



**Herts &
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Rebuttal Statement in respect of Ecology and Nature Conservation

By Matthew J W Dodds, BA (hons), MSc, MCIEEM

Development Site: Maple Lodge Maple Lodge Close Maple Cross Hertfordshire

Application Reference: 21/0061/NONDET

Planning Inspectorate Appeal Reference: APP/ P1940/W/21/3289305

08/04/2022



Creating a wilder Hertfordshire and Middlesex

The Hertfordshire and Middlesex Wildlife Trust Limited (Herts and Middlesex Wildlife Trust), a registered charity in England and Wales (239863). A company incorporated and registered in England and Wales (company number 816710). President: Sir Simon A Bowes Lyon, KCVO. Chief Executive: Lesley Davies

1. Introduction

- 1.1 This Rebuttal Statement is submitted on behalf of the Maple Cross Residents Environment Group. It is in response to the proof of evidence submitted by Greengage (document CD6 1.7) on behalf of the applicant regarding 21/0061/NONDET.
- 1.2 The comments are focussed on one aspect of the document which needs correcting. There are many aspects of the proof that will be contested during the appeal but for the purpose of this rebuttal I will only be concentrating on one. This statement does not imply any acceptance of arguments submitted in CD6 1.7 that are not the subject of this rebuttal.

2. Comment on the proof of evidence

- 2.1 In document CD6 1.7 it is stated:

9.2 The photograph shown as evidence of the single Forester moth at the Appeal Site has no reference points to indicate that the moth was recorded on site

- 2.2 After news of the Forester moth's discovery, photographer Martin Parr was asked if he could provide more information, that corroborated where the photographs were taken, to Claire Westwood, the case officer.
- 2.3 Mr Parr then sent a Dropbox link https://www.dropbox.com/sh/k9fdcge2vq83tml/AADM1TkplO_El9xedu14dxdFa?dl=0 to the case officer on 20th July 2021 which contained a sequence of photographs with the date and time stamp on each photograph. These have been appended for reference.
- 2.4 The case officer confirmed that these had been received and uploaded to the application documents online on 23rd July 2021
- 2.5 The pictures clearly show as a sequence, landscape reference photographs, photographs of a work compound, as well as quadrat photographs that show the location and direction of travel of Mr Parr. They are of the application site.
- 2.6 This corroborates the sighting of the Forester moth to the date, time and location stated by Mr Parr.
- 2.7 Mr Parr is a very experienced amateur naturalist who is a Trustee of the Maple Lodge Conservation Society, Committee member and active coordinator of conservation activities. Through my knowledge of his skills and the evidence presented in the photographs, I am 100% certain that Forester moth was recorded from the application site. The record has subsequently been accepted by the Herts Environmental Records Centre.
- 2.8 Therefore, it is factually incorrect to state in the proof:

9.6 It was allegedly recorded on 12 July 2021 at Maple Lodge

Rebuttal Statement

Maple Lodge, Maple Lodge Close, Maple Cross

2.9 It was recorded and so should not be subject to question.

2.10 It should also be noted that the photographs appended as evidence clearly show a more diverse botanical community than has been described in the ecological evidence submitted on behalf of the applicant.

Appendix

Photographs of the site from 12 July 2021 as uploaded to the TRDC website

23rd July 2021