

Planning Application Ref: 25/03080/HYA GA2 — Land North of Great Ashby, Stevenage, Hertfordshire

Response to Applicant's Consultation Reply

Submitted by:

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14th September 2026

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Introduction

I have reviewed the Applicant's re-submission Covering Letter of 16 July 2026 and its summary of, and response to, our Formal Objection Grounds (dated 9 March 2026). I set out below my assessment of that response, ground by ground, together with matters raised in our original submission that remain unanswered.

[REDACTED]

b) I would also draw the Council's attention to two matters in our original submission on which the Applicant's response appears to be silent. First, the hybrid structure of this application means full permission is sought for the access road before Natural England's licensing position on sett 3 is known; the ES itself accepts that a licence is normally only obtainable once permission has been granted, which creates the circular dependency we described in our formal objection grounds (9th March 2026). Second, the Applicant's own

Appendix 9.5 contains an internal inconsistency that does not appear to have been acknowledged: its narrative text states, "*three active main setts were found*," while its own survey tables record four, including sett 20 (14 entrances, within the development footprint). I would ask the Council to seek a response to both points before determination.

Ground 2 — Ancient Woodland

a) I note the Applicant's confirmation that the 15m buffer was requested by Herts and Middlesex Badger Group and Herts and Middlesex Wildlife Trust (HMWT) and has been incorporated into the masterplan, and the commitment to produce an Ancient Woodland Recreational Management Plan at detailed design stage. This is a specific and welcome commitment, and I would note for the Council's benefit that it responds (even if not expressly acknowledged as such by the Applicant) to one of the two matters Natural England required to be secured in its consultee response of 10 February 2026 (ref. 539553). What the response does not appear to do is dispute our central point: that the Applicant's Appendix 6.5 states the buffer cannot be maintained along the access corridor because of National Grid constraints. In that respect, the response appears to leave the incursion unresolved, including the question of whether it is acceptable. I would also note that three matters raised in our formal objection grounds and reproduced in the Applicant's summary of it: ash dieback, SuDS proximity to woodland, and the enforceability of long-term woodland management, do not appear to be answered in the response.

b) From Natural England's letter of 10 February 2026, I can confirm to the Council that our citation of it was accurate in full. Natural England states: "*We would like to see greater emphasis on woodland corridors throughout the development, particularly connecting the central ancient woodland parcels to the North East and South West Woodland outside the red line boundary. Currently it appears there is limited woodland coverage resulting in reduced ecological connectivity which should be remedied with additional planting and buffering of sensitive woodland habitats.*" Natural England's letter goes on to recommend information packs for new residents on habitat sensitivity and closes by specifying that both an Ancient Woodland Recreational Management Plan and the 15m buffer with associated root protection zone "*should be secured.*" I would ask the Council to note that the Applicant's summary of this consultee response, at Appendix A of the covering letter, records only "*No Objection... no adverse impacts on protected landscapes*" and does not appear to include these specific requirements. The woodland corridor connectivity point in particular, a matter raised by the Council's own statutory nature conservation consultee, not only by this objection, does not appear to have been addressed in the application documents.

c) On enforceability specifically, I would ask the Council to note that the Applicant's Habitat Management and Monitoring Plan states, at Table PB-B07, that delivery of the HMMP "*will be secured through a Section 106 agreement.*" This appears to support the point we raised in

our formal objection grounds (9th March 2026): that a planning condition may not be a sufficient mechanism, although it is not expressly acknowledged in the response. I would further note that our formal objection raised National Grid's Technical Guidance Note 287, which describes the 30m and 12m stand-off zones as a permanent maintenance requirement rather than a temporary construction constraint, meaning the buffer incursion may not be capable of being corrected at reserved matters stage; and asked whether National Grid has been formally consulted on the access road layout. The Applicant's covering letter and response do not make clear whether either point has been addressed. Nor does the response appear to address our observation that woodland W6, through which the access road passes, forms part of the Brooches Wood Local Wildlife Site (ES paragraph 9.105), a designation separate from, and additional to, the ancient woodland buffer question.

d) I would additionally draw the Council's attention to a matter arising from Natural England's letter that falls outside our original grounds but which the Council may wish to put to the Applicant. Natural England records that 16.5ha of the site's approximately 62ha is Best and Most Versatile (BMV) agricultural land. The Applicant's Agricultural Land Classification survey, summarised in the Planning Statement, states BMV land comprises 18.3% of the site, which on the application boundary area of approximately 62.93ha equates to approximately 11.5ha, not 16.5ha. I do not assert that either figure is wrong, but the two do not appear to reconcile, and the Council may wish to ask the Applicant to clarify the basis of each.

e) I would also raise a point not covered in our formal objection grounds, arising from paragraph 4.50 of the Planning Statement. This states that protective fencing will be installed around ancient woodland and retained trees during construction to prevent encroachment or damage and to maintain buffer zones typically of 15 metres or more. Similar wording appears in the Outline Landscape and Ecology Management Plan (Appendix 11.8, paragraph 11.7.30), which describes construction-phase fencing to demarcate buffer areas and restrict access. However, neither document specifies the type of fencing proposed, whether it will be permeable to wildlife, or whether it is intended to be temporary or permanent. The Illustrative Proposal for Mendip Way Park (DL67) separately shows fencing intended to restrict public access to ancient woodland. This appears to be a different, potentially permanent, feature and is not obviously reconciled with the temporary construction fencing described elsewhere. This distinction is important. The Applicant's own foraging-capacity argument depends on badgers being able to move freely between retained woodland setts and surrounding areas of grassland, scrub and hedgerow habitat. Permanent or impermeable fencing could interrupt that movement and displace badgers towards roads, increasing the road traffic risks already identified in the Environmental Statement. Similar concerns apply to other woodland species. Permanent enclosure could restrict the movement of ground-dwelling fauna and reduce the ecological interactions that occur along woodland edges, including those used by bats,

invertebrates and woodland-margin flora. I do not suggest that temporary construction fencing is inappropriate. However, I would ask the Council to require details of the fencing specification, including its permeability to wildlife, whether badger gates or similar features are proposed, and its intended duration, before determination.

Ground 3 — Bats

a) The Applicant's response sets out its position on survey currency: that 2023 data, supplemented by 2024–25 walkover surveys, remains adequate, and that updated 2026 surveys are considered unlikely to alter the conclusions reached. I accept this as a coherent position on the general adequacy of survey age. It does not, however, appear to answer the specific deficiencies we identified: the twelve hedgerow trees with moderate or high roost potential appear still not to have been subject to climbing inspection or emergence survey, the exclusion of woodland trees from the 2017 roosting assessment entirely, and the absence of any post-development monitoring commitment for the proposed hop-over features. The statement that hop-overs are “integrated into the scheme” does not appear to address our concern that the evidence for their effectiveness is mixed.

b) I would also draw the Council's attention to a matter not raised in our formal objection, which arises on further review of the resubmission documents. The only lighting drawing retrieved was Sheet 1 of 3 (Joseph Lighting, 100730-JLD-ASH-DR-0001 Rev P04, updated 03/07/2026), covers the northern junction only and contains no lux contour or isolux plan, no overlay against the hedgerows, woodland edges or tree lines identified as key bat flight lines, and no reference to any lux threshold from the Environmental Statement. Sheets 2 and 3, which would cover the Mendip Way corridor itself, the section running closest to Brooches Wood and the ancient woodland buffer, seem not to have been made available. The Applicant's Ecology Matters note states that lighting design “*will still be considering all of the hedgerows, woodland edges and tree lines as the key flight lines,*” and the Planning Statement asserts that bat hop-over features will maintain flight lines “*where vegetation removal or lighting could otherwise cause disruption,*” and that impacts on the Local Wildlife Site can be safeguarded through “*sensitive lighting.*” These are statements of intent, not a modelled or verifiable lighting scheme, and none of the underlying lux data has been produced. I would ask the Council to require the outstanding lighting drawings for the Mendip Way corridor, together with confirmation of the lux thresholds being designed to, before this matter can be regarded as adequately addressed.

c) The Council is invited to note that our formal objection grounds named three bat species individually, none of which appears to be engaged with by name in the response: barbastelle, rated “possibly of regional value” for Tilekiln Wood in the Applicant's own 2017 survey; Leisler's bat, with an estimated UK population of only 5,000; and brown long-eared bat, which the Applicant's 2017 report itself states is under-recorded by standard methods. The

Hertfordshire & Middlesex Bat Group hearing statement's observation, that roads fitted with bat bridges elsewhere have been associated with reduced bat activity on flight routes, also does not appear to be addressed.

Ground 4 — Nitrogen Deposition

a) This appears to be the most significant remaining gap in the Applicant's response. Our formal objection ground concerned critical loads at ancient woodland receptors. On the Applicant's Table 7 data in Appendix 6.5, those loads are exceeded by approximately 134–136% against the upper critical load of 20 kgN/ha/yr, and by approximately 267–272% against the lower critical load of 10 kgN/ha/yr. Appendix 6.5 itself states that the lower load should be applied where site-specific ecological survey data is absent (para 1.13). The issue is therefore whether the NPPF paragraph 193(c) deterioration test applies to that baseline.

b) The Applicant's response addresses nitrogen dioxide and particulate matter concentrations at nearby residential properties: a human health air quality standard, governed by different thresholds and answering a different question. The response does not mention critical loads, critical levels, or the deterioration test. I would ask the Council to regard this as not yet addressing the objection ground raised, rather than as a partial answer to it.

c) I would note for the Council's benefit that the deterioration test we rely upon is cited within the Applicant's Appendix 6.5, at paragraph 1.7, which expressly acknowledges (quoting the December 2024 NPPF) that development causing loss or deterioration of irreplaceable habitats "*should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.*" The relevant legal test is therefore already identified in the Applicant's evidence base and Appendix 6.5 goes on to record, at paragraph 1.20, that "*the N deposition critical load for woodland is exceeded*". However, the deterioration test is not applied in reaching either Appendix 6.5's conclusion or the response now given to our formal objection ground.

d) Our further point, that the development's contribution at Brooches Wood (receptor E5: 0.5 kgN/ha/yr, 5% of critical load) exceeds the more precautionary 4% screening threshold that Appendix 6.5 paragraph 1.18 itself records Natural England as "*often adopt[ing]... particularly where there is lots of intensive farming in the local area,*" also appears to remain unaddressed. The Environment Agency's 100% screening threshold was designed to triage permit applications, not to answer the paragraph 193(c) question of whether development will worsen an ancient woodland already breaching its critical load — and I ask the Council to require that question to be addressed directly.

Ground 5 — Open Space

a) The Applicant states that accessible open space totals 27.82ha, or 44% of the site, exceeding Fields in Trust standards, and identifies what it considers to be an error in the

figure we cited. I accept this as a specific and checkable rebuttal on the question of overall quantum. It does not, however, appear to engage with the more particular point we raised: that only 6.73ha is genuinely accessible amenity green space, with the remainder comprising semi-natural or access-constrained habitat.

b) Through studying Natural England's letter of 10 February 2026 directly, I can confirm to the Council that our citation of its open space requirements was accurate in full. Natural England states that, in addition to meeting ANGSt size requirements at 11.72ha, the green space provided "*should include: Circular walk of at least 2.3km; Provision for dogs along SANG guidelines e.g. off lead areas, dog waste bins; Signage and interpretation of PROW/paths; On-site maintenance and management of green space secured in perpetuity.*" These four requirements do not appear to be addressed in the Applicant's response, and I have not identified them in the Draft Heads of Terms accompanying the Planning Statement, where Public Open Space and Open Space Management contributions remain listed as "TBA." I would ask the Council to treat these as outstanding requirements of its own statutory nature conservation consultee, to be secured before determination, independent of the wider quantum dispute addressed above.

Ground 6 — Hazel Dormouse

a) The Applicant's response describes badger tunnels, new planting and woodland corridors as measures intended to improve wildlife connectivity across the site. While this is a reasonable general approach, it does not directly address our specific concern regarding dormice: the wider landscape-scale effects of proposed hedgerow removal and habitat change on connectivity between woodland blocks. Although the 2023 surveys found no evidence of dormice and concluded that the species is likely absent from the site, maintaining and strengthening habitat links remains an important consideration because connectivity operates at a landscape scale and influences the ability of species to move through the wider countryside. The Applicant's response broadly acknowledges the survey conclusion but does not engage with this wider connectivity issue.

b) Since our original objection was submitted, the underlying dormouse survey report has been revisited. The report concludes that dormice are likely absent from the site following a survey programme that exceeded recommended survey effort levels. However, this appears difficult to reconcile with the Applicant's Planning Statement, which states that hazel dormice were detected in boundary woodland and hedgerow habitats. No supporting survey evidence is identified for that statement. If dormice are present within habitats surrounding the site, the question of landscape-scale connectivity becomes more significant, as retained and newly created habitat corridors may play an important role in linking those populations across the wider area. The Council may therefore wish to ask the Applicant to clarify which position is

now relied upon, and how the proposed habitat changes and connectivity measures have been assessed in that context.

Ground 7 — Biodiversity Net Gain

a) The Applicant's response addresses the National Grid easement point directly, confirming the three days' notice vegetation clearance right exists but arguing this will not affect BNG deliverability because planting will be positioned to avoid conflict with maintenance access. I would also note, fairly, that the response does not overstate the position elsewhere: it acknowledges the HMMP remains in draft and that Section 106 discussions are ongoing, rather than presenting either as settled. What the response does not appear to do is engage with our core objection: that 6.02ha of mixed scrub credited as biodiversity net gain is the same land shown elsewhere as ancient woodland buffer mitigation, nor with the absence of any bespoke compensation for the five ancient woodland parcels, nor with the fact that the entire net gain claimed is on-site, with no off-site units held in reserve.

b) I would ask the Council to note two further points from our formal objection grounds that appear to remain unaddressed. Herts & Middlesex Wildlife Trust's consultee response states that the biodiversity net gain ambition shown "*should be maintained throughout subsequent phases of development*"; an implicit acknowledgment, from the Council's own statutory nature conservation consultee, that outline status does not of itself guarantee delivery. The Applicant's Application Site Plan (DL07) also shows land beyond the red line boundary in the Applicant's ownership that could, in principle, have provided an off-site backstop; no explanation appears to have been given as to why this option was not taken up.

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