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Dear Mr Greaves

Application number: 25/01766/OP

Location: Land on the South side of Cowards Lane, Codicote, Hertfordshire

Proposal: Outline application with means of access for residential development of up to 30 dwellings, etc.

The Herts and Middlesex Wildlife Trust **objects** to this planning application due to:

- The loss of part of Meadow North-West of First Spring Local Wildlife Site (LWS)
- The loss of 1.13 ha of Other Neutral Grassland
- Failure to comply with the 'Golden Rules' relating to the release of Grey Belt land.

I have reviewed the Ecological Impact Assessment (EcIA) and the Biodiversity Net Gain Statement by Clarkson and Woods, and also the Planning Statement by Stantec Planning, and have the following additional comments.

Meadow North-West of First Spring Local Wildlife Site

The EcIA acknowledges that the proposed development will result in the loss of part of a local wildlife site, the Meadow North-West of First Spring LWS (para. 4.1.4). It states that the habitats within the site are in poor condition and do not meet the criteria for designation. 'Nevertheless, the site remains designated and should be treated as such'. However, we do not agree that the impacts of loss of extent of the LWS are mitigated by the retention and management of other neutral and wet grassland habitats within open spaces on the site.

The loss is not mitigated by retaining and managing (or even creating) other neutral and wet grassland habitats on the site, as is plain from the Biodiversity Net Gain statement. This states (para. 4.1.3) that there is a total net loss of -4.78 habitat units, representing a loss of -48.53%, the majority of which is in relation to the loss of Other Neutral Grassland. Although there is a small area of habitat creation, it is impossible to recreate the loss on the site, hence the need to seek offsite biodiversity credits.

The proposal falls at the first hurdle of failing to comply with the mitigation hierarchy (avoid, then mitigate, then compensate as a last resort) and is contrary to paragraph 193(a) of the National Planning Policy Framework (NPPF) as well as Policy NE4 of the North Herts Local Plan.

Other Neutral Grassland

Similar comments apply as for impacts on the Local Wildlife Site, as the grassland is the principal reason for designating the LWS. Comments in the EclA about the poor condition and failure to meet the criteria for designation are noted, but there is every prospect that under a favourable management regime, the condition of the meadow would improve. Its poor condition cannot be used as a justification for permitting development which would completely destroy the grassland. We note that in the draft Hertfordshire Local Nature Recovery Strategy (July 2025), improving the condition of grassland is one of the priority areas, and the site of the proposed development falls within the Grass and Heath Focus Area. Local planning authorities have not yet had the opportunity to reflect the Herts LNRS in their local plans, but it would be absurd to permit a development which destroys valuable grassland habitat in the very area where we should be seeking its expansion.

The Golden Rules

In the Planning Statement, the applicant attempts to justify the development by claiming that the Green Belt in this location is 'Grey Belt', and that the Golden Rules which relates to the release of Grey Belt land are satisfied. The Trust is neutral on matters relating to the Green Belt and has no view on whether the site is Grey Belt or not. However, the NPPF rules refer to the importance of nature recovery. Paragraph 159 states:

"159. The improvements to green spaces required as part of the Golden Rules should contribute positively to the landscape setting of the development, support nature recovery and meet local standards for green space provision where these exist in the development plan. Where no locally specific standards exist, development proposals should meet national standards relevant to the development (these include Natural England standards on accessible green space and urban greening factor and Green Flag criteria). Where land has been identified as having particular potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes."

The final sentence is of particular relevance to this case. The draft Hertfordshire Local Nature Recovery Strategy (LNRS) was published for public consultation in July 2025. As noted above, the site of the proposed development falls within the Grass and Heath Focus Area, where the proposed action is to "Manage existing grassland and heathland to maintain the biodiversity of existing good quality habitats and enhance poor quality sites."

I note that the LNRS is at consultation stage only and is not yet reflected in the local plan. However, it is already clear that the proposal does not contribute to the outcomes in the draft LNRS and potentially does not comply with the Golden Rules as set out in the NPPF.

We therefore object to the planning application on the three grounds as set out above.

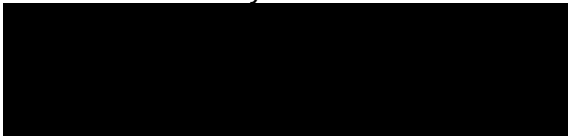
Other matters

In the event that permission is granted for the development, we ask that the biodiversity mitigation measures as set out in the EclA are secured by means of planning conditions. These should include the additional ecological enhancement measures proposed at para. 4.1.6 of the EclA, namely:

- Provision of a range of bat and bird boxes (ideally integral boxes), and log piles:
- Provision of hedgehog access gaps in fences; and
- Enhancement and infill planting of the boundary hedgerows.

Please contact me if you wish to discuss any of these issues in further detail. I would be grateful for notification of the outcome of the planning application.

Yours sincerely



Simon Marsh MBE BA MA MSc MRTPI
Planning and Policy Manager