

Response of the Hertfordshire Natural History Society to Hertsmeire Borough Council's Draft Local Plan, and specifically the proposed 'Bowman's Cross' settlement

Background

Hertfordshire Natural History Society (HNHS) promotes the study and recording of flora and fauna in the county and encourages wider interest in natural history including the conservation of wildlife, habitats and geological features. The Society was established in 1875 and the data and information its members have gathered since then provide an outstanding source of knowledge about Hertfordshire's wildlife and biodiversity.

Hertfordshire Bird Club

The Society is the parent body of Herts Bird Club and – in addition its own response – endorses the more detailed response that the Club is making to the draft Local Plan for Hertsmeire. The HNHS is responding to the draft Hertsmeire Local Plan in specific recognition of the practical efforts our members have made over 20 years to protect the last colony of rare Tree Sparrows in Hertfordshire – now thought to be the last colony in Southeast England – whose future is threatened by the 'Bowmans Green' proposal.

Continuing objections

Our objections to the initial proposal for a new settlement to be known as 'Bowman's Cross' (previously Site H2) were set out in a letter to the council in December 2018. Regrettably, the scale of the settlement now proposed in the draft Local Plan and the threat that it poses to wildlife and biodiversity mean that our objections still stand. Our original letter is included as an annex to this response and forms part of it.

It is our strong view that, as noted in the response from Herts Bird Club, the extent of proposed development would not only be harmful to wildlife-rich habitats and rare species within the new settlement's boundaries, but also in adjacent areas – notably the land around Tyttenhanger's former gravel pits.

The threat to Hertfordshire's population of Tree Sparrows – now likely to be the last breeding colony in Southeast England – is acknowledged in the draft plan. However, 'headline' attention given to the threat to this increasingly rare species does not diminish the concern that we and other conservation groups share for the future of 13 'red-listed' birds known to breed on or close-to the 'Bowman's Cross' site. As in our original letter, we additionally emphasise that the area is home to species accorded priority in the UK Biodiversity Action Plan including mammals (e.g. Brown Hare and Hedgehog), amphibians (e.g. Common Toad and Great-crested Newt) and butterflies (e.g. Small Heath and White-letter Hairstreak).

In this context we draw renewed attention to Section 15 of the Government's National Planning Policy Framework (NPPF, 2018) requiring planning policies to minimise impacts and provide net gains for biodiversity, and promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species. The NPPF adds that:

"if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused;"

Mitigation efforts

HNHS welcomes the work undertaken by the would-be developer Urban & Civic, Herts Bird Club and other wildlife groups to investigate how loss of biodiversity might be mitigated if development were to proceed on the site. We support the practical steps taken so far taken to extend and intensify the Club's long-standing project to conserve the Tree Sparrows. However, those actions are only a step towards the kind of comprehensive biodiversity mitigation strategy that would be needed to match the proposed scale of

development. We, therefore, commend and endorse the two key elements of mitigation set out in proposals previously published by Herts Bird Club:

- limiting of the scale of the proposed development to areas south of Coursers Road
- the creation (and maintenance in perpetuity) of a large-scale nature reserve centred on the existing restored gravel pits at Tyttenhanger.

It is regrettable that neither of these proposals were included Hertsmere's proposals for 'Bowman's Cross'. As currently drafted we see little in plans for new development to demonstrate that its statement regarding the importance of protecting and enhancing Hertsmere's biodiversity (p170) goes beyond lip-service. We consider that the currently proposed scale of development at 'Bowman's Cross' will neither 'avoid' nor 'minimise' damage to biodiversity as defined on p171 of the plan. We are also disappointed that the plan's declared intention to "*ensure the successful relocation of the tree sparrow population*" (p140) fails to acknowledge the impossibility of achieving this unless the population is stabilised and enabled to grow to a level where relocation results from natural expansion. We endorse and underline the statement made by the Bird Club in their response that:

"If the Tree Sparrows are to survive, the land north of Coursers Road needs conserving, enhancing and managing specifically for them. A strategy for their survival is not a request, it is a requirement of planning policy and a legal duty."

However, as stated above, our concern for rare species, other wildlife and diversity is by no means limited to the Tree Sparrows. We consider that an effective mitigation strategy must include the designation of a large single area as a nature reserve that provides a safe and suitable habitats for wildlife displaced by development. We regard the vague reference in the draft Local Plan to "a nature reserve around the Tyttenhanger Lakes" (p45) as inadequate, not least given the currently proposed encroachment of development north of Coursers Road. Unless a substantial area is created for wildlife to the north of the road (acting as a 'cordon sanitaire' for humans and predatory pets) we anticipate that the proposed settlement will fall far short of national planning policy requirements by failing to mitigate, let alone enhance local biodiversity.

Annex 1 – Letter from the HNHS Secretary to HBC Planning Department dated 12/12/18. This letter also highlights the need to protect rich biodiversity in the Mymms Woods complex to the north of the proposed 'Bowmans Cross' site. This includes the Redwell Wood and Cobs Ash SSSIs referred to on p47, p109 and p 112 of the draft HB Local Plan. We note the conservation actions proposed, which underline the need for a clearer, stronger commitment to wildlife and biodiversity to the north of Coursers Road.

Annex 2 – An annotated checklist of 259 species with local, national and/or international protection or status that have been recorded within the Tyttenhanger estate and the areas immediately adjacent (including Redwell Wood SSSI, areas of ancient woodland and Colney Heath Local Nature Reserve). Although some of the bird species recorded have been rare visitors, the list is indicative of the area's rich biodiversity and its importance as a site for vulnerable, rare and uncommon species. The site's fragility is underlined by the inclusion of rare or protected species formerly recorded but now believed to be locally extinct.