

**SMALLFORD WORKS,
SMALLFORD LANE, SMALLFORD, NEAR ST ALBANS,
HERTFORDSHIRE, AL4 0SA**

PROJECT NUMBER 1005

**PLANNING APPLICATION PUBLIC INQUIRY
16-19 MARCH 2021**

The site has been visited by an ecologist over a number of years, and the last report produced in June 2019. During visits adjacent land was assessed for potential impacts.

The conclusions of the submitted Preliminary Ecological Appraisal were as follows:

'The Site is ecologically very poor; there are no on-site features which require protection or mitigation. Potential impacts on boundary features can be minimised or mitigated. Currently, no significant or major impacts are expected from this development and these proposals can be said to conform to the NPPF by the re-use of previously developed land.'

These conclusions remain true. The survey and report are in date (June 2019) and should still be considered valid.

The site is currently ecologically very poor due to its continued use for industrial and commercial purposes; there are no on-site features which require protection or mitigation. The boundary vegetation is to be retained and enhanced where possible. The Council's assertion that the new access would result in the loss of some trees is now moot given that this has been delivered under an earlier planning permission (these trees were assessed for bat roost potential in an earlier ecological survey and found not to be of ecological importance).

Whilst acknowledged that there is the potential for increased recreational use of the adjacent Local Wildlife Site (LoWS) as a result of the development, this would be confined to use of the well-defined paths through the site. This is due to the restrictions that are in place e.g. no sitting, playing etc. linked to the gas risk (see signage image at Appendix T). This limited use would also reduce the likely quantum of users to just those passing through to Alban Way or Colney Heath Lane (which is where the footpaths in the LoWS link to). It is likely that the Hertfordshire County Council (HCC) ecologist made his comments without the benefit of a site visit, and has not fully appreciated this restricted use. The restricted access can clearly be seen from a site visit and aerial photographs, where footpaths are clearly very worn whilst land beyond these is not.

The records provided by HCC in its consultation response are well in excess of 1 km from the site; there are 2 records with not very accurate grid references (only accurate to 1 km). Both records date from the early 1980s and for the purposes of informing work now, can be discarded as too old. Normally any water bodies within about 250m of a potential Great Crested Newt pond would be surveyed. The fishing lakes are just over 50m away at their nearest point; another pond within the LoWS is in excess of 300m away and can be discounted. Fishing lakes are not usually considered to be good amphibian habitat as the fish eat their eggs, which reduces the likelihood of them being

present close to the site. The site itself has nil Great Crested Newt habitat and therefore there are nil potential impacts on Great Crested Newt habitat or animals from the site development. Therefore, there are no predicted impacts, even if they are present nearby.

Potential impacts are limited to recreational use of the LoWS, which, as stated above, are already reduced by the existing restricted use of that site. On-site 'avoidance' measures are unrealistic due to:

- a) the size of appeal site;
- b) the immediate proximity of the LoWS; and
- c) that expected users will predominantly be through-walkers due to the existing restrictions of use of the LoWS.

This in itself limits impacts from the development but can be further mitigated by the following measures:

- ▶ a financial contribution to further enhance signage for the restricted use of the LoWS (including interpretation boards if required).
- ▶ Enhancement of footpaths to deter people diverting from these.
- ▶ Provision of information packs to each new dwelling explaining the restricted access to the LoWS and the reasons for it.
- ▶ And/or payment to a local sports club to encourage use of provided pitches also to deter people from using the grassland instead.

Whilst there is not anticipated any necessity for one, should the Council maintain concerns on the integrity of GCN habitats then a suitably worded condition to require surveying could be imposed on the planning permission. The appellant is yet to receive copy of the draft conditions from the Council and I reserve the right to comment on the suitability of any of these, if required.



Jacqui Green
Green Environmental Consultants Limited
16 February 2021