



MACGREGOR-SMITH LIMITED

PLOT 5000,  
HATFIELD BUSINESS PARK,  
HERTFORDSHIRE

## **Ecological Assessment**

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## **1. INTRODUCTION**

### **1.1. Background**

- 1.1.1. Ecology Solutions was commissioned in February 2017 by Macgregor-Smith Limited to complete an ecological assessment of Plot 5000, Hatfield Business Park, Hertfordshire (see Plan ECO1).
- 1.1.2. The site is proposed for a new warehouse / storage building with associated office building, production areas and service yard.

### **1.2. Site Characteristics**

- 1.2.1. The site is located within the Hatfield Business Park. To the north, east and south of the site is the continuation of the business park. A school lies to the west of the site. The A1(M) motorway lies a short distance to the east of the site.
- 1.2.2. The site consists largely of semi-improved grassland, with hedgerows along the western and part of the northern boundaries. There are some areas of amenity grassland, amenity planting and hardstanding within the site.

### **1.3. Ecological Assessment**

- 1.3.1. This document assesses the ecological interest of the site as a whole. The importance of the habitats within the site is evaluated with due consideration given to the current guidance published by the Chartered Institute of Ecology and Environmental Management (CIEEM)<sup>1</sup>.
- 1.3.2. The likely effects arising from the development proposals are identified and, where appropriate, mitigation measures are recommended so as to safeguard any significant existing ecological interest within the site.
- 1.3.3. A previous extended Phase 1 Habitat Survey Report undertaken by Ecology Solutions for Plot 5000 Hatfield Business Park in 2015 will be referenced in this report where considered beneficial.

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<sup>1</sup>CIEEM (2016). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal*. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

## 2. SURVEY METHODOLOGY

2.1. The methodology utilised for the survey work can be split into three areas, namely desk study, habitat survey and faunal survey. These are discussed in more detail below.

### 2.2. Desk Study

2.2.1. In order to compile background information on the site and the surrounding area, Ecology Solutions contacted Hertfordshire Environmental Records Centre (HERC).

2.2.2. Information received is referenced within this report and illustrated where appropriate on Plan ECO1.

2.2.3. Further information on designated sites from a wider search area was obtained from the online Multi-Agency Geographic Information for the Countryside (MAGIC)<sup>2</sup> database. This information is reproduced at Appendix 1, and where appropriate illustrated on Plan ECO1.

### 2.3. Habitat Survey

2.3.1. Habitat surveys were carried out in March 2017 in order to ascertain the general ecological value of the land contained within the boundaries of the site, and to identify the main habitats and associated plant species present.

2.3.2. The site was surveyed based around extended Phase 1 survey methodology<sup>3</sup>, as recommended by Natural England, whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each habitat. This technique provides an inventory of the basic habitat types present and allows identification of areas of greater potential which require further survey. Any such areas identified can then be examined in more detail.

2.3.3. Using the above method, the site was classified into areas of similar botanical community types, with a representative species list compiled for each habitat identified.

2.3.4. All the species that occur in each habitat would not necessarily be detectable during survey work carried out at any given time of the year, since different species are apparent at different seasons. The survey work was undertaken outside the optimal period for Phase 1 and botanical surveys, although given the habitats present and the species evident at the time of survey, together with having the previous Phase 1 report which was conducted inside the optimal period, it is considered an accurate assessment of the habitats present has been made.

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<sup>2</sup><http://www.magic.gov.uk>

<sup>3</sup>Joint Nature Conservation Committee (2010). *Handbook for Phase 1 Habitat Survey – a Technique for Environmental Audit*. England Field Unit, Nature Conservancy Council, reprinted JNCC, Peterborough.

## 2.4. Faunal Survey

- 2.4.1. Obvious faunal activity, such as birds or mammals observed visually or by call during the course of the survey was recorded. Specific attention was paid to any potential use of the site by protected species, priority species (formerly referred to as BAP species), or other notable species.
- 2.4.2. In addition to general observations of faunal activity, specific surveys were undertaken for the potential presence of bats and Badger *Meles meles* within and adjacent to the site.
- 2.4.3. Experienced ecologists following established best practice and guidance issued by Natural England undertook the fauna surveys. Details of the methodologies employed are given below.

### *Bats*

- 2.4.4. All trees within the site were assessed for their potential to support roosting bats. Features typically favoured by bats or evidence of past use by bats were sought, including:
- Obvious holes, e.g. rot holes and old Woodpecker holes;
  - Dark staining on the tree, below the hole;
  - Tiny scratch marks around a hole from bats' claws;
  - Cavities, splits and or loose bark from broken or fallen branches, lightning strikes etc.; and
  - Very dense covering of mature Ivy over trunk.
- 2.4.5. The site and features therein were also appraised for their likely value to foraging and dispersing bats.

### *Badgers*

- 2.4.6. Ecology Solutions undertook a survey of Badger activity across the site and adjacent areas in March 2017.
- 2.4.7. The survey was extended to cover adjacent land of up to 30 metres away from the site, where possible, within habitat considered suitable for Badgers. This was considered necessary as any potential impacts that the development may have upon badgers setts located within adjacent habitat would also have to be considered:
- 2.4.8. Evidence of any Badger activity was identified in the following ways:
- Identification of Badger setts on the basis of their size and location;
  - Inspection of spoil heaps for footprints or discarded hair;
  - Presence of dung pits or latrines;
  - Presence of well-used mammal pathways; and
  - Presence of other indications of Badger activity including signs of foraging or hair caught in fences.

### 3. ECOLOGICAL FEATURES

- 3.1. Habitat surveys were undertaken at the site in March 2017.
- 3.2. Information from the 2015 habitat surveys has also been referenced in this section.
- 3.3. The following main habitat / vegetation types were identified within Plot 5000 during the surveys undertaken:
  - Semi-improved grassland;
  - Hardstanding.
  - Amenity planting;
  - Amenity grassland;
  - Hedgerow;
  - Trees; and
  - Scrub / tall ruderal vegetation.
- 3.4. The locations of these habitats are shown on Plan ECO2.

#### 3.5. Semi-improved Grassland

- 3.5.1. Plot 5000 consists largely of semi-improved grassland that is subject to regular but infrequent mowing (see Photograph 1). The plot is open to pedestrians / recreational walkers, and occasional bare earth is present where walkers have worn paths through the sward.
- 3.5.2. Species present within this area of grassland include Yorkshire Fog *Holcus lanatus*, Red Fescue *Festuca rubra*, Cocksfoot *Dactylis glomerata*, Meadow Grass *Poa spp.*, False Oat-grass *Arrhenatherum elatius*, Ribwort Plantain *Plantago lanceolata*, Creeping Cinquefoil *Potentilla reptans*, Common Ragwort *Senecio jacobaea*, Dovesfoot Cranesbill *Geranium molle*, White Clover *Trifolium repens*, Dandelion *Taraxacum officinale*, Hogweed *Heracleum sphondyliu*, Cleavers *Galium aparine*, Birdsfoot Trefoil *Lotus corniculatus*, Knapweed *Centaurea nigra*, Common Field Speedwell *Veronica persica*, Yarrow *Achillea millefolium*, Daisy *Bellis perennis*, Teasel *Dipsacus* Common Sorrel *Rumex acetosa*, and Buddleia *Buddleja davidii*.
- 3.5.3. Barren Brome *Anisantha sterili*, Couch *Elytrigia repens*, Common Bent *Agrostis capillaris*, Rough Meadow-grass *Poa trivialis*, Rough Hawkbit *Leontodon hispidus*, Smooth Hawk's-beard *Crepis capillaris*, Bristly Oxtongue *Picris echioides*, Mugwort *Artemisia vulgaris*, Common Mallow *Malva sylvestris*, Musk-mallow *Malva moschata*, Field Bindweed *Convolvulus arvensis*, Lesser Stitchwort *Stellaria graminea*, Perforate St John's Wort *Hypericum perforatum*, Scented Mayweed *Matricaria chamomilla* and White Champion *Silene latifolia* were all recorded in the previous survey conducted in August 2015.

### 3.6. **Hardstanding**

- 3.6.1. A small and reasonably well maintained area of flagstones and gravel is present in the east of Plot 5000, allowing pedestrian access from the pavement along Mosquito Way to the southeast of the site. Some littering is evident (see Photograph 2) at this location.

### 3.7. **Amenity Planting**

- 3.7.1. Well-managed areas of amenity planting and trees are present along the southern and eastern boundaries of Plot 5000 (see Photograph 3). Species present include Dogwood *Cornus sanguinea*, Field Maple *Acer campestre*, Oak *Quercus robur*, Snowberry *Symphoricarpos albus*, Broom *Cytisus scoparius*, *Hebe* sp. Pine *Pinus* sp., Portuguese Laurel *Prunus lusitanica*, Cherry Laurel *Prunus laurocerasus*, and Holly *Ilex aquifolium*.

### 3.8. **Amenity Grassland**

- 3.8.1. Small areas of amenity grassland are present along the southern and eastern boundaries of the plot (see Photograph 4). Species recorded include Ribwort Plantain, Meadow Grass *Poa* sp, Common Field Speedwell, Bristly Oxtongue, Yorkshire Fog, Daisy *Bellis perennis*, Opium Poppy *Papaver somniferum*, Smooth Sow-thistle *Sonchus oleraceus*, White Clover, Dandelion, Creeping Cinquefoil, Creeping Buttercup *Ranunculus repens*, Yarrow and Hemlock *Conium maculatum*.

### 3.9. **Hedgerow**

- 3.9.1. Hedgerow H1 is located in the northwest of the site, between the semi-improved grassland and a chain-link fence running along the western boundary. It is an unmanaged and fairly dense hedgerow with minimal gaps, rising to a height of approximately 5m and running for a length of approximately 150m. Species present in the hedgerow include Hawthorn *Crataegus monogyna*, Blackthorn *Prunus spinosa*, Field Maple, Wild Privet *Ligustrum vulgare*, Holly and Dogwood. The base of the hedgerow merges immediately into the semi-improved grassland. Cleavers are apparent along the base of the hedgerow.
- 3.9.2. Hedgerow H2 (see Photograph 5) is a line of planted native semi-mature trees immediately adjacent to the southwestern boundary of the plot, behind a metal security fence dividing the site from Howe Dell Primary School. Hedgerow H2 is less dense than Hedgerow H1 and contains Dogwood, Hazel *Corylus avellana*, Silver Birch *Betula pendula*, Goat Willow *Salix caprea* and Crack Willow *Salix fragilis*, Hornbeam *Carpinus betulus*, Cherry *Prunus avium* with Cleavers present at the base of the hedgerow on the site side. Hedgerow H2 rises to approximately 5m tall and runs adjacent to the site for approximately 120m before continuing northwest for a further 50m.



### 3.10. **Trees**

- 3.10.1. In addition to the trees contained within amenity planting and Hedgerows H1 and H2, a small number of scattered semi-mature Goat Willow and Crack Willow trees are present in the southwest of Plot 5000. These trees are all around 5m tall.

### 3.11. **Scrub / Tall Ruderal Vegetation**

- 3.11.1. A small area in the west of Plot 5000 is dominated by Bramble *Rubus fruticosus* and Rosebay Willowherb *Chamerion angustifolium* to a height of approximately 2m (see Photograph 6).

### 3.12. **Background Records**

- 3.12.1. No recent records of plant species were returned from the site or its vicinity.

#### 4. WILDLIFE USE OF THE SITE

4.1. General observations were made during the surveys of any faunal use of the site with specific attention paid to the potential presence of protected species.

##### 4.2. Badgers

4.2.1. No Badger setts or further field signs associated with this species were recorded within or immediately adjacent to the site.

4.2.2. Owing to the location of the site and its surrounding area it is not deemed to offer any reasonable foraging or dispersal opportunities for Badgers. Owing to the lack of suitable habitat around the site, the presence of Badgers is extremely unlikely.

4.2.3. Only two records from the last 10 years for Badger were returned by the data search. Both records were recorded in a location within the same 10km grid square as the site. Both records are for dead Badgers at the side of the road.

##### 4.3. Bats

4.3.1. None of the trees associated with the site have developed any features that could support roosting bats. The site is likely to offer some opportunities for foraging bats, but given the nature of the habitats present it is not likely to support a large assemblage of species. The features of greater importance for foraging and dispersing bats in the context of the site are the hedgerows, particularly hedgerow H1.

4.3.2. Information returned by HERC includes a number of records of bat. None of these records are from the site or immediate surroundings, with the nearest record being of an unoccupied Common Pipistrelle *Pipistrellus pipistrellus* roost in the same 1km grid square as the site in 2006. Other species noted as part of the data search included Brown Long-eared Bat *Plecotus auritus*, Noctule *Nyctalus noctula*, Daubenton's Bat *Myotis daubentonii* and unidentified *Myotis* species.

##### 4.4. Other Mammals

4.4.1. Small mammal burrows were recorded on the grass banks along the northern boundary during the March 2017 survey. It is likely that unprotected common and widespread small mammals use the site. There is no evidence of any protected small mammals present on site.

4.4.2. No records of any European protected mammal species such as Otter *Lutra lutra* or Dormouse *Muscardinus avellanarius* were returned from the search area. It is therefore considered that these species are absent from the immediate area and would not present a constraint to proposed development at the site. One record of Water Vole *Arvicola amphibius* was returned, dating from 1987; however, the site is devoid of habitats suitable for this species. Three

Brown Hare *Lepus europaeus* records were returned, with the closest and most recent being from approximately 0.9km west of the site in 2013.

#### 4.5. Birds

- 4.5.1. The hedgerows provide good nesting and foraging opportunities for a variety of bird species. There is however, no evidence to suggest the site is off any particular ornithological interest.
- 4.5.2. Magpie *Pica pica*, House Sparrow *Passer domesticus*, Blackbird *Turdus merula*, Chaffinch *Fringilla coelebs* and Robin *Erithacus rubecula* were recorded within the site. Carrion Crow *Corvus corone* and an unidentified Pigeon *Columba* sp. were noted flying over the site.
- 4.5.3. No records of any bird species of special conservation interest were returned from within or immediately adjacent to the site as part of the desk study.
- 4.5.4. Seven bird species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) were recorded approximately 240m southwest of the site in 2013 (Fieldfare *Turdus pilaris*, Redwing *Turdus iliacus*, Red Kite *Milvus milvus*, Quail *Coturnix coturnix*, Eurasian Hobby *Falco subbuteo*, Black-tailed Godwit *Limosa limosa* and nesting Barn Owl *Tyto alba*).

#### 4.6. Reptiles

- 4.6.1. No reptiles were observed during the survey work undertaken, but the semi-improved grassland habitat is considered to offer some potential to support this group. The sward is rank and tussocky, while the scrub and ornamental planting would offer habitat for shelter and hibernation. It was also noted that cracked and broken cement located by the southern boundary may also provide potential hibernation opportunities for reptiles.
- 4.6.2. No records of any reptile species from the past 20 years were returned as part of the desk study.

#### 4.7. Amphibians

- 4.7.1. A pond is present approximately 10m to the south of the site on school land. The pond appears to have been created within the last few years. Given that the area is broadly isolated from any other suitable amphibian habitat by the Business Park and neighbouring residential development, it is considered that this pond is unlikely to have been colonised by Great Crested Newts *Triturus cristatus* in this time.
- 4.7.2. No recent records of any amphibians, including Great Crested Newt, were returned by the data search exercise.

#### 4.8. Invertebrates

- 4.8.1. Given the habitats present it is likely that the site supports a range of common and widespread invertebrates, but there is no evidence to suggest that any more notable or scarce species would be present.
- 4.8.2. Two notable species were recorded in the locality of the site. The closest Small Heath *Coenonympha pamphilus* records refer to a location approximately 0.5km west of the site in 2010. The most recent Small Heath record is of up to three individuals approximately 0.9km southwest of the site in 2013. A White-letter Hairstreak *Satyrium w-album* record from 2011 refers to a location approximately 1.1km south of the site.

## 5. ECOLOGICAL EVALUATION

### 5.1. The Principles of Ecological Evaluation

- 5.1.1. The guidelines for ecological evaluation produced by CIEEM propose an approach that involves professional judgement, but makes use of available guidance and information, such as the distribution and status of the species or features within the locality of the project.
- 5.1.2. The methods and standards for site evaluation within the British Isles have remained those defined by Ratcliffe<sup>4</sup>. These are broadly used across the United Kingdom to rank sites so priorities for nature conservation can be attained. For example, current Sites of Special Scientific Interest (SSSI) designation maintains a system of data analysis that is roughly tested against Ratcliffe's criteria.
- 5.1.3. In general terms, these criteria are size, diversity, naturalness, rarity and fragility, while additional secondary criteria of typicalness, potential value, intrinsic appeal, recorded history and the position within the ecological / geographical units are also incorporated into the ranking procedure.
- 5.1.4. Any assessment should not judge sites in isolation from others, since several habitats may combine to make a site worthy of importance to nature conservation.
- 5.1.5. Further, relying on the national criteria would undoubtedly distort the local variation in assessment and therefore additional factors need to be taken into account, e.g. a woodland type with a comparatively poor species diversity, common in the south of England, may be of importance at its northern limits, say in the border country.
- 5.1.6. In addition, habitats of local importance are often highlighted within a local Biodiversity Action Plan (BAP). The Hertfordshire BAP has been considered as part of this assessment and are referenced where relevant.
- 5.1.7. Levels of importance can be determined within a defined geographical context from the immediate site or locality through to the international level.
- 5.1.8. The legislative and planning policy context are also important considerations and have been given due regard throughout this assessment.

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<sup>4</sup>Ratcliffe, D. A. (1977). *A Nature Conservation Review: the Selection of Study areas of Biological National Importance to Nature Conservation in Britain*. Two Volumes. Cambridge University Press, Cambridge.

## 5.2. Habitat Evaluation

### *Designated Sites*

- 5.2.1. **Statutory Designations.** There are no statutory designated sites of nature conservation interest within or adjacent to the site.
- 5.2.2. The nearest statutory designated site is that of Howe Dell Local Nature Reserve (LNR) which is located approximately 1.8km to the southeast of the site (see Plan ECO1). The LNR is sufficiently removed and buffered from the site as to be unaffected by the proposed development.
- 5.2.3. Sherrardspark Wood Site of Special Scientific Interest (SSSI) is located approximately 4.3km north of the site at its closest point, beyond agricultural land, residential development, the River Lea and a golf course (see Plan ECO1). Sherrardspark Wood SSSI is designated for its significant area of mature Sessile Oak *Quercus petraea* high forest, a habitat rare in lowland England, and also contains a diverse flora and important invertebrate habitat.
- 5.2.4. The site falls within Impact Risk Zones associated with the Sherrardspark Wood SSSIs such that Natural England consider potential development within this zone has the potential to impact the SSSI in some way. However, the development types considered of potential risk at this distance from the SSSIs are limited to applications for uses such as aviation, pig and poultry farming and industrial combustion.
- 5.2.5. **Non-statutory Designations.** There are a number of non-statutory designated sites in the vicinity of the site, although none are present either within or adjacent to the boundaries of the site (see Plan ECO1). The nearest non-statutory designation is Home Covert and Round Wood Local Wildlife Site (LWS), approximately 1km west of the site at its closest point. Home Covert and Round Wood LWS is designated for its ancient and semi-natural broadleaved woodland.
- 5.2.6. Given the scale and type of proposed development it is considered that all locally present non-statutorily designated sites are sufficiently removed from the site as not to be affected either directly or indirectly by the proposed development.

### *Habitats*

- 5.2.7. The majority of the habitats within the site are of negligible intrinsic ecological interest and their loss to facilitate the proposed development would be of no significance. However, they do offer habitat and potential opportunities to protected species (see below).
- 5.2.8. It is recommended that new landscape planting associated with the proposed development include a high proportion of native species of known wildlife value.

### 5.3. Faunal Evaluation

#### *Birds*

- 5.3.1. **Legislation.** All birds, their nests and eggs are protected under the Wildlife & Countryside Act 1981. It is an offence to:
- Kill, injure or take any wild bird intentionally;
  - Take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
  - Take or destroy an egg of any wild bird.
- 5.3.2. For certain bird species listed on Schedule 1 of the Wildlife and Countryside Act 1981, it is an offence to intentionally or recklessly disturb any wild bird listed on the Schedule while it is nesting, or is at (or near) a nest with eggs or young, or disturb the dependent young of such a bird.
- 5.3.3. No Schedule 1 species were recorded within the site. A limited assemblage of common species was recorded and there is no evidence to suggest that any more notable species would be present. The presence of Barn Owl nesting southwest of the site in 2013 is noted; however, the site contains negligible habitat suitable for Barn Owl nesting (the semi-mature trees in the site being of marginal suitability for the species). No evidence was recorded of any bird species nesting within the site. Nonetheless, it should be noted that all wild birds are protected under the Wildlife & Countryside Act 1981 whilst nesting.
- 5.3.4. **Mitigation and Enhancements.** As a precaution to avoid a possible offence, it is recommended that any tree felling or removal of suitable nesting habitat be undertaken outside the breeding season (which is typically March to July inclusive) or checked for nesting birds by an ecologist immediately prior to removal.
- 5.3.5. New planting undertaken as part of the proposed development should include native species. This would offer new foraging and nesting habitats for a variety of birds. The inclusion of bird boxes on retained trees or new buildings within the site would offer new nesting opportunities and provide some ecological gains. This would accord with the objectives of the Hertfordshire BAP.

#### *Reptiles*

- 5.3.6. **Legislation.** Rare, endangered or declining species receive full protection under the Wildlife & Countryside Act 1981 (as amended) as well as protection under the Conservation of Habitats and Species Regulations 2010. Species that are fully protected are Smooth Snake *Coronella austriaca* and Sand Lizard *Lacerta agilis*. It is illegal to:
- Deliberately kill, injure or take (capture) these reptiles;
  - Deliberately disturb these reptiles in such a way as to be likely:–

- to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or to hibernate; or
- to affect significantly their local distribution or abundance;
- Damage or destroy any breeding or resting place used by these reptiles;
- Intentionally or recklessly obstruct access to any place used by these reptiles for shelter or protection (even if the reptiles are not present at the time);
- Sell, offer for sale, possess or transport for purposes of sale these reptiles (live or dead animal, part or derivative).

5.3.7. Owing to their abundance in Britain, Common Lizard *Zootoca vivipara*, Slow Worm *Anguis fragilis*, Grass Snake *Natrix natrix* and Adder *Vipera berus* are only 'partially protected' under the Wildlife & Countryside Act 1981 (as amended) and as such only receive protection from:

- Intentional killing and injuring; and
- Being sold or other forms of trading.

5.3.8. The habitat of common reptiles is therefore not directly protected. However, because of their partial protection, disturbing or destroying their habitat while they are present may lead to an offence.

5.3.9. All reptile species are listed as a Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act (NERC) 2006. The NERC Act places responsibility upon public bodies to have regard for the conservation of biodiversity in England.

5.3.10. **Site Usage.** The site supports suitable opportunities for common reptiles. The site is isolated from other suitable habitat, being surrounded by busy roads and existing development. Nevertheless, its size is such that small self-sustaining populations could remain within the plot.

5.3.11. **Mitigation and Enhancements.** It is therefore recommended that a presence / absence survey be undertaken between the months of April and September / October inclusive. Artificial refugia would be deployed in areas of suitable habitat and subject to periodic checks on seven occasions.

5.3.12. If a population of one or more reptile species were confirmed, a translocation exercise to an off-site receptor area would likely be required prior to the commencement of development.



## 6. PLANNING POLICY CONTEXT

6.1. Planning policy for development in Hatfield is administrated at two levels, nationally through the National Planning Policy Framework (NPPF) and locally through the saved policies of the adopted Welwyn Hatfield District Plan and the emerging Local Plan including the Core Strategy. Any development proposals would need to reflect the policies contained within these documents.

### 6.2. National Policy

#### *National Planning Policy Framework*

- 6.2.1. Guidance on national policy for biodiversity and geological conservation is provided by the NPPF, published in March 2012. It is noted that the NPPF continues to refer to further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system provided by Circular 06/05 (DEFRA / ODPM, 2005) accompanying the now-defunct Planning Policy Statement 9 (PPS9).
- 6.2.2. The key element of the NPPF is that there should be “*a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking*” (paragraph 14). It is important to note that this presumption ‘*does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered, planned or determined*’ (paragraph 119).
- 6.2.3. A number of policies in the NPPF are comparable to those in PPS9, including reference to minimisation of impacts to biodiversity and provision of net gains to biodiversity where possible (paragraph 109) and ensuring that Local Authorities place appropriate weight to statutory and non-statutory nature conservation designations, protected species and biodiversity.
- 6.2.4. The NPPF also considers the strategic approach that Local Authorities should adopt with regard to the protection, enhancement and management of green infrastructure, priority habitats and ecological networks, and the recovery of priority species.
- 6.2.5. Paragraph 118 of the NPPF comprises a number of principles that Local Authorities should apply, including encouraging opportunities to incorporate biodiversity in and around developments; provision for refusal of planning applications if significant harm cannot be avoided, mitigated or compensated for; applying the protection given to European sites to potential SPAs, possible SACs, listed or proposed Ramsar sites and sites identified (or required) as compensatory measures for adverse effects on European sites; and the provision for the refusal of developments resulting in the loss or deterioration of ‘irreplaceable’ habitats unless the need for, and benefits of, the development in that location clearly outweigh the loss.

- 6.2.6. National policy therefore implicitly recognises the importance of biodiversity and that with sensitive planning and design, development and conservation of the natural heritage can co-exist and benefits can, in certain circumstances, be obtained.

### 6.3. Local Policy

#### *Welwyn Hatfield District Plan (2005)*

- 6.3.1. The District Plan was adopted in April 2005. The majority of the policies were saved in April 2008 following the direction of the Secretary of State. The District Plan saved policies will be replaced in time by the Local Plan. Of the saved policies five are considered pertinent to nature conservation and development.
- 6.3.2. Policy R11 is a general biodiversity policy requiring development to maintain or improve the biodiversity value of the site post development where possible.
- 6.3.3. Policies R13, R14 and R15 are associated with the protection of both statutory and non-statutory designated sites, and ensuring that any consented development will not have a detrimental effect on the value of sites.
- 6.3.4. Policy R17 is associated with the protection of trees, woodlands and hedgerows within the district, with development sought to retain and protect these features where possible.

#### *Welwyn Hatfield Local Plan (Draft 2016)*

- 6.3.5. The Local Plan is currently under consultation and has yet to be adopted, but will cover the borough till 2032. The following policy have been submitted for consultation and is relevant to this report.
- 6.3.6. Policy SADM 16 is associated with the protection and enhancement of biodiversity, ecological networks and water bodies, as well as ensuring that the boroughs natural landscape is conserved and enhanced.

### 6.4. Discussion

- 6.4.1. It is considered that no features of ecological value shall be affected directly or indirectly by the development proposals. The potential for common reptiles to be present has been raised as part of this ecological assessment and, if present, these would be subject to a standard translocation exercise prior to the commencement of development. It is therefore considered that the scheme accords with the policies pertinent to ecology and nature conservation matters at all relevant administrative levels.

## 7. SUMMARY AND CONCLUSIONS

- 7.1. Ecology Solutions was commissioned in February 2017 by Macgregor-Smith Limited to complete an ecological assessment of Plot 5000, at Hatfield Business Park, Hertfordshire.
- 7.2. The site is proposed for a new warehouse / storage building with associated office building, production areas and service yard.
- 7.3. A previous extended Phase 1 Habitat Survey and subsequent report of the site was conducted in 2015 by Ecology Solutions, this document has been referenced in this report.
- 7.4. There are no statutory designated sites of nature conservation interest within or adjacent to the site. The nearest statutory designated site is that of Howe Dell Local Nature Reserve (LNR), located approximately 1.8km to the southeast of the site. The LNR is sufficiently removed and buffered from the site as to be unaffected by the proposed development.
- 7.5. There are a number of non-statutory designated sites in the vicinity of the site, although none are present either within or adjacent to the boundaries of the site. The nearest non-statutory designation is Home Covert and Round Wood Local Wildlife Site (LWS), approximately 1km west of the site at its closest point. Home Covert and Round Wood LWS is designated for its ancient and semi-natural broadleaved woodland. It is considered that all locally present non-statutorily designated sites are sufficiently removed from the site as not to be affected either directly or indirectly by the proposed development.

### Habitats

- 7.6. The site was subject to extended Phase 1 habitat surveys in March 2017. The majority of the habitats within the site are of negligible intrinsic ecological interest and their loss to facilitate the proposed development would be of no significance. However, they do offer habitat and potential opportunities to protected species.
- 7.7. It is recommended that new landscape planting associated with the proposed development include a high proportion of native species.

### Protected Species

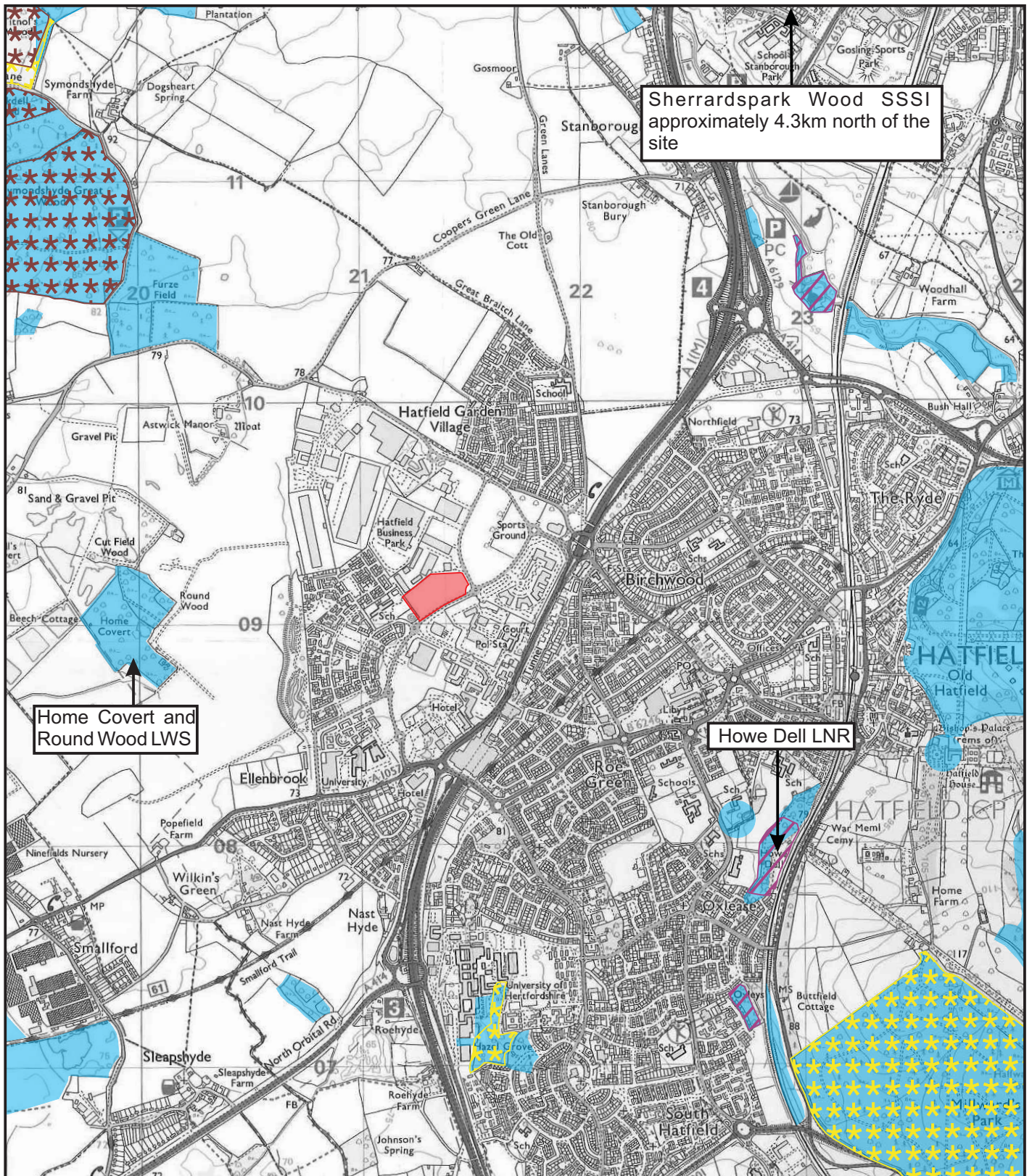
- 7.8. Badgers. No evidence of Badgers were recorded within or immediately adjacent to the site. The location of the site and the surrounding area is not deemed to offer any reasonable foraging and dispersal opportunities for Badgers. Owing to the lack of suitable habitat around the site, the presence of Badgers is extremely unlikely.
- 7.9. Bats. None of the trees associated with the site have developed any features that could support roosting bats. The site is likely to offer some opportunities for foraging bats, but given the nature of the habitats present it is not likely to support a large assemblage of species, nor be of such importance to support the favourable conservation status of any local population.

- 7.10. Birds. No bird species listed on Schedule 1 of the Wildlife & Countryside Act 1981 (as amended) were recorded within the site. A limited assemblage of common species was recorded and there is no evidence to suggest that any more notable species would be present. The presence of Barn Owl nesting approximately 240m southwest of Plot 5000 in 2013 is noted; however, the site contains negligible habitat suitable for Barn Owl nesting. Where it is necessary to remove vegetation, it is recommended that this be undertaken outside of the breeding season (March to July inclusive) or checked for nesting birds by an ecologist immediately prior to removal.
- 7.11. New planting undertaken as part of the proposed development should include native species. This would offer new foraging and nesting habitats for a variety of species. As an enhancement bird boxes could be installed on retained trees or new buildings within the site to offer new nesting opportunities.
- 7.12. Reptiles. The site supports suitable opportunities for common reptiles. While the site is isolated from other suitable habitat, being surrounded by busy roads and existing development, its size is such that a small self-sustaining population could remain. It is therefore recommended that a presence / absence survey be undertaken between the months of April and September / October inclusive. Artificial refugia would be deployed in areas of suitable habitat and subject to periodic checks on seven occasions. If a population of one or more reptile species were confirmed, a translocation exercise to an off-site receptor area would likely be required prior to the commencement of development.
- 7.13. Amphibians. There are no ponds present within the site. A pond is present approximately 10m to the south of the site (on school land). The only appears to have been created within the last few years. Given that the area is broadly isolated from other suitable amphibian habitat, it is considered that the pond is unlikely to support Great Crested Newt.
- 7.14. Invertebrates. Given the habitats present it is likely that the site supports a range of common and widespread invertebrates, but there is no evidence to suggest that any more notable or scarce species would be present.
- 7.15. Overall, subject to appropriate mitigation in the event that reptiles were found to be present, on the basis of the current evidence there are not considered to be any overriding ecological reasons why the site could not be developed. The proposals accord with planning policy with regard to nature conservation at all administrative levels.

## PLANS

## **PLAN ECO1**

Site Location and Ecological Designations



Sherrardspark Wood SSSI  
approximately 4.3km north of the  
site

Home Covert and  
Round Wood LWS

Howe Dell LNR

KEY:

-  SITE LOCATION
-  LOCAL NATURE RESERVE (LNR)
-  LOCAL WILDLIFE SITE (LWS)
-  ANCIENT AND SEMI-NATURAL WOODLAND
-  ANCIENT REPLANTED WOODLAND



7305: PLOT 5000,  
HATFIELD BUSINESS PARK,  
HERTFORDSHIRE

PLAN ECO1: SITE LOCATION AND  
ECOLOGICAL DESIGNATIONS









## **PLAN ECO2**

Ecological Features



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- KEY:**
-  SITE BOUNDARY
  -  SEMI-IMPROVED GRASSLAND
  -  AMENITY PLANTING
  -  HARDSTANDING
  -  HEDGEROW
  -  TREE
  -  SCRUB / TALL RUDERAL VEGETATION
  -  AMENITY GRASSLAND



7305: PLOT 5000,  
HATFIELD BUSINESS PARK,  
HERTFORDSHIRE

PLAN ECO2: ECOLOGICAL  
FEATURES

## **PHOTOGRAPHS**

PHOTOGRAPH 1: Semi-improved grassland



PHOTOGRAPH 2: Area of hardstanding



PHOTOGRAPH 3: Amenity planting



PHOTOGRAPH 4: Amenity grassland



PHOTOGRAPH 5: Hedgerow H2



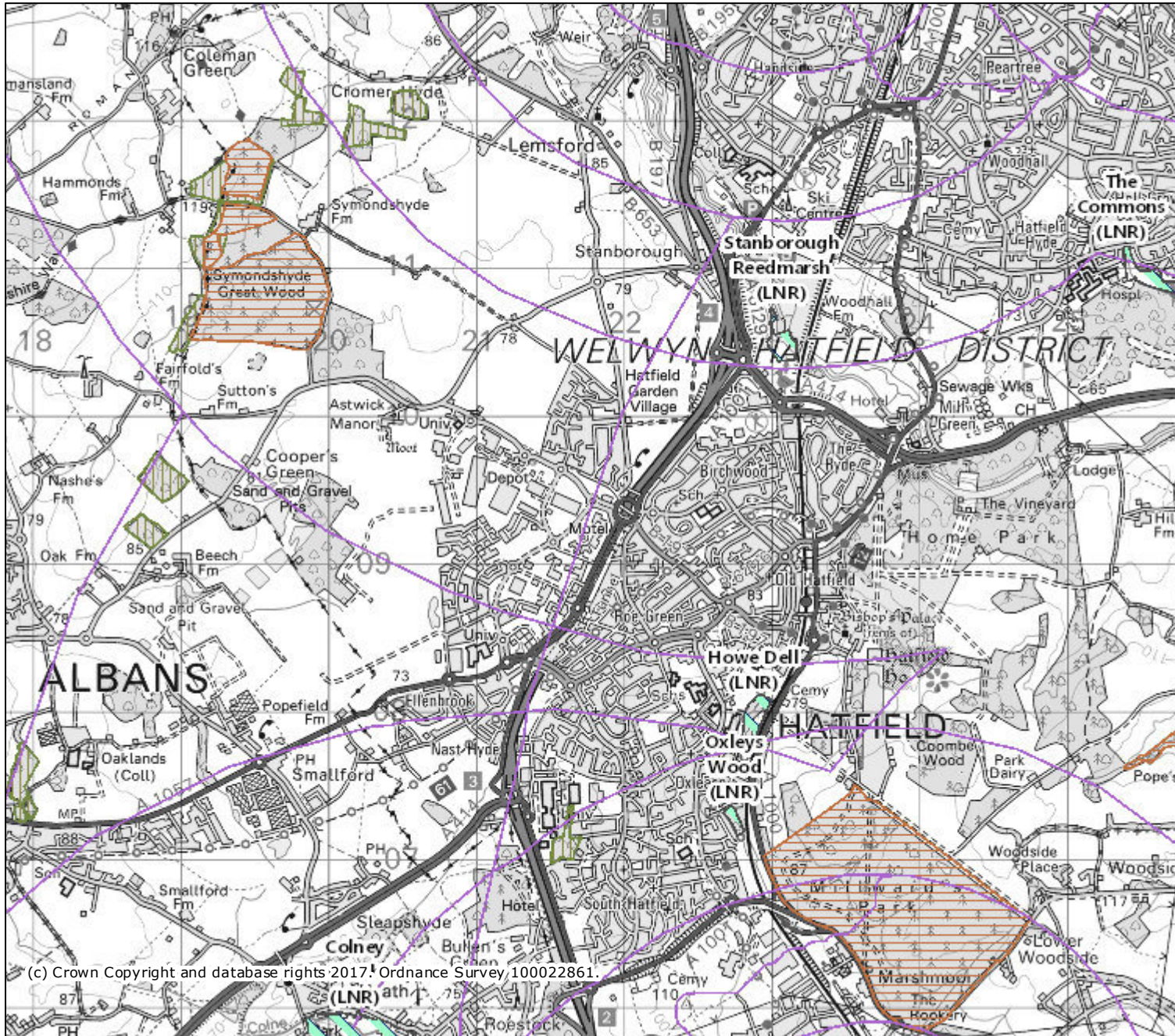
PHOTOGRAPH 6: Area of scrub



## **APPENDICES**

## **APPENDIX 1**

Information downloaded from Multi-Agency  
Geographic Information for the Countryside (MAGIC)



### Legend

- Local Nature Reserves (England)
- National Nature Reserves (England)
- Ramsar Sites (England)
- Sites of Special Scientific Interest (England)
- SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)
- Special Areas of Conservation (England)
- Special Protection Areas (England)
- Ancient Woodland (England)**
  - Ancient and Semi-Natural Woodland
  - Ancient Replanted Woodland

Projection = OSGB36  
 xmin = 511700  
 ymin = 204300  
 xmax = 531900  
 ymax = 214300  
 Map produced by MAGiC on 16 March, 2017.  
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