentions, these proposals are essentially inappropriate. Meadows don't exist beneath trees; a shaded mix is needed here. Garden areas cannot be expected to be managed in any way to maintain the species-rich lawn mixture which will be, in any event, impoverished structurally by regular mowing. These are primarily gardens, not wildflower grasslands, which, incidentally, cannot be subject to any future planning agreement to control future management which is what is expected to secure BNG.

The obvious opportunity to enhance the site ecologically is to create a biodiverse area adjacent to the development. I note that SUDS basins are proposed to the west of the proposals, set within a further land parcel of open space. These areas should be subject to suitable wildflower planting and subsequent appropriate management. Furthermore, as so much emphasis is placed upon the farm heritage and a design which is consistent with this, there is an obvious opportunity to plant a community orchard adjacent to the application site on the remaining open land area north of the SUDs. This will reflect the historic orchard previously present to the east of the site as shown on the historic maps, consistent with the stated design aims of the development. Consequently, I advise that these proposals should also form part of the LEMP.

There is considerable opportunity to introduce further ecologically sympathetic landscaping and habitat creation to the north of the site within the adjacent empty land parcels described as private land - but with an enhanced external landscaped boundary. However, I suspect this area will also be subject to development proposals in due course given it lies within the proposed local plan Site allocation HS30.

To conclude, the application should not be determined as there is currently insufficient information to enable the LPA to ensure European Protected Species are not adversely affected by the proposal. When this is determined, if approved it should be on Condition of a suitable LEMP which addresses the BNG opportunities I have raised above.

I trust these comments are of assistance,

Simon Richards  
Ecology Advisor, Hertfordshire Ecology