

Starwood House, Letchworth Garden City

Ecological Appraisal

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Executive Summary

- i) **Introduction.** Aspect Ecology was commissioned by Letchworth Investment LLP in March 2025 to undertake an Ecological Appraisal in respect of proposed development of land at Starwood House, Letchworth Garden City.
- ii) **Proposals.** The proposals are for redevelopment of the site to provide a new commercial development.
- iii) **Survey.** The site was surveyed in October 2024 with mapping of habitats based on the UK Habitat Classification system. In addition, a general appraisal of fauna was undertaken to record the potential presence of any protected, rare or notable species, with specific surveys conducted in respect of bats and Badger. Phase 2 surveys are currently ongoing in regard to Great Crested Newts and reptiles. Desk study information has also been gathered from the local records centre and online resources.
- iv) **Ecological Designations.** The site itself is not subject to any statutory or non-statutory ecological designations. The nearest statutory designation is Norton Common LNR/LWS located approximately 1.1km west of the site. The nearest non-statutory designation is Ichnield Way Railway Bank Local Wildlife Site located approximately 0.5km northeast of the site. All of the ecological designations in the surrounding area are physically well separated from the site and are unlikely to be adversely affected by the proposals.
- v) **Habitats.** The site is dominated by buildings, hardstanding and ornamental planting not forming an important ecological feature. Features of ecological importance include a single native hedgerow and associated trees. Aside from the length of hedgerow to be removed for access, these important features are fully retained under the proposals and will be protected during construction. Hedgerow losses will be compensated for by new hedgerow planting.
- vi) **Protected Species.** The site offers some opportunities for protected species, although no evidence of any such species was recorded during the initial survey work. The grassland and scrub offers potential suitable habitat for common reptile species and Great Crested Newt. In addition, potentially suitable habitat has been identified for bats and it is likely that birds nest within suitable habitat at the site. Further phase 2 survey work and / or precautionary safeguarding measures are recommended to either identify the use of the site by these species or protect them during construction, should they be present. These include Great Crested Newt eDNA surveys of ponds within 250m of the site and surveys for reptiles. Where appropriate, mitigation measures will be proposed in relation to individual species to ensure that they are fully safeguarded, whilst the opportunity has been taken to provide enhancement measures to benefit faunal species.
- vii) **Enhancements.** Ecological enhancements proposed to secure a biodiversity net gain will be set out further in the BNG strategy as a separate submission. Faunal enhancements are also proposed, such as bat and bird boxes, to be detailed as part of a faunal enhancement plan which can be secured via a suitably worded planning condition.
- viii) **Summary.** In summary, the proposals have sought to minimise impacts on biodiversity. Subject to the findings of the ongoing phase 2 surveys, and the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm.

1 Introduction

1.1 Background and Proposals

- 1.1.1 Aspect Ecology was commissioned by Letchworth Investment LLP in March 2025 to undertake an Ecological Appraisal in respect of proposed development of land at Starwood House, Letchworth Garden City, centred at grid reference TL 23278 32953 (see Plan 6948/ECO1), hereafter referred to as 'the site'.
- 1.1.2 The proposals are for the erection of two buildings for Flexible Use Classes including Eg (ii) (iii), B2, B8, including servicing, parking, access and landscaping.

1.2 Site Overview

- 1.2.1 The site is located in the North Hertfordshire district of Hertfordshire. The site is bound to the north by Stapletons Tyre Services, to the west by Avenue One, the south by Second Avenue and the east by Third Avenue. Industrial estate lies further afield in all directions.
- 1.2.2 The site itself is owned and previously occupied by Tesco and is being sold with vacant possession. The site is approximately 6.52 acres (2.64 hectares) with existing buildings occupying approximately 66,000 sq ft, being made up of existing offices and commercial buildings previously used as a data centre.
- 1.2.3 The buildings and associated hardstanding areas (mostly car-parking) occupy the majority of the site, surrounded by areas of landscape planting beds, comprising ornamental planting and trees. A further area of open grassland has become established on formerly developed land to the east, which has become scrubbed over with time with native and non-native scrub. There is also a small pocket of mixed trees near the southern boundary of the site, comprising mature conifers and deciduous species.
- 1.2.4 Rows of semi-mature standard trees line the site on all sides, forming widely spaced tree lines along the verges on the adjacent roads within the site boundary.

1.3 Purpose of the Report

- 1.3.1 This report documents the methods and findings of the baseline ecology surveys and desktop study carried out in order to establish the existing ecological interest of the site, informing an appraisal of the likely ecological effects of the proposals. The importance of the habitats and species present is evaluated. Where necessary, avoidance, mitigation and compensation measures are proposed so as to safeguard any significant existing ecological interest within the site. Where appropriate, opportunities for ecological enhancement are identified with reference to national conservation priorities and local Biodiversity Action Plans (BAPs). Habitats are also assessed under Statutory Biodiversity Metric Guidance to inform the pre-development biodiversity value of the site in regard to Biodiversity Net Gain (BNG).

2 Methodology

2.1 Desktop Study

2.1.1 In order to compile background information on the site and its immediate surroundings the following organisations were contacted in December 2024. Data was requested from within a search area extending 2km from the boundary/centre of the site:

- Herts Environmental Records Centre

2.1.2 Information on statutory designations was obtained from the online Multi-Agency Geographic Information for the Countryside (MAGIC) database¹, which uses data provided by Natural England, from within a search area extending to 25km from the site. The MAGIC database was also searched to identify the known presence of any Priority Habitats within or adjacent the site.

2.1.3 In addition, the Woodland Trust database² was searched for any records of ancient, veteran or notable trees within or adjacent to the site.

2.1.4 The information received from these organisations is discussed in the text and reproduced where appropriate at Appendix 6948/1 and on Plan 6948/ECO2.

2.2 Habitat Surveys

2.2.1 The site was surveyed at the beginning of October 2024 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 ecological features present.

2.2.2 The survey was informed by Phase 1 Habitat Survey methodology³, with habitat types identified and mapped in accordance with the UK Habitat Classification system (version 2.0)⁴, together with an assessment of the species composition of each habitat. This technique provides an inventory of the habitat types present and allows identification of areas of greater potential for botanical interest which require further survey. Any such areas identified can then be examined in more detail through Phase 2 surveys. This method was extended, in line with the Guidelines for Preliminary Ecological Appraisal⁵ to record details on the actual or potential presence of notable or protected species.

2.2.3 In line with guidance⁶, the fine scale minimum mapping unit of 25sqm or 5m in length has been used where appropriate.

2.2.4 The nomenclature used for plant species is based on the Botanical Society for the British Isles (BSBI) taxon list⁷.

¹ Multi-Agency Geographic Information for the Countryside (MAGIC), at <https://magic.defra.gov.uk/>

² Woodland Trust Ancient Tree Inventory, at <https://ati.woodlandtrust.org.uk/>

³ Joint Nature Conservation Committee (2010, as amended) *Handbook for Phase 1 habitat survey: A technique for environmental audit*.

⁴ UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (at <https://www.ukhab.org>)

⁵ Chartered Institute for Ecology and Environmental Management (CIEEM) (2013) *Guidelines for Preliminary Ecological Appraisal*.

⁶ *The UK Habitat classification User Manual*. Version 1.1. 2020

⁷ <https://bsbi.org/taxon-lists>

Habitat Condition Assessment

- 2.2.5 To determine the pre-development biodiversity value of the site for the BNG calculation, the condition of habitats has been assessed in accordance with the methodology set out in the Statutory Biodiversity Metric Technical Annex⁸ and using professional judgement. Condition assessment data was collected during the October 2024 survey.
- 2.2.6 Grassland habitats have been surveyed based on the approach set out within the Farm Environment Plan (FEP) Manual⁹, allowing an assessment of species per m² and frequency of indicator species. A transect was walked through each grassland area, with a number of stopping points (typically ten, chosen to be representative of the habitat type, albeit fewer quadrats were used within some smaller grassland parcels) to record species within a 1x1m quadrat. An assessment of frequency can then be made based on occurrence at each 1x1m quadrat, with frequent species occurring in five or more quadrats out of ten, occasional species occurring in three or four quadrats, and rare species occurring in one or two quadrats.

2.3 Faunal Surveys

- 2.3.1 General faunal activity, such as mammals or birds observed visually or by call during the course of the surveys was recorded. Particular attention was also paid to the potential presence of protected, rare or notable species, with specific survey work undertaken for bats Great Crested Newts, reptiles and Badger, as described below.
- 2.3.2 Phase 2 survey work is currently ongoing in relation to Great Crested Newts. It is proposed that the results of the Great Crested Newt surveys, together with full survey methodologies and mitigation strategies, are submitted in a separate addendum prior to determination of the planning application.

Bats¹⁰

Preliminary Appraisal

- 2.3.3 A review was undertaken of the desk study information obtained to identify any known constraints in relation to bats, the bat species recorded and habitats likely to be used by bats within the site and the surrounding area. This included a review of background records, known designations including SACs or SSSIs relevant to bats and an appraisal of OS mapping and aerial photography to identify habitats likely to be of value to bats.
- 2.3.4 During the initial habitat survey, the potential suitability of the site for bats in relation to roosting habitats, potential flight-paths and foraging habitats (termed a 'daytime bat walkover') was investigated. Features were assessed as of negligible, low, moderate or high potential suitability for roosting, foraging and commuting, based on the framework set out under BCT guidance. This appraisal has informed the scope of the survey work undertaken as set out below.

⁸ Statutory Biodiversity Metric – Technical Annex 1 – Condition Assessment Sheets and Methodology

⁹ Natural England (2010) Higher Level Stewardship – Farm Environment Plan (FEP) Manual, 3rd Edition

¹⁰ Surveys based on: Reason, P.F. and Wray, S. (2023) UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. CIEEM; and Bat Conservation Trust (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn).

Buildings and Built Structures

- 2.3.5 Visual Inspection Surveys.** Buildings and built structures within the site assessed as suitable for use by roosting bats were subject to internal and external inspection surveys using ladders, torches and binoculars where necessary in October 2024.
- 2.3.6** During the external inspections, particular attention was given to potential roost features or access points, such as broken or lifted roof tiles, lifted lead flashing, soffit boxes, weatherboarding, hanging tiles, and similar, and for any indications of use by bats such as accumulations of bat droppings or staining. Binoculars were used to inspect inaccessible areas more closely.
- 2.3.7** During the internal inspections, searches were made for evidence of the presence of bats with particular attention paid to any loft voids and locations such as ridge boards, rafters, purlins, gable walls, and mortise joints that may provide potential roost features. Specific searches were made for bat droppings that can indicate present or past use and the extent of use. Droppings collected during the course of the surveys were visually assessed and attributed to a species where possible on the basis of size/shape/texture¹¹. Other signs searched for included the presence of stained areas, feeding remains and corpses.
- 2.3.8** Building inspection surveys were undertaken by a CL17 (bat survey level 1) licence holder (registration number: 2022-10426-CL17-BAT).
- 2.3.9 Emergence Surveys.** Following the visual inspection surveys set out above, and the building being designated as having negligible bat roosting suitability, it was determined that no further survey work would be necessary on the buildings.

Trees

- 2.3.10** Trees were assessed for their suitability to support roosting bats based on the presence of features such as holes, cracks, splits or loose bark. Trees were categorised as supporting Potential Roost Features (PRFs), Further Assessment Required (FAR) or supporting no suitable features.
- 2.3.11 Ground Level Tree Assessment.** Where practical, trees that may be impacted by the development proposals were subject to a Ground Level Tree Assessment (GLTA) based on relevant guidance¹² with PRFs categorised as PRF-I (only suitable for individual or small numbers of bats) or PRF-M (suitable for multiple bats). Any PRFs identified were inspected using binoculars from ground level for any signs indicating possible use by bats, such as staining, scratch marks or bat droppings. Where accessible from ground level, PRFs were subject to close inspection using a torch.

Badger (*Meles meles*)¹³

- 2.3.12** A Badger survey was carried out in October 2024. The survey comprised two main elements. The first element involved searching for evidence of Badger setts. For any setts that were encountered, each sett entrance was noted and mapped. The following information was recorded:

¹¹ Stebbings, RE, Yalden DW and Herman, JS (2007). Which bat is it? A guide to bat identification in Great Britain and Ireland. The Mammal Society

¹² Bat Conservation Trust (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn).

¹³ Based on: Mammal Society (1989) Occasional Publication No. 9 – Surveying Badgers

- Number and location of well used and active entrances; these are clear from any debris or vegetation and are obviously in regular use and may, or may not, have been excavated recently;
- Number and location of inactive entrances; these are not in regular use and have debris such as leaves and twigs in the entrance or have plants growing in or around the edge of the entrance; and
- Number of disused entrances; these have not been in use for some time, are partly or completely blocked and cannot be used without considerable clearance. If the entrance has been disused for some time all that may be visible is a depression in the ground where the hole used to be and the remains of the spoil heap.

2.3.13 The second element involved searching for signs of Badger activity such as well-worn paths and push-throughs, snagged hair, footprints, latrines and foraging signs, so as to build up a picture of any use of the site by Badger.

Reptiles¹⁴

2.3.14 Given the presence of potentially suitable reptile habitat within the site, surveys were undertaken in April 2025 to establish the presence/absence of common reptile species.

2.3.15 A total of eighty 50x50cm sheets of thick roofing felt were placed within suitable areas across the site to act as artificial refugia (see Plan 6948/ECO4). This represents a density of 155 refugia per hectare. The refugia, which provide shelter for reptiles, heat up more quickly than their surroundings in the morning and can remain warmer than their surroundings in the late afternoon. Being ectothermic (cold blooded), reptiles will readily use these refugia to bask upon or beneath so as to raise their body temperature, which allows them to forage earlier and later in the day. Checking the refugia at appropriate times of the day (morning and evening) for the presence of reptiles provides an effective measure of assessing the presence/absence of common reptiles at a site.

2.3.16 The refugia were left in place undisturbed for approximately 1-2 weeks to allow reptiles to find and start using them. Following this initial bedding-in period, refugia were checked at appropriate times of the day on seven occasions during suitable weather conditions as set out below in Table 2.1. Reptile survey dates and weather conditions.

Table 2.1. Reptile survey dates and weather conditions

Survey Date	Weather Conditions			
	Wind (BF)	Temp(°C)	Cloud Cover (%)	Precipitation
02/04/2025	3	14	0	None
05/04/2025	3	13	0	None
07/04/2025	2	13	5	None
11/04/2025	2	16	15	None
16/04/2025	4	12	60	None
22/04/2025	0	13	10	None
28/04/2025	2	17	10	None

BFO = calm, BF12 = hurricane force

¹⁴ Surveys based on: Froglife Advice Sheet 10 (1999) Reptile Survey - an introduction to planning, conducting and interpreting surveys for snake and lizard conservation.

- 2.3.17 Any reptiles that were observed basking in the open or within partial cover were also recorded. Searches were also made of existing natural objects (such as logs and rocks) and other artificial refugia (such as debris or discarded tyres), where present, for reptiles or evidence of reptiles (such as sloughed skin).

Great Crested Newt (*Triturus cristatus*)

- 2.3.18 As a first step in assessing the possible presence of Great Crested Newt at the site, Ordnance Survey mapping and satellite imagery were examined to identify water bodies within 500m of the site boundary.
- 2.3.19 Guidance set out within Natural England's Method Statement template, to be used when applying for a Great Crested Newt development licence, states that surveys of ponds within 500m of the site boundary are only required *"when all of the following conditions are met: (a) maps, aerial photos, walk-over surveys or other data indicate that the pond(s) has potential to support a large great crested newt population, (b) the footprint contains particularly favourable habitat, especially if it constitutes the majority available locally, (c) the development would have a substantial negative effect on that habitat, and (d) there is an absence of dispersal barriers."*
- 2.3.20 Given that in this instance, none of the four points listed above are applicable to the site, it is considered that survey of ponds within 500m of the site boundary is not required, and that survey of ponds within 250m¹⁵ represents adequate survey effort.

Habitat Suitability Index (HSI)

- 2.3.21 Where access was available, identified ponds were then subject to a Habitat Suitability Index (HSI) assessment. The HSI is used to assess the likely suitability of water bodies to support Great Crested Newt. The HSI is a score derived from ten component factors that are each scored separately according to the standard method. These are:
- *SI1 Location.* The location of the water body within Great Britain;
 - *SI2 Pond area.* The size of the water body;
 - *SI3 Permanence.* How often the water body dries out;
 - *SI4 Water Quality.* The water quality, based primarily on invertebrate diversity;
 - *SI5 Shade.* The percentage of the perimeter of the water body that is shaded;
 - *SI6 Fowl.* The presence or absence of water fowl;
 - *SI7 Fish.* The presence or absence of fish;
 - *SI8 Pond Count.* The number of water bodies within 1km of the surveyed water body (not counting those on the far side of major barriers such as roads);
 - *SI9 Terrestrial.* The quality of terrestrial habitat surrounding the water body; and
 - *SI10 Macrophytes.* The percentage cover of the surface area of the water body by macrophytes (aquatic plants).

¹⁵ 250m is the typical maximum migratory range of this species, see English Nature (2004) 'An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt *Triturus cristatus*'. English Nature Research Report 576

- 2.3.22 The overall HSI is then determined by combining scores for the above criteria into an equation devised by Oldham *et al.* (2000)¹⁶. The HSI score corresponds with a measure of the suitability of the water body to support Great Crested Newt of either 'poor', 'below average', 'average', 'good' or 'excellent'.
- 2.3.23 The HSI study was undertaken in line with the guidelines developed by Oldham *et al.* and subsequently adapted by ARG UK (2010)¹⁷. A suitably experienced ecologist undertook the assessment, informed by desktop research where appropriate.

Environmental DNA (eDNA)

- 2.3.24 Water samples are proposed to be taken for eDNA analysis to investigate the presence/absence of Great Crested Newt within one off-site pond, P1, (see Plan 6948/ECO5). Water samples are to be collected in April following the procedure outlined in the methods manual prepared for DEFRA by Biggs *et al.* (2014)¹⁸. The survey fell within the acceptable seasonal window set out by Natural England (15 April to 30 June inclusive)¹⁹. Samples were collected by suitably trained Aspect Ecology staff. The water samples will be sent for laboratory analysis to Cellmark in accordance with the procedure set out by Biggs *et al.* (2014)¹⁴.

2.4 Survey Constraints and Limitations

- 2.4.1 Not all of the species that occur in each habitat will necessarily be present or detectable during survey work carried out at any given time of the year, since different species are apparent during different seasons.
- 2.4.2 The habitat survey was undertaken just outside the optimal survey season; however all broad habitat types present within the site were able to be identified sufficiently for the purpose of this report, and to enable an adequate assessment of the intrinsic ecological interest of the site to be made.
- 2.4.3 Note was made of any invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) that were observed during surveys. However, because the detectability of such species varies according to factors such as the time of year or site management regime, the absence of invasive species should not be assumed even if no such species were recorded during the surveys undertaken.

2.5 Ecological Evaluation Methodology

- 2.5.1 The evaluation of ecological features and resources is based on professional judgement whilst also drawing on the latest available industry guidance and research. The approach taken in this report is based on that described by the Chartered Institute of Ecology and

¹⁶ Oldham RS, Keeble J, Swan MJS & Jeffcote M (2000) *Evaluating the suitability of habitat for the Great Crested Newt (Triturus cristatus)*. Herpetological Journal 10 (4), 143-155

¹⁷ Amphibian & Reptile Groups of the UK (2010) ARG UK Advice Note 5: Great Crested Newt Habitat Suitability Index

¹⁸ Biggs J., Ewald N., Valentini A., Gaboriaud C., Griffiths R.A., Foster J., Wilkinson J., Arnett A., Williams P. and Dunn F. (2014). *Analytical and methodological development for improved surveillance of the Great Crested Newt. Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (Triturus cristatus) environmental DNA*. Freshwater Habitats Trust, Oxford.

¹⁹ Natural England (2015) Great crested newts: surveys and mitigation for development projects. Standing advice for local planning authorities who need to assess the impacts of development on great crested newts. Viewed at www.gov.uk on 24/12/2015.

Environmental Management (CIEEM, 2018)²⁰, which identifies ‘important ecological features’ within a defined geographical context (i.e. international, national, regional, county, district, local or site importance). Further details are provided at Appendix 6948/1.

2.6 Relevant Planning Policy

National Policy Approach to Biodiversity in the Planning System

2.6.1 The National Planning Policy Framework (NPPF)²¹ describes the Government’s national policies on ‘conserving and enhancing the natural environment’ (Chapter 15). NPPF is accompanied by Planning Practice Guidance on ‘Biodiversity, ecosystems and green infrastructure’ and ODPM Circular 06/2005²².

2.6.2 NPPF takes forward the Government’s strategic objective to halt overall biodiversity loss²³, as set out at Paragraph 187, which states that planning policies and decisions should contribute to and enhance the natural and local environment by:

‘minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs’

2.6.3 The approach to dealing with biodiversity in the context of planning applications is set out at Paragraph 193:

‘When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*

²⁰ CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine, ver. 1.3 (updated September 2024)

²¹ Ministry of Housing, Communities & Local Government (2024) *National Planning Policy Framework*

²² ODPM (2006) Circular 06/2005: Planning for Biodiversity and Geological Conservation – A Guide to Good Practice

²³ DEFRA (2011) Biodiversity 2020: A strategy for England’s wildlife and ecosystem services

- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'*

2.6.4 The above approach encapsulates the 'mitigation hierarchy' described in British Standard BS 42020:2019²⁴, which sets out the following step-wise process:

- **Avoidance** – avoiding adverse effects through good design;
- **Mitigation** – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- **Compensation** – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm; and
- **Enhancement** – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

2.6.5 The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the type and scale of the proposed development (BS 42020:2019, section 5.5).

Local Policy

2.6.6 The North Hertfordshire Local Plan 2011-2031 was adopted in November 2022 and replaces the saved policies of the District Plan Second Review with Alterations.

Policy SP12: Green infrastructure, landscape and biodiversity

We will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. We will:

a) Protect, identify, manage and where possible enhance a strategic multi-functional network of green infrastructure;

b) Consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty;

c) Protect, enhance and manage designated sites in accordance with the following hierarchy of designations and features:

- *Internationally designated sites;*
- *Nationally designated sites;*
- *Locally designated sites;*
- *Non-designated sites that include important habitats and species*

²⁴ British Standards Institution (2013) Biodiversity – Code of practice for planning and development, BS 42020:2019

d) Protect, enhance and manage biodiversity networks including wildlife corridors, ancient woodlands and hedgerows, wetland and riverine habitats, Local Geological Sites, protected species, priority species and habitats, and non-designated sites of ecological value and ensure measurable net gains for biodiversity; and

e) Protect other open spaces and support provision of new and improved open space.

Policy NE4: Biodiversity and geological sites

Planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12.

All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible.

Applicants should, having regard to the status of any affected site(s) or feature(s):

a) Submit an ecological survey that is commensurate to the scale and location of the development and the likely impact on biodiversity, the legal protection or other status of the site;

b) Demonstrate that adverse effects can be avoided and / or satisfactorily minimised having regard to the hierarchy of protection below:

i. locating on an alternative site with a less harmful impact;

ii. providing adequate mitigation measures; or

iii. as a last resort compensated for.

The acceptability of approach(es) to avoidance, mitigation and compensation will be commensurate with the status of the asset(s) likely to be affected by the application; Compensation is unlikely to be an appropriate solution for proposals affecting nationally or internationally designated sites other than in the most exceptional circumstances.

c) Include appropriate measures to manage construction impacts by demonstrating how existing wildlife habitats supporting protected or priority species will be retained, safeguarded and managed during construction;

d) Integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into the ecological mitigation and design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites (locally designated sites and above), trees and hedgerows. It may be necessary to exceed this distance for fragile habitats such as ancient woodland or to provide appropriate root protection for mature trees; and

e) Provide a long-term management and monitoring plan including mitigation measures as necessary. Local Geological Sites are ratified by the Herts & Middlesex Wildlife Trust (HMWT) and are afforded the same protection as Local Wildlife Sites.

3 Ecological Designations

3.1 Statutory Designations (International)

- 3.1.1 The statutory designations of ecological importance that occur within the local area around the site are shown on Plan 6948/ECO2.
- 3.1.2 Eversden and Wimpole Wood SAC is located approximately 21km to the northeast of the site. The SAC is designated on the basis that it supports Annex II species. It comprises a mixture of ancient coppiced woodland which supports a notable colony of barbastelle bats. The trees are used as a summer maternity roost, with most of the roost sites taking the form of tree crevices.
- 3.1.3 The next closest international designation is Lee Valley SPA and Ramsar, located approximately 24km to the southeast of the site.

Assessment of Proposals

- 3.1.4 It is unlikely that either of the International Designations will be affected due to the development proposals. Both Eversden and Wimpole Wood, and Lee Valley are well removed from the development proposals, and it is unlikely the commercial proposals themselves will result in any increase in recreational pressure. As such, it is not considered that either designation will present a constraint/issue.

Statutory Designations (Other)

- 3.1.5 The site does not contain any identified statutory ecological designations.
- 3.1.6 The nearest statutory nature conservation designation to the site is Norton Common LNR/LWS which is located approximately 1.1km to the west of the site. The site is surrounded by housing and is heavily used by residents. There is a range of habitats on site including, mown grass areas, neutral grassland, fen meadow and secondary woodland.
- 3.1.7 The next nearest designation is Ivel Springs LNR/LWS which is located approximately 1.3km to the northeast of the site. Area of mixed habitats with the River Ivel flowing through it. Relic patches of former watercress beds, reed marsh, damp woodland and springs; the source of the Ivel with developed marginal vegetation.
- 3.1.8 There are no Site of Special Scientific Interest (SSSIs) within a 5km buffer zone of site.

Assessment of Proposals

- 3.1.9 A total of five Local Nature Reserves identified on MAGIC lie within a 5km zone of the site; however, all are well removed from the, separated by extensive areas of built development and not expected to be impacted considering the nature of the development proposals.
- 3.1.10 Natural England has developed Impact Risk Zones (IRZs) as an initial tool to help assess the risk of developments adversely affecting SSSIs, taking into account the type and scale of developments.
- 3.1.11 The site does not sit within any IRZs, therefore, it is not expected that the development proposals will impact the surrounding complex of Local Nature Reserves. Rather, steps can be taken/proposed to enhance ecological connectivity on site and within the context of the

surrounding landscape, aligning with the goals sets out in 'Hertfordshire's Ecological Networks' document, produced by the 'Hertfordshire Local Nature Partnership (LNP).

3.2 Non-statutory Designations

- 3.2.1 The non-statutory designations of nature conservation interest that occur within the local area are shown on Plan 6948/ECO2. The site does not contain any identified non-statutory ecological designations.
- 3.2.2 The data search request returned by HERC found there to be two Local Wildlife Sites within the search area. Ichniel Way Railway Bank (0.5km northeast) and Pryor Way Allotments and School Grounds (0.7km southeast). Both were identified as sites important for protected species.

Assessment of Proposals

- 3.2.3 All identified non-statutory designations are located outside of the site and removed from the identified proposed development areas within the site. Furthermore, extensive industrial estate and built development sits between the proposed development and either identified Local Wildlife Sites. Accordingly, non-statutory ecological designations are unlikely to represent a constraint or require further consideration.

3.3 Priority Habitats, Ancient Woodland and Notable Trees

Description and Evaluation

- 3.3.1 There are no records of any notable or veteran trees within or adjacent to the site. No areas within or adjacent to the site were identified as Priority Habitat after a review of the MAGIC database. As such no impacts on ancient woodland, notable trees or Priority Habitat are anticipated as a result of the proposals.

3.4 Summary

- 3.4.1 The site itself is not subject to any statutory or non-statutory ecological designations and, subject to the implementation of appropriate mitigation measures (as described above), it is unlikely that any such designations in the surrounding area will be significantly affected by the proposals.

4 Habitats and Ecological Features

4.1 Background Records

- 4.1.1 No specific records of any protected, rare or notable plant species from within or immediately adjacent to the site are included within the information returned from the Records Centre. No recent records of Priority Species were returned from within the search area. No evidence for the presence of any of Priority Species from within the site were recorded during the survey work undertaken.

4.2 Overview

- 4.2.1 The locations of habitat types and features within the site are indicated on Plan 6948/ECO3.
- 4.2.2 Buildings and associated hardstanding areas (mostly car-parking) occupy the majority of the site, surrounded by areas of landscape planting beds, comprising ornamental planting and trees. A further area of open grassland has become established on formerly developed land to the east, which has become scrubbed over with time with native and non-native scrub. There is also a small pocket of mixed trees near the southern boundary of the site, comprising mature conifers and deciduous species. Rows of semi-mature standard trees line the site on all sides, forming widely spaced tree lines within the site boundary.

4.3 Priority Habitats

- 4.3.1 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. In particular, Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats which are of principal importance for conservation in England. This list is largely derived from the 'Priority Habitats' listed under the former UK BAP, which continue to be regarded as priority habitats under the subsequent country-level biodiversity strategies.
- 4.3.2 Of the habitats within the site, the hedgerow is considered to qualify as Priority Habitats and therefore constitute important ecological features. This is discussed further in the relevant habitat sections below.

4.4 Irreplaceable Habitats

- 4.4.1 Irreplaceable habitats are now defined under The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 and include blanket bog, lowland fens, limestone pavements, coastal sand dunes, ancient woodland, ancient trees and veteran trees, spartina saltmarsh swards and mediterranean saltmarsh scrub.
- 4.4.2 No irreplaceable habitats are present within the site.

4.5 Habitat Descriptions and Evaluation

- 4.5.1 The habitats and ecological features present within the site are described in Table 4.1 below. This table sets out their UK Habitat Classification Primary Habitats and Secondary Codes, and the corresponding habitat type and condition according to the Statutory Biodiversity Metric. The table also indicates whether these habitats constitute an important ecological feature and sets out their level of importance, taking into account the status of habitat types and the presence of rare plant communities or individual plant species of

elevated interest. The value of habitats for the fauna they may support is considered separately in Chapter 5 below.

Table 4.1a. Habitat Descriptions and Evaluation – Area Habitats

Ref	UK Hab Primary Habitat/ Secondary Codes*	Statutory Biodiversity Metric Habitat Type and Condition	Description	Evaluation
G1	g1d other lowland acid grassland 18, 510, 511	Grassland: other lowland acid grassland (moderate condition)	Grassland G1 comprises an unmanaged, abandoned area on shallow soils. The sward structure was recorded as variable, with some open, shorter sward areas maintained by the shallow soils and occasional rabbit grazing, and other taller sward areas with colonising scrub, especially low Bramble which was frequent throughout. The south-western part of G1 was very open and dominated by bryophytes, with patchier vascular plant cover. The sward was typically dominated by Red Fescue <i>Festuca rubra</i> and Crested Dog's-tail <i>Cynosurus cristatus</i>, with a reasonably high proportion of forb cover (typically around 25 to 35%), particularly Common Cats-ear <i>hypochaeris radicata</i>, Creeping Cinquefoil <i>Potentilla reptans</i>, Selfheal <i>Prunella vulgaris</i>, and Oxeye Daisy <i>Leucanthemum vulgare</i>. The latter species is an indicator of Lowland Meadows Priority Habitat. Other sporadically-recorded Priority Habitat indicator species included Greater Bird's-foot Trefoil <i>Lotus pedunculatus</i>, Common Knapweed <i>Centaurea nigra</i>, and Cowslip <i>Primula veris</i> (only one specimen), in addition to the acid grassland indicators included Bird's-foot Trefoil <i>Lotus corniculatus</i> (also a neutral grassland indicator, recorded along the eastern margin) and Parsley-piert <i>Aphanes arvensis</i> (only recorded in one location). Hairy Violet <i>Viola hirta</i>, an indicator of calcareous grassland, was also noted, while a chalky substrate was evident in places. This soil heterogeneity could possibly be the result of historic imported substrates. The grassland has been comprehensively assessed against the full range of UKHabs grassland types, and has been classified as 'other lowland acid grassland' (UKHabs habitat type g1d), although classification as 'other neutral grassland' (UKHabs habitat type g3c) would also be appropriate. While supporting some indicators of grassland Priority Habitats, the frequency of indicators does not confirm classification as Priority Habitat, with only Oxeye Daisy occurring frequently throughout the grassland.	Does not form important ecological feature
W1	w1h other woodland - mixed 31	Woodland: other woodland - mixed (moderate condition)	A tree group is present on site which previously functioned as landscaping planting on site, classified as a Mixed secondary woodland with a canopy dominated by Scots Pine <i>Pinus sylvestris</i> , occasional English Elm <i>Ulmus procera</i> , Sycamore <i>Acer</i>	Does not form important ecological feature

Ref	UK Hab Primary Habitat/ Secondary Codes*	Statutory Biodiversity Metric Habitat Type and Condition	Description	Evaluation
			<i>pseudoplatanus</i>, Field Maple <i>Acer campestre</i>, Apple <i>Malus pumila</i>, Portugal Laurel <i>Prunus lusitanica</i> and Hornbeam <i>Trifolium campestre</i>. A second story comprising a scrub dominant layer was also present with Portuguese Laurel, Elm, Field Maple and Rose-of-Sharon <i>Rosmarinus officinalis</i> saplings were recorded. Limited ground flora was recorded due to a dense blanket of dropped pine needles, however, Stinking Iris <i>Iris foetidissima</i>, Maple seedlings and Earth star <i>Geastrum triplex</i> were noted to be present.	
SC1, SC2	h3h Mixed scrub	Heathland and shrub: Mixed scrub (poor condition)	Bands of scrub are present around the margins of the site in localised areas. Area SC1 is an area of planted native scrub which forms the sites northern boundary comprising Wild Privet <i>Ligustrum vulgare</i>, Guelder-rose <i>Viburnum opulus</i>, Field Maple <i>Acer campestre</i>, Blackthorn <i>Prunus spinosa</i>, Elder <i>Sambucus nigra</i>, Pedunculate Oak <i>Quercus robur</i>, Hornbeam <i>Trifolium campestre</i>, Butterfly-bush <i>Buddleja davidii</i> and Bramble <i>Rubus fruticosus</i> agg. SC2 is an area of dense colonising scrub within the northern section of field G1 comprising Buddleia, Cotoneaster sp. Dogwood, Field Maple <i>Acer campestre</i>, Privet and <i>Pyracanthum</i>.	Does not form important ecological feature
SC3, SC4	H3 Dense scrub 847	Urban: Introduced shrub (N/A condition)	SC3 is recorded as an area of dense colonising Buddleia scrub within the central section of grassland G1, whilst SC4 was noted to be a sprawling area of non-native Coralberry <i>Symphoricarpos orbiculatus</i> . Therefore, both of these areas have been designated under the dense scrub UKHabs code, with a secondary code of introduced shrub applied.	Does not form important ecological feature
-	(hardstanding) u1b developed land – sealed surface	Urban: developed land; sealed surface (N/A – other)	Areas of hardstanding associated with Building B1 and the adjacent car park. Condition assessment is not applicable to these areas.	Does not form important ecological feature

Ref	UK Hab Primary Habitat/ Secondary Codes*	Statutory Biodiversity Metric Habitat Type and Condition	Description	Evaluation
T	(trees) 200	Individual tree: Urban tree (moderate condition)	A number of trees occur within the site and are heavily associated with the site boundaries. The trees provide connectivity and foraging resources for faunal species, whilst also functioning as a screening resource for the wider landscape.	Does not form important ecological feature

* Habitat types not listed as a primary habitat are indicated in brackets

UK Hab Secondary Codes:

18 – species-rich grassland

200 – tree

510 – bare ground

511 – compacted substrate

847 – Introduced shrub

Table 4.1b. Habitat Descriptions and Evaluation – Hedgerows/Line of Trees

Ref	UK Hab Primary Habitat/ Secondary Codes*	Statutory Biodiversity Metric Habitat Type and Condition	Description	Evaluation
H1	h2a native hedgerow 521, 522	Native hedgerow (good condition)	H1, located in the east of the site comprises a planted Hornbeam hedgerow, with occasional self-sown Buddleia. The structure was noted to be unmanaged, approximately 5m high and 2m wide, with no recognisable ground flora community.	Does not form important ecological feature
ORN1	h2b non-native and ornamental hedgerow	Non-native and ornamental hedgerow (poor condition)	Portuguese laurel hedgerow forming northern site boundary.	Does not form important ecological feature

* Habitat types not listed as a primary habitat are indicated in brackets

UK Hab Secondary Codes:

521 - Unmanaged

522 - Native

4.6 Summary

- 4.6.1 On the basis of the above, none of the habitats within and adjacent to the site are considered to form important ecological features.
- 4.6.2 Habitats present within the site include other lowland acid grassland, mixed secondary woodland, non-veteran trees, ornamental hedgerows and mixed scrub. These habitats do not form important ecological features.

4.7 Assessment of Proposals

- 4.7.1 The proposed development has followed the mitigation hierarchy approach as set out under the National Planning Policy Framework (NPPF), with consideration given first to avoidance, followed by mitigation and compensation.
- 4.7.2 In line with this hierarchy, habitats forming important ecological features are largely retained under the proposals avoiding significant habitat losses, with built development focused within areas of lower value habitat including modified grassland, tall forbs and existing buildings or hardstanding. Losses of these habitats, not forming important ecological features, will be addressed as part of the overall balance of biodiversity net gain.
- 4.7.3 An area of trees is to be lost under the proposals in order to facilitate the development. However, this will be compensated for with new planting included within the proposals and, subject to recommended mitigation measures, should not cause significant harm. A discussion of effects and any requirements for mitigation or compensation is set out below.

Other Development Impacts

- 4.7.4 Standard measures will be implemented to minimise construction effects such as dust deposition and surface run-off of contaminants or silt, whilst implementation of a drainage strategy as part of the completed development will safeguard water quality in the long-term. Ongoing management of retained habitats and open spaces will allow for management of recreational activity to minimise disturbance to sensitive habitats and wildlife. Further detail is set out at Chapter 6 below.

5 Faunal Use of the Site

5.1 Overview

- 5.1.1 During the survey work, general observations were made of any faunal use of the site with particular attention paid to the potential presence of protected or notable species. Phase 2 survey work is currently ongoing in relation to Great Crested Newts. It is proposed that the results of the Great Crested Newt survey, together with full survey methodologies and mitigation strategies, are submitted in a separate addendum prior to determination of the planning application.

5.2 Priority Species

- 5.2.1 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. In particular, Section 41 of the NERC Act requires the Secretary of State to publish a list of species which are of principal importance for conservation in England. This list is largely derived from the 'Priority Species' listed under the former UK BAP, which continue to be regarded as Priority Species under the subsequent country-level biodiversity strategies.
- 5.2.2 As set out above, survey work is ongoing in relation to Priority Species including Great Crested Newts. No Priority Species have been recorded within the site during the survey work undertaken to date.

5.3 Bats

- 5.3.1 **Legislation.** All British bats are classed as European Protected Species under the Conservation of Habitats and Species Regulations 2017 (as amended) and are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). As such, both bats and their roosts (breeding sites and resting places) receive full protection under the legislation (see Appendix 6948/2). If proposed development work is likely to result in an offence a licence may need to be obtained from Natural England which would be subject to appropriate measures to safeguard bats. Given all bats are protected species, they are considered to represent important ecological features. Several bat species are also S41 Priority Species.
- 5.3.2 **Background Records.** Minimal records of bats from within or adjacent to the site were returned from the desktop study. Information received from the LRC includes records of *Barbastelle barbastellus*, Brown Long-eared Bat *Plecotus auratus*, Myotis bat species *Myotis* sp., Common Noctule *Nyctalus noctula* and Pipistrelle bat species *Pipistrelle* sp. within 2km of the site. The closest record is for a Pipistrelle, recorded in 2013, located within 1km of the site boundary; however, the grid reference square is so large that exact location is not determinable and is likely to originate for the extensive green space to the west of the site.

Survey Results and Evaluation

Preliminary Appraisal

- 5.3.3 As detailed above, records of bats have been returned from within the surroundings of the site. These species are largely typical given the region and the types of habitats present in the wider area of the site, although *Barbastelle* is of particular interest given their rare

status. The desk study does not indicate any ecological designations within 10km of the site which are identified for their bat interest.

5.3.4 Habitats within the wider area of the site largely comprise industrial estate and built development, whilst open farmland lies further afield to the southeast, with features including a tree group and hedgerow corridors likely to be of elevated interest for bats. Connectivity appears more limited to the north of the site, where strong hedgerow linkages are lacking.

5.3.5 Within the site, none of the trees and buildings have been identified as potentially suitable to support roosting bats, detailed further below. A preliminary assessment of habitats in terms of their likely value for foraging and commuting bats is set out in Table 5.1 below.

Table 5.1. Assessment of value of habitats within the site for foraging and commuting bats

Commuting (potential flightpaths)	Foraging habitats
Woodland edge and treelines form continuous habitat that are reasonably well connected to the wider landscape; however, significant landscape barriers for dispersal persist (Avenue One, Second Avenue and Third Avenue) - Low potential suitability for bats. Hedgerow in the east of the site is more fragmented in nature compared to boundary tree features – Low potential suitability for bats. Wider habitats surrounding the site, associated with the industrial estate are subject to high baseline nighttime light levels.	Areas of semi-natural habitat including ornamental planting, grassland and scrub – low potential suitability.

Roosting – Buildings and Built Structures

Visual Inspection

5.3.6 The building within the site was subject to detailed inspection, the results of which are summarised below.

5.3.7 Buildings B1 is located within the industrial area forming the main part of the site. Building B1 is an industrial building, recorded to partly comprise prefabricated GRP panels to the full height extent, and a corrugated aluminium flat roof. Other areas of the building were recorded to comprise a brick façade, and a corresponding overhanging aluminium roof section. From both the initial desktop study and the site survey, roofs appear to either be flat in nature, or with shallow pitched aluminium structure. It was also recorded that a series of tanks, generators and miscellaneous plant equipment surrounded the building, some in separate caged enclosures.

5.3.8 These buildings and structures offer negligible roosting opportunities for bats and no evidence of roosting bats was recorded. No evidence of bat occupation, such as droppings,

staining or feeding remains, was recorded during the inspection surveys. Therefore, it has been assessed that no survey effort/emergence surveys will be required.

Roosting – Trees

Assessment of Roosting Potential

- 5.3.9 Trees within the site were subject to an initial assessment for their suitability to support roosting bats. Where practical, trees / Where trees may be impacted under the development proposals, these have been subject to a ground level tree assessment (GLTA). No trees were assessed as having bat roosting suitability or potential roost features.

Assessment of Proposals

Roosting

Buildings and Built Structures

- 5.3.10 Building B1 provide negligible suitability for roosting bats and no evidence of roosting bats was recorded during the survey work undertaken.
- 5.3.11 As such, it is considered that no specific mitigation or licensing for bats is required. Nonetheless, bats are dynamic animals and as such it remains possible that individuals could colonise the site in the future. Natural England guidance in respect of European Protected Species²⁵ advises that, even where proposals are reasonably unlikely to result in any offence such that licensing is not required, reasonable precautions should be taken to minimise the risk to protected species in the unlikely event that they should be found during the course of the activity. Accordingly, recommended precautionary mitigation measures are set out at Chapter 6 below and subject to their implementation it is considered that bats will be fully safeguarded under the proposals.

Trees

- 5.3.12 It is understood that the majority of trees within the site are to be retained within the proposals; however, it is noted that a number are to be removed in order to facilitated the sites development. Nonetheless, following the GLTA, no trees were recorded to hold bat roosting suitability. As such, subject to the implementation of the recommendation outlined at Chapter 6 below in relation to lighting, it is considered that bats will be fully safeguarded under the proposals.

Foraging and Commuting

- 5.3.13 The majority of the trees, treelines and scrub areas within the site are to be retained under the proposals, whilst new tree, hedgerow and shrub planting will improve connectivity through the site and increase the foraging potential and connectivity of the site as a whole. The on-site tree group (W1) is noted to be lost to facilitate the development. Whilst this area does provide a degree of foraging value, the emergent and poor structure of the tree group means it represents a foraging resource of limited value, the loss of which will be mitigated for with proposed planting. Retained habitat areas will be safeguarded through the implementation of protection and safeguarding measures as set out in Chapter 6 below. It is noted that bats could be impacted by lighting associated with the proposed

²⁵ Natural England (2013) European Protected Species: Mitigation Licensing - How to get a licence (WML-G12)

development; however, high light level are noted to be currently present along the boundaries of the site.

- 5.3.14 Accordingly, subject to the implementation of the recommendations outlined at Chapter 6 below, along with other ecological enhancements, it is considered that the conservation status of local bat populations will be fully safeguarded under the scheme.

5.4 Badger

- 5.4.1 **Legislation.** Badger receives legislative protection under the Protection of Badgers Act 1992 (see Appendix 6948/2), and as such should be assessed as an important ecological feature. The legislation aims to protect this species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain.
- 5.4.2 Licences can be obtained from Natural England for development activities that would otherwise be unlawful under the legislation. The types of activity that should be licensed are described in the relevant best practice guidance.^{26, 27}
- 5.4.3 **Background Records.** A number of records of Badger were returned from either within/adjacent to the site. However, the grid refs returned from the record centre were too large to assess where exactly they were located.
- 5.4.4 **Survey Results and Evaluation.** No evidence of Badger was recorded during the habitat survey and this species is not assessed to form a constraint to development. Nonetheless, precautionary safeguarding measures are proposed as set out at Chapter 6 below.

5.5 Other Mammals

- 5.5.1 **Legislation.** Other UK mammal species do not receive direct legislative protection relevant to development activities but may receive protection against acts of cruelty (for example, under the Wild Mammals (Protection) Act 1996). Some other mammal species, such as Hedgehog, Brown Hare and Harvest Mouse are S41 Priority Species and should be assessed as important ecological features.
- 5.5.2 **Background Records.** No specific records of other mammals from within or adjacent to the site were returned from the desktop study. Records of Brown Hare *Lepus europaeus* and Hedgehog *Erinaceus europaeus* (Priority Species) were returned by the desk study, including records from within the 1km x 1km OS grid square containing the western part of the site. More specific information was not available that would allow the precise location of these records to be determined in relation to the site.
- 5.5.3 **Survey Results and Evaluation.** No evidence of any other protected, rare or notable mammal species was recorded from within the site. Other mammal species likely to use the site, such as Fox *Vulpes vulpes*, remain common in both a local and national context, and do not receive specific legislative protection in a development context. Such species are not a material planning consideration and the loss of habitats used by these species to the proposals is of negligible significance.

²⁶ English Nature (2002) *Badgers and Development*

²⁷ Natural England (2011) *Badgers and Development: A Guide to Best Practice and Licensing*, Interim Guidance Document

5.5.4 The desktop study returned records of Hedgehog. Hedgehogs are a Priority Species, despite being relatively common and widespread in England. The site contains habitats that may be used by these species, although given the small size of the site, Hedgehog are assessed as being of potential importance at a site level only.

5.5.5 **Assessment of Proposals.** Habitat losses arising from the proposals are not considered likely to have significant effects on potentially present Hedgehog. For Hedgehogs, habitat losses would be offset by the provision of new planting and open space. Precautionary safeguards are recommended to minimise the risk of harm to other mammals that may be present. Enhancement measures to maintain habitat connectivity for Hedgehog are recommended, as set out in Chapter 6 below.

5.6 Amphibians

5.6.1 **Legislation.** All British amphibians receive a degree of protection under the Wildlife and Countryside Act 1981 (as amended). Great Crested Newt is protected under the Act and is also listed as a European Protected Species under the Conservation of Habitats and Species Regulations 2017 (as amended). As such, both Great Crested Newt and habitats used by this species are afforded protection (see Appendix 6948/2). Great Crested Newt is also a S41 Priority Species, as are Common Toad *Bufo bufo*, Natterjack Toad *Epidalea calamita*, and Pool Frog *Pelophylax lessonae*. As such, these species should be assessed as important ecological features.

5.6.2 **Background Records.** A number of Great Crested Newt records were returned from adjacent to the site from the desktop study within 2km, although the nearest record is over 1km away to the north (several inaccurate records in a 1km square dominated by open countryside).

5.6.3 **Survey Results and Evaluation.** The site itself does not contain any waterbodies; however, a single pond is present within 250m of the site, located 50m to the north of the site. No further waterbodies are present within 500m. Habitats within the southwestern corner of the site, including tall forbs, grassland and localised areas of scrub are likely to provide suitable terrestrial opportunities for amphibian species such as Great Crested Newt, should this species be present.

5.6.4 An initial appraisal of the off-site pond where access was available/where the pond was visible from publicly accessible areas was made using the HSI system to identify potential suitability to support Great Crested Newt. The results are set out in Table 5.2 below.

Table 5.2. HSI survey results.

Pond	Suitability Indices										HSI Score	Suitability
	SI 1 Location	SI 2 Pond Area	SI 3 Pond Drying	SI 4 Water Quality	SI 5 Shade	SI 6 Water Fowl	SI 7 Fish	SI 8 Ponds	SI 9 Terrestrial Habitat	SI 10 Macrophytes		
Offsite Ponds												
P1	1	1	0.9	0.67	1	1	1	0.1	0.67	0.35	0.65	Average

- 5.6.5 P1 is assessed to provide average suitability to support Great Crested Newt, and as such it is recommended that eDNA surveys are undertaken to determine presence/absence of this species, details of which are set out in Chapter 6 below.

5.7 Reptiles

- 5.7.1 **Legislation.** All six species of British reptile are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which protects individuals against intentional killing or injury. Sand Lizard *Lacerta agilis* and Smooth Snake *Coronella austriaca* receive additional protection under the Conservation of Habitats and Species Regulations 2017 (as amended), as set out at Appendix 6948/2. All six reptile species are also S41 Priority Species. As such, all reptile species should be assessed as important ecological features.

- 5.7.2 **Background Records.** No specific records of reptiles from within or adjacent to the site were returned from the desktop study. Records are present with large (>1km) grid squares that do overlap with the site boundary. Information returned from the desk study included records of Grass Snake *Natrix natrix* Common Lizard *Zootoca vivipara* and Slow Worm *Anguis fragilis*, the closest of which was from a location approximately 0.65km north of the site.

- 5.7.3 **Survey Results and Evaluation.** Specific survey work for reptiles was undertaken at the site, as shown on Plan 6948/ECO4 and summarised in Table 5.3 below.

Table 5.3. Reptile survey results.

Visit	Date	Common Lizard		Slow Worm		Grass Snake		Other Species
		Adult	Juv.	Adult	Juv.	Adult	Juv.	
1	02/04/2025	0	0	0	0	0	0	0
2	05/04/2025	0	0	0	0	0	0	0
3	07/04/2025	0	0	0	0	0	0	0
4	11/04/2025	0	0	0	0	0	0	0
5	16/04/2025	0	0	0	0	0	0	0
6	22/04/2025	0	0	0	0	0	0	0
7	28/04/2025	0	0	0	0	0	0	0
Peak Count		0		0		0		

- 5.7.1 The habitats present within the site, in particular the grassland, scrub and tall forbs vegetation, appear to provide potentially suitable opportunities for common reptile species, should this group be present. However, as it stands, no reptiles have been recorded during the current extent of reptile surveys and similar habitats of value occur relatively frequently throughout the surrounding area and, therefore, should this species group be present, the site is considered to be of importance at the local level.
- 5.7.2 The proposals include the loss of areas of suitable reptile habitat, albeit areas of reptile suitable grassland and scrub complex, with an eco-tone edge will be planted under the proposals, such that suitable opportunities for reptiles will be maintained at the site in the long term. Given that no reptiles have been found to be present on site during the course of the survey work undertaken, it is not considered that reptiles present a constraint and therefore it is not expected that any further mitigation measure will need to be taken.
- 5.7.3 Furthermore, new opportunities will be available for reptiles as described in Chapter 6 below to ensure that the local conservation status of reptiles will be maintained at the site should they be present.

5.8 Birds

- 5.8.1 Legislation.** All wild birds and their nests receive protection under Section 1 of the Wildlife and Countryside Act 1981 (as amended) in respect of killing and injury, and their nests, whilst being built or in use, cannot be taken, damaged or destroyed. Species included on Schedule 1 of the Act receive greater protection and special penalties apply to legal offences (see Appendix 6948/2).
- 5.8.2 Conservation Status.** The conservation importance of British bird species is categorised based on a number of criteria including the level of threat to a species' population status²⁸. Species are listed as Green, Amber or Red. Red Listed species are considered to be of the highest conservation concern, being either globally threatened and/or experiencing a high level or rapid rate of population decline (>50% over the past 25 years). Numerous birds are also S41 Priority Species. Red and Amber listed species and Priority Species should be assessed as important ecological features.
- 5.8.3 Background Records.** Information returned by the desk study included records for several bird species in the vicinity of the site, including the Red Listed species Skylark *Alauda arvensis*, House Sparrow *Passer domesticus*, Tree Sparrow *Passer montanus*, Fieldfare *Turdus pilaris* and Song Thrush *Turdus philomelos*, all of which are also all Priority Species. None of these records originate from within the site itself.
- 5.8.4 Survey Results and Evaluation.** Several species of bird were observed within the site during the Phase 1 survey including Woodpigeon *Columba palumbus*, Blackbird *Turdus merula*, House Sparrow and European robin *Erithacus rubecula*.
- 5.8.5** Most of the birds recorded at the site are not listed as having any special conservation status, although House Sparrow is included on the Red list as a result of declines in UK breeding populations. This species is also a S41 Priority Species. However, the habitats present are common in the surrounding area and there is no evidence to suggest the site is of elevated value at a local level for this species, which remains common throughout Great Britain²⁹.
- 5.8.6 Assessment of Proposals.** The proposals will result in the loss of a section of hedgerow and woodland to facilitate the development proposals, and this could affect nesting birds that may be present at the time of works. Accordingly, a number of safeguards in respect of nesting birds are proposed, as described in Chapter 6 below. In the long-term, additional nesting opportunities will be provided for birds as described in Chapter 6 below.

5.9 Invertebrates

- 5.9.1 Legislation.** Various invertebrate species are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). In addition, Large Blue *Phengaris arion*, Fisher's Estuarine Moth *Gortyna borelii lunata* and Lesser Whirlpool Ram's-horn Snail *Anisus vorticulus* receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), as set out at Appendix 6948/2. Some invertebrates are also S41 Priority

²⁸ Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D. and Win I. (2021). 'The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds 114, p.p. 723-747.

²⁹ Population estimates of birds in Great Britain and the United Kingdom. Musgrove et al., British Birds, 2013

Species. Where such species are present, they should be assessed as important ecological features.

5.9.2 Background Records. No records of invertebrates were returned from within or adjacent to the site. A number of records of Priority Species from potentially within 1km of the site were returned from the desk study, although more accurate grid reference location was not available. The most recent of these was of Black Oil-Beetle *Meloe proscarabeus* in 2023.

5.9.3 Survey Results and Evaluation. No evidence of the presence of any protected, rare or notable invertebrate species was recorded from within the site. The site is dominated by buildings, hardstanding and grassland, which are likely to only support a limited diversity of invertebrates. The site contains several areas of bare ground and occasional patches of scrub but otherwise supports relatively few micro-habitats that would indicate possible elevated value for invertebrates³⁰, such as a variable topography with areas of vertical exposed soil, areas of species-rich semi-natural vegetation; variable vegetation structure with frequent patches of tussocks combined with short turf; free-draining light soils; walls with friable mortar or fibrous dung. Accordingly, the site is likely to support only a limited diversity of invertebrates.

5.9.4 Assessment of Proposals. Habitats within the site are unlikely to support an important invertebrate assemblage and therefore the proposals are unlikely to result in harm to protected, rare or notable invertebrate populations.

5.10 Summary

5.10.1 On the basis of the above, a summary of the evaluation of fauna is provided below:

Table 5. 4. Evaluation summary of fauna forming important ecological features

Species / Group	Summary	Level of Importance
Bats – Roosting	Potential habitat in the form of trees and buildings	Negligible
Bats – Foraging / Commuting (assemblage)	Potential habitat in the form of grassland, tree lines and secondary woodland	Local (if present)
Bats – Foraging / Commuting (Common and Soprano Pipistrelle)	Potential habitat in the form of grassland, tree lines and secondary woodland	Local (if present)
Badger	Likely absent, although potential foraging habitat present in the form of secondary woodland and grassland	Local (if present)
Great Crested Newt	Potential aquatic habitat off-site habitat and potential terrestrial habitat on-site	Local (if present)
Reptiles	Potential habitat in the form of grassland and scrub vegetation	Local (if present)
Birds	Confirmed presence on site	Local

5.10.2 Other fauna supported by the site include non-Priority Species of mammals, amphibians and invertebrates. These species do not form important ecological features.

³⁰ Natural England (2010) Higher Level Stewardship – Farm Environment Plan (FEP) Manual, 3rd Edition

6 Mitigation, Compensation and Enhancement

6.1 Mitigation and Compensation

6.1.1 As set out in the previous chapters, the proposed development has followed the mitigation hierarchy approach as set out under the National Planning Policy Framework (NPPF), with consideration given first to avoidance, followed by mitigation and compensation.

6.1.2 Based on the assessment of the proposals and ecological designations, habitats and associated fauna identified within or adjacent to the site, it is proposed that the following mitigation and compensation measures (**MC1-MC8**) are implemented under the proposals. Further detailed mitigation strategies or method statements can be secured via suitably-worded planning conditions, as recommended by relevant best practice guidance (BS 42020:2019).

Ecological Designations

6.1.3 The site is not subject to any statutory or non-statutory ecological designations and it is unlikely that any such designations in the surrounding area will be significantly affected by the proposals. Accordingly, no specific mitigation or compensation measures are required.

Habitats

6.1.4 The proposed development would require the loss important habitats including native hedgerow and associated trees and secondary woodland. Compensation for hedgerow losses are set out below, together with standard safeguarding measures. Losses of non-important features will be addressed as part of the BNG strategy.

6.1.5 **MC1 – Hedgerow and Tree Protection.** All hedgerows and trees to be retained within the proposed development will be protected during construction in line with standard arboricultural best practice (BS5837:2012) or as otherwise directed by a suitably competent arboriculturalist. This may require the use of protective fencing or other methods appropriate to safeguard the root protection areas of retained trees and hedgerows.

6.1.6 **MC2 – New Hedgerow Planting.** To compensate for the loss of short sections of H1, new native hedgerow planting will be provided. This will also ensure a minimum 10% gain in hedgerow biodiversity value and will be secured as part of the BNG strategy.

Bats

6.1.1 Potential roosting habitats provided by trees are retained within the proposed green corridors along the site boundaries. Impacts on foraging and commuting bats will be minimised by implementation of a sensitive lighting design, as detailed further below.

6.1.2 **MC3 – Update Survey.** Should any considerable time (e.g. >2 years) [1 year may be more appropriate depending on situation] elapse between the survey work detailed above and any development works, a further survey of the buildings should be undertaken prior to the commencement of works to confirm the continued absence of bats.

6.1.3 **MC4 – Sensitive Lighting.** Light-spill onto retained and newly created habitat, in particular the retained hedgerows, tree lines and scrub (especially along the northern and eastern

boundaries), will be minimised in accordance with good practice guidance³¹ to reduce potential impacts on light-sensitive bats (and other nocturnal fauna). This will be achieved through the implementation of a sensitively designed lighting strategy, with consideration given to the following key factors:

- **Light exclusion zones** – lighting should be controlled in areas likely to be used by bats. Light exclusion zones or ‘dark buffers’ may be used to provide interconnected areas free of artificial illumination to allow bats to move around the site;
- **Appropriate luminaire specifications** – consideration should be given to the type of luminaires used, in particular luminaries should lack UV elements and metal halide and fluorescent sources should be avoided in preference for LED luminaries. A warm white spectrum (ideally <2,700K) should be adopted to reduce the blue light component;
- **Light barriers / screening** – new planting (e.g. hedgerows and trees) or fences, walls and buildings can be strategically positioned to reduce light spill;
- **Spacing and height of lighting units** – increasing spacing between lighting units will minimise the area illuminated and allow bats to fly in the dark refuges between lights. Reducing the height of lighting will also help decrease the volume of illuminated space and give bats a chance to fly over lighting units (providing the light does not spill above the vertical plane). Low level lighting options should be considered for any parking areas and pedestrian / cycle routes, e.g. bollard lighting, handrail lighting or LED footpath lighting;
- **Light intensity** – light intensity (i.e. lux levels) should be kept as low as possible to reduce the overall amount and spread of illumination;
- **Directionality** – to avoid light spill lighting should be directed only to where it is needed. Particular attention should be paid to avoid the upward spread of light so as to minimise trespass and sky glow;
- **Dimming and part-night lighting** – lighting control management systems can be used, which involves switching off/dimming lights for periods during the night, for example when human activity is generally low (e.g. 12.30 – 5.30am). The use of such control systems may be particularly beneficial during the active bat season (April to October). Motion sensors can also be used to limit the time lighting is operational.

Badger

6.1.4 No evidence of Badger has been recorded at the site. Nonetheless a precautionary approach will be adopted in relation to this species as detailed below.

6.1.5 **MC5 – Badger Update Survey.** Badgers are dynamic animals and levels of Badger activity can rapidly change at a site, with new setts being created at any time. Given the known presence of Badger setts in the area it is recommended that an update survey is carried out prior to commencement of site works in order to confirm the current status of Badgers at the site.

³¹ Bat Conservation Trust and Institute of Lighting Professionals (2023) Guidance Note 08/23: Bats and artificial lighting at night; Stone, E.L. (2013) Bats and lighting: Overview of current evidence and mitigation guidance; ILP (2011) Guidance notes for the reduction of obtrusive light. Institution of Lighting Professionals, GN01:2011.

Great Crested Newt

- 6.1.6 **MC6 – Further Survey Work and Mitigation.** The site is considered to provide potentially suitable terrestrial habitat opportunities for Great Crested Newt, whilst the site is connected to potentially suitable breeding habitat (pond P1). Accordingly, in the absence of specific survey work confirming the position in regard to Great Crested Newt and/or the implementation of mitigation measures, the potential exists for the proposals to impact on this species.
- 6.1.7 Should access be possible, in order to confirm the presence or likely absence of this species, specific eDNA survey work could be carried out during the appropriate season (mid-April to end of June) to further inform the proposals. Should this survey work provide a negative result this can be used to confirm the absence of Great Crested Newt and accordingly, mitigation measures and / or further surveys may be avoided. However, should Great Crested Newts be confirmed to be present, detailed mitigation measures would then likely need to be drawn up, potentially including a site-specific licence application to Natural England (post planning) to facilitate the works.
- 6.1.8 Alternatively, potential impacts on Great Crested Newt could be addressed through participation in the District Level Licensing (DLL) scheme. District Level Licensing in respect of Great Crested Newt is available to developments within Hertfordshire, administered by Natural England, whereby developments contribute to the strategic mitigation approach in order to create maximum benefits for this species at a landscape scale rather than a site-specific mitigation approach. In order to participate within the District Level Licensing scheme, level of contribution required by the developer would be calculated as part of the developer's application process.

Nesting Birds

- 6.1.9 Removal of short sections of H1 may result in effects on nesting birds. Accordingly, the following approach will be adopted.
- 6.1.10 **MC7 – Nesting Bird Restrictions.** To avoid a potential offence under the relevant legislation, no clearance of suitable vegetation should be undertaken during the bird-nesting season (1st March to 31st August inclusive). If this is not practicable, any potential nesting habitat to be removed should first be checked by a competent ecologist in order to determine the location of any active nests. Any active nests identified would then need to be cordoned off (minimum 5m buffer) and protected until the chicks have fledged. These checking surveys would need to be carried out no more than three days in advance of vegetation clearance.

Other Fauna

- 6.1.11 Survey work is ongoing in relation to Great Crested Newts, and any specific mitigation requirements in relation to this species will be set out in a separate addendum report.
- 6.1.12 The site has been identified as offering potential for other mammal species including Hedgehog and Fox. Accordingly, the following approach will be adopted during site clearance and construction works.
- 6.1.13 **MC8 – Small Mammal Safeguards.** In order to safeguard Hedgehog and other small mammals should they enter the site during construction works, the following measures will be implemented:

- A watching brief should be maintained for Hedgehog, Brown Hare and other small mammals throughout any clearance works;
- Any trenches left open overnight should be provided with a means of escape, e.g. gently graded ramp or a roughened plank, in order to allow animals to escape should they enter the trench. This is particularly important if the trench fills with water;
- Any temporarily exposed open pipes or open drains should be blanked off at the end of each working day so as to prevent animals gaining access as may happen when contractors are off-site;
- Any trenches/pits should be inspected each morning to ensure no animals have become trapped overnight;
- The storage of any chemicals at the site will be contained in such a way that they cannot be accessed or knocked over by any roaming animals;
- Fires will only be lit in secure compounds away from wooded habitats and will not be allowed to remain lit during the night;
- Unsecured food and litter will not be left within the working area overnight;
- Any piles of material already present on site, particularly vegetation/leaves, etc. and any areas of dense scrub or hedgerows, shall be dismantled/removed by hand and checked for Hedgehog prior to the use of any machinery/disposal;
- Any material to be disposed of by burning, particularly waste from vegetation clearance and tree works, should not be left piled on site for more than 24 hours in order to minimise the risk of Hedgehogs or other animals occupying the pile. If this cannot be avoided, material should be stored within a container such as a skip to prevent animals from gaining access. Any material which has been stored on the ground overnight should be moved prior to burning to allow a thorough check for any animals which may have been occupying the pile;
- In the event that an injured mammal is found, the animal should be wrapped carefully in a towel and taken to a local vet immediately. If an injured Hedgehog is found the British Hedgehog Preservation Society (BHPS) can be phoned (01584 890 801).

6.2 Ecological Enhancements

- 6.2.1 The National Planning Policy Framework (NPPF) encourages new developments to maximise the opportunities for biodiversity through incorporation of enhancement measures. The proposals present the opportunity to deliver ecological enhancements at the site for the benefit of local biodiversity, thereby making a positive contribution towards the broad objectives of national conservation priorities and the local BAP.

Habitats

- 6.2.2 Habitat enhancements will be delivered as part of the BNG strategy, forming a separate submission. This will be informed by the following principles, according with national and local conservation priorities.

- 6.2.3 **EE1 - New Planting.** Where practicable, new planting within the site should be comprised of native species of local provenance, including trees and shrubs appropriate to the local area. Suitable species for inclusion within the planting could include native trees such as Oak, Birch *Betula pendula* and Field Maple, whilst native shrub species of particular benefit would likely include fruit and nut bearing species which would provide additional food for wildlife, such as Blackthorn, Hawthorn, Crab Apple *Malus sylvestris*, Hazel *Corylus avellana* and Elder. Where non-native species are proposed, these should include species of value to wildlife, such as varieties listed on the RHS' 'Plants for Pollinators' database, providing a nectar source for bees and other pollinating insects.
- 6.2.4 **EE2 - Wildflower Grassland and Flowering Lawn.** Within areas of open space, wildflower grassland can be created. These should be subject to a varied management regime to provide a range of sward types. Most areas should be managed as hay meadow, subject to cutting 2-3 times a year to promote a flower rich sward, whilst areas of rough, tussocky grassland can be established along hedgerow margins. As such, grassland areas will provide a rich habitat resource for invertebrate species, in turn providing increased foraging opportunities for wildlife including birds and bats. Consideration can also be given to the laying of wildflower turfs, comprising locally appropriate native species, to establish wildflower grassland. This would ensure rapid establishment of these habitats and reduce the timeframe for delivering the range of ecological benefits that are proposed. Within parks and other recreation and amenity areas, consideration can be given to seeding of flowering lawn, containing a range of herb species which respond well to frequent mowing. This will provide a further flowering and pollen resource for invertebrates.
- 6.2.5 **EE3 - Hedgerows.** New lengths of hedgerow planting can be provided along the boundaries of green space areas and around areas of built development. Existing hedgerows should also be subject to supplementary planting where necessary to fill gaps and strengthen the integrity of the hedgerow.

Fauna

- 6.2.6 To provide additional opportunities for fauna, it is proposed that a range of new features are incorporated within the proposed development. This should include the following features, with specific measures to be detailed as part of a faunal enhancement plan which can be secured via a suitably-worded planning condition.
- 6.2.7 **EE4 - Bat Boxes.** Bat boxes should be incorporated within the proposed development. The provision of bat boxes will provide new roosting opportunities for bats in the area, such as Soprano Pipistrelle, a national Priority Species. So as to maximise their potential use, the bat boxes should ideally be situated on suitable retained trees, erected as high up as possible and sited in sheltered wind-free areas that are exposed to the sun for part of the day, facing a south-east, south or south-westerly direction. In addition, where architectural design allows, a number of integrated bat boxes / roost features should be incorporated into a proportion of the new build. The precise number and locations of boxes / roost features should be determined by a competent ecologist, post-planning once the relevant final development design details have been approved.
- 6.2.8 **EE5 - Bird Boxes.** Bird nesting boxes should be incorporated within the proposed development, thereby increasing nesting opportunities for birds at the site. This should include integrated nest boxes on new buildings targeting species including Swift and House Sparrow, whilst boxes can be erected on retained trees. The precise number and locations of boxes should be determined by a competent ecologist, post-planning once the relevant final development design details have been approved.

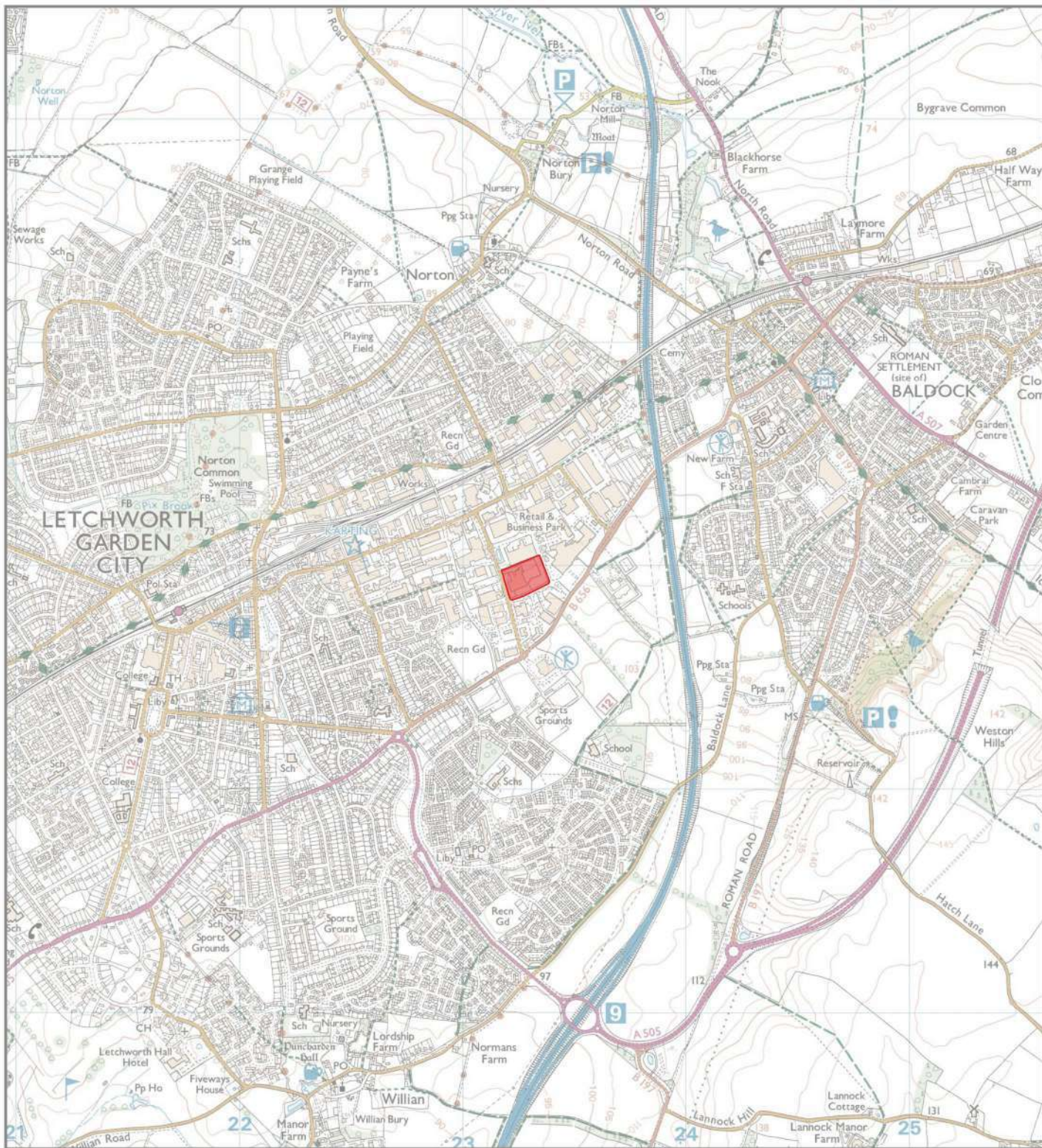
- 6.2.9 **EE6 - Habitat Piles and Refugia.** A proportion of any deadwood arising from vegetation clearance works should be retained within the site in a number of wood piles located within areas of new planting, new wetland habitats or areas of wildflower grassland in order to provide potential habitat opportunities for invertebrate species, which in turn could provide a prey source for a range of other wildlife. Dedicated hibernacula and refugia can also be provided for reptile and amphibian species, comprising log or rubble piles either left open or covered in soil and turfs. Loggeries can also be provided, comprising buried logs to form dead wood habitat for invertebrates such as Stag Beetle.
- 6.2.10 **EE7 - Bee Bricks and Insect Boxes.** It is recommended that bee bricks be incorporated within the proposed development thereby increasing nesting opportunities for declining populations of non-swarmed solitary bee populations. Ideally, bee bricks should be located within suitable south-facing walls (where architectural design allows), located at least 1m off the ground. The bricks should be unobstructed by vegetation, though within close vicinity of nectar and pollen sources. Insect boxes can also be provided within the areas of wildlife habitat in order to enhance the nesting and over-wintering locations available for a range of invertebrates, particularly solitary wasps and bees.

7 Conclusions

- 7.1.1 Aspect Ecology has carried out an Ecological Appraisal of the proposed development, based on the results of a desktop study, habitat survey and a number of detailed protected species surveys.
- 7.1.2 The available information confirms that no statutory or non-statutory nature conservation designations are present within or adjacent to the site, and none of the designations within the surrounding area are likely to be adversely affected by the proposals.
- 7.1.3 The habitat survey has established that the site is dominated by habitats not considered to be of ecological importance, whilst the proposals have sought to retain those features identified to be of value. A group of trees will be lost the proposals in order to facilitate the main development. Where it has not been practicable to avoid loss of habitats, new habitat creation is proposed to offset losses, in conjunction with the landscape proposals.
- 7.1.4 The habitats within the site have potential to support a number of protected species, including species protected under both national and European legislation. Accordingly, a number of mitigation measures and further Phase 2 faunal surveys have been proposed to minimise the risk of harm to protected species and / or establish the use of the site by these species. In addition, compensatory measures are proposed, where appropriate, in order to maintain the conservation status of local populations.
- 7.1.5 In conclusion, subject to the implementation of the measures set out and results of recommended Phase 2 surveys, the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, the proposals will not result in significant harm to biodiversity. Further, enhancement measures are proposed in regard to faunal species, including features to support priority or threatened species such as swifts, bats and Hedgehog.
- 7.1.6 Considerations in regard to Biodiversity Net Gain, including in relation to statutory requirements are set out further within a separate document.

Plan 6948/ECO1:

Site Location



Key:

 Site Location

aspect ecology
APEM Group

Aspect Ecology Limited West Court Hardwick Business Park
Norral Way Banbury Oxfordshire OX16 2AF
01295 279721 info@aspect-ecology.com www.aspect-ecology.com

Starwood House

PROJECT

Site Location

TITLE

6948/ECO1

DRAWING NO.

A/DO

REV

April 2025

DATE

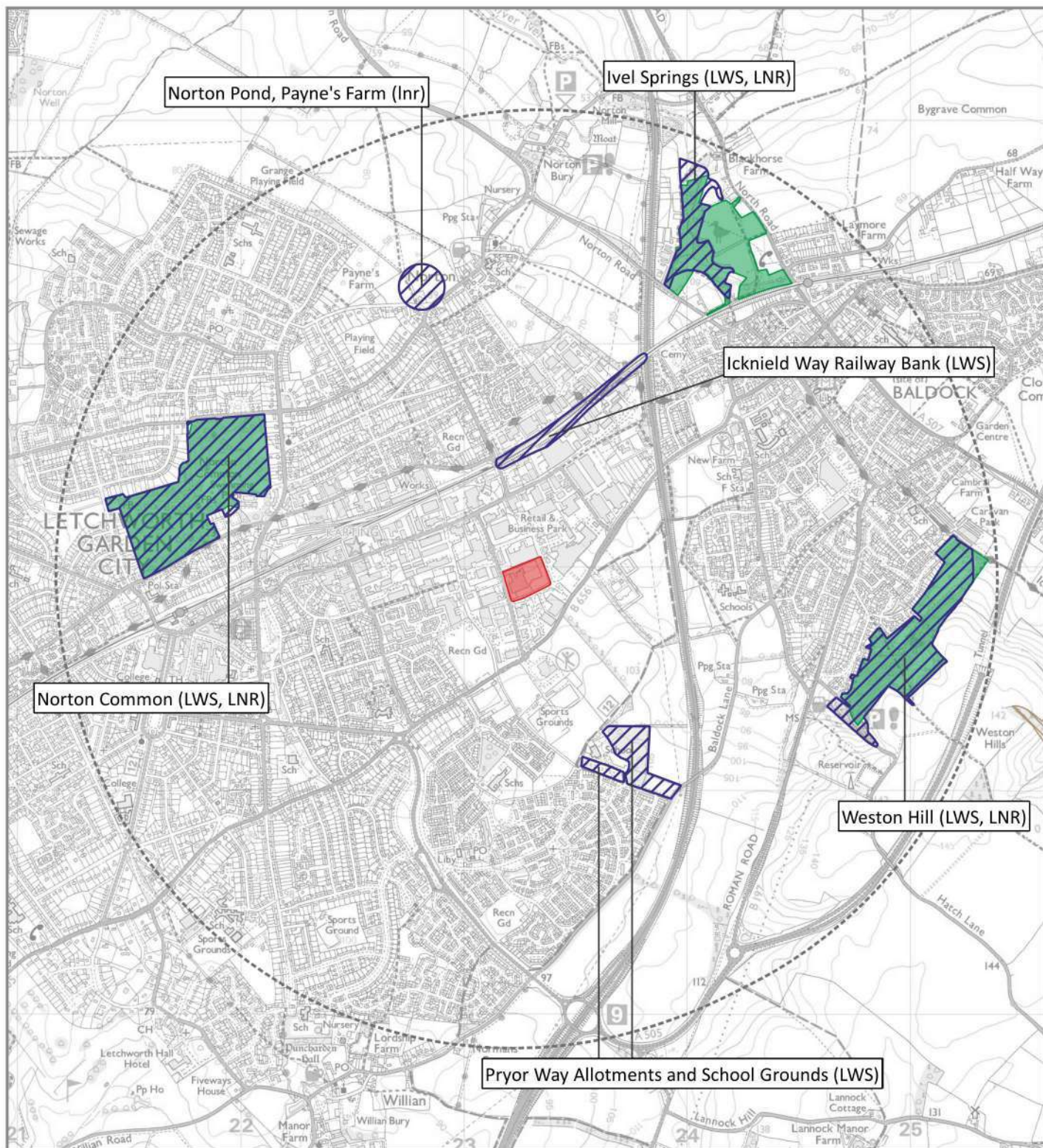
JW/DO

QC



Plan 6948/ECO2:

Ecological Designations



Key:

- Site Location
- Local Wildlife Site (LWS)
- Local Nature Reserve (LNR)
- Ancient Semi Natural Woodland (ASNW)
- 2km Local Record Centre Search Area

Only non-statutory sites located within the 2km local record centre search area are shown on the above plan.
Non-statutory data provided by Herts Environmental Records Centre Records Centre

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Ecological Designations

6948/ECO2

A/DO

April 2025

JW/DO

PROJECT

TITLE

DRAWING NO.

REV

DATE

QC



Plan 6948/ECO3:

Habitats and Ecological Features



- Key:
- Site Boundary
 - Building
 - Hardstanding
 - Introduced shrub
 - Mixed scrub
 - Mixed woodland
 - Other lowland acid grassland
 - Other neutral grassland
 - Hedgerow
 - Urban Tree

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Habitats and Ecological Features

6948/ECO3

B/DO

April 2025

JW/DO



Plan 6948/ECO4:

Reptile Survey Plan



Key:

-  Site Boundary
-  Reptile Transect

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Starwood House PROJECT

Reptile Transect Plan TITLE

6948/ECO4 DRAWING NO.

A/DO REV

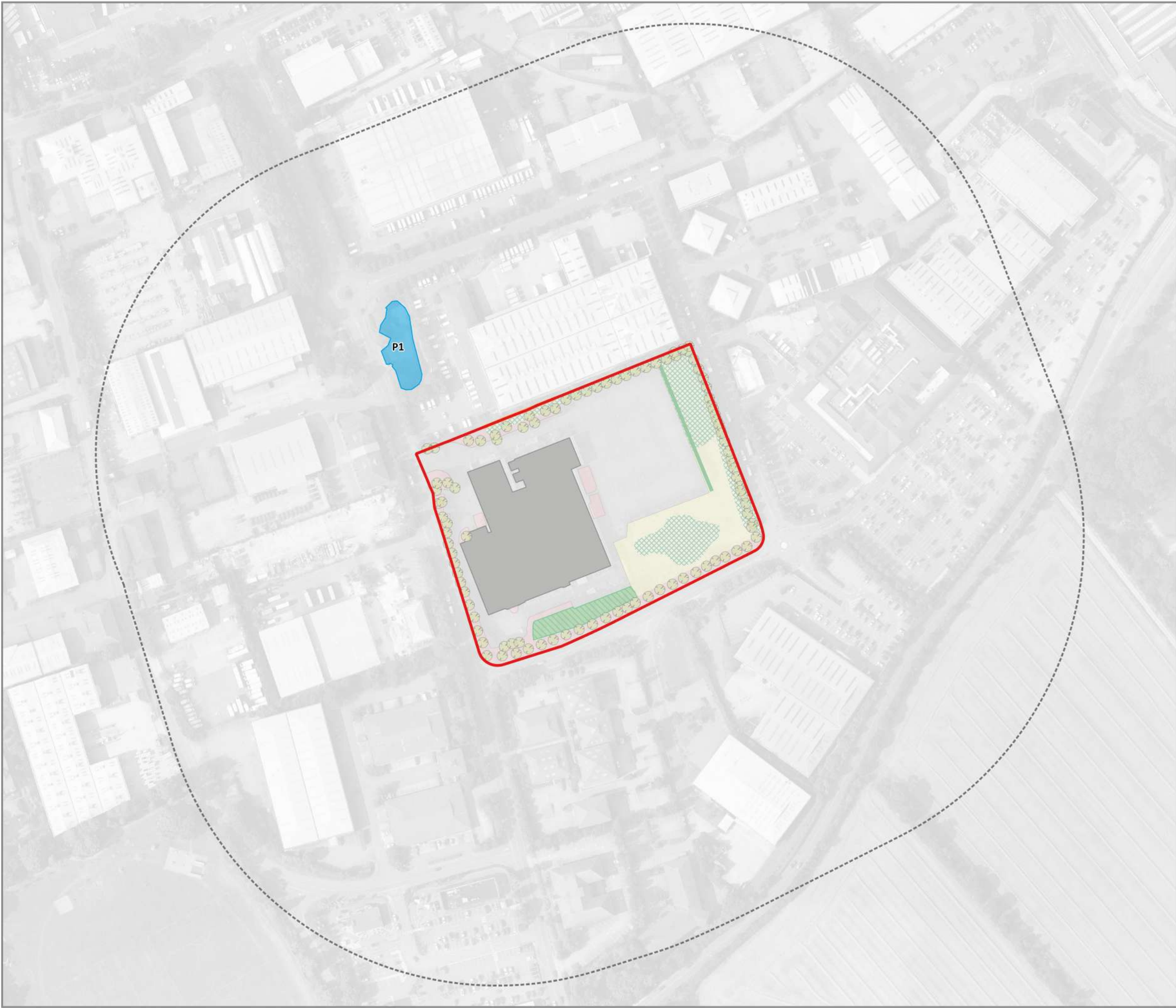
April 2025 DATE

JW/DO QC



Plan 6948/ECO5:

Pond Location Plan



Key:

-  Site Boundary
-  200m Site Buffer
-  Pond

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Starwood House PROJECT

Pond Location Plan TITLE

6948/EC05 DRAWING NO.

A/DO REV

April 2025 DATE

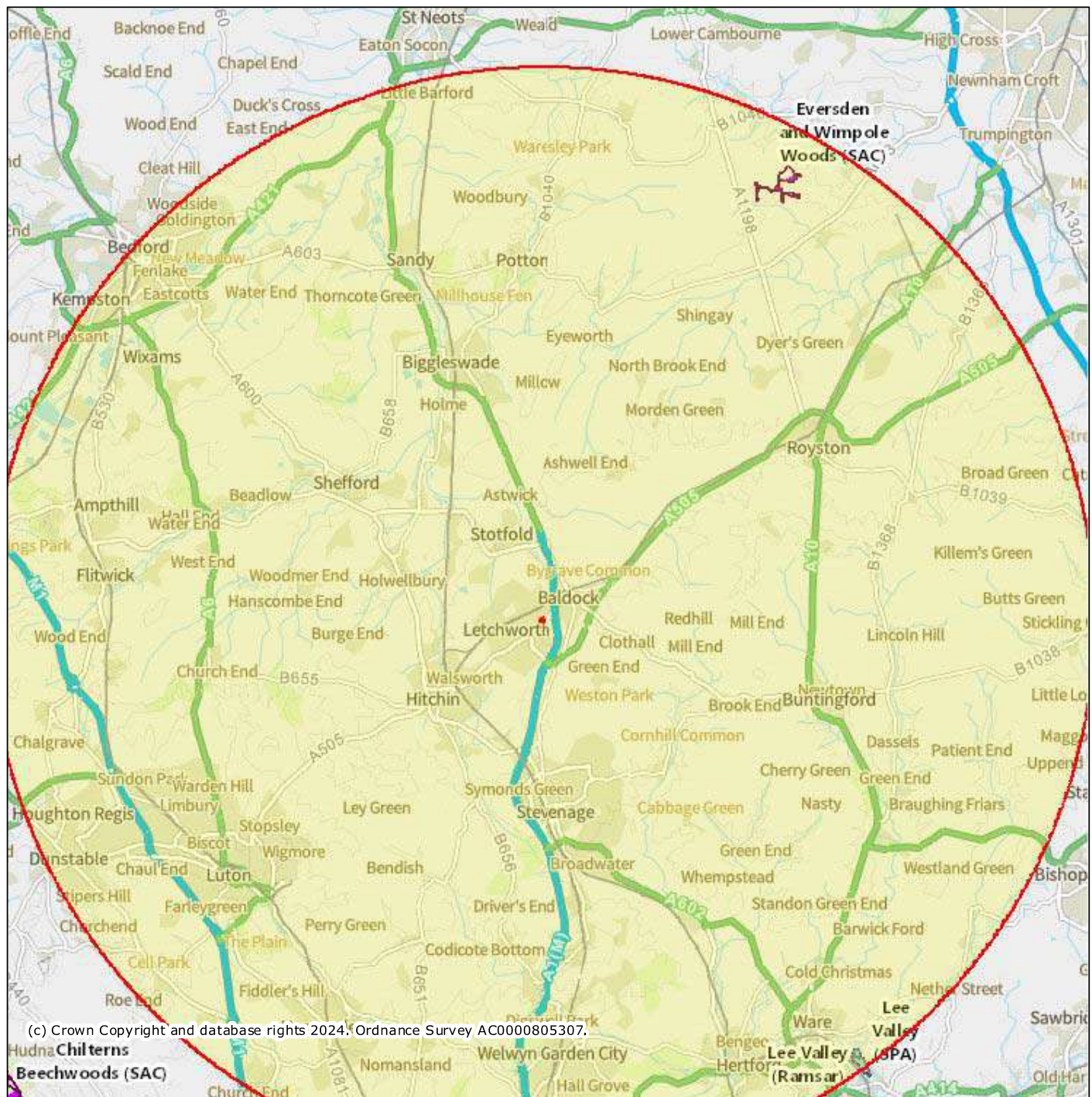
JW/DO QC



Appendix 6948/1:

Desktop Study Data

MAGiC 1km International Designations



Legend

-  Ramsar Sites (England)
-  Special Areas of Conservation (England)
-  Special Protection Areas (England)



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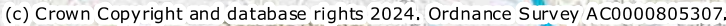
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MAGiC



Legend

- 
- Local Nature Reserves (England)

- 
- National Nature Reserves (England)

-  Sites of Special Scientific Interest (England)



Projection = OSGB36

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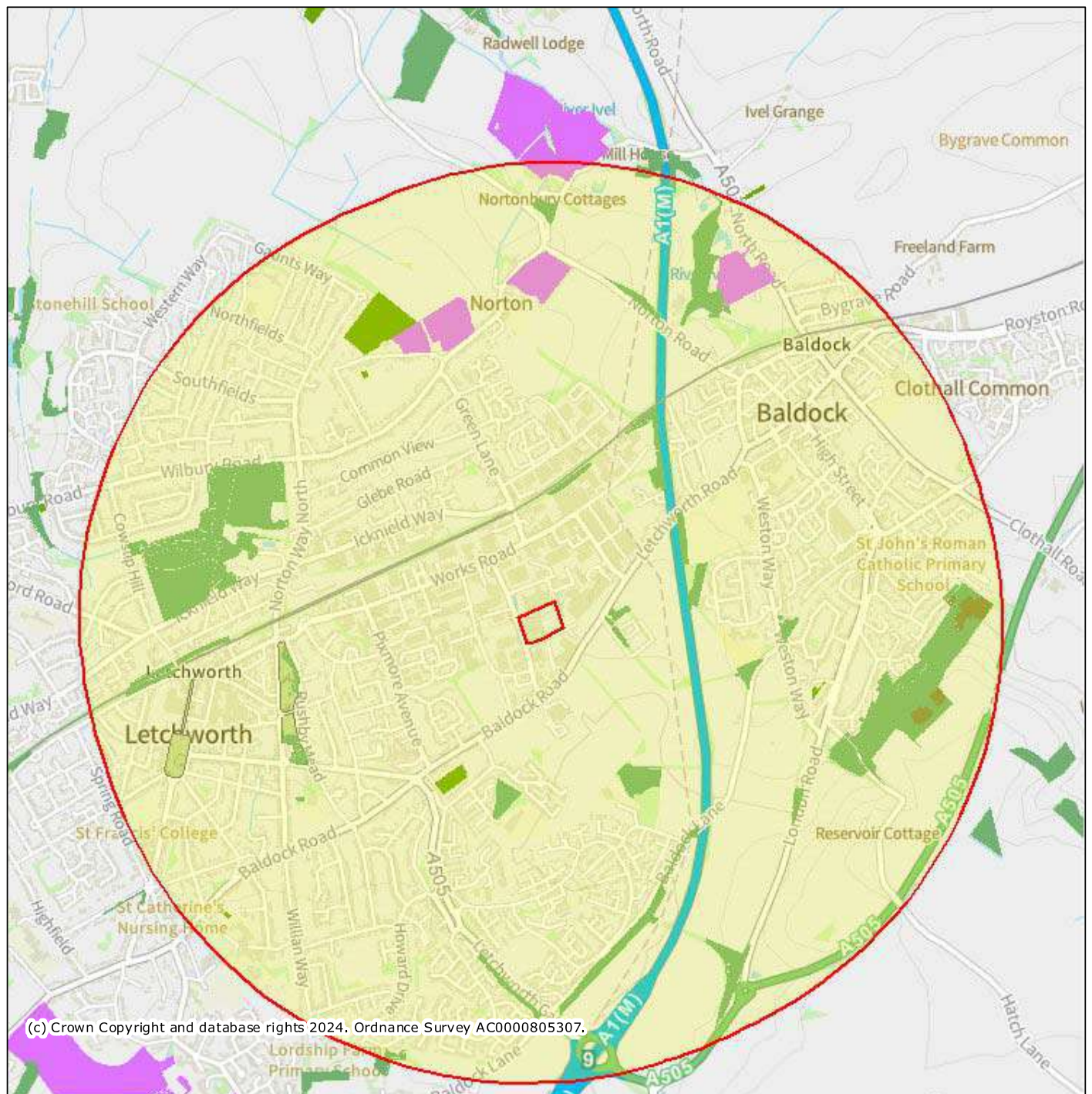
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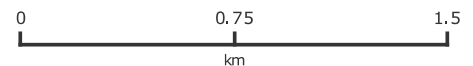
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Legend

- Priority Habitat Inventory - Good quality semi-improved grassland (Non Priority) (England)
- Priority Habitat Inventory - Lowland Calcareous Grassland (England)
- Priority Habitat Inventory - Lowland Dry Acid Grassland (England)

Ancient Woodland – Revised COMPLETED COUNTIES (England)

- Ancient & Semi-Natural Woodland
- Ancient Replanted Woodland
- Ancient Wood Pasture
- Priority Habitat Inventory - Deciduous Woodland (England)



Projection = OSGB36

xmin = 517000

ymin = 230100

xmax = 529700

ymax = 236400

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Appendix 6948/2:

Principles of Ecological Evaluation

Evaluation Methodology

1. The evaluation of ecological features and resources is based on professional judgement whilst also drawing on the latest available industry guidance and research. The approach taken in this report is based on that described by the Chartered Institute of Ecology and Environmental Management (CIEEM) 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (2018)¹.

Importance of Ecological Features

2. Ecological features within the site/study area have been evaluated in terms of whether they qualify as 'important ecological features'. In this regard, CIEEM guidance states that *"it is not necessary to carry out detailed assessment of features that are sufficiently widespread, unthreatened and resilient to project impacts and will remain viable and sustainable"*.
3. Various characteristics contribute to the importance of ecological features, including:
 - Naturalness;
 - Animal or plant species, sub-species or varieties that are rare or uncommon, either internationally, nationally or more locally, including those that may be seasonally transient;
 - Ecosystems and their component parts, which provide the habitats required by important species, populations and/or assemblages;
 - Endemic species or locally distinct sub-populations of a species;
 - Habitat diversity;
 - Habitat connectivity and/or synergistic associations;
 - Habitats and species in decline;
 - Rich assemblages of plants and animals;
 - Large populations of species or concentrations of species considered uncommon or threatened in a wider context;
 - Plant communities (and their associated animals) that are considered to be typical of valued natural/semi-natural vegetation types, including examples of naturally species-poor communities; and
 - Species on the edge of their range, particularly where their distribution is changing as a result of global trends and climate change.
4. As an objective starting point for identifying important ecological features, European, national and local governments have identified sites, habitats and species which form a key focus for biodiversity conservation in the UK, supported by policy and legislation. These are summarised by CIEEM guidance as follows:

Designated Sites

- Statutory sites designated or classified under international conventions or European legislation, for example World Heritage Sites, Biosphere Reserves, Wetlands of International Importance (Ramsar sites), Special Areas of Conservation (SAC), Special Protection Areas (SPA);

¹ CIEEM (2018) 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine', Version 1.3, Chartered Institute of Ecology and Environmental Management, Winchester (updated September 2024)

- Statutory sites designated under national legislation, for example Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) and Local Nature Reserves (LNR);
- Locally designated wildlife sites, e.g. Local Wildlife Sites (LWS).

Biodiversity Lists

- Habitats and species of principal importance for the conservation of biodiversity in England and Wales (largely drawn from UK BAP priority habitats and priority species), often referred to simply as Priority Habitats / Species;
- Local BAP priority species and habitats.

Red Listed, Rare, Legally Protected Species

- Species of conservation concern, Red Data Book (RDB) species;
- Birds of Conservation Concern;
- Nationally rare and nationally scarce species;
- Legally protected species.

5. In addition to this list, other features may be considered to be of importance on the basis of local rarity, where they enable effective conservation of other important features, or play a key functional role in the landscape.

Assigning Level of Importance

6. The importance of an ecological feature should then be considered within a defined geographical context. Based on CIEEM guidance, the following frame of reference is used:
 - International (European);
 - National;
 - Regional;
 - County;
 - District;
 - Local (e.g. Parish or Neighbourhood);
 - Site (not of importance beyond the immediate context of the site).
7. Features of 'local' importance are those considered to be below a district level of importance, but are considered to appreciably enrich the nature conservation resource or are of elevated importance beyond the context of the site.
8. Where features are identified as 'important' based on the list of key sites, habitats and species set out above, but are very limited in extent or quality (in terms of habitat resource or species population) and do not appreciably contribute to the biodiversity interest beyond the context of the site, they are considered to be of 'site' importance.
9. In terms of assigning the level of importance, the following considerations are relevant:

Designated Sites

10. For designated sites, importance should reflect the geographical context of the designation (e.g. SAC/SPA/Ramsar sites are designated at the international level whereas SSSIs are designated at the national level). Consideration should be given to multiple designations as appropriate (where an area is subject to differing levels of nature conservation designations).

Habitats

11. In certain cases, the value of a habitat can be measured against known selection criteria, e.g. SAC selection criteria, 'Guidelines for the selection of biological SSSIs' and the Hedgerows Regulations 1997. However, for the majority of commonly encountered sites, the most relevant habitat evaluation will be at a more localised level and based on relevant factors such as antiquity, size, species-diversity, potential, naturalness, rarity, fragility and typicalness (Ratcliffe, 1977). The ability to restore or re-create the habitat is also an important consideration, for example in the case of ancient woodland.
12. Whether habitats are listed as priorities for conservation at a national level in accordance with Sections 41 and 42 of the Natural Environment and Rural Communities Act (NERC) 2006, so called 'Habitats of Principal Importance' or 'Priority Habitats', or within regional or local Biodiversity Action Plans (BAPs) is also relevant, albeit the listing of a particular habitat under a BAP does not in itself imply any specific level of importance.
13. Habitat inventories (such as habitat mapping on the MAGIC database) or information relating to the status of particular habitats within a district, county or region can also assist in determining the appropriate scale at which a habitat is of importance.

Species

14. Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment.
15. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline. With respect to rarity, this can apply across the geographic frame of reference and particular regard is given to populations where the UK holds a large or significant proportion of the international population of a species.
16. Whether species are listed as priorities for conservation at a national level in accordance with Sections 41 and 42 of the Natural Environment and Rural Communities Act (NERC) 2006, so called 'Species of Principal Importance' or 'Priority Species', or within regional or local Biodiversity Action Plans (BAPs) is also relevant, albeit the listing of a particular species under a BAP does not in itself imply any specific level of importance.
17. Species populations should also be considered in terms of the potential zone of influence of the proposals, i.e. if the entire species population within the site and surrounding area were to be affected by the proposed development, would this be of significance at a local, district, county or wider scale? This should also consider the foraging and territory ranges of individual species (e.g. bats roosting some distance from site may forage within site whereas other species such as invertebrates may be more sedentary).

Appendix 6948/3:

Legislation Summary

LEGISLATION SUMMARY

1. In England and Wales primary legislation is made by the UK Parliament, and in Scotland by the Scottish Parliament, in the form of Acts. The main piece of legislation relating to nature conservation in the UK is the Wildlife and Countryside Act 1981 (as amended).
2. Acts of Parliament confer powers on Ministers to make more detailed orders, rules or regulations by means of secondary legislation in the form of statutory instruments. Statutory instruments are used to provide the necessary detail that would be too complex to include in an Act itself¹. The provisions of an Act of Parliament can also be enforced, amended or updated by secondary legislation.
3. In summary, the key pieces of legislation relating to nature conservation in the UK are:
 - Wildlife and Countryside Act 1981 (as amended)
 - Protection of Badgers Act 1992
 - Hedgerows Regulations 1997
 - Countryside and Rights of Way (CROW) Act for England and Wales 2000
 - Natural Environment and Rural Communities Act 2006
 - Conservation of Habitats and Species Regulations 2017
4. A brief summary of the relevant legislation is provided below. The original Acts and instruments should be referred to for the full and most up to date text of the legislation.
5. **Wildlife and Countryside Act 1981 (as amended)**. The WCA Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs) identified for their flora, fauna, geological or physiographical features. The Act contains strict measures for the protection and management of SSSIs.
6. The Act also refers to the treatment of UK wildlife including protected species listed under Schedules 1 (birds), 5 (mammals, herpetofauna, fish, invertebrates) and 8 (plants).
7. Under Section 1(1) of the Act, all wild birds are protected such that it is an offence to intentionally:
 - Kill, injure or take any wild bird;
 - Take, damage or destroy the nest of any wild bird whilst in use* or being built;
 - Take or destroy an egg of any wild bird.

* The nests of birds that re-use their nests as listed under Schedule ZA1, e.g. Golden Eagle, are protected against taking, damage or destruction irrespective of whether they are in use or not.
8. Offences in respect of Schedule 1 birds are subject to special, i.e. higher, penalties. Schedule 1 birds also receive greater protection such that it is an offence to intentionally or recklessly:
 - Disturb any wild bird included in Schedule 1 while it is building a nest or while it is in, on or near a nest containing eggs or young;
 - Disturb dependent young of such a bird.

¹ <http://www.parliament.uk/business/bills-and-legislation/secondary-legislation/statutory-instruments/>

9. Under Section 9(1) of the Act, it is an offence to:
 - Intentionally kill, injure or take any wild animal included in Schedule 5.
10. In addition, under Section 9(4) it is an offence to intentionally or recklessly:
 - Obstruct access to, any structure or place which any wild animal included in Schedule 5 uses for shelter or protection; or
 - Disturb any wild animal included in Schedule 5 while occupying a structure or place which it uses for that purpose.
11. Under Section 13(1) it is an offence:
 - To intentionally pick, uproot or destroy any wild plant listed in Schedule 8; or
 - Unless the authorised person, to intentionally uproot any wild plant not included in Schedule 8.
12. The Act also contains measures (S.14) for preventing the establishment of non-native species that may be detrimental to native wildlife, prohibiting the introduction into the wild of animals (releases or allows to escape) and plants (plants or causes to grow) listed under Schedule 9.
13. **Protection of Badgers Act 1992.** The Act aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain. It should be noted that the legislation is not intended to prevent properly authorised development. Under the Act it is an offence to:
 - Wilfully kill, injure, take, possess or cruelly ill-treat* a Badger, or attempt to do so;
 - To intentionally or recklessly interfere with a sett# (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

* the intentional elimination of sufficient foraging area to support a known social group of Badgers may, in certain circumstances, be construed as an offence

A sett is defined as “any structure or place which displays signs indicating current use by a Badger”. Natural England advice (June 2009) is that a sett is protected so long as such signs remain present, which in practice could potentially be for some time after the last actual occupation by Badger. Interference with a sett includes blocking tunnels or damaging the sett in any way
14. Licences can be obtained from the Statutory Nature Conservation Organisation (SNCO) for development activities that would otherwise be unlawful under the legislation, provided there is suitable justification. The SNCO for England is Natural England.
15. **Hedgerows Regulations 1997.** ‘Important’ hedgerows (as defined by the Regulations) are protected from removal (up-rooting or otherwise destroying). Various criteria specified in the Regulations are employed to identify ‘important’ hedgerows for wildlife, landscape or historical reasons.
16. **Countryside and Rights of Way (CROW) Act for England and Wales 2000.** The CROW Act provides increased measures for the management and protection of SSSIs and strengthens wildlife enforcement legislation. Schedule 12 of the Act amends the species provisions of the WCA 1981, strengthening the legal protection for threatened species. The Act also introduced a duty on Government to have regard to the conservation of biodiversity and maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the Convention on Biological Diversity.

17. **Natural Environment and Rural Communities Act 2006.** Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local planning authorities, in implementing their duty under Section 40 of the Act, to have regard to the conservation of biodiversity in England, when exercising their normal functions. 56 habitats and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (BAP).
18. **Conservation of Habitats and Species Regulations 2017 (as amended).** The Regulations enact the European Union's Habitats Directive (92/43/EEC) in the UK. The Habitats Directive was designed to contribute to the maintenance of biodiversity within member states through the conservation of sites, known in the UK as Special Areas of Conservation (SACs), containing habitats and species selected as being of EC importance (as listed in Annexes I and II of the Habitats Directive respectively). Member states are required to take measures to maintain or restore these natural and semi-natural habitats and wild species at a favourable conservation status.
19. The Regulations also require the compilation and maintenance of a register of European sites, to include SACs and Special Protection Areas (SPAs)² classified under Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). These sites constitute the Natura 2000 network. The Regulations impose restrictions on planning decisions likely to significantly affect SPAs or SACs.
20. The Regulations also provide protection to European Protected Species of animals that largely overlaps with the WCA 1981, albeit the provisions are generally stricter. Under Regulation 43 it is an offence, *inter alia*, to:
 - Deliberately capture, injure or kill any wild animal of a European Protected Species;
 - Deliberately disturb any wild animals of any such species, including in particular any disturbance likely to impair their ability to survive, to breed or reproduce, to rear or nurture their young, to hibernate or migrate, or which is likely to affect significantly their local distribution or abundance;
 - Deliberately take or destroy the eggs of such an animal;
 - Damage or destroy a breeding site or resting place of such an animal.
21. Similar protection is afforded to European Protected Species of plants, as detailed under Regulation 47.
22. The Regulations do provide a licensing system that permits otherwise illegal activities in relation to European Protected Species, subject to certain tests being fulfilled.

² Special Protection Areas (SPAs) are protected sites classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC) (aka the Birds Directive), which came into force in April 1979. SPAs are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.

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