

Re: Land at Church Wood, Three Houses Lane, Codicote, Hertfordshire
Application Ref: 24/02343/FP

Comments of Katharine Gillings CMLI

1. Summary of objections

I object to the proposed development. My objections are set out in detail in sections 2 and 3 below, but in summary they are as follows:

1. The submitted documents, including the site plan and the preliminary ecological appraisal, provide insufficient and/or inaccurate information and fail to meet NHDC 'essential' validation requirements (see para [3(a)] below).
2. The impact on the Green Belt and trees and woodland as set out in paras [3(c) and (d) below.
3. The proposals are contrary to the landscape character assessment (LCA) of the area in which the site is located (Codicote Plateau Area 205) in the North Herts Landscape Study (Character, Sensitivity and Capacity) (see para 3.5 below).
4. The proposals will harm views, both public and private, through this rural area of ancient woodlands (see para 3.6 below).
5. The proposals will harm the setting of a Grade II listed building (see 3.7 below).
6. The proposals will cause noise and disturbance to the neighbouring properties (see para 3.8 below)
7. In view of the above, the proposals are in my opinion contrary to relevant planning policy as noted in para 4. below and permission should therefore be refused.

2. Context - unauthorised works

Please note that the above comments, and my comments below on the impact of the unauthorised works, apply equally to the unauthorised works already carried out by the applicant on the site and the proposals now under consideration.

2.1 Unauthorised work commenced on the application site in February 2024.

NHDC Enforcement were notified in February and on numerous occasions by concerned residents and the work continued. NHDC Enforcement failed to take action to stop the work.

A planning application was submitted by the applicant to NHDC on 30 July 2024 and later withdrawn.

NHDC served a Tree Preservation Order on 16 October 2024 for Land at Crouchgreen Wood, and Church Wood, Three Houses Lane, Codicote, Hertfordshire, TPO/00214 (2024).

The current application Ref: 24/02343/FP was submitted on 23 December 2024.

2.2 The unauthorised and proposed works comprise.

- Construction works relating to the existing barns, on site storage for building/industrial materials across the field, deep boring related to an unknown activity, the extension of hard standing to provide a shelter, a substation, the installation of security fencing and additional car parking etc.
- Extensive tree felling (and removal of tree roots off site), heavy machinery traversing ancient woodland, clearance of the woodland understorey the extension of an existing unmade track and the installation of a security fence.
- Excavations to remove an original pond, to create a deep hollow area with an associated heavy-duty culvert attached, to lay land drains in Church Wood, services in Crouchgreen Wood, several soakaways in the field and to spread the excavated subsoil spoil throughout Church Wood.
- Unlike the previous application, the red line boundary now encompasses the whole site implying that should approval be granted the business activities can extend throughout Crouchgreen Wood and Church Wood.

2.3 The impact of the unauthorised and proposed works on the trees and woodlands.

Since February 2024:

- Church Wood has been subjected to extensive tree felling and tree removal. **This has reduced the density of the trees by approximately two thirds when compared to Crouchgreen Wood.** A description of how this was assessed is enclosed in Appendix 5.1.
- The excavated subsoil spread throughout Church Wood has raised the soil level above the base of existing trees, compacted the soils, impeded the drainage and removed/buried important ground flora.
- The security fence that surrounds most of the site blocks the free movement of the wildlife (including fallow and muntjac deer).
- Insufficient information has been provided in relating to:
 - the disposal of foul sewage.
 - storage to '*aid the collection of waste*'.
 - Waste water seeping into the surrounding woodland. threatens the survival of the remaining trees.
- Surplus water overflows from the large, excavated hollow, spreading into Church Wood is already causing waterlogged soils. Waterlogged soil can kill trees.
- Polluted water/waste materials draining into surrounding woodland can be detrimental to:
 - The remaining trees.
 - Nearby Ancient Semi Natural Woodland.
 - Knebworth Woods SSSI Impact Risk Zones and
 - Drinking Water Safeguard Zone (Surface Water) England.

The immediate impact of these works is clearly apparent. However, the long-term consequences of these activities may not be apparent for many years to come.

The Government Guidance 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' 14 January 2022 sets out the direct and indirect effects of development on ancient woodland, ancient trees and veteran trees. Many are applicable here.

These include:

Direct effects:

- *damaging or destroying all or part of them (including their soils, ground flora or fungi)*
- *damaging roots and understorey (all the vegetation under the taller trees)*
- *damaging functional habitat connections, such as open habitats between the trees in wood pasture and parkland*
- *changing the water table or drainage*
- *changing the woodland ecosystem by removing the woodland edge or thinning trees causing greater wind damage and soil loss.*

Indirect effects:

- *breaking up or destroying working connections between woodlands, or ancient trees or veteran trees - affecting protected species, such as bats or wood-decay insects.*
- *reducing the amount of semi-natural habitats next to ancient woodland that provide important dispersal and feeding habitat for woodland species*
- *reducing the resilience of the woodland or trees and making them more vulnerable to change*
- *increasing the amount of dust, light, water, air and soil pollution*
- *increasing disturbance to wildlife, such as noise from additional people and traffic*
- *increasing damage to habitat, for example trampling of plants and erosion of soil by people accessing the woodland or tree root protection area changing the landscape character of the area.*

Measures to mitigate the damage that has already occurred should be set in place and enforced whether or not the submitted application is granted approval.

3. Objections

3.1 Omissions/inaccuracies in the Application

The submitted documents provide insufficient and/or inaccurate information and fail to meet NHDC 'essential' validation requirements:

- a) No BS 5837:2012 Tree Survey or Landscape Appraisal has been provided.
- b) The site plan fails to show:
 - The existing trees and woodlands and TPO boundary.
 - the extent of the existing or future storage.
 - to show the extent of the land drainage that has been installed in Church Wood and the soakaways that have been constructed in the field.

- the large excavation and heavy-duty concrete culvert that has been constructed in Church Wood.
 - A proposal for how the excavated subsoil is to be dealt with (although, we now know this has been distributed throughout Church Wood).
- c) The Preliminary Ecological Appraisal contains substantive and significant inaccuracies.
- The Preliminary Ecological Appraisal included with the application is dated 21/06/2024 and therefore relates to the previous application. It consequently omits Tree Preservation Order TPO/00214) Land at Crouchgreen Wood and Church Wood, Three Houses Lane which was served in October 2024.
 - The preliminary appraisal provides insufficient detail to be able to assess the potential impact of the original application on Crouchgreen Wood (LWS) or Church Wood (LWS) and the other important woodlands nearby including Graffridge Wood (LWS, ASNW & PAWS) and Knebworth Woods (SSSI) for the following reasons:
 - The desk study and field survey were apparently limited to surveys in May and June 2024. In contrast, an Extended Phase 1 habitat survey (to assess the sites potential to support protected species such as bats/great crested newts/badgers, reptiles and nesting birds) and the subsequent detail surveys can involve multiple visits at different times of year. The ecological report is therefore of limited value.
 - The appraisal (para 4.2) states there are *'no SSSI Impact Risk Zones within the site area for this type of planning application'*. However, the Knebworth Woods SSSI is located approximately 0.8km (1.56M) east of the site. The DEFRA MAGIC Map shows the SSSI Impact Risk Zones (in purple) extending from Knebworth Woods (SSSI) in the east in a westward direction across the site.
 - Para 5.2 of the appraisal acknowledges that the development related to the previous application (when the red line area was restricted to the perimeter of the barns) *'could potentially have an indirect impact on Church Wood, Graffridge Wood and Crouchgreen Wood County Wildlife Sites (CWS) and in the absence of mitigation indirect impacts such as noise and light pollution, dust and waste materials could negatively impact the woodland and its associated flora and fauna.'*

However, now, when the red line encompasses the Crouchgreen Wood and Church Wood the ecological impact of this has been ignored in the appraisal.
 - Para 5.3 of the report states that the preparation of a Construction Ecological Management Plan (CEMP) *'prepared prior to the commencement of the proposed development'* will avoid and reduce negative impacts. Unfortunately, the work started in February 2024, five months prior to the date of the ecological report. A CEMP was not provided for either the first or current application.

3.2 Impact on the locality

The site is in a rural, woodland area to which numerous statutory, non-statutory, national and regional designations and national standards apply:

- a) Green Belt.
- b) Crouchgreen Wood and Church Wood are ancient coppice hornbeam woodlands with an important ground flora.
- c) The woods are Local Wildlife Sites.
- d) Tree Preservation Order 00214 (2024) Land at Crouchgreen Wood, and Church Wood, Three Houses Lane, Codicote, Hertfordshire,
- e) Crouchgreen Wood and Church Wood are listed on the DEFRA Priority Habitat Inventory.
- f) The site is located within the Knebworth Woods SSSI Impact Risk Zones.
- g) Church Wood is within a Drinking Water Safeguard Zone (Surface Water) England.
- h) Historic England Listed Building, Grade II Peach House at the Node Training Centre Ref: IOE01/10041/23 is located nearby within the Node's original walled garden.
- i) UK National Standards: BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction recommendations.'
- j) S41 of the Natural Environment and Rural Communities Act (2006) (NERC).

These are considered in more detail below.

3.3 Green Belt

The site comprises a long-established agricultural field bound on three sides by Crouchgreen Wood and Church Wood.

These rural characteristics reflect *'the essential characteristics of Green Belts'* which are *'their openness and their permanence'* (paragraph 142 NPPF).

The proposed change of use and development works required to establish Class B8 (Storage and Distribution) use threaten to harm the Green Belt including its openness. They are *'inappropriate development'* and so *'by definition harmful to the Green Belt and should not be approved except in very special circumstances'*.

There are no such very special circumstances in this case as it has not been shown that *'the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations'* (paragraphs 153 and 154 NPPF).

On the contrary, it is apparent from my comments that the harm resulting from the proposal will be extreme, not least to the ancient woodlands of Crouchgreen Wood and Church Wood, and that this development in the Green Belt should therefore not be approved.

3.4 Trees and Woodlands

Crouchgreen Wood and Church Wood are both ancient woodlands and Local Wildlife Sites. The woods are also listed on the DEFRA MAGIC website as Priority Habitat Woodland identified as the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). See Appendix 5 for further information on these designations and the policies to protect them.

The Hertfordshire Ecological Records Centre describes Church Wood and Crouchgreen Wood as supporting a good diversity of indicators including Bluebell (*Hyacinthoides non-scripta*).

The Woodland Trust states that Bluebells are *'native to western Europe with the UK being a species stronghold. They're associated with ancient woodland and are often used in combination with other species as a clue that a wood is ancient'*. Bluebells are safeguarded under the Countryside and Wildlife Act 1981.

Local Wildlife Sites are designated at a county level as being of *ecological significance* they are *'areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery*.

Woodlands on the Priority Habitats Inventory are described as *'areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery.'*

Such woodlands are also described by the Government Guidance 'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions' as *'a valuable natural asset', 'irreplaceable habitats'* that *'takes hundreds of years to establish'*.

The Guidance *'Ancient woodland, ancient trees and veteran trees: advice for making planning decisions'* is a material planning consideration to be taken into account in development decisions that affect ancient woodland, ancient trees or veteran trees. It states that the direct and indirect effects of a development proposal, both constructional and operational, must be assessed. Planning permission should be refused if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees, unless there are wholly exceptional reasons.

No such wholly exceptional reasons have been shown. This Government Guidance outlines the damage that development can cause (see the extract at paragraph 2.3 above). In this case it is apparent that the proposed development will harm the ancient woodland and has already done so as demonstrated by the damage caused to date by the applicant's unauthorised works (see paragraph 2.2 above) and the subsequent imposition by North Hertfordshire District Council of Tree Preservation Order 00214 (2024) over Crouchgreen Wood and Church Wood.

Note also that the Government Guidance states that *'ancient woodland, ancient trees and veteran trees are irreplaceable'* and that any proposed compensation measures should therefore not affect assessment of the merits of a development proposal.

Further, the proposals are contrary to British Standard 5837; 2012 'Trees in Relation to Design, Demolition and Construction Recommendations' in that they have not provided:

- a professional assessment of the woodland and individual trees.
- ascertained their Root Protection Zones (RPZ).
- provided protection for the tree canopies.
- ground protection within the RPZ and elsewhere to protect soils from traversing heavy machinery.
- located services/ hard stranding to avoid tree roots and have left tree roots exposed etc.

The felling and removal of trees and their roots has therefore been carried out irrespective of the tree species, size, age, quality and condition etc.

The proposals do not accord with national planning policy:

NPPF Chapter 15, Conserving and enhancing the natural environment.

Paragraph 187 which states *'decisions should contribute to and enhance the natural and local environment'* by:

- *'Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan'*

- *'Recognising the intrinsic character and beauty of the countryside'*
- *'Minimising impacts on and providing net gains for biodiversity'*

Paragraph 192. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁸
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species;

Paragraph 193. When determining planning applications, local planning authorities should apply the following principles:

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused.

Paragraph 195. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site.

Paragraph 198. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

The proposals are not in accordance with the:

- North Herts Local Plan 2011-2031 Policy NE1: Strategic green infrastructure. This requires development to *'protect, conserve and where possible enhance the strategic green infrastructure network'* and recognises that such green infrastructure in North Herts includes ancient woodlands.

The proposals do not accord with the:

- North Herts District Green Infrastructure Plan (NHGIP) (2009). Ecology and Biodiversity mapping identified four key concentrations of semi-natural habitat in North Hertfordshire which included the oak/hornbeam woodland in the area immediately southwest of Stevenage with a key site being Knebworth Woods SSSI. Of particular note were the *'large number of small Ancient Woodland Inventory sites'* with *'concentrations west of Stevenage.'*

Knebworth Woods SSSI is one of only three SSSI in NHDC and these are well spaced apart. Habitat fragmentation is therefore an issue. One of the Key GI Issues/Opportunities is:

'Connectivity: Semi-natural habitats are highly fragmented across the district. This limits the success of ecological restoration work as plants and animals may not be able to colonise new habitats;'

Knebworth Woods SSSI is located within the Stevenage and North Herts Action Plan area (SNAP). It comprises *'a relatively large (120.8ha) oak/hornbeam woodland located between Langley and the A1(M) corridor. In terms of nature conservation value, it is considered to be the most important woodland of its type in north Hertfordshire.'*

One of the Key GI issue/opportunities is:

'Woodland creation: Oak/hornbeam woodland constitutes the predominant seminatural habitat within the SNAP area. It is a nationally rare habitat type and is highly fragmented.'

The ancient, coppiced hornbeam woodland of Crouchgreen Wood and Church Wood therefore play an important role to help substantiate this rare habitat type and counteract the fragmentation. Combined with the ASNW of Winter Wood and Graffridge Wood the woodlands along Three Houses Lane help strength of valued habitats in North Hertfordshire.

In contrast the unauthorised and proposed works carried out on the site are contrary to the issues/opportunities highlighted by the North Hertfordshire Green Infrastructure Plan and the Stevenage and North Herts Action Plan (SNAP).

The proposals are not in accordance with the:

North Herts Local Plan 2011-2031 Policy NE2: Landscape which requires development to *'respect the sensitivities of the relevant landscape character area'* (LCA) and *'not cause unacceptable harm'* to it. Development should respect the sensitivities of each LCA and accord with the guidelines for managing change identified for each.

3.5 North Herts Landscape Study (Character, Sensitivity and Capacity) 2011 designates the area within which the site is located as Codicote Plateau Area 205.

The Codicote Plateau Area is characterised as a:

'Gently rolling upland landscape plateau' which 'is incised by smaller valleys creating a locally undulating landform. Large sized regular shaped fields mainly used for arable production but with parcels of grazing land and paddocks adjacent to Codicote. Larger blocks of ancient woodland in the north adjacent to Knebworth, smaller copse further south.'

The vegetation and wildlife are described as:

'Ancient semi-natural broadleaved woodlands occur within this Character Area. Some, such as Crouch Green Woods are dominated by stands of ancient hornbeam coppice. Others, like Graffridge Wood have a climax community of oak and hornbeam. New Wood is notable for its acidic substrate and plant communities. Ancient woodland features such as pits and ditches are also present in several woodland areas. The area features woodland birds, rare aquatic plants and invertebrates in ponds.'

'The Character Area is well covered by a network of old winding and often sunken lanes.'

The LCA assessment evaluation of the area is **IMPROVE** and **CONSERVE**.

The proposed Class B8 use will *not 'improve and conserve'* and is therefore clearly inappropriate and not in keeping with the landscape character of the Codicote Plateau Area 205.

The unauthorised and proposed works carried out in Crouchgreen Wood and Church Wood as a part of the storage and distribution business activities are the antithesis of the LCA assessment to **IMPROVE** and **CONSERVE** the landscape character area.

The works have had and will (if planning approval is granted) continue to have a detrimental impact on the existing small-scale rural lane, edged with earth bank ditches and ancient woodland.

The Guidelines for Managing Change within Codicote Plateau Area 205 are stated to include:

- *'Promote the management of ancient woodlands to encourage a diverse flora'*
- *'To protect and preserve the pattern of narrow winding lanes and associated hedge banks, sunken lanes, verges and hedges' and*
- *'To encourage and support management of hornbeam coppice woodland.'*

Clearly the proposals do not accord with the LCA Guidelines as is required by the North Hertfordshire Local Plan.

Nor do they comply with the North Herts District Green Infrastructure Plan (NHGIP) (2009) that one of the key strategic objectives relating to the *'larger blocks of ancient woodland near Knebworth' in the Codicote Plateau is to 'include the management of areas of ancient woodland to encourage a diverse woodland flora.'*

3.6 Loss of views

Public views along Three Houses Lane are very rural. The lane is unlit and edged on both sides by traditional earth banked drainage channels. The views are enclosed by blocks of open, ancient woodland and associated understorey.

Views from Three Houses Lane looking south through Church Wood now extend through Church Wood to the field and beyond to the Node boundary. The mounds of felled timber in the wood, timber pallets and storage containers by the barns, various building/industrial materials, construction machinery etc are clearly visible.

Views along the lane (in either direction) are dominated by the industrial scale security fence, the ornamental evergreen laurel hedge, the damaged earth banks and the flooded ditches.

The laurel hedge has obviously been planted to try to screen the site, but this ornamental hedge is not in keeping with native species found in the ancient and Semi Natural Ancient Woodlands that surround Three Houses Lane. Blocking the views with an evergreen hedge is also contrary to the open character of these ancient woodlands and landscape character area.

Private views towards the site. These are possible from the neighbouring properties. These include:

- Lower Court – upper window and garden.
- Bradley Springs – upper windows, garden/entrance area.
- The Japanese Garden (chalet and house) window and garden.
- The Round House windows and garden.

3.7 Management of the setting the Grade II listed Peach House. The walled garden of the Node is adjacent to the site, it contains the Grade II listed Peach House, designed by Joseph Paxton.

Views from within the Node and walled garden typically look towards the Peach House, highlighting its distinctive, long narrow structure of the white Peach House set against the backcloth of the original brick garden wall, the nearby orchard trees and the canopies of woodland trees beyond.

These features form an important part of the setting of the Listed Grade II Peach House. Nearby activities such as noise, lights, traffic, evening working and any removal of trees will harm the otherwise rural and historic setting of the Grade II Peach House. North Herts Local Plan Policy SP13 requires *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight [to] be given to the asset's conservation and the management of its setting,'*

3.8 Disturbance to neighbours

The unauthorised development activity on the site has caused noise and disturbance for the neighbouring properties.

The Design and Access Statement refers to the nearest properties being *'approximately a mile to the east and west.'* However, based on the approximate distances measured on the DEFRA MAGIC map:

- Lower Court building (E) is approximately 206m to the nearest barn and 128m from the site boundary.
- Crouch Green building (W) approximately 205m to the nearest barn/site boundary.
- The Round House building is approximately 108m to the nearest barn and 40m to the site boundary.
- The Japanese Garden building approximately 234m to the nearest barn and 130m to the site boundary. The chalet approximately 230m to the nearest barn and 130m to the site boundary.

Even allowing for a generous discrepancy these distances are far less than a mile (1609.34m).

Last Spring I was aware of a deep boring sound that occurred both during the week and as I recall at the weekend. The deep sound caused an underground vibration both outside and inside our property. I believe this was related to activity on the site and wonder what aspect of the proposed works this might relate to.

In addition, there has been regular background noise associated with the sound of chainsaws, dumpers/ earth moving machinery (with their warning sound) working in the woods. The felling of the trees/removing tree stumps clearing the understorey has been both upsetting and a disturbance.

4. Planning policy

As demonstrated by my comments above, the proposals are in my opinion contrary to the following:

The National Planning Policy Framework (December 2024).

Chapter 13 Protecting Green Belt Land

Paragraphs 142

Paragraph 143

Paragraph 153

Chapter 15. Conserving and enhancing the natural environment.

Paragraph 187

Paragraph 188

Paragraph 192

Paragraph 193

Paragraph 195

Paragraph 198

Planning Practice Guidance

Government Guidance published 14 January 2022

Ancient woodland, ancient trees and veteran trees, advice for making planning decisions.

North Hertfordshire Local Plan 2011 – 2031

Policy SP12: Green infrastructure, landscape, and biodiversity

Policy SP13: Historic environment

Policy NE 1: Strategic Green Infrastructure.

Policy NE2: Landscape.

Policy NE4: Biodiversity and geological sites

North Hertfordshire Landscape Study (Character, Sensitivity and Capacity) 2011

North Hertfordshire District Green Infrastructure Plan

Other relevant documents include:

The Natural Environment and Rural Communities Act (2006) S41

BS 5837: 2012 Trees in Relation to Design, Demolition and Construction recommend

5. Conclusion

The above application to allow a change of use to Class B8 Storage and Distribution is inappropriate on the above site which is in a rural and highly sensitive woodland area.

The unauthorised works started last Spring and the construction and building works combined with the felling and grubbing up of ancient coppice stools and their removal off site should never have been allowed to continue.

NHDC were informed of the work in February 2024 and the Forestry Commission were also contacted. However, the work continued to proceed.

My comments above highlight the value of the ancient woodland and the North Herts Green Infrastructure Plan states that the ancient, coppiced hornbeam woodlands are a '**nationally rare habitat type**' which is '**highly fragmented**'.

The submitted documents are inadequate and fail to meet NHDC '*essential*' information for the application to be validated. The documents submitted provide insufficient and/or inaccurate information.

The impact of the current work is plain to see. However, the felling and removal of trees/understory, excavations and spreading of subsoil to raise ground levels, the seepage of water and potentially other unknown materials are likely to have a wider long-term impact on the remaining trees, and woodlands nearby and further afield.

It is therefore imperative that a full evaluation of the damage and a thorough remedial plan is established in conjunction with the Forestry Commission, Environment Agency, HERC and other

stakeholders to ensure that the necessary mitigation can be implemented and enforced (whether this planning application is approved or not).

The unauthorised and proposed works are contrary to the:

- National Planning Policy Framework and Planning Practice Guidance.
- North Hertfordshire Local Plan 2011 – 2030.
- North Hertfordshire Landscape Study (Character, Sensitivity and Capacity) 2011 and
- North Hertfordshire District Green Infrastructure Plan (2009).

The works are also contrary to the:

- British Standard BS 5837: 2012 Trees in Relation to Design, Demolition and Construction Recommendations.
- The Natural Environment and Rural Communities Act (2006) S41

I would therefore ask the Planning Committee to be minded to **refuse** the application.

5. Appendix

5.1 WOODLAND CALCULATION

A Landscape Architect colleague joined me to try to assess the extent of the tree felling.

We looked across Crouchgreen Wood, between several sections of fence, towards a predetermined line and we both counted 30no trees. In a comparison section, looking across Church Wood we counted 10no trees. We double checked our figures in each section, and assessed several sections in each wood, and the figures were the same. The selection of the felled/removed trees appears to have been arbitrary.

5.2 The Hertfordshire Environmental Records Centre (HERC).

Excerpts from the site descriptions.

Church Wood (near Knebworth) 29/003

Designation

'Church Wood (near Knebworth) 29/003 is a Local Wildlife Site, designated as 'Woodland not recorded on the Inventory of Ancient Woodland, but believed to be ancient because it is shown on old maps' (LWS criteria H.1.1.3).

'The ground flora supports a good diversity of indicators including Bluebell (Hyacinthoides non-scripta)'.

Habitat

In the Herts Ecological Networks (HEN) dataset, the woodland is listed as "Broadleaved woodland – semi-natural", a habitat category listed within S41 of the NERC Act.

Crouchgreen Woods 29/055

Designation

'Crouchgreen Woods 29/055 is a Local Wildlife Site, designated as 'Woodland not recorded on the Inventory of Ancient Woodland, but believed to be ancient because it is shown on old maps' (LWS criteria H.1.1.3).

Habitat

The woodland is listed on the HEN map dataset as "Broadleaved woodland – semi-natural", a habitat category listed within S41 of the NERC Act.

5.3 The Hertfordshire Ecological Record Centre (HERC) guidance around Local Wildlife Sites and planning is as follows:

'Local Wildlife Sites are non-statutory sites designated at a county level as being of ecological significance and are recognised in Local Authority development plans. The aim of this identification is to protect such sites from land management changes in connection with planning applications, which may lessen their nature conservation interest, and to encourage sensitive management to maintain and enhance their importance. Although LWS have no statutory protection, their importance is recognised in Local Plans and the National Planning and Policy Framework (NPPF), and they are a material consideration in the planning process. The planning and policy guidance that accompanies the NPPF describes them thus:

'Locally designated 'Local Wildlife Sites' and 'Local Geological Sites' are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery....National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.'

Paragraph 013 Planning Policy Guidance, Natural Environment
<https://www.gov.uk/guidance/natural-environment>

5.3 **Priority Habitat Inventory.**

Crouchgreen Wood and Church Wood and the woods on the site's southeastern boundary are identified on the DEFRA Magic website as listed on the Priority Habitat Inventory – Deciduous Woodland (England) as published by Natural England.

The HERC Herts Environmental Records Centre. **Hertfordshire Ecological Network Mapping**

Introduction

A project was carried out in 2011-2013 producing a new Hertfordshire habitat inventory with latest available data and then using these data to generate potential habitat network maps.

Potential habitat network maps identify how our habitats are spatially related to each other and where the highest priorities are for expanding them and linking them together. This strategic approach ensures that efforts can be targeted to where they are of most potential benefit. It also ensures that the right combination of habitats are created in the right places, reflecting the historical context and physical factors and minimising unintended consequences of locking out the potential to restore functioning networks of one habitat for the sake of another.

The Hertfordshire Ecological Network mapping project was managed by a steering group that included representatives of the County Council and DEFRA bodies and the guidance document (below) has been approved by the Hertfordshire Local Nature Partnership Planning Task Group that includes representatives from Herts Ecology, the County Council, District Councils and landowners.

For more detail on the project, please visit <https://bit.ly/2tR5jYw>

How to interpret the maps

The guidance below is based on an advisory document, produced by the Hertfordshire Local Nature Partnership Planning Task Group, which is available here: <https://bit.ly/2MNDhUu>

The guidance below is based around identifying appropriate actions and principles to apply to the different areas on the map. For any development proposal the first stage is to identify how the different features within the dataset are distributed across the proposed development area. This will involve viewing the map component of the dataset and interrogating the associated data table for each of the map features within and around the proposed site.

For ease of use, the map component of the dataset is colour-coded by the overarching categories in the first column of the data table.

Green areas on the map (values of 1 in the first column of the data table).

- These patches contain habitats listed within S41 of the NERC Act and should be avoided by development and protected by the development management system.

- Adjacent or surrounding development should provide for the enhancement of these habitats through ongoing positive conservation management.

The data table identifies the habitat type that must be maintained.

- Development causing significant harm to these patches should normally be refused. Where there is unavoidable harm in the context of overriding public interest, the mitigation hierarchy should be applied. Depending on the circumstances, all other areas on the map could potentially be candidate areas for applying appropriate compensation measures.

The same actions described for restoring and creating habitats to enhance ecological networks equally apply to compensation measures. NB a simple 1:1 ratio of compensation for habitat area damaged is unlikely to be enough due to the poor success rate and risks involved in creating new habitats to the same standard as those lost. In reality the ratio is likely to be much higher, in some cases up to a 1:10 ratio of harm to compensation area. Other habitat types are considered irreplaceable (eg. Ancient woodland) and can never be adequately compensated if lost.