

Hertsmere Borough Council's
Local Development Framework

Biodiversity, Trees and Landscape Draft
Supplementary Planning Document

Statement of Consultation

December 2010

Introduction

The following statement sets out those persons and stakeholders who have been consulted in the preparation of the draft Hertsmere Borough Council Local Development Framework Biodiversity, Trees and Landscape Supplementary Planning Document (the SPD). The statement establishes how those persons were consulted, a summary of the issues raised and how those issues have been addressed in the SPD.

This statement has been produced in accordance with Regulation 17(1)(b) of The Town and Country Planning (Local Development)(England) Regulations 2004 (as amended).

The individuals and organisations consulted during the preparation of the draft SPD are listed and a summary of the main issues raised and how these have been addressed in the draft SPD published for consultation on 14th May 2010 is given.

All consultation has been carried out in accordance with the Council's Statement of Community Involvement, which was adopted in September 2006.

Pre Consultation

Prior to public consultation a draft copy of the SPD was circulated to Hertfordshire Biological Records Centre.

The main issue raised was that the checklist needed amending as it only referred to whether there was a known presence of protected species on the site. It was argued that the emphasis of the checklist should focus on determining *if* a protected species is at risk from the development, even if there are no records of their presence on site. Therefore, generic questions on the type of development, habitats involved (such as the type of building, age, structure, roof space, plus hedges, trees, woodland, scrub, rough and bare ground, ponds, lakes, rivers) need to be asked by the LPA.

The checklist was amended to ask potential applicants if there was a type of habitat on the site and that would indicate whether it would be likely that a protected species would be present.

Executive Meeting 14th October 2009

Details of the draft SPD were reported to Council's Executive on 14th October 2009 (see report EX/09/79). It was explained that the purpose of the SPD is to inform planners, developers and landowners about the possible negative effects of development on protected species, habitats and trees and to offer advice on the best practice approaches to minimise these effects. The Executive welcomed the document and resolved that, subject to the

delegation of any minor amendments in consultation with the Interim Head of Planning and Building Control and the Portfolio Holder for Housing and Planning, the contents of the draft Biodiversity, Trees and Landscape Supplementary Planning Document be endorsed for public consultation in accordance with Regulations 17 and 18 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended).

Stage 1: Consultation

Stage one of the public consultation for the Biodiversity, Trees and Landscape SPD was undertaken ran from 14th May 2010 to 25th June 2010. A total of 175 stakeholders were notified of the consultation by letter, these stakeholders are set out in Appendix 1.

Representations received under Regulation 18

A total of 11 representations were received from a mixture of statutory consultees, planning consultants and one local resident. A summary of the issues can be found in appendix 2.

Stage 2: Consultation

In accordance with regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), the Draft SPD, Consultation Statement and the Statement of Matters and Fact were made available for public consultation between 11th October and 22nd November. Copies were made available for inspection at the five public libraries, the two area offices in Radlett and Bushey, and the Civic Offices in Elstree Way, Borehamwood. The documents were also available electronically through the Hertsmere Borough Council website.

As this stage of the consultation was undertaken at the same time as consultations on the draft Planning Obligations SPD and revisions to the Parking Standards SPD, a joint Statement of Matters and Fact was placed in the local papers serving Hertsmere (the Watford Observer, Welwyn and Hatfield Times (Potters Bar), Borehamwood Times and the Herts Advertiser) for the week commencing 7th October 2010.

Representations received under Regulation 18

No further representations were received through the further consultation period.

Adoption

A summary of the results of the public consultation were reported to the Council's Executive on 8th December 2010 (report reference EX/10/56).

The Executive resolved to adopt the Supplementary Planning Document as part of the Hertsmere Local Development Framework from 8th December 2010 subject to any minor amendments to be agreed in consultation with the Portfolio Holder for Planning and Transportation. As such, all planning

applications registered on or after 20th December 2010 will be determined in accordance with the adopted Planning Obligations SPD.

Appendix 1: Schedule of Individuals/Organisations

Consultee	Address
Libraries	
Borehamwood Library	161, Elstree Way, Borehamwood, Herts, WD6 1JX.
Bushey Library - Community Information	Sparrows Herne, Bushey, Herts, WD23 1FA.
Radlett Library	Aldenham Avenue, Radlett, Herts, WD7 8HL.
Oakmere Library	High Street, Potters Bar, Herts, EN6 5BZ
Middlesex University Library	Bounds Green Road, London, N11 2NQ
Cranborne Library	Mutton Lane, Potters Bar, Herts, EN6 3AA.
Hertfordshire County Library	County Hall, Pegs Lane, Hertford, Herts, SG13 8EG.
Local Studies Library	Register Office Block, County Hall, Hertford, Herts, SG13 8EJ.
The British Library	Legal Deposit Office, Boston Spa, Wetherby, LS23 7BY.
Statutory Consultees	
DEFRA	Eastbury House, 30 – 34, Albert Embankment, London, SE1 7TL
British Waterways Board	64 Clarendon Road, Watford, Herts, WD17 1DA
Natural England (Four Counties Gov Team)	Harbour House, Hythe Quay, Colchester, Essex, CO2 8JF
Herts & Middlesex Wildlife Trust	St Michael's Street, St Albans, Herts, AL3 4SN.
Natural England	Shaftesbury Road, Cambridge, CB2 8DR.
Environment Agency	Bishops Square Business Park, Hatfield, Hertfordshire, AL10 9EX

Highways Agency	Manton Lane, Bedford, MK41 7LW
Government Office for the East of England	Shaftesbury Road, Cambridge, CB2 2DF
East of England Development Agency	Station Road, Histon, Cambs, CB24 9LQ.
English Heritage (East of England Region)	Brooklands, 24 Brooklands Avenue, Cambridge, Cambs, CB2 8BU.
East of England Regional Assembly	Flempton House, Flempton, Bury St. Edmunds, Suffolk, IP28 6EG.
The Forestry Commission	East England Conservancy, Santon Downham, Brandon, Suffolk, IP27 0TJ.
English Nature - Essex Herts & London Team	Harbour House, Hythe Quay, Colchester, Essex, C02 8JF.
Herts Biological Records Centre	County Hall Pegs Lane, Hertford, Herts, SG13 8DN.
Local Authorities	
Broxbourne Borough Council	Bishops College, Churchgate, Cheshunt, Herts, EN8 9XB
Dacorum Borough Council	Civic Centre, Hemel Hempstead, Herts, HP1 1HH
East Herts District Council	Wallfields, Pegs Lane, Hertford, Herts, SG13 8EQ
Hertfordshire County Council	County Hall, Pegs Lane, Hertford, Herts, SG13 8DN.
HCC Highways House	Highways House, 41-45 Broadwater Road, Welwyn Garden City, Herts, AL7 3SP.
Barnet London Borough	Barnet House, 1255 High Road, Whetstone, London, N20 0EJ
London Borough of Enfield	Civic Centre, Silver Street, PO Box 53, Enfield, Middx, EN1 3XE.
London Borough of Harrow	PO Box 37, Civic Centre, Harrow, Middlesex, HA1 2UY.

North Hertfordshire District Council	The Council Offices, Gernon Road, Letchworth Garden City, Herts, SG6 3JF
St Albans City & District Council	Civic Centre, St Peters Street, St Albans, Herts, AL1 3JE
Stevenage Borough Council	Daneshill House, Danestrete, Stevenage, Herts, SG1 1HN.
Three Rivers District Council	Three Rivers House, Northway, Rickmansworth, Herts, WD3 1RL.
Watford Borough Council	Town Hall, Watford, Herts, WD17 3EX.
Greater London Authority	City Hall, The Queen's Walk, London, SE1 2AA.
Welwyn Hatfield District Council	Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE
Parish Councils	
Watford Rural Parish Council	Parish Council Offices, Oxhey Drive, Watford, Herts, WD19 7SB.
Shenley Parish Council	Greenlands, Wood End, Ardeley, SG2 7AZ.
Aldenham Parish Council	Council Offices, 1 Aldenham Avenue, Radlett, Herts, WD7 8HL.
Elstree & Borehamwood Town Council	Fairway Hall, Brook Close, Borehamwood, Herts, WD6 5BT
Parish of Bushey	Trinity House, 466 Bushey Mill Lane, Bushey, Herts, WD2 2AS
Colney Heath Parish Council	94 Tollgate Road, Colney Heath, St Albans, Herts, AL4 0PY.
North Mymms Parish Council	The Council Office, Bushwood Close, Welham Green, Hatfield, Herts
London Colney Parish Council	131 High Street, London Colney, Herts, AL2 1RJ.
Other Local Consultees	
Bushey Museum	Rudolph Road, Bushey, Herts, WD23 3HW.

Local Interest Groups	
Potters Bar Society	37 Ladbrooke Drive, Potters Bar, Herts, EN6 1QR.
Potters Bar Society	86 The Walk, Potters Bar, Herts, EN6 1QF
The Potters Bar Society & PBIF	9, Hill Rise, Potters Bar, Herts, EN6 2RX.
North Bushey Residents Group	105, Mead Way, Bushey, Herts, WD23 2DJ
Friends of Fishers Field	50 Bendysh Road, Bushey, Herts, WD23 2HY
Bushey Residents Action Group	12 Silverdale Road, Bushey, Herts, WD23 2LZ
The Radlett Society and Green Belt Association	123 Newberry Avenue, Radlett Hertfordshire, WD7 7EN
Swanland Road Residents' Group	Montbretia, 5 Swanland Road North Mymms, Hatfield, Herts, AL9 7TG
Letchmore Heath Village Trust	1 Leaper Cottages, The Green, Letchmore Heath, Herts, WD25 8ES
North Mymms District Green Belt	19 Swanley Bar Lane, Potters Bar Herts, EN6 1WA.
Heath-ways Residents Association	23 Heath Road, Potters Bar Hertfordshire, EN6 1LW
Aldenham Sailing Club	4 Warren road, Bushey Heath, Herts, WD23 1HT
BASE	23 Williams Way Radlett, Herts, WD7 7HA
WHOSE!	36 Carrington Ave Borehamwood, Herts, WD6 2HA
WHOSE!	30 Carrington Avenue Borehamwood, Herts, WD6 2HA
Patchetts Green Bridleways Trust	White House, Green Street Shenley, Hertfordshire, WD7 9BA

Patchetts Green, Roundbush and Aldenham Conservation Society	Delrow School Aldenham, Herts, WD25 8DG
Shenley Village Society	1 Black Lion Hill Shenley, Herts, WD7 9DE
Elstree and Borehamwood Green Belt Society	2 Nicholas Close Elstree, Herts, WD6 3EW
The Bushey Forum	1 Dunsmore Way Bushey, Herts, WD23 4FA
Bushey Residents Action Group	Argosy, The Avenue, Bushey, Herts, WD2 2LL
The Ridgeway Road Association	25 The Ridgeway Radlett, Herts, WD7 8PY
Cherry Tree Lane Green Belt Protection Group	9 Mimms Hall Road Potters Bar, Herts, EN6 3BY
Save the Green Belt Association	7 Paynesfield Road Bushey Heath, Herts, WD2 1PQ
Merry Hill Residents Association	41 Merry Hill Mount Bushey, Herts, WD23 1DJ
Manor Court Residents Association	5 Manor Court, Common Lane, Radlett, Herts, WD7 8PU
Bushey in Balance Residents Group	37 Silverdale Road, Bushey, Herts, WD2 2LY
South Mimms & Ridge Protection Committee	The White House, Greyhound Lane South Mimms, Herts, EN6 3NX
Oxhey Village Environment Group	45 Lower Paddock Road, Oxhey Village, Watford, Herts, WD19 4DU
Other interest groups	
Home Builders Federation	Bryon House, 7 St James's Street, London, Greater London, SW1A 1DW
Countryside Management Service	Blanche Farm Buildings, Blanche Lane, Potters Bar, Herts, EN6 3LF
Hadley Wood Assoc. Council	1-7 Crescent East, Hadley Wood Barnet, Herts, EN4 0EL

The London Green Belt Council	Pages Farm House, Dagger Lane Elstree, Herts, WD6 3AF
RAID Residents Against Inappropriate Development	Bentley Heath Farm (office), Bentley Heath Lane, Bentley Heath, Herts, EN6 4RY
CPRE The Hertfordshire Society	31a Church Street Welwyn, Herts, AL6 9LW
CPRE Herts	59 Birch Grove, Potters Bar, Herts, EN6 1SY
Mymmsmead Land Trust	Stonewall, Danegate, Eridge Green, Tunbridge Wells, TN3 9HX
Mymmsmead Land Trust	The Thatched Cottage, Telegraph St Shroton, Blandford, DT11 8QQ
London Essex and Hertfordshire Amphibian & Reptile Trust	67a Ridgeway Ave, East Barnet Herts, EN4 8TL
The Woodland Trust	The Woodland Trust Policy Office 13 Redston Road, London, N8 7HR
RSPB	Stalham House, 65 Thorpe Road Norwich, NR1 1UD
Barnet Friends of The Earth	51 The Drive, Barnet Herts, EN5 4JG
Friends of the Earth	143 Ridge Road, Watford Herts, WD17 4SU
Hertfordshire Friends of the Earth	143 Ridge Lane, Watford, Herts, WD17 4SU
The Ramblers' Association	12 Woodlands Road, Bushey Herts, WD2 2LR
Open Spaces Society	12 Woodlands Road Bushey, Herts, WD23 2LR
National Farmers Union	Berkhamsted Road, Hemel Hempstead, Herts, HP1 2SQ
Housing Associations	
William Sutton HA	12 Elstree Way, Borehamwood, Herts, WD6 1JE

John Grooms Housing Association	50 Scrutton Street, London, EC2A 4XQ
Aldwyck Housing Association Ltd	6 Houghton Hall Business Park Porz Avenue, Houghton Regis Bedfordshire, LU5 5UZ
Sanctuary Housing Association	Collier House, Mead Lane Hertford, SG13 7RF
Ridgehill Housing Association	12 Elstree Way, Borehamwood, Herts, WD6 1JE
George Wimpey Strategic Land	10 Great Calcroft, Pershore Worcs, WR10 1QS
Planning Consultants/developers	
Millard Architects	14 Williams Way, Radlett Herts, WD7 7EZ
David Russell Associates	Old Exchange House, Manford Road Wheathampstead, Herts, AL4 8AY
Bidwells Property Consultants	Bidwell House, Trumpington Road Cambridge, CB2 2LD
MVM Planning	Ropemaker Court, 12 Lower Park Road, Bristol, BS1 5BN
Barton Willmore Planning Partnership	3360 The Pentagon, Century Way Thorpe Park, Leeds, LS15 8ZB
McGuire Architecture & Design	43 London Road, Shenley Herts, WD7 9ER
Preston Bennett Partnership	37-41 Church Road Stanmore, Middx, HA7 4AW
Wakelin Associates	The Old School House, Bridge Road Kings Langley, Herts, WD4 8RQ
Peacock and Smith	9C Joseph's Well, Hanover Walk Leeds, LS3 1AB
Carter Jonas	6-8 Hills Road, Cambridge Cambridgeshire, CB2 1NH
Development Planning Partnership	21 The Crescent, Bedford Bedfordshire, MK40 2RT

DLA Town Planning Ltd	3 College Street St Albans, Herts, AL3 4PW
Barratt Homes Limited, North London	Barratt Homes Limited, Barratt North London, Barratt House Watford, Herts, WD17 2AF
Wimpey Homes	26-28 Hammersmith Grove London, W6 7EN
Scott Wilson	Scott House, Basing View Basingstoke, Hants, RG21 4JG
Jarvis Homes	212 Station Road, Harpenden Herts, AL5 4EH
Terrence O'Rourke	Everdene House, Wessex Fields Deansleigh Road, Bournemouth Dorset, BH7 7DU
Michael Shanly Homes	Sorbon, Aylesbury End Beaconsfield, Bucks, HP9 1LW
KJD Solicitors	Churchill House, Regent Road Hanley, Stoke on Trent, ST1 3RQ
Robson Planning Consultancy	41 Fitzjohns Avenue, Barnet Herts, EN5 2HN
Bellway Homes Ltd.	Oak House, Dencora Business Park Breckland, Linford Wood Milton Keynes, MK14 6EY
Indigo Planning Ltd.	Swan Court, Worple Road London, SW19 4JS
Bellway Homes North London Division	Bellway House, Bury Street Ruislip, Middlesex, HA4 7SD
Redrow Homes (Eastern) Ltd.	2 Aurum Court, Sylvan way Southfields Business Park, Laidon, Basildon, Essex, SS15 6TU
Shire Consulting	8 Spicer Street, St Albans Herts, AL3 4PQ
Nathaniel Lichfield & Partners	Regent's Wharf, 14 All Saints Street London, N1 9RL

Leith planning LTD	13 South Clifton Street Lytham, Lancashire, FY8 5HN
CGMS	Morely House, 26 Holborn viaduct London, EC1A2AT
Persona Associates	West Point, Springfield Road Horsham, West Sussex, RH12 2PD
Internal	
Hertsmere Borough Council (Environmental Health Dpt)	Civic Offices, Elstree Way, Borehamwood, Hertfordshire, WD6 1WA
Hertsmere Borough Council Parks and Amenities Officer	Civic Offices, Elstree Way, Borehamwood, Hertfordshire, WD6 1WA
Hertsmere Borough Council	Bushey Area Office, Bushey Centre High Street, Bushey, Herts, WD23 1TT
Other	
Gristwood and Toms Limited	Harris Lane, Shenley Herts, WD7 9EG
Urban Forestry	Bedmond Bungalow, Bedmond Road Abbots Langley, Herts, WD5 0RP
Bartletts Tree Experts	Shenley Lodge Farm, Risgehill Shenley, Herts, WD7 9BG
Marishal Thompson Group	Greensfield Court, Greensfield Estate Alnwick, Northumberland, NE66 2DE

Appendix 2: Schedule of representations

<u>Submitter</u>	<u>Comments</u>	<u>Response</u>	<u>Changed text</u>
Natural England Planning and Conservation Advisor	General – Highly supportive of Hertsmere’s approach to biodiversity, the documents provide applicants with a clear and suitably comprehensive guide to considering biodiversity throughout the planning process.	- None required	No
	Part B – Para 2.9 EIA should also be requested if the cumulative impact (when assessed with other developments) may detrimentally affect the natural environment (e.g. air quality). - Landscape concerns should also warrant an EIA. Landscape character can be detrimentally affected by changes to biodiversity. Landscape character should be assessed in terms of flora and fauna that may be typically associated with a landscape character.	- To keep this part of the SPD focussed, this will not be included. Other guidance should provide and exhaustive list. - Landscape character has been added. This tied in with the forthcoming part E: Landscape.	No No
	Para 2.12 - Pleased with the emphasis that Ecologist should be IEEM qualified.	- None required.	-
	Para 2.13 – Mention that surveys should be completed according best practice guidelines (e.g. Bat Conservation Trusts Bat Surveys Good Practice Guidelines 2007).	- The preceding paragraph emphasises the need for an expert. These experts will complete surveys to best practice guidelines.	No
	Para 2.14 – Attention should be drawn to IUCN Red List species. Compensation and enhancement measures may be required as well as mitigation.	- Added compensation and enhancement measures. Added IUCN red list species.	Yes
	Para 2.15 – Agreement regarding Ecological survey should not be conditioned as part of planning permission.	- None required.	No
	Para 2.17 – Where protected species are present mitigation measures could involve a watching brief and destructive searches.	- An ecologist will provide a full list of mitigation measures.	No
	Page 13 – Heathland restoration plans have Natural England’s support.	- None required.	No
	Para 6.4 - Badger latrines are also a sign to watch out for when surveying.	- Changes last bullet point to badger latrines.	Yes
	Page 18 (further information box) – Include English Nature’s Bat Mitigation Guidelines.	- Already provided guidance and referenced English Natures website for further information.	No

<i>(continued)</i>	Para 6.16 – care should be taken on brownfield sites, which often provide good reptile habitat with plenty of warm places to hide and dense vegetation.	- Added to end of sentence.	Yes
	Para 6.17 – some newts will breed outside April – May. Newts reach the breeding ponds by March and return to land around September. A network of ponds is favourable as well as grazing pasture, semi-natural grassland and woodland for foraging.	- Changed to include when they reach ponds, added 'surrounded by semi-natural grassland'.	Yes
	Part C – Para 1.3 – include health and wellbeing.	- Added.	Yes
	Para 3.3 – Mature trees are more likely to contain bat roosts	- Added 'and are more likely to contain bat roosts' to para 3.4	Yes
	Para 3.8 – Developments affecting woodland would nearly always require a protected species survey as woodlands provide very good foraging habitat for many species.	- Deleted 'may' added nearly always.	Yes
	Para 3.26/3.27 – It is still much better to retain trees rather than compensate. Mature trees support a wide range of species and replacement trees will take some time to reach the same level. Mature trees may contain bat roosts.	- Retention of trees is emphasised as the preference here already.	No
<u>Local resident</u>	General – Much use for a developer in these documents.	-None required	-
	Part A – Para 2.6 – Replace people with those	-Agreed	Yes
	Para 3.10 – Add the word 'it' before includes.	-The sentence reads this Act also includes.	No
	Para 3.13 – Change would to ' will', delete 'as'.	- Would is sufficient. As is deleted.	Yes
	Part C – Para 1.3 to add that trees and landscaping are just as important as the architecture.	- 'Contributing to visual amenity is sufficient'	No
	Para 3.7 – replace 'good' idea with 'necessary'.	- Changed to 'advised that'.	Yes
	Para 3.14 – add 'so' delete 'by the structural engineer'.	- Agreed	Yes
	Page 8 (information box) – add that voids are potential homes for vermin.	-Agreed. Net protects from vermin.	Yes
	Para 3.16 – confusing information with unintended consequences (needs rewording).	-Change to 'if the work has been determined as a part of the planning application'.	Yes
Para 3.19 – change 'maybe' to 'may be', change 'you can show' to 'it can be shown' and 'you stand' to 'there will be'.	-Changed all.	Yes	

	Page 9 information box – delete apostrophe, mention services of root identification which is provided by specialist laboratories, also mention text books which list trees and their root characteristics.	-Apostrophe deleted, Specialist services mentioned. No books to recommend.	Yes Yes No
	Para 3.20 – (7 th bullet point) soakaways and leakup drains attract roots. (9 th bullet point) mention root barriers.	- Yes, added. - Due to limited circumstances in which root barriers can be used it cannot be mentioned here.	Yes No
	Para 3.21 – replace ploughing with digging, delete ‘for’.	- Agreed.	Yes
	Page 10 information box – (3 rd bullet point) replace should with must.	- Agreed.	Yes
	Para 3.22 – Is not clear enough.	- Add ‘in order to show it is acceptable’.	Yes
	Page 11 information box – add ‘that’.	-Agreed.	Yes
	Page 12 – add root barriers as 6 th bullet point.	- No, due to limitations.	No
	Page 12 subtitle – ‘Offsetting’ unclear’.	- BS 5837 explains further.	No
	Para 3.26 – restructuring sentence 2 nd line down. 5 th line down, sentence is unclear.	- Added commas and full stops where necessary.	Yes
	Para 3.27 – arborist or arboriculturalist all though documents. Move ‘will be required’ to after information.	- Arboriculturalist.	Yes
(cont.)	Para 3.27 – Maintenance at the end.	- Agreed.	Yes
	Para 3.31 – tree report needs to be mentioned before, emphasise exchange of reports and designs.	- Put in paragraph 3.31.	Yes
	Para 3.32 – Replace conduct with carryout.	- Agreed.	Yes
	Para 3.34 – Emphasise importance of it.	- Vitally important is emphasis enough.	No
	Para 3.36 – Very good	- No response required.	No
	Para 3.39 – exchange of documents important.	- Agreed.	No
	Para 4.4 – more explicit (delete considered and replace may with will).	- Unreasonable amount of info for every application.	No
	Para 4.6 - Gaseous – air or oxygen?	- Gaseous is more accurate.	No
	Para 4.7 – prescriptive instead of descriptive?	- Descriptive.	No
	Para 4.10 – replace ‘your’ with ‘an’, add ‘should be included’ at the end of sentence.	- Agreed to ‘an’. ‘Please include’ is sufficient.	Yes, no
Para 5.3 – (1 st bullet point) delete a. (2 nd bullet point). Replace restricting with restrictive, restricting.	- Agreed, all changes made.	Yes, yes	

County Council Forward Planning Unit	General – Overall the document is to be commended and is welcomed although the documents lack emphasis on the impact that biodiversity and trees has on climate change matters as per PPS1: supplement.	- None required.	-
	Part A – PPS: Planning for a Low Carbon Future in a Changing Climate and PPS: Planning for a Healthy and Natural Environment which is not acknowledge.	- These are draft PPS and at risk form not being adopted due to a change in government.	No
	- Building Futures is not mentioned in the other publications.	- Signposted in paragraph 3.35 now.	Yes
	- The Ancient Monuments and Archaeological Areas Act 1979 (Para 14.4) recognises potential impact on disturbing or uprooting trees may have on archaeological remains . Further information can be found at www.heritagegateway.org.uk .	- Referenced in paragraph 3.11.	Yes.
East of England LGA	General – No comment.	-	-
	Part A – Para 3.22 should read ENV5 not ENV6.	- In light of recent government advice, this will be deleted.	Yes initially but deleted
Hertfordshire County Council property	General - No Comments.	- None required	-
Shire Consulting	General – <u>Should not be distracting ourselves from the Core Strategy.</u> - The document is duplicates PPS9 and Circular 06/2005.	- Not relevant to the SPD. (N.B The consultant has been written to separately in response to this and a number of other parts which were considered to go beyond the terms of the consultation itself). - Disagree. The documents offer specific guidance to developers and others on how to include biodiversity and trees throughout the development process which should make the process smoother.	No
	Part A – Para 3.25, does not consider the Core Strategy to enjoy interim development control status.	- Disagree. It has been agreed by members that the Core Strategy should be used for interim development control use.	No

	Part B – Para 2.6 charges act as a deterrent to pre-app negotiations.	- Pre-applications advice can save money by finding solutions to problems before they occur	No
	Para 2.6 requires more information on when the checklist will be required.	-Change line 5 to include ' <i>Where there is a reasonable likelihood of impacts on biodiversity</i> '.	Yes
	Para 2.13 and 2.15 LA should have a positive approach, not unduly delay development through rigid and costly policy regarding ecological surveys throughout the year.	- The previous paragraph states that <i>if</i> an ecological survey is required. Where a survey is required it is likely that there is presence of protected species recorded in which case surveys would have to be carried out in accordance with advice here.	No
	Part C – Para 2.1 details of trees in adjoining land is onerous and will lead to the removal of non-TPO trees before the submission of an application.	- This is in accordance with BS 5837. In reality, it would be difficult to cut down trees adjacent to the site if it is not owned by the developer. Developers are already free to cut non TPO's on site before the submission of an application.	No
	Para 3.11 requirement of structural engineer to test subsidence is onerous and deviates from town planning legislation and duplicates Building regulations.	- This is standard practice <u>if</u> there is a risk of subsidence and Heave.	No
	Para 3.17 it may difficult for the Council to make a judgement regarding applications to TPO trees and planning applications received and/or anticipated.	-The words <i>can</i> and <i>should</i> indicate this and this is a stated 'best practice' preference to make developments more smooth anyway.	No
	Para 4.4 'other requirements' are unnecessarily onerous and excessive for non-TPO trees. And will result in the removal of non-TPO trees.	- The wording states that other requirements <u>may</u> be needed in some situations. Therefore, other requirements offers useful advice where trees are on site.	No
	Part D – Para 2.4 –support the objective of making TPO register available online.	None required.	No
	Para 4.2 - disagree that it is rarely necessary to protect trees on public land.	- Disagree. Trees on public land are owned by HCC, and are not capable of being cut down without notifying the council.	No

<p>English Heritage</p>	<p>General - you may wish to consider including references to the need to protect below ground archaeology when considering suitable locations for tree planting. Also acknowledge the contribution of trees to the historic townscape.</p>	<p>- Already added Ancient Monuments and Archaeological Areas Act 1979(Para 14.4) to part A. Emphasis on visual amenity regarding trees is present throughout part C.</p>	<p>No</p>
<p>Shire Consulting (On behalf of Aldenham School Charity)</p>	<p>General – Question the need for such a lengthy document which duplicates Circular 06/2005 and PPS9.</p>	<p>- Disagree. The documents offer specific guidance to developers and others on how to include biodiversity and trees throughout the development process which should make the process smoother.</p>	<p>No</p>
	<p>Part A – Para 3.25 Contests the Core Strategy status.</p>	<p>- Disagree. It has been agreed by members that the Core Strategy should be used for interim development control use.</p>	<p>No</p>
	<p>Part B – Para 2.6 introduction of charges for meetings is deterrent to pre-application discussions.</p>	<p>- Pre-applications advice can save money by finding solutions to problems before they occur.</p>	<p>No</p>
	<p>Para 2.6 – clarify need for checklist as rare rather than as drafted which looks to mean with every application.</p>	<p>-Change line to include '<i>Where there is a reasonable likelihood of impacts on biodiversity</i>'.</p>	<p>Yes</p>
	<p>Para 2.13 & 2.15 – L.A should have a positive approach, not unduly delay development through rigid and costly policy regarding ecological surveys. Ecologic surveys should be allowed to be added as a condition rather than refuse the application.</p>	<p>- The previous paragraph states that <i>if</i> an ecologic survey is required. Where a survey is required it is likely that there is presence of protected species recorded in which case surveys would have to be carried out in accordance with advice here.</p>	<p>No</p>
	<p>Part C – Para 2.1 details of trees in adjoining land is a waste of resources and will lead to the removal of non-TPO trees before the submission of an application.</p>	<p>-This is in accordance with BS 5837. In reality, it would be difficult to cut down trees adjacent to the site if it is not owned by the developer. Developers are already free to cut non TPO's on site before the submission of an application.</p>	<p>No</p>
	<p>Para 3.11 requirement of structural engineer to test subsidence is onerous and deviates from town planning legislation and duplicates Building regulations.</p>	<p>-The words <i>can</i> and <i>should</i> indicate this and this is a stated 'best practice' preference to make developments more smooth anyway.</p>	<p>No</p>

	Para 4.4 'other requirements' are unnecessarily onerous and excessive for non-TPO trees. And will result in the removal of non-TPO trees.	- The wording states that other requirement <u>may</u> be needed in some situations. Therefore, other requirements offers useful advice where trees are on site.	No
	Part D – TPO register online is supported.	-None required.	No
Hertfordshire Biological Record Centre Environment, (cont.)	Part A – Para 3.14 – Should contain information regarding European Protected Species (applicable to Hertfordshire = Otter, Great Crested Newt, Bats (all) and Dormouse).	- It is considered that only the European Protected Species applicable to Hertsmere is required.	No
	More emphasis on (para 98-99 of government circular 06/05 that accompanies PPS9) the presence of protected species being ascertained before permission is granted.	- Agreed. Circular 06/05 has been added.	Yes
	Notes the three tests in Circular.	- Encouraged to read the Circular is sufficient	No
	Part B - Para 2.10 – Planning Officers will check through the planning application Add 'if it is considered that there is reasonable likelihood that European Protected Species are present'	- Agreed. Deleted if necessary and added the suggestion.	Yes
Environment Agency	General – Welcome the production of the SPD and clarity that it can provide on the link between development and the positive impact that it can have on biodiversity. The biodiversity document should include reference to the EU Water Framework Directive and the Thames River Basin Management Plan.	- None required.	No
	Part B – Para 2.2 - would like it to reflect the key principles of PPS9 (I, ii, iv, v & vi) to include the principle of restoring and/ or enhancing habitats where possible and require the consideration of alternative sites if development would harm biodiversity.	- Principles relate to plan policies. The principles in para 2.2 of part B relate to the development control process.	No
	Para 2.5 – Support the proposals for habitat enhancement and management forming part of planning applications.	- None required.	-
	Para 2.6 – support the use of wildlife checklist.	- None required.	-
	Para 2.7 – Support the recognition of the importance of wildlife corridors which provide a vital function for the movement and dispersal of species.	- None required.	-

<i>(cont.)</i>	<p>Para 2.17 – Bullet point 2 remove the word particularly, bullet point 3, change to the design of a sustainable drainage system can have benefits in improving water quality, reducing the flood risk and improving habitat, bullet point funding of the management of local wildlife sites is compensation rather than mitigation and is supported but should be placed under the compensation section.</p>	<ul style="list-style-type: none"> - 'Particularly' has been deleted. - Changed as per suggestion 	<p>Yes Yes</p>
	<p>Para 2.20 – is supported.</p>	<ul style="list-style-type: none"> - Removed and placed in para 2.20 	<p>Yes</p>
	<p>Para 2.20 – is supported.</p>	<ul style="list-style-type: none"> - None required 	<p>-</p>
	<p>Para 5.37 – if a wetland site is not designated a wildlife site then it will be difficult to get funding to encourage good management.</p>	<ul style="list-style-type: none"> - Noted. 	<p>-</p>
	<p>Para 5.39 – a) Infers that wetlands need to be restored. This should be supported by specific examples. b) Safeguarding of functional floodplain and land for flood alleviation schemes should follow the principles set in Hertsmere's SFRA, PPS25 and following discussions with the EA and Hertsmere Drainage Engineers. c) Remove 'self righting', although allowing rivers to take a natural course is supported. d) There are rivers in culvert or with weirs and restrictions to flow in Hertsmere. An obvious way to restore wetlands would be to re-naturalise these rivers through development where possible. e) Rivers and wetland are a vitally important resource in Hertsmere. Hertsmere's SFRA principles flood risk objective 2 should be reflected here.</p>	<ul style="list-style-type: none"> - Changed to infer where wetlands need to be restored. - Added signpost to Hertsmere's SFRA. 	<p>No Yes</p>
		<ul style="list-style-type: none"> - Removed. 	<p>Yes</p>
		<ul style="list-style-type: none"> - Rivers are encouraged to follow their natural course is sufficient. 	<p>No</p>
		<ul style="list-style-type: none"> - Signposted to Hertsmere's SFRA above. 	<p>No.</p>
		<ul style="list-style-type: none"> - Artificial as opposed to natural. 	<p>No</p>
	<p>Para 5.42 – The title 'Artificial' may be misleading as many habitats have been created and maintained by human activities</p>	<ul style="list-style-type: none"> - None required. 	<p>No</p>
<p>Para 6.6 – 6.17 Supported.</p>	<ul style="list-style-type: none"> - Agreed. 	<p>Yes</p>	
<p>Para 6.28 – change lochs to lakes.</p>	<ul style="list-style-type: none"> - Agreed. 	<p>Yes</p>	
<p>Appendix B – a) checklist to refer to all rivers (both urban and rural) and includes development within a minimum of 20 m to allow for the recommendations of Hertsmere SFRA and the General Development Procedure Order to be taken account. b) Recommend that the developer is encouraged to contact the EA for development within 20m of a river. c) Space in box 4 is given to the developer to outline specific enhancements proposed for the site.</p>	<ul style="list-style-type: none"> - Agreed. 	<p>Yes</p>	
	<ul style="list-style-type: none"> - Agreed. 	<p>Yes</p>	
	<ul style="list-style-type: none"> - Space has now been provided. 	<p>Yes</p>	

	Appendix D – The location of rivers should be shown.	- The location of rivers is shown in Hertsmere's SFRA.	No
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- Other changes to **Part A**: Owing to the changed status of the Core Strategy from 20th December 2010 all references to the Core Strategy throughout this document must ensure the Core strategy is referred to as the Revised Core Strategy Consultation Draft (December 2011).
 - Paragraph 3.2 Core Strategy changed to Revised Core Strategy Consultation Draft (December 2010). Two more references to the Core Strategy changed to the Revised Core Strategy.
 - Paragraph 3.22 Core Strategy changed to Revised Core Strategy Consultation Draft (December 2010).
 - Paragraph 3.23 Hertsmere Core Strategy changed to Hertsmere Revised core Strategy.

- Other changes to **Part B**: Natural England has reduced the scope of the type of applications that they wish to be consulted on to only those that would likely result in significant impacts. Therefore the following changes are proposed to be made:
 - Paragraph 2.1: 'could cause harm to protected species...' replaces with 'could cause *significant* harm to protected species...'
 - Paragraph 2.18: 'the council will liaise with Natural England on mitigation measures put forward' to 'the Council will liaise with *ecologists at Hertfordshire County* on mitigation measures put forward'.