

Appendix 7

Welwyn Hatfield BC Response to Inspector - Ecology Paper

- 1.1 This paper responds to the Inspectors questions raised in EX186C with regards to Ecology. The first question this paper addresses is:

Policy SADM 16 Ecology and Landscape says that proposals that would result in loss of or harm to ecological assets of local importance, including ecological networks, will be refused unless the mitigation hierarchy has been fully implemented. The Council needs to give some consideration as to how this is to be achieved.
- 1.2 The modified wording to Policy SP19 clarifies that further guidance on such matters will be considered at the masterplanning stage and details will be set out in the Supplementary Planning Document. In line with the NPPF 2012 Policy SP11 states that the protection, enhancement and management of environmental assets will be sought commensurate with their status.
- 1.3 In this respect the Commons Local Nature Reserve (LNR) is considered to be the most valuable asset within the area and benefits from statutory designation made under section 21 of the National Parks and Access to the Countryside Act 1949. Government guidance on managing nature reserves states that LNR managers need to care for and protect their natural features but that they must also make at least part of the land accessible for any visitors.
- 1.4 The Council has put in place a management plan for the nature reserve and this is published on the Council's website. <https://www.welhat.gov.uk/the-commons>. The plan is accompanied by maps which identify the differing habitats and management of the various parts of the reserve which covers a larger area than that identified on the Policies Map Sheet 3. https://www.welhat.gov.uk/media/9877/Plans-for-The-Commons-LNR-Management-Plan-2014-2019/pdf/Plans_for_The_Commons_LNR_Management_Plan_2014-2019.pdf?m=635596774585370000
- 1.5 There are also a number of ancient woodlands, or fragments thereof, which are protected as local wildlife sites and are afforded considerable protection in the 2019 version of the NPPF. Other features include hedgerows, ponds and open grasslands scattered across the site, but none have been recognised as Wildlife Sites (LWS). Whilst several of these support a range of LWS indicators and are of local value, such grasslands on the landfill area – likely to have been subjected to a range of historic reseeded - are not proposed for development anyway.
- 1.6 Consequently, the direct impact on recognised sites will be minimal; however the direct impact on connecting features will be greater, as will the consequences of indirect impact on the recognised sites from adjacent habitat / open space loss and increased disturbance to the important sites. Together these will, nevertheless, have a net impact and must be addressed.

- 1.7 The mitigation hierarchy is currently set out in paragraph 12.15 of the supporting text of the submitted draft Local Plan and comprises avoid; reduce; remediate; and lastly compensate. Direct avoidance of the most valuable assets has been met. The indirect impacts can be partly met by buffering, retention of corridors, building layout, landscaping, and recreation and amenity facilities. Where ecological resources are lost these could be compensated for by a combination of existing habitats and enhancement of others thereby increasing their biodiversity value.
- 1.8 The location of the Green Corridor is intended to assist in the protection of the Nature Reserve by providing buffering. The development of cycle and pedestrian links and improved access to public open space within the site will provide an alternative recreational attraction away from the nature reserve itself.
- 1.9 Tarmac's consultants have set out their thoughts on the mitigation hierarchy but it will be necessary to use the national biodiversity metric being developed by DEFRA to ensure there is a net gain. The Council consider that there may well be a need for off-site compensation in addition to any mitigation measures provided on-site.
- 1.10 The second question raised by the Inspector that this paper addresses is:

Additionally, would it [the LPA] look at the potential to enlarge the northern part of the proposed development site by incorporating the field referred to above and possibly other land, into the development and making compensatory provision for wildlife protection in (a) location(s) that (is) (are) less likely to be subject to human interference. In particular, could this be a more sustainable long-term option from a wildlife perspective than the status quo?

- 1.11 The Commons Nature Reserve suffers from motorbikes and quadbikes currently gaining access from the site as well as the odd fly tipping so it may be that introducing development onto the adjoining site might improve surveillance of this area and help to deter this type of behaviour in addition to any management practices the Council may wish to introduce.
- 1.12 In considering this the essential issues are that:
- Modifying the proposed development location in one location could enable an improved biodiversity site elsewhere subject to less disturbance;
 - The ecological interest of the potential field and the significance of the impact on it;
 - The potential of an alternative compensation site.
- 1.13 The field referred to by the Inspector is managed as part of the nature reserve and covered by its management plan which identifies it as Upper Windmill Hill. Two hectares are managed as sacrificial spring-sown crop of mixed grains and cornfield flowers. Monitoring of the area has revealed its importance for farmland birds during the winter with mixed feeding flocks of up to 250 birds.