

HERTFORDSHIRE ECOLOGY

Providing ecological advice to Hertfordshire's Local Authorities and communities

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Ask for: Simon Richards
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Dear David

Application Engineering works comprising ground works and shaping of land to create a golf course (used only in conjunction with the Nyn Park Estate dwellinghouse) and erection of an associated single storey maintenance building

Address: Nyn Park, Well Road, Northaw, Potters Bar, EN6 4BS

Reference:6/2020/0311/MAJ

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

The proposal is supported by an Ecological Management Plan by Maydencroft 2020-2030. This a was proceeded by a landscape Specification in November 2008

Nyn Park is made up of a mosaic of different sections and habitat types including an area of woodland and Heathland that forms part of the Great Wood SSSI and Vineyard Wood, part of which forms a Local Wildlife Site.

The open parkland with the exception of the South Parkland where planted with conifers in the 1960s it is within this area that the proposed golf course will be sited. The approved application to erect the existing dwelling ref S6/2000/1639/FP included proposals for restoration of the estate through the implementation of a landscape strategy which formed part of an S 106 legal agreement with the LPA . This detailed the removal of these coniferous and measures to restore the SSSI woodland and heathland , the historic parkland and increase the biodiversity value of the woodland within the estate.

The landscape plan for the original planning application for the house outlined details of how the area now proposed as a golf course , was to be restored to a grassland. No details of specific seed mix are provided in the plan though it does make a requirement that the mixture must comprise of British native species only. A number of hedgerows and tree belts were also created to

provide green corridors linking Well Wood to the Frank Russell Dore Spinney and Nyn Pond , and to link Nyn Pond through with Vineyard Wood. These corridors can be seen on the 2015 aerial photographs. Proposals for Nyn Pond included the coppicing of willow to reduce shading and the restoration of the marginal and marsh planting on the southern, northern and western banks.

Outside of the area presently proposed as a golf course, the 2008 plan also included the restoration of open areas of the SSSI to heathland and wood pasture, the removal of invasive species such as rhododendron from Well Wood and the creation of two coppice coups . The existing south parkland was to be rested from grazing and management as a hay meadow for floral interest., although current proposals include the reintroduction of grazing to this area. The other retained woodland blocks were to be managed to encourage diversity of their habitat types

The original proposals were supported as benefiting the landscape and ecological restoration of the site and were an integral element of the successful planning application. However, the construction of the golf course will now result in the loss of a large section of this newly created open parkland and grassland. Whilst the 2020- 2030 management plan by Maydencroft gives some species lists for the existing areas outside of the proposed golf course, no base line data other than a list of notable trees is provided for the area proposed to be converted into the golf course. Although the original seed mix used to establish the restored parkland is not known, there is no reason to consider that over the interim 20 years the diversity of the grassland created would not have increased and may now be similar to that found in the northern Parkland which was also deforested and sown in the same period. This area is to be mainly retained and is described in the proposed 2020 – 30 Management Plan as being rich in herbaceous species.

Consequently, the removal of the existing grassland and its replacement with the proposed grass mix needed for the various golf course elements of tees, greens and fairways will result in a significant loss of local biodiversity to the site. The masterplan showing the location of fairways for the golf course, shows the loss of the green corridors created as a result of the 2007 landscape plan. The corridor connecting well wood to Russell Dore Spinney is lost to accommodate the fairways for holes 1 and 9 as are the corridors linking Nye Pond with Vineyards Wood to create the fairways for holes 5 and 6. The golf course proposals also include a projection of land into Nyn Pond to accommodate hole 7 with the loss of two small vegetated islands , and the loss of sections of the east bank to accommodate associated tees.

However, there are areas outlined in the management plan for the proposed golf course to be managed for the benefit of biodiversity including the creation of areas of new heathland and acid grassland at the perimeters of the proposed course, the management of buffer strips for biodiversity and the possible inclusion of vegetated margins around three new ponds, created as hazards within the golf course. However, whilst these are welcome they represent only a

small area relative to the amount of recreated parkland grassland being replaced.

The requirements of golf for a highly specialised sward that can survive regular cutting, trampling and often use of vermicides, would invariably influence the seed choice for greens and fairways, and will result in a grassland of very limited biodiversity value. Furthermore the roughs which could be used to increase the biodiversity value of the course fall outside the proposed ecological management plan and will, under current proposals, not make a significant improvement to the ecological value of the course. These areas could be utilised to introduce a greater diversity and herb species for the benefit of pollinators and other wildlife locally.

Within the areas of restored parkland, the management plan includes the sympathetic management of mature and veteran trees and the management of the semi-natural margins to Nyn Pond for wildlife. These are good examples of positive actions for biodiversity and a continuation of the restoration actions from the original 2007 plan

The Ecological Management Plan by Maydencroft relates mainly to the sections of the park outside of the footprint of the new golf course. For these areas it gives details of their existing character and management, as well as proposal management prescriptions. Overall, whilst I support these measures which will help maintain and restore the biodiversity of the existing habitats and create new habitats, many of the aims of this plan are similar to or a continuation of the aims of the previous 2007 plan. These include the aim to restore the Heathland within the SSSI, removal of invasive rhododendron and control bracken encroachment within well wood as well as the continued creation of coppice coups and their protection from deer browsing.

The LPA has to ensure that any development does not diminish the existing biodiversity and is now expected to achieve a measurable biodiversity net gain (BNG). This is accepted as being 10% above the current value. The LPA should also consider whether it has been provided with sufficient information to adequately inform the proposals.

Based on the above, I recommend the following:

1. Given the previous history of the area as coniferous plantation and its recent (within the last 20 years) removal to restore grassland, the proposed loss of this re-created grassland is regrettable, given that it previously formed one of the beneficial proposals to enable the previous application to be approved. If it damages the ecological benefits previous agreed, these need to be replaced and enhanced to ensure that the development achieves net biodiversity gain.
2. In addition, the loss of the associated green corridors and reduction to the semi natural margins of the pond also represent a degradation of

biodiversity. This should also be compensated for and enhanced, consistent with the aims of NPPF.

3. There is presently no base line data to allow the scale of this loss to be fully assessed and compared with any value gained from proposed measures within the ecological management plan, particularly given much of the remaining proposals were already in place. Consequently, I do not consider it is possible for the LPA to fully assess whether these measures provide suitable compensation and net gain. I would normally recommend that a preliminary ecological survey of the existing grassland be undertaken to address this. However, I understand that the engineering works for the course have already been completed – so this is no longer possible. Technically should this really be a retrospective application? Without any such details available now or from the original proposals, I advise that a grassland type from the UK Habitat Classification with a medium distinctness value be used to define the ecological value of the lost grassland.
4. I advise that the DEFRA v2 Biodiversity Metric be used to calculate the biodiversity net gain resulting from the current development to enable the LPA to assess whether at least 10% BNG has been achieved. This should not incorporate the existing habitat enhancements as proposed gains resulting from this development as these were in fact legally agreed enhancements as a result of the previous development.
5. Consequently, the biodiversity gain resulting from the development of the golf course should be in addition to the existing improvements already present. Whilst I accept the positive benefits of the proposed Landscape Management Plan, many of the management plans objectives and prescriptions are a continuation or evolution of those from the pre-existing 2007 plan by the Landscape Agency and so cannot reasonably be considered as resulting from this application. .
6. The additional biodiversity measures attributed only to the proposed development should be described as such, so that they can be clearly defined and further measures proposed if necessary here or offsite to achieve BNG, consistent with Govt. expectations.
7. Any biodiversity net gains achieved should be sustainable and secured for the long term. Given the current DEFRA BNG proposals and the ecological importance of the site, this should be for a minimum period of 30 years. The BNG management proposed should normally be agreed by the LPA and secured by a S106 agreement given the nature of the required management activities. If the accompanying Ecological Management Plan is to be the main vehicle for establishing the biodiversity gain, this would allow for a third plan beyond the a mentioned 2030 -40 plan to be required in order to deliver the long term BNG.

8. On the basis of the above, I advise that the application should not be determined until it has been demonstrated that BNG can be achieved in an acceptable manner as outlined above. This is a full application for a proposal that has already commenced and there is insufficient information presented to demonstrate BNG can be delivered. Furthermore current proposed enhancements include some already agreed to be delivered as a result of a previous application, which is unacceptable. Consequently if these details are not provided to enable the LPA to make a fully informed decision, I consider the LPA has no alternative than to refuse this application.

I trust these comments are of assistance,
Yours sincerely

Simon Richards
Ecology Advisor, Hertfordshire Ecology