

HERTFORDSHIRE ECOLOGY

Providing ecological advice to Hertfordshire's Local Authorities and communities

Environmental Resource Planning
Hertfordshire County Council, County Hall, Hertford, SG13 8DN
ecology@hertfordshire.gov.uk

Claire Westwood
Development Management (Planning)
Three Rivers District Council
Three Rivers House
Northway
Rickmansworth
Hertfordshire WD3 1RL

Ask for: Simon Richards
Tel: 01992 588483
Date: 13/04/2021

Dear Claire

Application. Comprehensive redevelopment to provide 2 no. warehouse Class E(giii)/B2/B8 units comprising a total of 16,115 sqm including 1,882 sqm ancillary E(gi) office space, access, landscaping and associated works
Address: Development Site Maple Lodge Maple Lodge Close
Reference 21/0573/FUL

Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments:

1. I responded previously to a similar application. Based on the supporting information presented within the ecological report by Greengage which also referenced previous surveys (not provided), the lack of any conservation designation for the site, and on previous data available from HERC , I concluded that the value of the grasslands on site, although assessed in the ecological report as being of little value, was at least in-part semi-natural with a moderate diversity of species including a number associated with marshy areas. However, I **did not** consider that the information available to me at the time was sufficient to justify a refusal on the grounds of ecology.

2.1 However, **new information** was presented at the subsequent Appeal Hearing from the local conservation group in the form of a description of a walk-over survey of the site and supporting photographs. This raised the possibility of the site having a greater botanical value than found in the surveys conducted by Greengage or in their interpretation of the previous surveys referenced in their report.

2.2 A new ecological report by Greengage has been submitted with this current application. The walk-over survey was carried out in November, a sub optimal time for botanical surveys making the botanical assessment made at the time of limited value. It therefore does not wholly satisfy the PEA standards as claimed (3.1). However, a similar conclusion was found to that previously drawn in respect of the quality of the grassland, namely that it did not meet Priority

Habitat status. Whilst this view may also have been based upon previous survey results, given the poor survey time this survey does not provide any meaningful update or contribution to assessing the site, and a recommendation was made to undertake an updated botanical (NVC) survey of the site to confirm the position.

2.3 The new information provided at the Hearing has not, to my knowledge, been submitted to the LPA to inform any objection to this application. However, given the recommendation in the ecology report, **I advise it would be helpful to undertake a further NVC survey in order to assess the current value of the grassland.** This should be conducted within the optimum survey season. If this new survey and assessment indicates that the ecological loss to the site is greater than previously considered, it is not unreasonable that this should generate greater offsetting compensation.

2.4 Use of the current version of the NE Biodiversity Metric would enable this to be fully measurable, as recognised by the Inspector. Since our original comments, use of the updated Biodiversity Metric – published in July 2019 - has become more frequent where major development is proposed. Its use as part of the mandatory BNG proposal is needed to enable measured assessments of net gain to be determined, as outlined in the January 2020 Environment Bill. Nevertheless, whilst the expectations of the government have now become clearer, the Bill has not yet been enacted and the use of the metric or Biodiversity Net Gain is still not currently a mandatory requirement of planning law, also recognised by the Inspector at the Hearing.

2.5 Should the LPA wish a decision on this application to be **further informed** by the proposed survey and re-assessment of the grassland, **then the application should not be determined** until the surveys have been completed and the results and assessment provided for the LPA's consideration. If measurable net gain is to be achieved in the context of this new application, this will need to be informed by the use of a metric. **However, if the LPA is minded to determine the application without this additional information,** then in order to fully inform any changes to compensation requirements, I advise the survey should then be secured by **condition and any modifications to the currently proposed compensation made accordingly.**

3. In terms of other matters relating to protected species I am not aware of any new information that would alter the assessment that they can be suitably safeguarded by following the mitigation measures recommended in the latest Greengage report.

4.1 In respect of indirect impacts, the Maple Lodge Nature Reserve to the south is important as a wetland reserve and any significant impact on water supply into the reserve by the development would negatively impact on its ecology. It is clearly already vulnerable, with naturally shallow waterbodies and recent periods of low water if not drying out. This supply is likely to be influenced to a degree by surface water runoff (largely addressed by the amended drainage scheme into the adjacent stream to the west) but more importantly is considered to be dependant mainly on groundwater flow, as raised before and during the Hearing. Concerns relating to the impact of piling were included

amongst the reasons for refusal of the previous application (Reason 4) and such concerns do need to be addressed.

4.2 At Appeal the Inspector considered concerns relating to dewatering and contamination of the water supply (paragraphs 88 and 89) and also concluded that *the appeal scheme would be unlikely to have a significant effect on water levels at the lakes, other than over a short period of time when the interceptor and attenuation tank are installed. The measures suggested by the appellant would ensure that even during this limited period there should not be a significant effect on the lakes as a consequence of the proposal* (paragraph 88).

4.3 The application site will still receive the same amount of surface water and groundwater as it always did – notwithstanding vagaries of climate change or other groundwater impacts further afield. However, it is the long-term behaviour of the groundwater through and around the site in respect of the proposals which should be sufficiently understood, to demonstrate that the groundwater flow reaching the reserve is not reduced or otherwise unacceptably affected by the proposals. This is a hydrological matter for which I am not qualified to comment authoritatively but has been considered in the Maple Cross Contaminated Land Assessment and DQRA – Summary report dated 02/03/2021. Consequently, the LPA needs to be satisfied that its conclusions and those reached by the Inspector adequately address these concerns and are not limited to the short-term impacts of dewatering and tank installation.

I trust these comments are of assistance,

Yours sincerely

Simon Richards
Ecology Advisor, Hertfordshire Ecology