

06 March 2026

RE: Land at Carpenders Park, Three Rivers – Response to Formal Consultation Comments

Introduction

1. This consultation response note relates to an outline planning application of Land at Carpenders Park, Three Rivers (Ref: 25_1020_OUT). The proposed development is for mixed-use with up to 256 homes, housing with care, a children's home and associated parking, open space, Sustainable Urban Drainage (SUDs), landscaping and vehicular access.
2. Ecology Solutions has provided several reports in support of the initial planning application. These include an Ecological Assessment¹, Biodiversity Net Gain (BNG) Report², Statutory Biodiversity Metric Tool³ and Breeding Bird Technical Note⁴. The former two documents have undergone several iterations in response to previous consultation comments received by Herts Ecology on 27 October 2025.
3. Further comments were received from Herts Ecology on 26 February 2026, in relation to the updated Ecological Assessment, BNG Report and Statutory Biodiversity Metric Tool. These comments are addressed separately below. The Ecological Assessment⁵, BNG Report⁶ and Statutory Biodiversity Metric Tool⁷ have been updated accordingly and should be read alongside this note.

Consultation Responses

4. The responses relating to ecological matters are separated into sections to align with the order of comments provided by Herts Ecology. These sections are 'Great Crested Newts', 'Breeding Birds', 'Bats' and 'Biodiversity Net Gain'.

Great Crested Newts

The council previously advised that the eDNA surveys recommended in the Amended Ecology Report should be undertaken prior to determination. If Great Crested Newts (GCN) are confirmed to be present,

¹ Ecology Solutions (November 2025). *Carpenders Park, Three Rivers. Ecological Assessment*. Ref: 12195.EcoA.vf3

² Ecology Solutions (November 2025). *Carpenders Park, Three Rivers. Biodiversity Net Gain Report*. Ref: 12195.BNGReport.vf2

³ Ecology Solutions (November 2025). *The Statutory Biodiversity Metric*. Ref: 12195.StatutoryBiodiversityMetricCalculationTool.vf1

⁴ Ecology Solutions (February 2026). *Carpenders Park, Three Rivers. Technical Note: Breeding Bird Surveys*. Ref: 12195.BBSAdd.vf

⁵ Ecology Solutions (March 2026). *Carpenders Park, Three Rivers. Ecological Assessment*. Ref: 12195.EcoA.vf4

⁶ Ecology Solutions (March 2026). *Carpenders Park, Three Rivers. Biodiversity Net Gain Report*. Ref: 12195.BNGReport.vf3

⁷ Ecology Solutions (March 2026/025). *The Statutory Biodiversity Metric*. Ref: 12195.StatutoryBiodiversityMetricCalculationTool.vf2

then further surveys to determine population sizes may be required, and a licence sought from Natural England. The results of the eDNA survey should be submitted to the LPA for approval prior to determination.

The Amended Ecology Assessment (ref) reported an environmental DNA (eDNA) survey for GCN was attempted on 3 July of 4 ponds. Three of the ponds were found to be completely dry at the time of the visit, therefore eDNA sampling was not possible.

The attempted survey date fell outside the accepted GCN eDNA survey window, which runs from 15 April to 30 June. Whilst eDNA from GCN typically persists in water for several weeks after breeding activity and therefore 3 days is unlikely to affect the result of the wet pond, this could have a bearing on the other dry ponds.

The report includes a Habitat Suitability Assessment taken of one of the ponds in 2019, as excellent. There is an absence of Habitat Suitability Assessment data for 3 of the ponds.

Despite three of the ponds being dry at the time of survey, Natural England's standing advice requires local planning authorities to consider the potential presence of GCN wherever suitable breeding or terrestrial habitat is present within or near a development site. Suitable aquatic habitat that is temporarily dry can still form part of a GCN breeding network, and its condition must therefore be considered within the planning process.

5. The proposed development has utmost regard for Great Crested Newts *Triturus cristatus*. The potential presence of this species within the site and in the locality has been considered as part of the assessment undertaken. Despite the site being devoid of aquatic habitat, the Ecological Assessment clearly recognises the presence of suitable on-site terrestrial habitat; grassland, scrub, tall forbs and woodland margins (see paragraph 5.3.72 and 7.2.8 of 12195.EcoA.vf3). The proposed development also strives to protect existing features suitable to amphibians and will provide new and enhanced habitat such as SUDs with wet grassland and marginal / aquatic species mixtures, in addition to the future provision of refugia piles to provide hibernation opportunities post-development.
6. There are five ponds present within 500m of the site that are not separated by significant dispersal barriers. Ecology Solutions attempted to survey these ponds on 3 July 2025. It is acknowledged that the eDNA surveys were completed slightly after the guideline cut-off date of 30 June. This limitation is stated in paragraph 2.4.26 of 12195.EcoA.vf3. Herts Ecology are in agreement that this is unlikely to have materially affected the results of Pond P1 (the only wet pond at the time of survey). Environmental conditions for all five ponds (e.g. temperature, water levels, and amphibian activity) would have remained consistent with those present during the standard sampling window. Therefore, any newt presence or absence would still have been reliably detected, and the validity of the results is not compromised.
7. Herts Ecology have recommended the following to address the issues raised in relation to Great Crested Newts:

Provide Habitat Suitability Index (HSI) Assessment survey results for ponds 1, 3 and 4. Since HSI assessments can be completed even when ponds lack water, this approach provides an evidence-based evaluation of the pond's potential to support breeding GCN.

Either Complete Traditional Presence/Absence Surveys for ponds 1, 3 and 4 in the appropriate Season or adopt a precautionary approach:

If ponds are found to be wet, undertake an eDNA or traditional survey methods during the next suitable survey season (mid-March to June). Where development programming does not permit waiting until the

next survey window, it may be appropriate to apply precautionary mitigation measures based on habitat suitability and known regional GCN distribution, where survey constraints are genuine and documented.

8. HSI⁸ assessments were completed for all five ponds using data gathered on 3 July 2025, but this data was omitted from the previous Ecological Assessment. These are presented below in Table 1 and in Table 4.14 of the updated Ecological Assessment (12195.EcoA.vf4). Pond P1 is of excellent suitability. Ponds P2 and P3 are of 'below average suitability' and Ponds P4 and P5 are of 'poor' suitability.
9. The most recent assessment of Pond P2 completed as part of the current survey (July 2025) classified the pond as having 'below average' suitability to support Great Crested Newts.
10. In the 2019 assessment, the pond was classified as 'rarely dries', indicating that it would be expected to dry no more than two years in ten, or only during periods of drought. During the July 2025 assessment, the pond was dry. Remnant algae were present, suggesting that water had been present in the recent past. However, no dried macrophytes were observed on the pond bed, which indicates that aquatic vegetation may not be permanently established. This suggests that the pond may dry more frequently than previously recorded. Based on current evidence, the pond is considered likely to dry 'sometimes', meaning between three years in ten and in most years. The 2019 assessment also recorded the pond as having moderate water quality, based on moderate invertebrate diversity. As the pond was dry during the July 2025 survey, its suitability has been downgraded to poor for this parameter. In addition, the level of shading cover recorded in 2019 was 50%. This no longer reflects current conditions, with approximately 90% of the pond now shaded by surrounding woodland. Macrophyte cover was previously estimated at 70%; however, no macrophytes were recorded during the July 2025 visit due to the pond being dry. Overall, the HSI score has decreased from 0.83 (excellent) to 0.58 (below average), reflecting the updated site conditions and the time elapsed since the previous assessment.

Table 1: Habitat Suitability Index (HSI) Results (July 2025)

Suitability Description	Pond P1	Pond P2	Pond P3	Pond P4	Pond P5
Geographic Location	1	1	1	1	1
Pond Area	0.3	0.2	0.3	0.2	0.05
Pond Permanence	1	0.5	0.1	0.1	0.1
Water Quality	0.67	0.33	0.33	0.33	0.33
Shade	1	0.4	0.4	0.4	0.6
Waterfowl Effect	1	1	1	1	1
Fish Presence	1	1	1	1	1
Pond Density	1	1	1	1	1
Terrestrial Habitat	1	1	1	1	1
Macrophyte Cover	0.8	0.3	0.3	0.3	0.8
HSI Score	0.83	0.58	0.51	0.49	0.49
Pond Suitability	Excellent	Below Average	Below Average	Poor	Poor

11. Pond P1 was the only pond that was wet in July 2025. This pond was subject to an eDNA survey which was returned as negative, indicating the absence of Great Crested Newts. The remaining ponds do not offer optimal conditions for the species and as such are classified as 'below average' or 'poor' suitability. Despite the negative result for Pond P1 and sub-optimal conditions of the remaining

⁸Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000). *Evaluating the suitability of habitat for the Great Crested Newt (Triturus cristatus)*. Herpetological Journal 10 (4), 143-155

ponds, the proposed development will nonetheless adopt a precautionary approach to construction works. A Non-Licensed Method Statement for Great Crested Newts will be produced prior to the construction phase of the proposed development. It will form part of the Construction Environmental Management Plan (CEMP) for the proposed development. The method statement will detail precautionary working measures such as the storing of construction materials within designated, fenced compounds and implementing a passive displacement exercise overseen by an Ecological Clerk of Works in areas of grassland to be affected (see suggested condition wording at the end of this note).

12. If the species were to be found on-site ahead of or during construction works despite the Non-Licensed Method Statement being adopted, works would stop immediately, and a site-based mitigation licence sought from Natural England. Alternatively, the scheme would opt into the District Level Licensing scheme.

Breeding Birds

As per the councils previous planning report, the trees, woodland and scrub habitat within the site offer good nesting and foraging opportunities for a variety of bird species. Most of this habitat will be retained, however, an approach to vegetation clearance in respect of nesting birds should be included within a Construction Ecological Management Plan.

13. The provision of a CEMP is welcomed and was recommended in the previously submitted Ecological Assessment. Details on mitigation measures will be provided within this future document.

The Amended Ecology Report reports the site to contain 'areas of unmanaged grassland suitable for ground nesting bird species. It is also noted that records of such species, including Skylark, were returned by the data search and are thus potentially present within the area'.

Skylark is a Priority Species (NERC Act S41) and operates best in open landscapes, as such a breeding bird survey is required to inform the mitigation, as the loss of its habitat.

Although the submitted ecology report provides an estimated territory density and proposes off site compensation, the absence of breeding bird surveys means the application is not supported by adequate ecological information. As skylark is a Section 41 Priority Species, the Local Planning Authority must have baseline survey data to assess impacts and the feasibility and proportionality of mitigation before determining the application. It is therefore not appropriate to defer skylark surveys or the justification for off site compensation to Reserved Matters.

The applicant must submit breeding bird surveys, a quantified impact assessment, and an outline compensation strategy informed by the survey results prior to determination. Loss of habitat for Priority species requires clear demonstration of a like for like and better compensation strategy.

14. Prior to the receipt of the above comments, a Technical Note was provided to Herts Ecology in relation to breeding birds at the site. This note served as an addendum to the previous Ecological Assessment (12195.BBSAdd.vf). It does not appear that the Herts Ecology comments dated 26 February 2026, to which this note relates, have accounted for this addendum in their feedback.
15. In summary, two breeding bird surveys have been undertaken at the site, on 10 July 2025 and 1 August 2025. A third survey is scheduled for early April 2026. No Skylark *Alauda arvensis* have been recorded on-site during these surveys, nor have any other ground nesting birds (with the exception of Pheasant *Phasianus colchicus*, a non-native species). A total of 27 species were recorded either within the site boundary, immediately adjacent to it, or flying over during the two bird surveys. No species protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) were recorded (a Red Kite *Milvus milvus* was recorded flying over the site during the habitat survey conducted in July 2024 and a Barn Owl *Tyto alba* observed flying in the wider study area during a bat

survey in October 2025). Eight species recorded during the bird surveys are either listed as Species of Principal Importance under Section 41 of the NERC Act 2006, appear on the Red or Amber lists of Birds of Conservation Concern (BoCC 5), and/or are identified as Local Priority Species in the Hertfordshire Biodiversity Action Plan (HBAP). The full results of these surveys are provided in the addendum and are reproduced in the updated Ecological Assessment (12195.EcoA.vf4) for completeness.

16. Based on the two breeding bird surveys undertaken to date, no Skylark have been recorded within the site and, on the basis of these findings, the site is not currently considered to support Skylark. Nevertheless, as a precautionary approach and to ensure that the baseline situation has not changed prior to the submission of any Reserved Matters application, the applicant is willing to undertake a further spring survey (or, if required, a complete set of updated surveys) secured via planning condition (see suggested condition wording at the end of this note). This approach is considered proportionate to the level of risk posed by the proposed development and will provide confirmation that Skylark are not present on-site at that time.

Bats

The habitats onsite were deemed to be of high suitability for foraging and commuting bats. The results of bat activity surveys in 2024 have been provided. The survey missed the early season walkover visit. As per the councils previous planning report (ref), confirmation is required that a third survey was undertaken in spring 2025. A lighting strategy is likely to be require.

17. The previously updated Ecological Assessment acknowledged that no spring data had been provided and justified the reasons why (paragraphs 2.4.14 and 2.4.15 of 12195.EcoA.vf3). To ensure adequate temporal coverage, additional survey effort was implemented during the summer and autumn 2025 seasons. Static bat detectors were deployed for ten consecutive nights (rather than the standard five), and an additional summer and autumn NBW survey were completed. Nonetheless, it is noted that Herts Ecology would still welcome a spring survey and a response to this is provided later in this note.

Three notable trees were found with PRF-M. Under no circumstance should any tree identified to possess roosting features (PRF-M or PRF-I) be removed without further assessment.

18. This statement is correct and not disputed by the applicant. The previously updated Ecological Assessment (12195.EcoA.vf3) clearly states this at paragraph 5.3.25.

Trees with PRF-M:

Further survey is required to determine presence/absence of a maternity roost and to inform mitigation and licensing if required, if they are to be lost.

Trees with PRF-I:

The updated guidance states that tree features suitable for individual bats no longer receive additional survey effort. Instead, if trees with PRF-I are to be lost, appropriate compensation must be secured, such as bat boxes to maintain ecological function. 1-2 boxes to be provided per tree lost, in diverse orientations and to include monitoring.

19. Should any of the trees categorised as PRF-M or PRF-I be subject to arboricultural works or felling in the future, they will be subject to further survey (aerial tree inspection and / or dusk emergence surveys) to confirm that bats are absent from them, as recommended by current survey guidelines. Should a roost be present then a bat mitigation licence from Natural England will be sought before any works take place.

20. Bat boxes will be incorporated as part of the proposed development to provide new roosting opportunities post-development. These provisions will be detailed within the future Species Enhancement Plan.

A lighting strategy should be provided, to protect potential roosting and commuting habitat, irrespective of whether any of the tree with PRF-M or PRF-I are lost.

21. It is agreed that a sensitive lighting strategy should be completed as part of the proposed development, prior to construction or operational works, given the prevalence of PRF-M and PRF-I trees and existing commuting / foraging pathways due to be retained and enhanced. Such a strategy will be adopted and informed by the latest guidance from the Bat Conservation Trust and Institution of Lighting Professionals. The strategy will ensure that features of importance to bats remain sufficiently dark and appropriate foraging and commuting corridors remain post-development.

Because NBW surveys (Aug–Oct) fall outside peak maternity detection periods, they cannot be used to rule out maternity use in PRF M trees and additional surveys are therefore mandatory, even if the trees are retained.

PRF-M features:

- **Further survey required to assess potential maternity use, either as a Bat Aerial Inspection and/or Emergence Survey Condition of the trees or early season NWS.**
- **Mitigation/licensing may be needed depending on findings.**
- **Lighting controls essential to avoid roost disturbance.**

PRF-I features:

- **No further survey required under current guidance.**
- **Compensation (e.g., bat boxes) is mandatory for any lost trees, to maintain ecological function.**
- **Lighting strategy must still protect potential roosting and commuting habitat.**

22. To provide up to date information on the three PRF-M trees, an updated ground level tree assessment was completed on 4 March 2026. The condition of the trees remains unchanged from the survey conducted in July 2024. All three trees contain multiple Potential Roosting Features (PRFs) including knot, rot and woodpecker holes, wounds, fissures and cracks, fluting, broken limbs, and trunk hollows.

23. As recommended by Herts Ecology, an aerial inspection via tree-climbing survey will be undertaken on 9 March 2026. The survey will be completed by two certified tree climbers acting as accredited agents under a licensed bat worker. The results of the survey will be provided in a Bat Tree Note and will clarify the suitability of the identified features and determine whether bats are roosting within the PRF-M trees. The survey will also inform the requirement for any further spring survey effort, if necessary.

24. The PRF-M trees are located along the site boundaries and are largely separated from the core development area. The tree on the north-west site boundary is located approximately 30m from the proposed access road and main development area, whilst the tree along the northeast site boundary is approximately 50m from the main development footprint. The PRF-M tree on the eastern boundary is located approximately 12m from the core of the proposed development; however, this feature is situated within a boundary corridor of scrub that will be retained and protected. Regardless of whether bats are confirmed to be roosting within these trees, they will remain unaffected by the proposed development as they will not be subject to felling and will be retained within existing boundary habitats.

25. External lighting within the proposed development will be designed to remain minimal along site boundaries and known commuting corridors so that illumination levels do not significantly increase within these areas. This will ensure that the retained trees and boundary vegetation continue to function as suitable commuting and foraging routes for bats. In addition, existing scrub belts that currently fragment the grassland fields will be retained and enhanced. The establishment of a central footpath/clearance corridor within the scrub will also create additional foraging corridors, which is likely to provide further opportunities for bats and maintain connectivity throughout the site.
26. Should any PRF-M or PRF-I trees be removed in the future, that are not currently scheduled for felling, they will be subject to further survey as detailed above. Suitable compensation will be provided for any trees lost. If found to support a bat roost, the destruction or disturbance of the roost would only occur following appropriate licences have been obtained. Compensation would be provided via the provision of alternative roost sites.

Biodiversity Net Gain

The Amended Ecology Report reports a loss of -33.97% of Area Biodiversity Habitat Units from pre- to post-development, however, the BNG Assessment reports a loss of -36.37%. -36.37% reflects the score within the submitted Statutory Biodiversity Metric.

27. This discrepancy is acknowledged. The Ecological Assessment (12195.EcoA.vf3) failed to update the revised BNG calculations. This error has been rectified in the updated Ecological Assessment (12195.EcoA.vf4).

The Amended BNG Assessment report is based on the Landscape Master Plan P24-2420-EN-08 (Appendix 1). The plan in Appendix 1 differs from the Outline Amended Master Plan submitted with the application (P24-2420-EN-08D), notably with respect to the number and location of parcels of woodland and the location/area of the orchard in the north of the site.

28. The BNG assessment and report have been updated using the current 'Illustrative Landscape Masterplan' (DWG: P24-2420_EN_08E, 03/03/2026). This plan differs from the drawing mentioned above (P24-2420-EN-08D, the reasons for which are set out below in relation to the comments on woodland like-for-like replacement).

The Amended BNG Assessment report states the biodiversity units required to satisfy trading rules total 51.36 habitat units, however, the submitted Biodiversity Statutory Metric says 55.6 units are required.

Amendment of the BNG Assessment report is required to the submitted landscape plan and to the metric. As such, the BNG Assessment report is not credible.

29. This statement is not entirely accurate. Whilst the Statutory Biodiversity Metric does state 55.6 units on the 'Headline Results' page, this figure relates to the units required to achieve a 10% biodiversity net gain rather than the number of units required to satisfy trading rules, as implied by Herts Ecology. Fewer units were required solely to meet the trading rules, as the previous BNG Report details. However, by securing 55.6 units, the proposed development will satisfy the relevant trading rules whilst also achieving the required 10% biodiversity net gain.

30. The BNG assessment has since updated to the current Illustrative Landscape Masterplan (see 12195.BNGReport.vf3). The biodiversity units required to satisfy trading rules now total 54.70 habitat units with 56.90 habitat units required to achieve 10% net gain.

Previous objections have been satisfied: Statutory Metric Calculation Tool spreadsheet has been submitted; all ancient and veteran trees have been recorded within the biodiversity metric tool and marked as an irreplaceable habitat; and a scale bar has been included on the maps.

However, the report and metric fails to provide how no net loss and 10% net gain will be achieved. No deliverable strategy has been provided. Where off-site units are to be provided, they must be included in the metric for outline planning applications.

The report provides pre-development, post-development biodiversity values and given on-site proposals are insufficient, the number of off-site units required. However, off-site units must be added to the metric.

If relying on off site BNG, the application must include:

- The location of off site land,
- The units generated,
- Habitat types, target condition, area (ha),
- Spatial/strategic multipliers,
- Evidence that off site delivery can be secured for 30 years,
- Usually through a draft Section 106 or Conservation Covenant.

31. There appears to be some confusion as to the adopted BNG offsetting strategy and further detail has been provided at paragraph 4.4.2 in the updated BNG Report (12195.BNGReport.vf3). The comments above seem to imply that the proposed development is sourcing off-site land parcels and enhancing these and as such, requests that this information be provided within the off-site aspects of the Statutory Biodiversity Metric Calculation Tool.
32. The applicant does not have any off-site land available to offset the proposed development and is, therefore, exploring options to purchase the required biodiversity units from the private market (i.e. a habitat bank). As this process is ongoing, the location of any off-site units has not yet been determined and, consequently, the strategic significance values cannot currently be defined within the metric. In addition, the specific habitat types and areas that may be required when purchasing the units remain uncertain given the outline nature of the planning application. Accordingly, details of off-site compensation cannot yet be provided within the off-site section of the metric. The updated metric (12195.StatutoryBiodiversityMetricCalculationTool.vf3) therefore does not include this information. The required off-site biodiversity units will be secured and confirmed upon discharge of the Biodiversity Gain Plan condition, prior to the commencement of development.

The report notes the woodland has been classified as "Priority Habitat Inventory: Deciduous Woodland", and is therefore recognised as a Priority Habitat under Section 41 of the NERC Act (2006). Priority Habitats are treated as high distinctiveness habitats, meaning Loss must be compensated "like for like" under the metric and that Development must avoid impacts first, then minimise, then compensate only as a last resort.

The Amended Ecology Report states that woodland present to the southeast of the site is priority deciduous woodland, a habitat of Principle Importance under Section 41 of the NERC Act 2006. This habitat is to be retained in its entirety and the proposed built form is to be offset from this habitat by a minimum of 15m to ensure no conflicts with RPAs." However, the Amended BNG Report states that "Woodland will be largely retained within the development with a small section removed to facilitate the establishment of a woodland footpath."

The Amended Ecology Report fails to assess the loss of this habitat and mitigate / compensate through the mitigation hierarchy. The report must justify why it cannot be avoided. It is recommended that the footpath resulting in habitat loss is re-aligned to avoid the woodland, or otherwise its loss must be justified through the mitigation hierarchy.

In applying the mitigation hierarchy, in accordance with the CIRIA, CIEEM and IEMA principles of good practice to achieve Biodiversity Net Gain, avoidance of the loss of Priority Habitat woodland should be first considered, such as realignment of the footpath, before considering offsetting.

The following are required prior to approval:

- Evidence of off site options (location, units, legal mechanism)
- Only if necessary, justification for statutory credits and accurate shortfall figures
- Confirmation that trading rules will be satisfied through the revised proposals
- An outline but credible BNG delivery strategy

It is concluded to reject the application on the grounds that the BNG calculations are not credible and not in accordance with the Principles of BNG, and therefore the proposal fails to demonstrate deliverable net gain.

The applicant must explicitly state whether the development will be subject to the biodiversity gain condition.

33. The BNG assessment has been updated based on the most recent landscape proposals. The BNG assessment follows the Biodiversity Gain hierarchy; off-site land was first sought to offset on-site losses and with this not being possible, the applicant will purchase the required biodiversity units to achieve 10% net gain and satisfy all trading rules via a private habitat bank. The footpath proposed through the southeast woodland has also been removed and all woodland is now retained as part of the proposed development. The proposed development clearly demonstrates deliverable biodiversity net gain.

Recommended Condition Wording

34. In order to ensure that the Local Planning Authority has the confidence that appropriate safeguards and mitigation measures are delivered it is recommended that the following conditions are attached to the outline planning permission.

Construction Ecological Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

- 1. A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Assessment by Ecology Solutions (Nov 2025)).**
- 2. Risk assessment of potentially damaging construction activities.**
- 3. Identification of 'biodiversity protection zones'.**
- 4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.**
- 5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).**
- 6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;**
- 7. The times during construction when specialist ecologists need to be present on site to oversee works.**
- 8. Responsible persons and lines of communication.**
- 9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent.**

The CEMP shall also include details of the mitigation proposed in the November 2025 Ecological Assessment for protected species, including breeding bird mitigation if required following the completed breeding bird surveys and GCN Non-Licensed Method Statement.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Breeding Bird Survey

A) No development shall commence until a final breeding bird survey / updated set of breeding bird surveys has been undertaken by a suitably qualified and experienced ecologist. A written report shall be produced by the ecologist and submitted to the Local Planning Authority summarising the survey results and setting out appropriate mitigation measures.

B) Any application for approval of Reserved Matters submitted pursuant to part (a) shall demonstrate how the findings and recommendations of the breeding bird survey report have been addressed by the Reserved Matters application.

Conclusion

35. The responses received from Herts Ecology have been addressed within this note. The Ecological Assessment, BNG Report and accompanying Statutory Biodiversity Metric have been updated accordingly. Clarification has been provided with regard to bats, breeding birds and Great Crested Newts. It has been demonstrated how protected species will be maintained at a favourable conservation status. On the current evidence, it is considered that there is no ecological reason why the site could not come forward for development.
36. The applicant also considers the proposed planning conditions suitable for the development and has recommended amendments / additional conditions to provide the Local Planning Authority confidence that appropriate safeguards and mitigation measures are implemented where necessary. These include the provision of a CEMP, pre-commencement Badger survey, Species Enhancement Plan, Biodiversity Gain Plan and Habitat Management and Monitoring Plan.

Ecology Solutions

March 2026