

HERTFORDSHIRE ECOLOGY

Providing ecological advice to Hertfordshire's Local Planning Authorities

Hertfordshire LEADS, Environmental Growth
Hertfordshire County Council, County Hall, Hertford, Herts, SG13 8DN
ecology@hertfordshire.gov.uk
Tel: 01992 555220

David Elmore
Principal Major Development Officer
Welwyn Hatfield Borough Council

Ask for: Anita Parry
Tel: 01992 556149

Date: **18/07/2022**

Dear David,

Application Reference: 6/2022/1097/OUTLINE

Proposed development at: Land to the North of Bradmore Way, Bradmore Way,
The Brookmans Estate, Brookmans Park

Proposal: Outline planning permission with all matters reserved except access, for up to 125 dwellings, a care facility for up to 60 bedrooms (Use Class C2), and a scout hut (Use Class F2)

Following comments made by Herts & Middlesex Wildlife Trust (HMWT), a revised Biodiversity Net Gain (BNG) metric calculation spreadsheet (Rev 1) and report (dated 30/06/2022) have been received by Herts Ecology since our comments were made to the LPA on 31/05/2022. These updated documents aim to address concerns raised by HMWT relating to information provided in the previous metric spreadsheet. I have annotated my previous comments in **bold** below where the updated information alters my previously submitted comments:

Summary of advice

- Further *measurable* BNG information is needed *prior to determination*.
- Secure delivery of off-site BNG offsetting through either a monetary contribution to the LPA for a suitable local nature conservation project, or a 30-year (in perpetuity) land management agreement.
- Notwithstanding the above, I have no objection to the principle of development.
- Species survey results should be submitted prior to determination, as additional information.
- Follow recommendations, mitigation and enhancement measures – *except for surveys (see above)* - in the Ecological Appraisal and appendices now by condition or at the Reserved Matters stage, whichever is most appropriate.

Comments

The application is supported by a number of ecological reports and documents prepared by *Liz Lake Associates* in March 2022

- Ecological Appraisal Report
- Ecological Appraisal Report Appendix A Phase 1 Habitat Zonation
- Ecological Appraisal Report Appendix B Desktop Study Data
- Ecological Appraisal Report Appendix C Specialist Survey Reports (three reports by other consultants in 2014)
- Ecological Appraisal Report Appendix D Ecological Mitigation, Compensation & Enhancement Plan

- Ecological Appraisal Report Appendix E Biodiversity and Net Gain (Green Shoots Ecology). **Revised 30 June 2022 and received 4 July 2022.**
- Ecological Appraisal Report Appendix F Landscape and Biodiversity Opportunities Drawing (October 2019)
- Biodiversity Metric 3.0 calculation tool spreadsheet. **Revised Rev 1 received on 4 July 2022.**

The appraisal updates surveys undertaken in 2014. The Site is undeveloped land and comprises a block of agricultural grassland. It is located south and east of Peplin's Wood, which is a non-statutory Local Wildlife Site (LWS) and Ancient Woodland Inventory (AWI) site. To the south-east of the Site is Brookmans Park Golf Course; to the east is another grassland field; and to the south is part of the existing Brookmans Park residential area.

The proposals involve construction of up to 125 dwellings with associated gardens and parking, a care facility, a scout hut, some open space and a SUDS feature. It will result in the loss of all the existing grassland habitat. The reports provide adequate assessment of the impact of the proposals and are based on appropriate survey methods. Further surveys for bats, great crested newts and reptiles are planned and will be submitted later this year. *These results should be submitted as additional information before determination of the application.* The likelihood of an adverse ecological impact is low, but the submitted reports suggest reasonable precautionary measures to ensure that legally protected species are not harmed. I welcome the undeveloped 15m-30m buffer proposed for Peplin's Wood LWS / AWI site.

The ecological reports and appendices include a range of recommendations, mitigation and compensation measures, as well as habitat creation and ecological enhancement measures:

- (Ecological Appraisal Report sections 4 and 5 (for woodland fencing, 15-30m woodland buffer, production of a CEMP and a LEMP, native tree/shrub planting and plants for pollinators; reptile mitigation / translocation strategy including the need for an EPS mitigation licence for great crested newts, wildlife-friendly lighting; bat bricks, bird boxes & terraces, and reptile hibernaculum; hedgehog highways through garden fences, woodland and pond management),
- Great crested newt and Reptile Survey report section 8: Mitigation*,
- Bat Activity Survey report section 5: Recommendations*,

which are reasonable and compliance with them should be ensured now through the application of appropriately worded conditions (except species surveys, which should be completed prior to determination and not made a condition) or at the Reserved Matters stage, whichever is appropriate.

**These may be modified accordingly depending on the 2022 survey results.*

Biodiversity net gain

The submitted information indicates that, after on-site post intervention of habitat retention, creation and enhancement, there will be a gain of 2.83 linear/hedgerow biodiversity units (BU), which is a measurable net gain of 100%. However, as, there will be a loss of **9.85** area-based/habitat BU, which is a measurable net loss of **-31.61%** - *and this will need addressing with off-site offsetting.*

Although BNG is not yet mandatory (it will become so in 2023), there is an expectation in NPPF and the Environment Act that it should increasingly be delivered now, particularly in major development schemes such as this. I am pleased to see 10% BNG is proposed for this development (reference Ecological Appraisal, para 1.1.2). Two options for BNG have previously been discussed with ecologists at HMWT in 2015 and Herts Ecology in 2022. Option 1 involves

an offsetting payment based on a financial contribution **per BU (the current Hertfordshire LPA agreed amount is £12,000 per BU although this is likely to increase when the forthcoming Hertfordshire SPD on BNG is available. This document is anticipated to be approved later this summer / autumn)**. Option 2 involves off-site offsetting and follows the principles set out in the submitted Landscape and Biodiversity Opportunities Plan (which was agreed with HMWT in 2015). The wider environs of the Site includes land within the applicant's ownership and has the potential to be put forward for ecological enhancement as part of the BNG off-site offsetting requirement.

Comments on Option 1:

Green Shoots Ecology state that to *compensate* for the net loss in area-based habitat units, **an LPA agreed payment per Biodiversity Unit x 9.85** would be required. However, this would not provide a *net gain* (merely no net loss), which following national expectations should be a minimum of 10% uplift. On this basis, **10.835** BU should be delivered off-site.

Comments on Option 2:

All offsetting needs to be measurable to ensure sufficient net gain can be delivered. Currently, the metric does not provide calculations for the off-site baseline or off-site post intervention. *This information should be provided.*

Also, the biodiversity metric calculation tool spreadsheet indicates the Trading rules have not been satisfied. *This will also need addressing to ensure no loss of distinctiveness* result from replacement habitats.

Consequently, as a result of my observations above, further information is needed to populate the biodiversity metric to demonstrate the required number of BU can be delivered and ultimately net gain can be achieved from the development. If a monetary contribution is to be made, this should be agreed through a s106 or similar. If off-site land management offsetting is proposed, this will need securing through a LEMP.

Overall, I have no objection to the principle of development at this site. I do not anticipate there to be any significant ecological constraints that would prevent consent being granted, subject to appropriate mitigation, enhancement and BNG measures being implemented - to ensure biodiversity net gain will be achieved from the development. *However, to conclude, further information on measurable off-site biodiversity offsetting and securing its delivery is needed prior to determination of this application.*

Herts Ecology will be happy to review any additional information in due course and advice the LPA accordingly.

I trust these comments are of assistance.

Yours sincerely,

Anita Parry
Ecology Advisor
Hertfordshire Ecology