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Contact: Bernie Fleming
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Date: 27 March 2025

Dear Sarah,

[24/02906/DOC](#)

Details reserved by Condition 6 (Design Code) of outline application 18/01154/OP granted 29.11.2024

Land North of Highover Farm to Stotfold Road, Highover Way, Hitchin, Hertfordshire

ECOLOGICAL IMPLICATIONS

Overall Recommendation

- ☒ Condition 6 can be discharged

Summary of advice

- Some issues are highlighted for future attention but Condition 6 can be discharged

Supporting documents

I have made particular if not exclusive use of the following documents in providing this advice:

- Cover letter (Condition 5 Site Wide Phasing and Delivery Plan and Condition 6 Design Code of 18/01154/OP), Rapleys, 20 December 2024
- Highover Farm Design Code (Rev P3), McBains, December 2024

Comments

Thank you for your letter of 15 January 2025 which refers, and for consulting Herts LEADS (Ecology); I apologise for the delay with this reply.

An abridged version of Condition 6 presenting ecological matters only is provided in Appendix 1 though reference to the full wording of the condition is recommended.

Under 'Open Spaces - Green Infrastructure and Nature' the Design Code sets out a broad framework for the delivery of measures put forward to deliver a biodiversity net gain and mitigate and/or compensate for impacts on ecological features within the red line boundary, albeit at an elevated level. In broad terms, I consider these to be consistent with the aspirations described in the original outline application.

Both lack the finer detail but it is anticipated this will be set out in full as part of the Landscape and Ecology Management Plan (LEMP) required by Condition 21.

That said concerns expressed in the determination of the original outline application still persist and further, I consider there are important omissions from the Code. For instance:

1. The ability of the created habitats to satisfy the ecological function proposed given the multiple uses the 'open spaces' are destined to deliver. For instance, recreational use of Highover Park of which much is made in the Code, can be expected to exert a downward pressure on the quality of the grassland sward. How these potentially conflicting requirements will be satisfied/managed will likely be key to the delivery of a net gain and other outcomes and so could be of considerable importance. This applies to a greater or lesser extent to all the proposed Open Spaces.
2. The same could be said of the ability of the same or similar habitats to make a meaningful contribution to the support of farmland birds, a concern expressed during the outline application' consultation period.
3. Elsewhere, I note the absence from the Code of any reference to the incorporation of bird and bat boxes within the buildings.
4. Again, lighting is touched on only briefly but will need to be accompanied by evidence showing how impacts on bats can be avoided.

Despite these concerns, I consider the opportunities exist for all to be resolved/explained in the future as the application evolves and, accordingly, **I consider the requirements of Condition 6 have been satisfied and this application can be determined accordingly.**

However, all will require attention when the LEMP (Condition 21) and the 'Open Space Management and Maintenance Scheme' (Condition 13) are determined. Given the competing pressures alluded to above, items (1) and (2) will require compelling evidence, especially so regarding the delivery of a biodiversity net gain.

Finally, as stated in the Cover letter, the Code has a clear relationship with the Site Wide Phasing and Delivery Plan, dealt with by Condition 5 ([25/00076/DOC](#)), which I have recommended could be discharged in a separate letter.

Yours sincerely,

Bernie Fleming

Ecology Advisor, Hertfordshire LEADS

Hertfordshire LEADS provides Landscape, Ecology, Archaeology, Design and Sustainability support to planning departments in Hertfordshire.

Appendix 1: Condition 6 (parts of)

Prior to or concurrently with the submission of the first reserved matters application(s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature

(a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:

o formal and informal green space

o hard and soft landscaping

o removal of existing vegetation and trees

o treatment of existing and retained hedgerows and trees (buffer design)

o new tree planting

o habitat creation

o SUDS arrangements

o strategic earth modelling and mounding

o boundary treatment

o footpaths and cycleways/crossings within or adjacent to green space

...

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should use the Design Code and how to use the Design Code. Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented. All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code. There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority.

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.