

Hertfordshire LEADS (Ecology)
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Application

Battery Energy Storage System (BESS), ground mounted solar farm, associated infrastructure access and landscaping. [25/01947/FP](#) Land Of A507 Near Cumberlow Green Clothall Road Clothall Hertfordshire 25-01947-FP Rsp1 SR

Documents:

Ecological Impact Assessment (EclA), July 2025, Lanpro.
• Bird Impact Report, July 2025 (Issue date 05/08/2025), Lanpro.
• UK Habitat Baseline Map (Appendix 8, EclA), July 2025, Lanpro
• Post-Development Habitat Map (Appendix 9, EclA), July 2025, Lanpro.
• Biodiversity Gain Plan, 04 July 2025, Lanpro.
• Statutory Biodiversity Metric Calculation To Completion Date 04 July 2025, Lanpro.

Summary of Advice:

Application can be determined with Conditions and Informatives listed

Pre-determination

- [Protected](#) species, No further Surveys required.
- [BNG](#) – No further information required.

Determination

- [Protected species](#), Secure mitigation through a CEMP
- [BNG](#) _ significant onsite enhancement – secure by S106

- [Conditions](#) and informatives

HMMP, CEMP, Species Enhancement Plan.

Post- Determination

- [BNG](#) –advice on matters relating to the draft BNG and submission of the final BGP.

Comments and recommended Conditions:

Ecological records

The application is accompanied by an Ecological Impact Assessment which includes a desk-based record search using data from the Hertfordshire Environmental Records Centre (HERC), covering non-statutory designated sites and protected and notable

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species within the study area, together with a review of statutory designations using DEFRA MAGIC. I am not aware of any additional ecological records for this site beyond those reported.

Ecological Reports

The Ecological Impact Assessment identifies the following species or species groups as relevant to the site and within the zone of influence: bats, breeding and wintering birds, great crested newt, badger. Additional surveys were recommended and completed for:

- Bats (ground-level tree assessment, preliminary roost assessment, spring activity transects and static detectors)
- Great crested newt (Habitat Suitability Index and eDNA sampling of ponds P1–P7)
- Breeding and wintering birds (six winter surveys and six breeding surveys)
- Badger (walkover assessment including sett identification, latrines, and foraging signs).

Based on the submitted survey evidence, I have no reason to disagree with the conclusions presented within the EclA, see specific comments on each below:

Breeding and Priority Bird Species:

The Bird Impact Report confirms that only a small number of farmland bird species—principally skylark, yellow wagtail and will be affected by the loss of arable habitat. The scheme incorporates a 29-hectare grassland compensation area designed to replace skylark and yellow wagtail territories. Enhancement of hedgerows are expected to benefit yellowhammer and linnet

The HMMP (see below) relates to the management of habitats to achieve BNG targets. The provision of suitable management of the area of the Grassland Other neutral grassland 26.4949 hectares of Other Neutral grassland as Tussocky grassland suitable for ground-nesting birds such as Skylark and Yellow Wag will need to be secured by the provision of Species Enhancement and Management Plan for the site either as a separate document or an addition to the HMMP. I advise this is secured by [Condition](#).

Turtle dove: Measures are proposed within field 10 including the provision of a shallow-sided wildlife pond with wetland seed mix targeted at providing habitat for turtle dove. I support these measures and advice they are included within a Species Enhancement and Management Plan.

Buffers around a red kite nest and barn owl box should be secured through a CEMP.

Bats: a comprehensive suite of surveys have been completed including a Preliminary Roost Assessment (PRA) of two nearby structures, a Ground Level Tree Assessment (GLTA) of all trees within the site, and comprehensive activity surveys (transects and static detectors). No evidence of roosting bats was found in the either of the structures

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(a barn and metal shed), and both were assessed as having **no bat roost potential**. A number of trees contain Potential Roost Features (PRF-M), **but these trees will be retained**, and appropriate **avoidance buffers** have been incorporated into the scheme design. I do not consider further surveys are required.

Great Crested Newts: The Ecological Impact Assessment includes Habitat Suitability Index (HSI) appraisal of ponds within 250 m of the site and eDNA testing of P1, P2 and P4–P7, all of which returned *negative* results. P3 was dry at the time of survey and P8, located just outside the red line, could not be accessed but was assessed as being of *poor* suitability. Given the negative eDNA results, poor suitability of all waterbodies, absence of any known GCN population nearby, and the lack of direct impacts within 100 m of P8, I do **not** consider there to be sufficient likelihood of great crested newts being present or affected to require further surveys prior to determination.

Badgers: Information has been submitted in respect of badgers. The Ecological Impact Assessment confirms the presence of several sett entrances on site, along with signs of foraging and latrine use. Appropriate buffering by **30 m** of all sett is proposed. Consequently, providing these measures are followed in full **no sett closure or Natural England licence is required**. However, badgers remain legally protected, and precautionary measures are required to ensure compliance with the Protection of Badgers Act 1992. The recommendations set out in the report should be followed, in full.

Habitats: I have no reason to doubt the habitat assessment. Most of the boundary vegetation is being retained which I support.

Ancient Woodland: These lie adjacent to the site. The submitted ecological information confirms that a minimum 15m buffer to all ancient woodland edges has been incorporated into the layout, consistent with Natural England Standing Advice. In several areas this buffer is exceeded. In addition, the scheme includes new native woodland planting to create a habitat link between Coldash Wood and Rydal's Wood, Which I support.

Subject to a CEMP and adherence to buffer zones and lighting controls, I am satisfied that impacts to Ancient Woodland have been adequately avoided and mitigated.

Hedgerows and Ditches

Hedgerows and ditches across the site provide important habitat corridors for bats, birds and mammals. The environmental masterplan demonstrates that **10 m buffers** to retained hedgerows and ditches have been integrated into the design. The scheme includes new species rich hedgerow planting and riparian grassland buffers along the ditch network which I support.

Mitigation: Recommended measures relating to the construction phase should be

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incorporated into a **Construction Environmental Management Plan (CEMP)** which in addition to environmental measures to prevent pollution, dust, noise and negative impacts of lighting. It should include measures to prevent encroachment into the buffer zones and species mitigation measures recommended in the Ecological Impact Assessment. I advise this is secured by a [Condition](#).

BNG- Pre Determination

A base line habitat map and statutory metric sufficient meet the minimum requirements for BNG predetermination have been submitted.

The metric calculation tool (Mandatory Metric) Completion date **04 July 2025** shows base line values of 422.32 Habitat Units and 73.53 Hedgerow units, 6.15 Water course units. I have no reason to doubt these values.

LNRS & the base line: The submitted metric gives a value of low strategic significance to most elements of the base line. However, areas of Lowland mixed deciduous woodland in line with the Hertfordshire Ecological network, since the Application predates the publication of the LNRS and base line values are set by the application date this strategic assessment can be retained within the calculation.

BNG- Determination

The proposed habitat uplift delivers an onsite gain of 309.58 habitat units (+73.30%) and 12.18 hedgerow units (+16.57 %) and 1.37 water course units (+22.34%). Whilst the biodiversity gain condition is a post determination matter, the present information and habitat opportunity within the outline landscaping plan allows the LPA reasonable confidence that the general Biodiversity Condition will be discharged.

Significant Onsite Enhancement: The proposed BNG includes areas of medium distinctiveness habitats and lengths of high distinctiveness habitats. As a result, I advise that the On-Site enhancements should be considered Significant Enhancement and in this case, this is **secured by a S106, or a conservation covenant**, for at least 30 years after the development is complete. I advise that account is taken in any such agreement of the cost to the LPA of reviewing any required monitoring reports, this should reflect the large (20+ ha) site size and low difficulty of creating and managing the habitats.

Whilst Species Enhancements are not directly relevant to BNG, in this case I advise measures for priority bird species (see above) should also be secured by S106,

Habitat Management and Maintenance Plan (HMMP):.

I advise the means by which the proposed on-site habitats will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP). The approved HMMP should be secured by [Condition](#). I would also advise that the approved HMMP uses the

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Template published by Natural England. Where onsite BNG is being secured by an S106 the appropriate condition should be referenced.

BNG-Post Determination.

LNRS & Post Determination Strategic significance: Areas of the application site are covered by mapped measures within the strategy. If the application is approved, the Biodiversity Gain Plan and supporting metric should reflect high strategic significant values for any areas (1) that are shown in the published local strategy and (2) deliver the mapped measures for that area. Any post development habitat interventions that meet both of these criteria will achieve a biodiversity unit uplift.

Biodiversity Gain Plan: I advise this is completed using the government template. I note a Draft BGP has been submitted. The final version should include in section 4,8 how the significant onsite BNG is being secured, such as by an s106. A HMMP will be needed see above.

In order the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- Completed metric tool calculation that demonstrates
 - a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.
 - A fully completed start page including project details and the date the final version of the metric was completed.
 - Where relevant a fully completed irreplaceable habitats tab
- pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale, Post Development Plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.
- a compensation plan if the development affects irreplaceable habitats
- a description of how they will manage and monitor significant on-site gains (for example, With a habitat management and monitoring plan)

Conditions and Informatives

1. No development (including groundworks or vegetation clearance) shall take place until a Construction Environmental Management Plan (CEMP) incorporating a dedicated ecology section has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall be fully informed by the *Ecological Impact Assessment (EcIA)*, *July 2025, Lanpro* and shall include, but not be limited to:

- a) Updated review of ecological impacts.
- b) Identification of biodiversity protection zones, including:
 - 30 m buffers around all badger sett entrances;

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- 15 m buffers to ancient woodland and veteran tree T107;
 - 10 m buffers to hedgerows and broadleaved woodland;
 - 12 m buffers to all PRF-M bat trees.
- c) Method statements for:
- badger safeguarding.
 - non-licensed GCN measures;
 - nesting bird protection;
 - protection of ditches and riparian habitats;
 - bat-sensitive working practices.
- d) Lighting restrictions during construction (dark corridors, no dusk/night working).
- e) Pollution prevention and water management measures for ditches.
- f) Ecologist supervision schedule and communication responsibilities.
- The development shall proceed only in accordance with the approved CEMP.
2. Prior to occupation, a 30-year Habitat Management and Monitoring Plan shall be submitted and approved, aligned with the approved Biodiversity Gain Plan and DEFRA HMMP template.
3. Species enhancement and management plan for Skylark Yellow, Wagtail and Turtle dove shall be submitted prior to works affecting arable fields and include:
- Outline of the objectives of the plan
 - Cutting/management and maintenance regime of the 29-hectare grassland compensation area designed to replace skylark and yellow wagtail territories.
 - Management and maintenance measures for turtle doves.
 - Monitoring and reporting Methodology to ensure the continued success of these measures.

I trust these comments are of assistance and kind regards.

Simon Richards

Senior Ecologists, Hertfordshire LEADS