

FORMAL OBJECTION GROUNDS

Planning Application Ref: 25/03080/HYA

GA2 — Land North of Great Ashby, Stevenage, Hertfordshire

9th March 2026

Submitted by:

Great Ashby Community Council

Correspondence Address:

Great Ashby Community Centre

Whitehorse Lane

Great Ashby

Stevenage SG1 6NH

Prepared by:

Denis J Vickers BSc (Hons), FLS, FBNA, CBiol, MRSB, MCIEEM

Consultant Ecologist/Chartered Biologist



Mobile: [REDACTED]

E-mail: denis@consultantecologist.co.uk

Web: <http://consultantecologist.co.uk>

Contents:

Introduction	3
Author and Standing	4
Ground 1: Inadequate Protection of [REDACTED] Badger Population .	4
Ground 2: Ancient Woodland Buffers are Insufficient and Operational Risks are Underestimated	12
Ground 3: Bat Mitigation — Unconfirmed Roosts and Uncertain Effectiveness of Connectivity Measures	17
Ground 4: Background Nitrogen Deposition Already Exceeds Critical Loads at All Woodland Receptors — The Applicant’s Own Assessment Confirms the Problem it Fails to Address	18
Ground 5: Open Space Provision Not Quantified Against Any Recognised Standard and Natural England’s Own Conditions Not Yet Met	20
Ground 6: Hazel Dormouse – Landscape Connectivity Unassessed	21
Ground 7: Biodiversity Net Gain (BNG) — Claimed Surplus Dependent on Crediting Ancient Woodland Buffer as a Gain; No Bespoke Compensation for Irreplaceable Habitats	22
Summary of Objection Grounds	26
Conclusion	29
Documents and other reference sources cited	30

FORMAL OBJECTION GROUNDS

Planning Application Ref: 25/03080/HYA

GA2 — Land North of Great Ashby, Stevenage, Hertfordshire

Prepared by:

Denis J Vickers (Consultant Ecologist)

On behalf of:

Great Ashby Community Council

9th March 2026

Revised deadline for representations: 12th March 2026

Introduction

a) This document sets out the grounds of objection to the above planning application for the development of land north of Great Ashby. The objection is based on a detailed review of the Environmental Statement (ES) Chapter 9 (Ecology and Biodiversity, November 2025), the hearing statement submitted on behalf of the Herts & Middlesex Badger Group (HMBG) and associated organisations to the North Hertfordshire District Council (NHDC) Local Plan examination (N. Hamilton, February 2020), information from the NHDC planning portal, and the requirements of the National Planning Policy Framework (December 2024) and North Hertfordshire Local Plan 2011–2031.

b) It is relevant to note the evolution of this application. The 2023 scoping opinion (ref: 23/00806/SCOP) described a scheme of up to 650 homes with retail, food and beverage, medical and social floorspace, and provision for both a 2FE primary and a possible 4FE secondary school. The application as submitted in January 2026 has contracted considerably: it now proposes up to 640 dwellings, a primary school site, land reserved for educational use (but no secondary school), and a community hub — with no retail or food and beverage provision. The secondary school, which featured prominently in the Local Plan justification for the site's allocation, has been quietly dropped. This matters because it confirms concerns raised during the Local Plan examination that the scale of infrastructure justification for this allocation was overstated.

c) Critically, the current application is structured as a hybrid: the full application element is limited to the construction of the vehicle access and active travel link via Mendip Way. All other development — the 640 dwellings, school, and community hub — is sought in outline with all matters reserved except access. This hybrid structure has direct implications for Ground 1 below, as it means the LPA is being asked to grant full

permission [REDACTED]
[REDACTED]

d) The objection is structured around seven principal grounds, each of which, we submit, either individually or cumulatively constitutes a sound basis for refusal or for requiring substantial additional information and revised mitigation prior to any grant of permission.

Author and Standing

a) This objection is submitted on behalf of Great Ashby Community Council (GACC) by ecologist Denis J Vickers.

b) Denis is a Full Member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) with nearly 40 years' experience in the field of ecology and nature conservation. He holds a BSc (Hons) in Ecology and is also a Member of the Royal Society of Biology (MRSB) and a Chartered Biologist (CBiol). Additionally, he is a Fellow of the Linnean Society and a Fellow of the British Naturalists' Association.

c) His areas of expertise include the study of vascular plants, birds and Odonata. His specialist interest is in ancient woodland and has led and participated in a number of projects in this field. He has conducted habitat surveys, ecological impact assessments, protected species assessments and habitat creation projects, and has formulated biodiversity action plans and management plans, with particular experience regarding urban sites. More recently, Denis has scrutinised development proposals for local authorities and served on the Sites of Importance for Nature Conservation (SINC) review scrutiny panel for the Greater London Authority (GLA).

d) Further information on Denis's experience and qualifications is available at:
<https://www.consultantecologist.co.uk/>

Ground 1: Inadequate Protection of [REDACTED] [REDACTED] Badger Population

1.1 The Scale of the Badger Interest

a) The GA2 site hosts [REDACTED] badger population, documented by the Herts & Middlesex Badger Group (HMBG) through continuous monitoring since 2015 — a ten-year record spanning the entire period during which the site has been promoted for development. A comprehensive sett survey by HMBG on 12 March 2020, conducted

[REDACTED]
[REDACTED]

e) Dr Jenny Jones PhD MCIEEM, Records Officer for HMBG, visited the GA2 site on 12 March 2020 and recorded in her professional survey report (Jones, J., September 2020):

[REDACTED]
[REDACTED]
[REDACTED]

f) Dr Jones then states explicitly in her report: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

g) This professional assessment is corroborated by the HMBG hearing statement (Hamilton, N., February 2020), which independently recorded [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

h) The ES does not engage with this body of evidence. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED], the full application
element is fundamentally undeliverable in its current form.

i) The (now available) unredacted Appendix 9.5 (Farrar, L. and Dale, M., CSA Environmental, 15 March 2023) substantially deepens these concerns. It records a total of four active or partially active main setts across the site: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] The spatial analysis of
these grid references is significant. [REDACTED]

[REDACTED]
[REDACTED]

██████████. The ES is therefore proposing to licence the closure of a minor outlier while making no provision for sett 3, ██████████ ██████████

██████████ This is a fundamental deficiency: the applicant’s own survey data and independent professional evidence both ██████████ ██████████, yet the ES’s licensing proposal addresses only a nearby outlier.

j) This deficiency is confirmed by the ES’s own text. ES Chapter 9 paragraph 9.232 states explicitly that the proposed development “necessitates the removal of ██████████, which will result in the loss of an outlier sett (18).” It then lists setts 1, 2, 3, 4, 8, 15, 16, 17 and 21 as setts where “disturbance to badgers or direct effects upon tunnels are possible” — a secondary, lesser category of impact. The ES mitigation section (paragraphs 9.280–9.281) states that “it is anticipated that all other current badger setts on-site will be retained alongside development.” ██████████ ██████████ — therefore falls within this “retained” category in the ES’s own assessment. No sett closure licence is proposed for it. No alternative access road alignment is considered. ██████████

k) The LPA is therefore faced with a direct and unresolved contradiction within the application documents. The ES says sett 3 will be retained. Dr Jones — a professional ecologist with 40 years’ mammal survey experience, visiting the site on the same day as the HMBG team — ██████████ explicitly recommends the road be relocated. The applicant’s own survey team (Farrar and Dale, March 2023) confirms ██████████ within ██████████ of Dr Jones’s grid reference. These two positions cannot both be true. The LPA must require the applicant to explain, with reference to a drawn overlay of the ██████████, ██████████, before permission is granted.

1.3 The Hybrid Application Structure Amplifies the Risk

a) The hybrid structure of this application makes the badger licensing issue more acute, not less. The LPA is being asked to grant full permission for the access road — ██████████ — in isolation from the outline application for the wider development. This creates a scenario in which:

- Full access permission could be granted before the NE licensing position is established
- If NE refuses or conditions a licence in a way that requires the access road to be realigned, the full permission already granted becomes stranded
- The LPA would have no leverage to require access road redesign once full permission has been granted, even if NE subsequently indicates the alignment is unacceptable

b) The ES itself acknowledges that “a licence from NE can only usually be obtained once planning permission has been granted.” The LPA is therefore being asked to grant permission for an access road whose critical ecological dependency — NE badger licensing — cannot be assessed until after that permission is given. This is a circular dependency that places unacceptable risk on the public interest in protected species.

1.4 Deficiencies in the ES Badger Assessment

The ES Chapter 9 treats the badger interest primarily as a legal compliance matter, explicitly stating that “badgers are not of conservation concern” and concluding on this basis that “the development cannot, therefore, result in significant adverse effects in respect of this species.” This framing is applied both to the construction and operational phases. While technically accurate at a national level, it fails to reflect:

- [REDACTED]
[REDACTED]
- The permanent severance of habitat corridors known to be actively used for inter-clan movement and foraging, including along hedgerows [REDACTED] and [REDACTED] and between woodlands [REDACTED] and [REDACTED]
- The almost complete removal of arable land, which constitutes 80% of the site. The ES’s assertion that arable land is “only seasonal, temporary foraging habitat” and that new grassland, scrub and orchard habitats will compensate for this loss is an assumption unsupported by any quantitative foraging capacity assessment. Arable land supports approximately 9 earthworms per m², compared with only 3–4 in woodland (Clark, M., 2017). A badger requires approximately 200 earthworms per day. Replacement of arable foraging with gardens and amenity grassland is particularly inadequate during dry weather, when earthworm availability collapses — precisely the conditions under which badger/resident conflict is most likely to escalate. ES Chapter 9 (paragraph 9.231) claims that ‘arable habitats provide only seasonal, temporary foraging habitat for badger, with woodland and grassland

providing far greater resource of earthworm prey' — a claim directly contradicted by this field data, and on which the entire arable-to-grassland compensation rationale depends.

- The cumulative impact on badger population viability — the ES assesses individual sett risks but provides no assessment of whether the local badger population as a whole would remain viable following the combined effects of sett closure, habitat loss and habitat fragmentation
- The ES badger survey (Appendix 9.5) comprised a single site visit on 15 March 2023. A single survey cannot establish social group structure, clan territories, inter-sett relationships, or seasonal patterns of sett use. HMBG's ten-year continuous monitoring record (2015–2025) demonstrates that a single-visit survey is wholly inadequate to characterise the complexity and scale of the badger population at this site. The Appendix 9.5 claim that there were “no specific limitations” to the survey is therefore not credible as a description of the survey's capability to inform the assessment
- Appendix 9.5 records the [REDACTED] as having 28 entrances in total ([REDACTED]) — more than twice the national average main sett size of 12 entrances. Even at [REDACTED] entrances this remains [REDACTED] The ES does not address the implications for development of ancient woodland [REDACTED] of disturbing or severing the routeways of a main sett of this scale. It is also noted that sett 4 within [REDACTED] is recorded as a “Former main” ([REDACTED], [REDACTED]), retaining full legal protection and not separately assessed in the ES
- Appendix 9.5 records sett 14 in [REDACTED] ([REDACTED]) as a “Former main” sett with 8 entrances, [REDACTED] ([REDACTED]). Former main setts are not a lesser category of protection — they retain full legal protection under the Protection of Badgers Act 1992 and cannot be disturbed without licence. The ES does not separately assess the licensing implications for sett 14 or its relationship to the [REDACTED] subsidiary setts (setts 9 and 10)
- Appendix 9.5 Table 8 records sett 20 as [REDACTED] on arable land ([REDACTED]). [REDACTED] [REDACTED] It is not referenced in the ES Chapter 9 assessment as a main sett, nor is it identified in the licensing list at Ground 1.5 below. A main sett [REDACTED]

on arable land that is to be developed requires the same NE licensing process as any other main sett; the ES's failure to address it is a further material deficiency. It is also noted that the Appendix 9.5 Results narrative (paragraph 4.2) states only "three [REDACTED] main setts were found", yet the survey tables record four main setts including sett 20. This internal inconsistency within the applicant's own document further undermines the reliability of the single-visit survey.

1.5 Concerns about the Licensing Process

a) The ES states that an NE derogation licence will be required for the closure of sett 18 and potentially for works near setts 1, 2, 3, 4, 8, 15, 16, 17 and 21. The now-available Appendix 9.5 reveals that this licensing list is seriously deficient. Sett 18 is recorded in Appendix 9.5 as an outlying sett with only 2 entrances on arable land — not a main sett. The main setts identified in Appendix 9.5 (setts 3, 6, 8 and 20) are either not listed for licensing at all, or are listed only as setts near which "works" may occur rather than as setts requiring closure licences in their own right. Most critically: sett 3 ([REDACTED]) — identified by Dr Jones [REDACTED] — appears in the ES licensing list only as [REDACTED], not as a sett to be closed. [REDACTED] then the ES's licensing proposal for that sett is wholly inadequate. Additionally, sett 20 ([REDACTED]) is not listed for licensing at all, [REDACTED]. Further concerns are:

- NE will only grant a licence if it is satisfied that there is no satisfactory alternative and that the favourable conservation status of the species will be maintained. Given [REDACTED] the independent ecologist's advice, this is a high threshold that the current proposal may not meet
- The ES does not address the NE requirement to establish and prove use of an artificial sett before closure of an existing sett can be licensed
- The ES does not demonstrate that sufficient foraging ground will be available in the localised area to support the welfare of displaced badgers, as required for licensing
- Dr Jones's professional survey report explicitly states that any replacement artificial sett "would need to be situated where there is sufficient foraging habitat, not in an area likely to flood and not within the territory of a separate clan." [REDACTED] viable

locations for an artificial sett replacement are severely constrained — a material constraint the ES has not acknowledged or addressed

b) We submit that the LPA should require the applicant to confirm, prior to determination, that NE has been formally pre-consulted on the badger licensing requirements for the access road in particular, and that NE has not indicated any in-principle objection to the proposed sett closure. Granting full access permission where the NE licence is both uncertain and potentially irreconcilable with the proposed alignment is poor planning practice and risks the LPA being exposed to challenge.

1.6 Recommended Additional Information / Conditions

- A full quantitative badger foraging capacity assessment, comparing pre- and post-development foraging resource availability in the localised area [REDACTED]
- A population viability assessment for the at least two, and possibly three, identified badger clans
- Pre-application written confirmation from NE that the proposed sett closures, and the [REDACTED] in particular, are in principle licensable
- A drawn overlay, at a scale sufficient to resolve the question (minimum 1:500), showing the [REDACTED] plotted against the grid-referenced location of [REDACTED]), with a clear written explanation from the applicant's ecologist of how sett 3 will be "retained alongside development" as stated in ES paragraph 9.281, given Dr Jones's professional assessment [REDACTED]. If retention is not achievable, the applicant must identify which NE licence it proposes to obtain for sett 3, and must demonstrate that such a licence would be obtainable in principle (and all that entails) before permission is granted [REDACTED]
- A revised [REDACTED] alignment assessment [REDACTED], as recommended by independent ecological advice [REDACTED]

Ground 2: Ancient Woodland Buffers are Insufficient and Operational Risks are Underestimated

2.1 The 15m Buffer — Minimum, Not Best Practice

a) The ES proposes what it describes throughout as “a minimum 15m ancient woodland buffer” around all ancient woodland on and adjacent to the site. The 15m figure aligns with the nationally recognised minimum per NE and Forestry Commission guidance. However, the Woodland Trust and mainstream ecological opinion increasingly holds that 15m is inadequate for large-scale residential developments where indirect effects are significant. For a development of this scale, best practice points to a minimum 50m buffer, and in some circumstances 50–100m or more.

b) Critically, this concern is now shared by NE in their formal consultee response dated 10 February 2026 (ref. 539553). NE explicitly states that they “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,” and that “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.” NE also requires the applicant to produce an ancient woodland recreational management plan — a document that does not currently exist and has not been submitted with the application. These are not minor points of presentation; they are substantive gaps in the ecological mitigation case that the statutory nature conservation body has identified as outstanding at this stage.

c) The indirect effects at GA2 that argue for wider buffers include:

- Recreational pressure from hundreds of new homes immediately adjacent to ancient woodland — the most ecologically damaging long-term threat to ancient woodland ground flora in suburban settings
- Nutrient enrichment from dog fouling, which selectively favours competitive ruderals (nettles, bramble) at the expense of nitrogen-sensitive ancient woodland indicators recorded on site including bluebell, sanicle and wood anemone
- Garden waste dumping — variegated yellow archangel (Schedule 9 invasive species) is already recorded in Newberry Grove adjacent to the site, spreads overwhelmingly through garden waste disposal
- Access road corridor planting using ornamental cultivars rather than native species — the Access off Mendip Way Planting Plans (Iceni, DL50-1 to DL50-3, Rev A, October 2025) show the species palette for the access road corridor to be

dominated by ornamental hybrid selections: *Prunus* 'Accolade' (Japanese cherry cultivar), *Crataegus* × *media* 'Paul's Scarlet' (ornamental hawthorn hybrid) and *Cornus alba* 'Sibirica' (red-stemmed dogwood cultivar). These are amenity highway landscaping species, not native provenance buffer species. They provide minimal value to the specialist invertebrates, lichens and fungi that depend on ancient woodland edge habitat. The ES's own buffer mitigation specification describes native species — hazel, goat willow, Midland hawthorn and honeysuckle — but the planting plans for the access road corridor do not deliver this.

Furthermore, Note 3 on all three sheets states that no planting shall be greater than 600mm high within highway visibility splays — a constraint that applies along much of the road corridor and prevents the development of any meaningful scrub structure for ecological purposes adjacent to the ancient woodland boundary

- SuDS features positioned immediately adjacent to woodland edges — the Habitat Creation, Enhancement and Management Plan (EM-F01, CSA/0993/154, December 2024) shows sustainable drainage system features (g848) running along the inside edges of the buffer zones adjacent to Nine Acre Spring, Brooches Wood and the south-eastern woodland parcels. In several locations the SuDS features appear within what should be the 15m buffer zone. Any hydrological interference with the chalk-influenced clay soils confirmed by the Agricultural Land Classification (ALC) survey could destabilise ancient woodland ground flora communities dependent on the existing soil water regime
- Air pollution (see Ground 4) — the ES's own air quality data confirms that background nitrogen deposition already substantially exceeds critical loads at every woodland receptor (c.27 kgN/ha/yr against a critical load of 10–20 kgN/ha/yr). The development adds a further increment to already-stressed woodland ecosystems

d) It is important to note that the ES itself describes the 15m as a minimum: the exact wording used throughout Chapter 9 is “a minimum 15m ancient woodland buffer.” The ES does not claim that 15m is sufficient; it simply adopts it as the baseline. The mitigation section does describe planting within the buffer: behind a permanent fence at 15m, native shrub and climber species will be planted — including hazel, goat willow, Midland hawthorn and honeysuckle — alongside natural regeneration from the woodland edge. Where badger setts are present within the buffer, prickly and thorny scrub species such as blackthorn will be planted to deter interference from dogs and residents. While this planting is welcome, it does not in itself resolve the fundamental inadequacy of the buffer width. Shrub planting within a 15m strip cannot replicate the ecological function of a wider

unbuilt zone, and provides no protection against the recreational pressure, nutrient enrichment and hydrological interference that characterise the indirect effects of large-scale residential development on ancient woodland.

e) The 15m buffer is the minimum adopted by the applicant. For a development of this scale, adjacent to eight ancient woodland blocks, all already operating above their critical nitrogen load, the Woodland Trust's precautionary 50m buffer should be the starting point, with deviation requiring explicit justification. The ES does not provide this justification. The LPA should note that NE's own response — while not formally objecting — explicitly calls for additional planting, improved connectivity and an outstanding recreational management plan, all of which reinforce the case that the current ecological mitigation package is incomplete.

f) A further and significant concern is that the applicant's own air quality assessment (Appendix 6.5: Ancient Woodland Assessment, prepared by Waterman/Kalaco) explicitly acknowledges that the 15m buffer will not even be maintained in full. Paragraph 1.4 of that document states: "There is one exception to this, along the central section of the access corridor where there will be a small incursion into the 15m buffer." The justification offered — that this area of woodland "is already compromised as maintenance access to the overhead power lines is taken here" — is not an ecological justification for a buffer incursion adjacent to ancient woodland; it is a statement of pre-existing land management practice. The fact that the minimum buffer standard cannot be achieved even along the access road corridor — the single element being determined in full by this application — fundamentally undermines the adequacy of the mitigation package presented. It is further noted that W6, the woodland parcel through which the access road passes, forms part of the Brooches Wood Local Wildlife Site designation (ES Chapter 9, paragraph 9.106). The removal of W6 woodland for the access road therefore affects LWS-designated land, a material consideration separate from the ancient woodland buffer argument.

g) This is confirmed visually by the submitted plans. The Illustrative Masterplan (Iceni, DL03, October 2025) shows the access road running northward between Parsonsgreen Wood / Tilekiln Wood to the west and New Spring to the east, with the pylon and overhead powerline corridor cutting diagonally through the same zone. The Habitat Creation, Enhancement and Management Plan (EM-F01, CSA/0993/154, December 2024) shows the mixed scrub buffer band narrowing and, on the eastern side of the access road approaching New Spring, effectively disappearing in the powerline corridor section. Taken together, the plans confirm that the buffer incursion is not a minor geometric clipping — it occurs precisely where the access road and powerline corridor

converge adjacent to ancient woodland, compromising the buffer over a meaningful linear distance.

h) The submitted Access Road Sections drawing (Woods Hardwick, 19244-ASHB-5-SK009, Rev C, April 2025) provides the technical explanation for why the buffer cannot be maintained in this corridor. The cross-sections explicitly mark the National Grid 30m tower stand-off zone and 12m tower stand-off zone alongside the ancient woodland boundary in the same corridor. These are not temporary construction constraints. National Grid's own published Technical Guidance Note 287 (Third-party guidance for working near National Grid Electricity Transmission equipment) confirms that the 30m stand-off zone is a permanent maintenance access requirement: National Grid must maintain 'a route wide enough for an HGV' to all tower bases at all times, and 'work that restricts this will not be allowed.' The access road cross-sections confirm that the National Grid stand-off zones and the 15m ancient woodland buffer are competing for the same linear corridor. The buffer incursion is therefore not a design choice that could be corrected at reserved matters stage — it is a permanent structural consequence of the access road being located in a corridor already constrained by statutory infrastructure stand-off requirements.

i) This raises a further question the LPA should put to the applicant: has National Grid been formally consulted on the proposed access road layout, given that the road runs within the 30m tower stand-off zone? National Grid's Technical Guidance Note 287 states that the operator should be notified during the planning stage of any works near its electrical assets, and that 'anyone looking to develop close to our assets must consult with National Grid first.' It would assist the LPA's assessment to understand whether such consultation has taken place, what National Grid's position on the access road layout is, and whether an asset protection agreement has been or will be required. National Grid's guidance further notes that its land rights agreements 'lay down restrictions and covenants' that can 'ban the development of land through building, changing levels, planting and other operations' along the line route. If any such restrictions apply to the buffer corridor, they have not been disclosed in the application documents, and their existence would be directly relevant to whether the proposed buffer planting and BNG scrub habitat in this section is in fact deliverable.

2.2 Ash Dieback — A Critical Omission

Ash is recorded as a frequent canopy dominant across the ancient woodlands on and adjacent to the site. Ash dieback is now widespread across Hertfordshire. The ES contains no mention of ash dieback and makes no assessment of the likely timeline and

extent of canopy loss, how increased light penetration will interact with development pressure to accelerate the spread of competitive ground flora, or the public safety implications of dead ash trees falling within 15m of residential properties. The LPA should require a supplementary ash dieback assessment covering all on-site and adjacent ancient woodlands, with a specific response strategy embedded in the Woodland Management Plan.

2.3 Long-term Woodland Management — An Enforcement Gap

a) The ES commits to a Woodland Management Plan secured ‘by planning condition.’ A planning condition provides no mechanism for long-term funding of management beyond the developer’s direct obligation period. Once the developer has discharged conditions and sold properties, there is no guaranteed body responsible for ongoing management. A Section 106 legal agreement, with a dedicated management endowment or community trust structure, is the only mechanism that provides enforceable long-term accountability. The ES does not specify ecological success criteria against which the Woodland Management Plan will be assessed.

b) Importantly, the applicant’s own Habitat Management and Monitoring Plan (HMMP, ref. CSA/0993/07, December 2025) explicitly acknowledges this at Table PB-B07, which states: “The delivery of the HMMP will be secured through a Section 106 agreement.” This is a direct admission that a legal agreement is required — yet no S106 agreement has been submitted with this application. Furthermore, as set out in detail at Ground 7.4 below, the HMMP itself is an incomplete template document: funding, the responsible management organisation, the monitoring body, the risk register and multiple species lists are all recorded as ‘TBC.’ A planning condition cannot substitute for a finalised S106 agreement, and the absence of one renders the woodland management commitment legally unenforceable at this stage.

c) This concern is reinforced by the Herts & Middlesex Wildlife Trust (HMWT) in their consultee response dated 12 February 2026, which specifically states that “all ecological mitigation, compensation and enhancement measures should be secured through suitable planning conditions and/or a legal agreement.” HMWT’s response also notes that the ambition shown in the BNG figures “should be maintained throughout subsequent phases of development” — an implicit acknowledgement that the current outline structure does not guarantee delivery. We agree, and submit that an S106 obligation rather than a condition is the appropriate vehicle for both the Woodland Management Plan and the BNG commitments, and that no permission should be granted until that obligation is finalised and submitted.

Ground 3: Bat Mitigation — Unconfirmed Roosts and Uncertain Effectiveness of Connectivity Measures

3.1 Unconfirmed Roosts Present a Pre-commencement Risk

a) The ES acknowledges that no bat roosts were confirmed during transect surveys but states that it is anticipated that bats do roost at the site within woodland habitats and mature trees. The ES proposes that updated bat surveys will be required prior to felling of any trees — that is, a pre-commencement condition is relied upon to address a potentially significant risk that has not been resolved at application stage. The applicant's own 2017 Ecological Evaluation (Seaman, K., ELMAW Consulting, December 2017) recorded seven bat species from the site and made findings that remain unaddressed in the current ES: (i) *Barbastelle* (*Barbastella barbastellus*), a nationally rare bat restricted to southern and central England with few known breeding sites, was recorded in [REDACTED] on multiple occasions throughout the season; ELMAW's own report rates [REDACTED] as "possibly of regional value" for this species. The 2023 surveys (ES Chapter 9, paragraph 9.128) confirm *barbastelle* was recorded in 2023, albeit at very low numbers (median less than 1 contact per hour at all monitoring locations). The current ES does not engage with the regional significance finding from 2017 or demonstrate that connectivity from [REDACTED] [REDACTED] to the wider woodland network will be maintained. (ii) *Leisler's bat* (*Nyctalus leisleri*), with an estimated UK population of only 5,000, was recorded at two locations within the site; the current ES provides no species-specific assessment. (iii) *brown long-eared bats* (*Plecotus auritus*) are acknowledged by ELMAW's own 2017 report to be significantly under-recorded due to their low-amplitude calls, with the report explicitly stating that recordings "represent an underestimate of their presence" and that this species "will be found throughout the GA2 site." (iv) Twelve mature hedgerow trees (nine oak, three ash) were identified in 2017 as having moderate or high roosting potential requiring off-ground climbing inspection and/or emergence surveys; the ES does not demonstrate that climbing inspections or emergence surveys of these twelve trees were completed prior to submission. (v) Woodland trees were entirely excluded from the 2017 roosting assessment, and this gap remains unremedied in the current ES. The pre-commencement condition approach is insufficient given that these deficiencies have been known since 2017. Pre-determination roost surveys of the twelve identified hedgerow trees and the woodland trees should be required before the application can be determined.

b) The HMBG hearing statement also raised concerns that roads implemented in areas of bat flight — even with bat bridges — have been shown to drive bats away, with ecologists recording worryingly low numbers of bats on flight routes since roads have opened in similar habitats. GA2's landscape and numerous priority habitat hedgerows make it particularly important for bat populations in this area.

3.2 Effectiveness of Hop-overs and Bat Bridges

The ES proposes 'hop-overs' on hedgerow routes where roads bisect hedgerows to guide bat flight lines. The scientific evidence for the effectiveness of bat bridges and hop-overs as mitigation for habitat severance is, at best, mixed. The ES provides no post-development monitoring commitment that would allow the effectiveness of these structures to be assessed or their design to be adapted if found to be ineffective. A condition requiring annual bat activity transect monitoring for a minimum of five years post-occupation, with an agreed trigger for remedial action, should be imposed.

Ground 4: Background Nitrogen Deposition Already Exceeds Critical Loads at All Woodland Receptors — The Applicant's Own Assessment Confirms the Problem it Fails to Address

a) The applicant has submitted a dedicated Ancient Woodland Assessment (Appendix 6.5, prepared by Waterman Infrastructure & Environment / Kalaco) which deploys the standard Institute of Air Quality Management (IAQM) methodology and concludes that the development's incremental contribution to NO_x, NH₃ and nutrient nitrogen at all 13 ancient woodland receptors is below the Environment Agency's 100% screening threshold, and is therefore 'not significant.' We do not dispute the arithmetic. We dispute the framework used and the conclusions drawn from it.

b) The applicant's own data, set out in Table 7 of Appendix 6.5, shows that background nitrogen deposition at all 13 woodland receptors ranges from 26.72 to 27.16 kgN/ha/yr (APIS 2020–2022 baseline). The critical load for broadleaved mixed woodland is 10–20 kgN/ha/yr. Every single ancient woodland receptor on and around this site is therefore already operating at 134–272% of its critical nitrogen threshold. Appendix 6.5 paragraph 1.20 itself acknowledges: "the N deposition critical load for woodland is exceeded." The assessment then proceeds to ignore this fact entirely in reaching its conclusion.

c) The methodological problem is clearly explained within the applicant's own document. Paragraph 1.18 states that the EA screening threshold considers impacts to be

insignificant “if the impact is less than 100% of a critical level or critical load, irrespective of the background levels.” The EA threshold is explicitly designed for environmental permit applications, not planning decisions affecting irreplaceable ancient woodland. It answers a narrow question — whether this development’s own incremental contribution is significant in isolation — not the ecologically relevant question of whether a woodland already in chronic nitrogen saturation can absorb any further increment without deterioration. The NPPF test for ancient woodland (paragraph 186c, cited at paragraph 1.7 of Appendix 6.5 itself) is whether development will cause “loss or deterioration” — a test that cannot be answered by reference to the development’s incremental contribution alone, divorced from a baseline that is already severely compromised.

d) A further methodological concern is disclosed in paragraph 1.18 of Appendix 6.5, which notes that NE “often adopt a 4% screening threshold, particularly where there is lots of intensive farming in the local area.” The applicant’s own data shows that Brooches Wood (E5) receives a development contribution of 0.5 kgN/ha/yr, representing 5% of the critical load — exceeding even NE’s own more precautionary screening threshold. The assessment does not address this. The applicant has chosen to apply the less precautionary EA 100% threshold to all receptors without justification, where NE’s own guidance would trigger further investigation at Brooches Wood.

e) The nitrogen-sensitive ancient woodland ground flora communities recorded on site — including bluebell, sanicle and wood anemone — are precisely the species most vulnerable to nitrogen saturation at these levels. In already-saturated systems, even small additional increments can accelerate the competitive displacement of nitrophobic species by coarse grasses and nettles. We submit that the LPA’s ecological consultee (Place Services) should be specifically asked to advise on whether the cumulative nitrogen context — already-exceeded critical loads plus development increment — constitutes a material deterioration of irreplaceable habitats under NPPF paragraph 186(c), notwithstanding the EA screening threshold conclusion applied in Appendix 6.5. It is also notable that ES Chapter 9 contains no discussion of nitrogen deposition whatsoever, despite the applicant’s own Appendix 6.5 confirming chronic exceedance at all 13 woodland receptors. The omission of any nitrogen assessment from the ecology chapter itself — the chapter that assesses effects on ancient woodland — is a further material gap in the ES.

Ground 5: Open Space Provision Not Quantified Against Any Recognised Standard and Natural England's Own Conditions Not Yet Met

a) Chapter 9 and the ES as a whole fail to quantify the total area of accessible public open space to be provided against any recognised national or local standard. This is a material omission given that NPPF paragraph 103 requires planning policies and decisions to be based on robust and up-to-date assessments of the need for open space, and NPPF paragraph 159 specifies that where no locally specific standards exist, development proposals should meet national standards — explicitly citing NE's accessible green space standards (ANGSt), the Urban Greening Factor (UGF) and Green Flag criteria.

b) The Fields in Trust benchmark of 6 acres (2.43ha) per 1,000 population for informal open space would, for a development of this scale, require a substantial and quantified open space commitment. Much of what the ES describes as 'open space' — ancient woodland buffers, SuDS features, managed woodland — either cannot be counted as publicly accessible open space or is constrained by access management requirements.

c) Critically, NE's own consultee response (10 February 2026, ref. 539553) confirms that while the 11.72 ha of green space shown on the masterplan meets ANGSt size requirements, NE attaches a series of specific requirements that are not yet secured or evidenced in the application documents. These include: a circular walk of at least 2.3km; provision for dogs in accordance with SANG guidelines including off-lead areas and dog waste bins; signage and interpretation of public rights of way; and on-site maintenance and management of green space secured in perpetuity. The fact that the statutory body responsible for ANGSt compliance has required these specific elements and they do not currently appear in any submitted planning obligation or design document demonstrates that the open space case is incomplete at determination stage.

d) The submitted Open Space and Play Areas plan (Iceni, DL26, July 2025) reveals a further concern about the quality and accessibility of the open space quantum claimed. The plan distinguishes between two categories: Accessible Green Space (Parks and Gardens/Amenity Green Space) at 6.73 ha, and Natural and Semi-Natural Open Space at 28.59 ha. For 640 homes with a projected population of approximately 1,500 residents, 6.73 ha of genuinely accessible amenity green space is well below the Fields in Trust benchmark. The bulk of the open space figure — 28.59 ha — is semi-natural, comprising ancient woodland, buffer scrub and managed habitat that is either access-restricted for ecological reasons or not suitable for informal recreation. The play area catchment circles

shown on the plan also indicate that several housing parcels fall outside the 400m Local Equipped Area for Play (LEAP) catchment, raising a further deficiency in the play provision case.

e) The LPA should require a standalone Open Space Assessment setting out by type and area all open space to be provided, cross-referenced to the anticipated population, and benchmarked explicitly against Fields in Trust guidance, ANGSt, UGF and any relevant North Hertfordshire Open Space Study standards. All open space obligations — including NE's specific conditions — should be secured in an S106 legal agreement before permission is granted.

Ground 6: Hazel Dormouse – Landscape Connectivity

Unassessed

a) Appendix 9.6 records that dormouse nest tube and footprint tunnel surveys were carried out between April and November 2023, achieving a cumulative search effort score of 25 against a recommended minimum of 20. No active evidence of dormouse was recorded during the survey period and the appendix concludes that dormice are likely absent from the site. This is a material finding and should be acknowledged. However, a conclusion of likely absence does not constitute confirmed absence, and it does not resolve the connectivity concern. The surveys were conducted in 2023 and the site's hedgerow network may support dormouse movement from adjacent woodland even where on-site breeding populations are not established.

b) Hazel dormice are almost entirely dependent on continuous hedgerow and woodland-edge habitat for movement, and even a short gap in an otherwise continuous hedgerow can be an insurmountable barrier. The 2016–2017 ELMAW surveys identified dormouse as a species of concern at the site. The development proposes removal of sections of hedgerows H3, H6, H7, H10 and H12, and the entire removal of hedgerow H11 — the primary connectivity corridor between woodland blocks. The ES Chapter 9 body text provides almost no assessment of the implications of these removals for dormouse movement at the landscape scale, which is a relevant consideration regardless of on-site presence or absence. The LPA should require the applicant to demonstrate that landscape-scale dormouse connectivity has been adequately assessed and that the proposed hedgerow removals will not sever movement corridors used by dormice from the wider population.

Ground 7: Biodiversity Net Gain (BNG) — Claimed Surplus Dependent on Crediting Ancient Woodland Buffer as a Gain; No Bespoke Compensation for Irreplaceable Habitats

a) The applicant has submitted a completed Statutory Biodiversity Metric (NE metric) as part of Appendix 9.11 to the Environmental Statement. Analysis of that metric reveals two serious deficiencies that undermine the BNG case.

7.1 The claimed net gain is substantially dependent on crediting the ancient woodland buffer as a biodiversity gain

a) The metric records a baseline of 138.06 habitat units and a post-intervention figure of 173.85 units, producing a claimed net gain of +35.79 units (25.9%) against a statutory minimum of 10% (151.87 units required). On its face this appears a comfortable surplus.

b) However, the single largest contributor to the new units created is item 10 in the On-Site Habitat Creation sheet: 6.02 hectares of Mixed Scrub, described in the metric itself as “Scrub across the Site including ancient woodland buffers.” This single habitat type generates 40.30 habitat units — approximately 38% of all new units created, and the decisive contribution that takes the scheme above the statutory 10% threshold.

c) This creates a fundamental methodological concern. The ancient woodland buffers are presented in the Environmental Statement as a mitigation measure — a necessary protective zone required to offset the harm caused by building to within 15 metres of irreplaceable ancient woodland. The BNG metric simultaneously treats that same buffer scrub as a biodiversity gain generating tradeable units. These two characterisations are in direct tension: habitat that is ecologically necessary mitigation for an identified harm should not also be counted as a net positive gain over baseline. If the buffer scrub were reclassified as required mitigation rather than discretionary gain — which is arguable on planning and ecological grounds — the scheme’s claimed surplus would disappear and the 10% statutory minimum would be at risk.

d) Critically, this double-counting is not merely an inferential concern drawn from the metric spreadsheet — it is visually confirmed by the applicant’s own submitted plans. The Habitat Creation, Enhancement and Management Plan (EM-F01, CSA/0993/154, December 2024) shows the mixed scrub habitat (h3h, shown in purple on the plan) as a continuous band wrapping around every ancient woodland block on the site — Tilekiln Wood, Parsonsgreen Wood, New Spring, Nine Acre Spring, Brooches Wood, Longdell Wood and Newberry Grove. The scrub is not scattered through open areas as new habitat creation; it is drawn precisely as a perimeter buffer around ancient woodland

edges. Anyone examining EM-F01 can see that the mixed scrub is the buffer and the buffer is the mixed scrub. The same pattern is confirmed by the Habitats and Ecology Framework plan (CSA/0993/154, April 2025). The LPA's ecologists and NE should be asked to view EM-F01 alongside the BNG metric and confirm whether this treatment is methodologically sound.

e) A further deliverability concern arises from National Grid's land rights along the powerline corridor. National Grid's Technical Guidance Note 287 confirms that its existing land rights agreements 'lay down restrictions and covenants' that can prohibit 'building, changing levels, planting and other operations' along the line route. The 6.02 ha of mixed scrub credited as BNG gain wraps continuously around the ancient woodland edges including along the powerline corridor — the very section where the buffer is already admitted to be breached. If National Grid's existing land rights restrict planting or land management operations in any part of this corridor, then the BNG credit for scrub habitat in that section may not be deliverable at all. The application documents do not disclose any National Grid asset protection agreement, and do not confirm that the proposed buffer scrub planting is compatible with National Grid's existing rights over the land. The LPA should ask the applicant to confirm whether National Grid's land rights have been assessed and whether they affect the deliverability of the BNG scrub habitat in the powerline corridor.

f) The LPA should require the applicant's ecologists and NE to clarify the correct treatment of ancient woodland buffer habitat within the BNG metric, and to demonstrate that the 10% statutory minimum is met independently of the buffer zone credit.

7.2 No bespoke compensation is entered for any of the five ancient woodland parcels

a) The metric correctly identifies five ancient woodland parcels on site — W4 (2.26 ha), W7 (0.07 ha), W8 (1.74 ha), W9 (2.99 ha) and W13 (0.44 ha), totalling 7.50 hectares (parcel references as used in the BNG metric; note W7 and W13 in the BNG metric correspond to parcels within or adjoining Brooches Wood and Dell Spring respectively, using different reference numbers from the ES Chapter 9 habitat plan) — as irreplaceable habitats generating no tradeable units. All five are recorded as retained in their entirety.

b) However, the Irreplaceable Habitats sheet records 'Bespoke compensation agreed?' as blank or false for all five parcels. NPPF paragraph 186(c) states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. While the parcels are nominally retained, the indirect effects of residential development

immediately adjacent to ancient woodland — increased recreational pressure, dog disturbance, fly-tipping, light spill, nutrient enrichment and hydrological change — represent a foreseeable deterioration of irreplaceable habitats for which no bespoke compensation has been entered or agreed.

c) The LPA should require the applicant to submit a completed bespoke compensation strategy for each of the five ancient woodland parcels, addressing indirect as well as direct impacts, before the BNG condition can be considered dischargeable.

7.3 All gain is on-site with no off-site backstop

a) The metric records zero off-site habitat units. The entire BNG case rests on habitats to be created or enhanced within the development site itself. This means there is no off-site backstop if on-site BNG commitments prove undeliverable — for example if buffer widths are reduced under pressure from future reserved matters applications, if National Grid's land rights constrain buffer planting in the powerline corridor, or if ecological management targets are not met. Given that the claimed surplus is already concentrated in the ancient woodland buffer scrub, any reduction in on-site delivery directly threatens statutory compliance.

b) This is a deliberate choice, not an unavoidable constraint. The Application Site Plan (Iceni, DL07, Rev F, July 2024) shows land beyond the red line boundary to the north and east described as 'other land owned by the Applicant, its parent company, or its shareholders.' The applicant therefore controls adjacent land that could in principle have been used to provide off-site BNG units, wider ancient woodland buffers, or an off-site management backstop. None of this land has been committed to BNG delivery or included within the application boundary for that purpose. The decision not to use available adjacent land for off-site BNG is one the applicant should be asked to justify, particularly given the structural fragility of the on-site BNG case.

c) We note that the Herts & Middlesex Wildlife Trust (HMWT), in their consultee response of 12 February 2026, while welcoming the BNG ambition, expressly states that this ambition "should be maintained throughout subsequent phases of development." This is a significant qualification: HMWT is acknowledging that the outline structure of the application does not itself guarantee the BNG figures will be delivered through reserved matters. This is precisely the risk that the absence of off-site units and a robust legal backstop creates. The LPA should consider whether a condition or S106 obligation requiring off-site units as a contingency is appropriate, and should ensure the Biodiversity Gain Plan is secured in a legal agreement rather than relying on conditions alone.

7.4 The Habitat Management and Monitoring Plan is a skeleton document — funding, management body, risk register and species lists are all unresolved

a) The applicant has submitted a Habitat Management and Monitoring Plan (HMMP, ref. CSA/0993/07, December 2025), prepared by CSA Environmental on behalf of Picture Estates Limited. This is the document that is intended to give legal and operational substance to the 30-year habitat management commitment on which the entire BNG case depends. Analysis of the HMMP reveals that it is, at this stage, a template with almost no substantive content completed. The following critical elements are all recorded as ‘TBC’ (to be confirmed):

- Funding (Table PB-B06): The funding mechanism for the entire 30-year habitat management programme is listed simply as ‘TBC.’ No endowment, financial bond, management fund or other funding vehicle is identified. Without an identified and secured funding source, the management commitments have no financial basis.
- Land Manager (Tables PB-B10 and PB-B11): Both the landowner’s responsible person and the management organisation appointed to implement the HMMP are listed as ‘TBC’ in name, organisation, start date, end date and competency statement. There is no identified body with a confirmed obligation to carry out management works.
- Monitoring organisation (Table MS-T02): Both the organisation responsible for submitting monitoring reports and the organisation responsible for receiving and reviewing them are listed as ‘TBC.’ The LPA reviewing body is recorded as NHDC, but with no named officer or process.
- Risk Register (Table PM-T02): The habitat creation and management risk register covering all seven habitat types — woodland, grassland, scrub, orchard, pond, individual trees and hedgerows — has every single risk factor, trigger for action and remedial measure listed as ‘TBC.’ There is no risk assessment of any kind.
- Species lists: The species lists for scrub (SC-T03), orchard (OR-T03), pond (PO-T03), hedgerow (HD-T03) and individual trees (UT-T03) are all listed as ‘TBC.’ These are the specific planting commitments that determine whether the habitat condition targets in the BNG metric are achievable.

b) The HMMP also contains a significant factual inconsistency with the Environmental Statement. Table PB-T01 states that “No INNS recorded within the Site.” However, ES Chapter 9 and the applicant’s own ecological surveys record variegated yellow archangel (*Lamiastrum galeobdolon* subsp. *argentatum*), a Schedule 9 Wildlife and Countryside Act

species, at Newberry Grove adjacent to the site. This is a species that spreads overwhelmingly via garden waste disposal — precisely the pathway that residential development on this site would amplify. The HMMP’s failure to identify this risk is a material omission.

c) Critically, Table PB-B07 of the HMMP itself states: “The delivery of the HMMP will be secured through a Section 106 agreement.” No such S106 agreement has been submitted with this application. The applicant therefore acknowledges that a legal agreement is required, but has not provided one. This is directly relevant to our submission in Ground 2.3 above: without a completed and executed S106 agreement securing both the HMMP and its funding, the 30-year management commitment on which the BNG case rests has no legal force whatsoever. The LPA should not determine this application until the S106 agreement securing the HMMP — including identified funding, named management organisation, completed risk register and confirmed species lists — has been finalised and submitted.

Summary of Objection Grounds

No.	Principal Issue	Action Requested of LPA
1	Inadequate Badger Protection — [REDACTED] [REDACTED] <i>Individually sufficient for refusal</i> Independent professional survey (Dr Jones PhD MCIEEM) [REDACTED] [REDACTED] [REDACTED] The ES proposes to licence only a 2-entrance outlier [REDACTED] — a fundamental mismatch with the applicant’s own survey data. A fourth main sett ([REDACTED]) within the development footprint is unlisted for licensing (P. 9). Full access permission is sought before NE licensing is resolved, creating an unresolvable circular dependency (P. 7).	Requires pre-determination written confirmation from NE that all affected main setts have been identified [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]; withhold full access permission until NE licensing dependency is resolved. (p. 25)
2	Inadequate Ancient Woodland Buffers — Minimum Standard Unachievable and Unenforceable <i>Individually sufficient for refusal</i> The ES adopts a “minimum” 15m buffer; Woodland Trust guidance requires 50m for large-scale development (P. 11–12). The applicant’s own Appendix 6.5 admits the buffer is breached in the access corridor due to a permanent National Grid 30m	Requires a robust ecological rationale for not using the Woodland Trust’s 50m+ buffer and/or adopt wider, more effectively connected buffers; provide evidence of National Grid consultation and any resulting asset-protection constraints; supply an ecological justification for the permanent buffer incursion adjacent to National Grid assets; submit a detailed ancient woodland recreational management plan; provide a

	tower stand-off — a structural constraint irresolvable at reserved matters stage (P. 13). Access road planting plans specify ornamental cultivars, not native buffer species; highway visibility splay restrictions prevent any meaningful scrub structure. NE (10 Feb 2026) requires greater woodland connectivity and an ancient woodland recreational management plan not yet submitted. Ash dieback is unassessed across eight woodland blocks. Long-term management is secured only by planning condition; the HMMP requires an S106 agreement which has not been submitted (P. 15)	comprehensive ash dieback impact assessment for all on-site and adjacent woodlands; and finalise a legally secured S106 woodland management agreement before determination. (pp. 25-26)
3	Inadequate Bat Assessment — Unconfirmed Roosts and Undemonstrated Connectivity Mitigation <i>Requires additional information before determination</i> Barbastelle confirmed in 2023 surveys at very low numbers; the applicant's own 2017 report rated Tilekiln Wood as "possibly of regional value" for this nationally rare species — unaddressed in the current ES (P. 16). Twelve hedgerow trees identified in 2017 as requiring climbing inspection or emergence surveys; the ES does not confirm these were completed. All woodland trees were excluded from the roosting assessment. Known deficiencies since 2017 are deferred to pre-commencement conditions. Scientific evidence for proposed hop-overs and bat bridges is mixed; no post-development monitoring is committed (P. 17).	Requires pre-determination bat roost surveys of the twelve identified hedgerow trees and woodland trees; requires 5-year post-occupation bat activity monitoring condition with agreed trigger for remedial action if connectivity measures prove ineffective. (p. 26)
4	Nitrogen Deposition Already at 134–272% of Critical Load — Wrong Assessment Framework Applied <i>Individually sufficient for refusal</i> The applicant's own Appendix 6.5 confirms background nitrogen at all 13 woodland receptors is 26.72–27.16 kgN/ha/yr — already 134–272% of the critical load of 10–20 kgN/ha/yr. The EA 100% screening threshold applied is designed for environmental permits, not NPPF 186(c) irreplaceable habitat decisions. Brooches Wood receives a development contribution of 5% of critical load, exceeding NE's own 4% precautionary threshold — unaddressed. ES Chapter 9 contains no nitrogen assessment at all, despite Appendix 6.5	Request Place Services advice on whether cumulative nitrogen context constitutes deterioration of irreplaceable habitat under NPPF 186(c); require applicant to address NE 4% threshold exceedance at Brooches Wood; require assessment of incremental harm against pre-existing saturation baseline rather than the EA permit threshold. (pp. 26-27)

	confirming chronic exceedance at every receptor (P. 18).	
5	Open Space Provision Sub-Standard — NE Requirements Not Secured in Any Legal Obligation <i>Requires resolution before determination</i> Open space is not quantified against any recognised standard (NPPF paras 103, 159). Only 6.73 ha is genuinely accessible amenity green space for 640 homes — below the Fields in Trust benchmark; the remaining 28.59 ha is ecologically managed semi-natural habitat. Several housing parcels fall outside the 400m LEAP catchment. NE (10 Feb 2026) requires a 2.3km circular walk, off-lead dog areas and management in perpetuity — none secured in any submitted planning obligation (P. 19).	Require standalone Open Space Assessment benchmarked against Fields in Trust, ANGSt and NHDC standards; secure all NE-specified open space requirements (including circular walk, dog provision and management in perpetuity) in S106 legal agreement before determination. (p. 27)
6	Hazel Dormouse — Landscape-Scale Connectivity Impact Unassessed <i>Requires additional information before determination</i> 2023 surveys found no active evidence (effort score 25, above minimum — acknowledged); however, likely absence is not confirmed absence and does not resolve the connectivity issue. Dormice depend on continuous hedgerow habitat; even a short gap is an insurmountable barrier. The development removes sections of H3, H6, H7, H10 and H12, and the entire primary corridor H11 between woodland blocks. ES Chapter 9 provides no landscape-scale connectivity assessment for these removals (P. 20).	Requires applicant to demonstrate that landscape-scale dormouse connectivity has been adequately assessed and that proposed hedgerow removals will not sever movement corridors used by dormice from the wider population. (p. 27)
7	Biodiversity Net Gain — Statutory 10% Minimum Dependent on Double-Counted Mitigation; No Bespoke Compensation for Irreplaceable Habitats <i>Individually sufficient for refusal</i> The claimed 25.9% BNG surplus depends critically on crediting 6.02 ha of ancient woodland buffer scrub as biodiversity gain (40.30 units, 38% of all new units). Plan EM-F01 confirms this is required mitigation, not additional creation — the same habitat cannot serve both purposes. National Grid land rights may restrict buffer planting in the powerline corridor, threatening deliverability. No bespoke compensation is entered for any of the five irreplaceable ancient woodland parcels	Requires clarification of correct BNG treatment of buffer habitat and confirmation that 10% statutory minimum is met independently of buffer zone credit; requires applicant to confirm National Grid land rights and effect on buffer scrub deliverability; requires bespoke compensation strategy for all five ancient woodland parcels; require justification for absence of off-site units; requires completed HMMP and finalised S106 agreement before determination. (pp. 27-28)

(7.50 ha) despite foreseeable indirect deterioration (NPPF 186(c)). The HMMP — securing the entire 30-year management commitment — has funding, land manager, monitoring body and risk register all recorded as ‘TBC.’ No S106 agreement has been submitted despite the HMMP requiring one (P. 22–24).	
--	--

Conclusion

a) The GA2 development represents a substantial and irreversible change to a site of high ecological sensitivity, containing [REDACTED], eight ancient woodland blocks (within or abutting the site), significant bat activity, and habitats likely used by European Protected Species particularly species of bat. The 2023 dormouse surveys concluded likely absence from the site, but the landscape-scale connectivity implications of the proposed hedgerow removals remain inadequately assessed.

b) The hybrid structure of the application — seeking full permission only for the access road while reserving all other matters — brings the badger licensing question into immediate focus. [REDACTED]

The LPA is being asked to grant full access permission before the NE licensing position is established, and before an independent ecologist’s recommendation to consider relocating [REDACTED] has been addressed.

c) More broadly, the ES contains material gaps and underestimates several significant risks — particularly in relation to the badger population, ancient woodland long-term management, nitrogen cumulation, the absence of quantified open space standards, and the integrity of the biodiversity net gain case. The application as currently presented does not provide sufficient information for the LPA to be satisfied that the development will comply with NPPF Chapter 15 (natural environment), the Protection of Badgers Act 1992, or the Conservation of Habitats and Species Regulations 2017.

d) The LPA should therefore either:

- Request further information under Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, specifically addressing the seven grounds above; or
- Refuse permission on the grounds that the information provided is insufficient to demonstrate that significant harm to protected species and irreplaceable habitats

can be avoided, adequately mitigated or appropriately compensated — and in particular that the full application for [REDACTED] construction cannot be granted while the NE badger licensing position remains unresolved, and that the biodiversity net gain case has not been robustly established.

Documents and other reference sources cited

Consultee Responses

- Natural England (NE) (10 February 2026). Consultee Response to Planning Application 25/03080/HYA. Ref. 539553. West Anglia Team, Natural England.
- Herts & Middlesex Wildlife Trust (12 February 2026). Consultee Response to Planning Application 25/03080/HYA. Signed Simon Marsh MBE, Planning and Policy Manager.

Planning Application and Portal Documents

- North Hertfordshire District Council Planning Application ref. 25/03080/HYA: Hybrid application for residential-led development at GA2, Land North of Great Ashby, Stevenage. Submitted January 2026.
- North Hertfordshire District Council Scoping Opinion ref. 23/00806/SCOP: Scoping opinion for residential development of up to 650 homes and associated uses at GA2. April 2023.

Submitted Plans

- Iceni Projects Limited (October 2025). Access off Mendip Way: Planting Plan, Sheets 1–3 of 3. Drawing Nos. DL50-1, DL50-2, DL50-3, Rev A. Scale 1:250 @ A1. Shows access road corridor planting palette dominated by ornamental hybrid cultivars (Prunus 'Accolade', Crataegus × media 'Paul's Scarlet', Cornus alba 'Sibirica') rather than native provenance species. Note 3 on all sheets restricts planting height to 600mm within highway visibility splays.
- Iceni Projects Limited (October 2025). Illustrative Masterplan. Drawing No. DL03, Rev O. Scale 1:2,500. Shows access road corridor adjacent to ancient woodland, pylon/powerline route, habitat creation areas and open space designations.
- Iceni Projects Limited (July 2025). Illustrative Locations of Recreational Open Space and Equipped Play Areas. Drawing No. DL26. Scale 1:2,500. Records Accessible Green Space (Parks and Gardens/Amenity) at 6.73 ha and Natural and Semi-Natural Open Space at 28.59 ha. Shows play area catchment radii (LAP 100m, LEAP 400m, NEAP 1,000m).
- Iceni Projects Limited (September 2025). Access Parameter Plan. Drawing No. DL27, Rev B. Scale 1:2,500. Shows vehicular, cycle and pedestrian access points including Mendip Way full application access and Warrensgreen Lane unreserved matters access.
- Iceni Projects Limited (July 2024). Application Site Plan. Drawing No. DL07, Rev F. Scale 1:2,500. Confirms application boundary at 62.93 ha (outline) plus 0.80 ha (full application). Also shows land beyond the red line to the north and east described as owned by the applicant, its parent company or its shareholders.
- Woods Hardwick (April 2025). Proposed Access Road Sections, Sheet 1 of 2. Drawing No. 19244-ASHB-5-SK009, Rev C. Shows cross-sections A-A through D-

D of the Mendip Way access road, including explicit marking of National Grid 30m and 12m tower stand-off zones, UKPN 5m stand-off zone, and ancient woodland boundary in the same corridor.

- Woods Hardwick (April 2025). Proposed Access Road Sections, Sheet 2 of 2. Drawing No. 19244-ASHB-5-SK010, Rev B. Long-section profile of access road showing gradients, levels (road falling from c.135.6m to c.132.5m through the corridor section) and horizontal geometry.
- CSA Environmental (December 2024). Habitat Creation, Enhancement and Management Plan EM-F01. Drawing No. CSA/0993/154. Scale: refer to scale. Shows proposed post-intervention habitat parcels including mixed scrub (h3h) wrapping as continuous band around all ancient woodland edges, and SuDS features adjacent to woodland buffer zones.
- CSA Environmental (April 2025). Habitats and Ecology Framework. Drawing No. CSA/0993/154, Rev A. Scale A3@1:5500. Post-intervention habitat framework plan corroborating EM-F01 habitat distribution.

National Grid Documents

- National Grid plc (2014). Overhead Line Profile Drawings, 4TB Pelham–Wyndley Main, 400kV. Towers 4TB055–4TB058, chainage 21017–22103. Drawing Nos. 4TB001A-074_13714_A (sheets 25, 26, 27 of 74). Survey date 17/05/2014. Shows conductor attachment heights (c.157–188m AOD), ground clearance profiles and 5.3m swing clearance zones across the application site. Notes that permanent structures should allow for potential future line upgrading and adhere to increased clearances.
- National Grid plc (2021). Technical Guidance Note 287: Third-party guidance for working near National Grid Electricity Transmission equipment. Confirms: 30m tower stand-off zone as permanent maintenance access requirement; HGV access route must be permanently available to all tower bases; existing land rights agreements prohibit building, changing levels, planting and other operations along line routes; developers must consult National Grid during planning stage with minimum 8 weeks' notice; National Grid will not approve design proposals but will advise on safety clearances.

Environmental Statement

- Waterman Infrastructure & Environment / Kalaco (March 2025). Appendix 6.5: Ancient Woodland Assessment. Prepared on behalf of Picture Estates Limited / Icen. Authors: Claire Holman PhD FIAQM, Kieran Laxen MEng MIAQM. Confirms background N deposition of 26.72–27.16 kgN/ha/yr at all 13 ancient woodland receptors against a critical load of 10–20 kgN/ha/yr, and acknowledges the 15m buffer is breached along the access corridor.
- CSA Environmental / Icen Projects (November 2025). Environmental Statement, Volume I, Chapter 9: Ecology and Biodiversity. Prepared on behalf of Picture Estates Limited.
- CSA Environmental / Icen Projects (November 2025). Appendix 9.6: Hazel Dormouse Survey. Environmental Statement supporting document.
- CSA Environmental / Icen Projects (November 2025). Appendix 9.11: Biodiversity Net Gain Assessment (Draft Biodiversity Gain Plan). Environmental Statement supporting document.
- CSA Environmental / Icen Projects (November 2025). Appendix 9.11 (supporting file): Statutory Biodiversity Metric (Natural England BNG Statutory Metric Excel version, completed). Submitted with the Environmental Statement.

- CSA Environmental (Rhodri Gruffydd / Jamie Woollam CEcol MCIEEM) (December 2025). Habitat Management and Monitoring Plan (HMMP), ref. CSA/0993/07. Prepared on behalf of Picture Estates Limited. Covers 30-year habitat management and monitoring commitment for on-site BNG delivery. Key fields including funding mechanism (PB-B06), land manager (PB-B10/11), monitoring organisation (MS-T02), risk register (PM-T02) and multiple habitat species lists are all recorded as 'TBC.' Table PB-B07 confirms delivery is to be secured by S106 agreement, which has not been submitted.

Agricultural Land Classification

- Amet Property Ltd (James Fulton MRICS FAAV) (13 January 2025, Issue 2). Agricultural Land Classification Report: Northeast Stevenage. Prepared for Kernon Countryside Consultants. The report classifies 32.5 ha of the site as Best and Most Versatile agricultural land (Grade 2: 15.2 ha; Grade 3a: 17.3 ha). NE's consultee response (ref. 539553) recommends the BSSS Guidance Note on Assessing ALC Surveys be followed to validate the submitted data and draws the LPA's attention to NPPF paragraphs 180(a), 180(b) and 181/footnote 62.

Previous Ecological Surveys and Independent Professional Reports (GA2 Site)

- ELMAW Consulting (August 2016). Preliminary Ecological Appraisal: Farmland north-east of Great Ashby, Stevenage.
- ELMAW Consulting (December 2017). Ecological Evaluation: Site GA2 — Land North-East of Great Ashby, Stevenage, Hertfordshire. Commissioned by Picture SRL. Author: Keith Seaman BSc CBiol MRSB MCIEEM. [Recorded 7 bat species including barbastelle (Tilekiln Wood, multiple occasions, rated possibly of regional value) and Leisler's bat; identified 12 hedgerow trees with moderate/high roosting potential requiring further survey; acknowledged brown long-eared bats as significantly under-recorded.]
- ELMAW Consulting (May 2020). Consultation Response.
- ELMAW Consulting (November 2020). Hazel Dormouse and Badger Strategy for the purpose of future development of GA2.
- Farrar, L. and Dale, M. (15 March 2023, report undated). Appendix 9.5: Badger Survey, in: ES Volume II — Appendices 9.1 to 9.11 Ecology and Biodiversity. CSA Environmental (ref: 0993). Prepared for Picture Estates Limited. [Single-visit survey, 15 March 2023. Four main setts recorded: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Appendix withheld from planning portal during public consultation period.]
- Hamilton, N., Wood, C. *et al.* (2020). Badger Survey and Activity Report: GA2 North East Stevenage. Herts & Middlesex Badger Group (HMBG). [Quantitative sett data: [REDACTED] on 12 March 2020; Clan 1 and Clan 2 territory breakdown; setts and foraging areas covering [REDACTED] of site; HMBG monitoring continuous since 2015.]
- Jones, J. (9 September 2020). GA2 Comments Regarding Badgers. Report prepared at the request of N. Hamilton, Herts & Middlesex Badger Group.

[Independent professional survey, site visit 12 March 2020. Author: Dr Jenny Jones PhD MCIEEM, Records Officer HMBG, 40 years' mammal survey experience. Confirms main sett [REDACTED] recommends [REDACTED] relocation; raises three-clan population structure; identifies artificial sett clan-territory constraint.]

- Wood, C. (February 2021). Badger Sett Survey Map: GA2 Site and Surrounds. Herts & Middlesex Badger Group. [OS-base sett location map confirming active population as at February 2021.]
- CSA Environmental (November 2016, Rev C January 2018). Development Framework Plan, Land North-East of Great Ashby. Drawing No. CSA/993/029. Commissioned by Picture SRL.

Local Plan and Examination Documents

- North Hertfordshire District Council (November 2022). North Hertfordshire Local Plan 2011–2031 (adopted). Policies SP12, SP18, NE1 and NE4.
- Hamilton, N. (27 February 2020). Hearing Statement on the modifications for the NHDC Local Plan: Matter 25 (GA2). Submitted on behalf of residents from Stevenage, Great Ashby and Halls Green, and as representative for Herts & Middlesex Badger Group, Herts Wildlife Monitors and Wildlife Welfare. NHDC Local Plan Examination document ref. 15505.

National Policy and Guidance

- Ministry of Housing, Communities and Local Government (December 2024). National Planning Policy Framework (NPPF). In particular Chapter 15: Conserving and Enhancing the Natural Environment (paragraphs 103, 159).
- Natural England and Forestry Commission (2023). Ancient Woodland, Ancient and Veteran Trees: Advice for Making Planning Decisions. Standing advice and guidance note.
- Woodland Trust (2018). Ancient Woodland Restoration and Buffer Zones: Position Statement and Guidance. Recommends minimum 50m buffer for large-scale development adjacent to ancient woodland.
- Fields in Trust (2015). Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard. Benchmark of 6 acres (2.43ha) per 1,000 population for informal open space.
- Natural England (2008). Accessible Natural Green Space Standards in Towns and Cities: A Review and Toolkit for their Implementation (ANGSt). Report Number NECR008.

Legislation

- Conservation of Habitats and Species Regulations 2017 (as amended). European Protected Species provisions in relation to bats and hazel dormouse.
- Protection of Badgers Act 1992. Prohibition on interference with setts and harm to badgers.
- Wildlife and Countryside Act 1981 (as amended). Schedule 5 and Schedule 8 protected species provisions.
- Natural Environment and Rural Communities (NERC) Act 2006. Section 41 Species and Habitats of Principal Importance in England.
- Environment Act 2021. Schedule 15: Biodiversity Net Gain requirements.

- Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Regulation 25: Requests for further information.

Scientific Literature

- Clark, M. (2017). Badgers. The British Natural History Collection Volume 6. Whittet Books. [Cited in relation to badger foraging requirements: approximately 200 earthworms per day; arable land supports c.9 earthworms per m² versus c.3–4 in woodland.]
- Zeale, M.R.K. et al. (2012). 'Application of DNA metabarcoding to diet analysis in a study of the habitat requirements of barbastelle bats (*Barbastella barbastellus*).' Journal of Mammalogy. Cited in ES Appendix 9.4 in relation to habitat fragmentation sensitivity of barbastelle.
- Critical loads data: UK National Focal Centre for Critical Loads. Background nitrogen deposition figures for ancient woodland receptors as cited in ES Appendix 6.5 (Air Quality Assessment): c.27 kgN/ha/yr baseline (2020–2022) against a critical load of 10–20 kgN/ha/yr for broadleaved mixed woodland.

Prepared: February 2026 | Application: 25/03080/HYA | Deadline: 25 February 2026

This document should be submitted via the North Hertfordshire District Council planning portal. Cross-reference with formal representations by the Herts & Middlesex Badger Group (HMBG) where available.