
Priory Farm Solar Array

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Proof of Evidence: Ecology by Howard Fearn

On behalf of the Applicant: AGR 4 Solar Ltd.



Document Control

Revision	Date	Prepared By	Reviewed / Approved By
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1.0 INTRODUCTION AND SCOPE OF EVIDENCE

1.1 Qualifications and Relevant Experience

1.1.1 My name is Howard Fearn. I am the Director of Avian Ecology Ltd. (“AEL”), an ecological consultancy which currently employs twenty professional ecologists. I founded AEL in 2007, and have been a practicing professional ecologist for twenty-one years.

1.1.2 I have a Master’s degree in Ecology and Environmental Management, and I am a full member of the Chartered Institute of Environmental Management (“CIEEM”).

1.1.3 My project experience is primarily in renewable energy developments, in particular onshore wind and solar energy projects of all scales across the UK.

1.1.4 An AEL colleague produced the Ecological Assessment Report (“EAR”) which accompanied the original planning application (ref 21/03380/FP) in December 2021. I have subsequently become involved following the decision by the Secretary of State (“SoS”) to call-in the planning application for determination.

1.1.5 I am familiar with the Appeal Site and the immediate surrounding area, having made a site visit on 30th June 2023.

1.1.6 The evidence which I have prepared and provide for this appeal in this Proof of Evidence (“PoE”) is true and I confirm that the opinions expressed are my true and professional opinions. My professional fees in respect of this project do not depend upon the outcome of this inquiry.

1.2 Scope of Evidence

1.2.1 This PoE has been prepared to consider ecology matters relevant to the call-in Inquiry for the proposed solar farm development (the ‘Proposed Development’) on land at Priory Farm to the east of Great Wymondley, North Hertfordshire (the ‘Appeal Site’).

1.2.2 In calling-in the application for determination, the SoS set out the matters which he particularly wishes to be informed about for the purposes of his consideration of the application, as follows:

“a) The extent to which the proposed development is consistent with Government policies for protecting Green Belt land as set out in the FPPF (Chapter 13); and

b) The extent to which the proposed development is consistent with Government policies for meeting the challenge of climate change, flooding and coastal change as set out in the FPPF (Chapter 14); and

c) The extent to which the proposed development is consistent with Government policies for conserving and enhancing the natural environment as set out in the FPPF (Chapter 15); and

d) The extent to which the proposed development is consistent with the development plan for the area; and

e) Any other matters the Inspector considers relevant.”

1.2.3 This PoE relates to matters of Ecology (also commonly referred to as ‘biodiversity’) and therefore primarily considers points c) and d) above, as raised by the SoS.

1.3 Proof of Evidence Structure

1.3.1 My evidence is divided into the following sections:

- i) Section 2 – The Appeal Site and its Ecological Context;
- ii) Section 3 – The Ecological Assessment Report prepared for the Application;
- iii) Section 4 – Biodiversity Net Gain;
- iv) Section 5 – Matters raised by Northamptonshire District Council;
- v) Section 6 – Matters raised by third parties;
- vi) Section 7 – Compliance with Policy; and
- vii) Section 8 – Conclusions.

2.0 THE APPEAL SITE AND ITS ECOLOGICAL CONTEXT

2.1 Introduction

2.1.1 A detailed description of the Appeal Site and its surroundings is provided in Section 2.1 of the Planning, Design and Access Statement submitted with the Planning Application (CD2). I do not repeat the full details here, but the following is a brief overview of the key considerations.

2.2 The Appeal Site

2.2.1 The principal part of the Appeal Site covers the solar development and grid connection to Wymondley Substation. A smaller secondary site allows for 'off-site' planting. The Appeal Site boundary is shown on CD14 and covers a total area of circa 88ha, of which 3.3ha comprise the grid connection and off-site planting.

2.2.2 The Appeal Site is split in to two parcels, bisected by Graveley Lane. Current land use of both parcels is cultivated arable land with fields bounded by a mixture of hedgerows. The southern parcel is bounded by the A1(M) motorway to the east.

2.3 The Ecological Context of the Appeal Site

2.3.1 The Appeal Site and surrounding area comprise rolling arable farmland typical of the region and is similar in nature to surrounding countryside.

2.3.2 The main elements of the Appeal Site are large, open arable fields bounded by mature hedgerows and pockets of woodland. There are no flowing watercourses within the Appeal Site, although some drainage ditches are present. There are no ponds or open waterbodies within the Appeal Site.

2.3.3 As is typical of arable farmland landscapes, ecological value of the Appeal Site is likely to be substantially concentrated within and adjacent to boundary features (i.e., hedgerows, field margins and woodland). Arable fields are typically low in biodiversity value overall.

3.0 THE ECOLOGICAL ASSESSMENT REPORT PREPARED FOR THE APPLICATION

3.1 Introduction

3.1.1 In this section of my PoE, I provide an overview of the Ecological Assessment Report (“EAR”) and work undertaken by the Applicant.

3.2 The EAR

3.2.1 The Planning Application submitted in December 2021 was accompanied by an EAR, prepared by AEL in accordance with ‘*BS42020 Biodiversity- Code of Practice for Planning and Development*’.

3.2.2 The EAR and its supporting Appendices are presented as CD7. The EAR was undertaken by an experienced ecologist employed by AEL. The EAR is supported by illustrative figures and photographs of relevant features of the Appeal Site.

3.2.3 The EAR was informed by a series of field surveys and collation of existing biological records. These identified key ecological features within and around the Appeal Site and their potential to support protected and notable habitats and species.

3.2.4 Field surveys comprised an Extended habitat survey, breeding bird surveys and environmental DNA (“eDNA”) survey for great crested newts (“GCN”) within the appropriate seasons in 2021. Information on records of protected and notable species were obtained from the Hertfordshire Ecological Records Centre (“HERC”) and a search for statutory and non-statutory designated sites in the vicinity of the Appeal Site was also undertaken using online resources.

3.2.5 Field surveys were undertaken by suitably experienced and qualified personnel. There were some minor limitations to surveys, with restricted access to off-Site ponds and the omission of an April breeding bird survey. These are acknowledged in the submitted EAR and were not considered a limitation to the assessment.

3.2.6 The Appeal Site does not form part of any statutory designated site for nature conservation. It is located within a single Natural England (“NE”) defined ‘Impact Risk Zone’ (“IRZ”); however, the Proposed Development is not of the scale which required the planning authority to consult with NE. The cable route connection to the corresponding substation does cross through a non-statutory site designation for nature conservation; the Wymondley Transforming Local Wildlife Site (“LWS”).

- 3.2.7 The ecological value of arable fields, i.e., the large majority of the Appeal Site, is evidently low, although some field margins are currently managed under an existing government environmental stewardship (grant) scheme. These margins, together with the hedgerows and woodlands, provide habitats for a range of wildlife and enable ecological connectivity with the wider landscape. Boundary hedgerows and mature trees within the Appeal Site will be retained and protected during construction and therefore direct impacts on habitats and protected and notable species will be avoided.
- 3.2.8 Surveys of breeding birds found an assemblage of widespread farmland species typical of the habitats and region. As would be expected, most breeding bird species were associated with field boundaries and woodland, although notable ground-nesting species recorded included skylark, grey partridge, and yellow wagtail.
- 3.2.9 Both off-site ponds surveyed for GCN returned a negative eDNA result, although HERC provided two records of the species, with the nearest approximately 1km to the south of the Appeal Site.
- 3.2.10 Whilst the Appeal Site does have some potential to support some other noteworthy or protected species, such as badgers, no evidence of these was found during the Extended habitat survey and no additional species records considered pertinent to the EAR were returned by HERC.
- 3.2.11 The EAR further concluded that any potential impacts on protected species could be addressed through a commitment for pre-construction surveys and, if evidence of renewed presence was identified, the implementation of standard protections (primarily through Reasonable Avoidance Measures) and the timing of works (i.e, outwith the bird breeding season).
- 3.2.12 The EAR concluded that the Proposed Development would not affect any statutory designated sites for nature conservation. Temporary impacts on the LWS could not be avoided as the substation connection is entirely within the LWS; however, these will be limited to the digging of a temporary trench with subsequent reinstatement.
- 3.2.13 Aside from the LWS, the Proposed Development was designed to avoid and retain areas of higher ecological value, namely field boundaries (hedgerows and ditches), woodland and ponds. Construction related effects would therefore predominantly be limited to areas of arable land.

- 3.2.14 The EAR included a Biodiversity Net Gain (“BNG”) assessment, using the Defra Biodiversity Metric version 3.0, as applicable at the time. The BNG assessment considered the pre-development (baseline) habitats and post development habitats following the implementation of the proposed landscape scheme (ref). The BNG assessment concluded a substantial percentage gain of 202.64% habitat units and 90.96% linear units. BNG is discussed in more detail in Section 4 of my proof. Further ecological enhancements include the provision of bird and bat boxes,
- 3.2.15 The EAR includes a comprehensive summary matrix (as Table 5.1). The matrix summaries the ecological constraints and opportunities arising from the Proposed Development and outlines measures to enable legislative compliance and deliver ecological enhancements (predominantly through BNG).
- 3.2.16 It is my view that the EAR has been undertaken in accordance with best practice and that its conclusions are accurate.

4.0 BIODIVERSITY NET GAIN (BNG)

4.1 Introduction

- 4.1.1 In this section I set out the key matters in relation to BNG. Specifically, this relates to the design of the Proposed Development and subsequent BNG calculations.
- 4.1.2 It is an ambition of the National Planning Policy Framework (NPPF) 2021 to provide a net gain in biodiversity for any planning application (with few exceptions). Locally, North Hertfordshire Local Plan 2011-2031, (Policy SP12) states that development projects must ensure a “measurable net gain for biodiversity”.
- 4.1.3 Currently there is no mandatory requirement for the delivery of BNG in planning applications; this is likely to come into effect from November 2023 onwards, when a 10% gain will be necessary for all Town and Country Planning Act 1990 developments, apart from a few exempt development types. Subsequently, the Applicant has provided a measurable BNG as part of the Proposed Development application on a voluntary basis.
- 4.1.4 To clarify, the Proposed Development went through an iterative design process prior to submission. The final scheme design as resolved for approval by the planning committee is shown on Planning Drawing 3004-01-012 Rev F Landscape Proposals (CD24).

4.2 Design and Landscaping

4.2.1 The design process included avoidance of existing hedgerows and trees in the field boundaries to the Appeal Site, and thus retaining more ecologically valuable features which support a large majority of the biodiversity interest of the Appeal Site. The Proposed Development incorporates landscape restoration measures including hedgerows to restore lost field boundaries, and to 'gap up' fragmented hedgerows that are in a poor condition.

4.2.2 The landscape proposals inherent in the design are summarised as follows:

- i) Grassland within the perimeter/stock fencing suitable for sheep-grazing, with a sward comprising a broad selection of grasses, herbs and clover that are productive for livestock, and which provide pollen and nectar for biodiversity benefit;
- ii) Species-rich grassland buffers of minimum 12m width between field boundaries and perimeter/stock fencing to contribute to enhancing hedgerow buffer zones for improved ecological connectivity;
- iii) Native-species woodland belt planting approximately 10m wide along the western and northern boundaries of the Appeal Site, north of Graveley Lane;
- iv) New native-species hedgerows alongside Graveley Lane and the A1(M) for visual screening and ecological connectivity;
- v) Gapping-up of existing hedgerows around and within the Site which are in a poor and declining condition; and,
- vi) Woodland copses either side of the Appeal Site entrance on the north side of Graveley Lane.

4.2.3 Subsequently it is evident that the Proposed Development affords considerable ecological enhancements which integrate with mitigation of landscape effects.

4.3 BNG Calculations for the Proposed Development

4.3.1 The EAR contains (in Section 4.6, Table 4.1) results of BNG calculations, using the Defra Metric 3 as was the current version at the time. The results presented a gain of over 388 Habitat Units (total net change of +202.64%) and 23.25 Hedgerow Units (total net change of +90.96%).

4.3.2 Subsequent to the application, Defra has released version 4 (V4) of the BNG Metric calculator. V4 provides only minor amendments and improvements, and is not considered a substantive change to earlier versions (version 3 and subsequent 3.1). Regardless, for the purposes of this Appeal, the BNG calculations for the Proposed Development have been run again using V4,

and these are presented in CD109. To be clear, the V4 calculations are based on Revision F of the Proposed Development's landscape plan (CD24); amendments in this layout are minor to those submitted in the planning application and therefore do not affect baseline habitat values.

- 4.3.3 As the differences between versions 3 and 4 of the Defra Metric are largely cosmetic, the BNG scores using V4 are almost unchanged from those presented in the EAR. Both Habitat Units and Hedgerow Units increase marginally (habitats to +205.96% and hedgerows to +102.29%). Subsequently, there is no substantive difference between the BNG calculations using version 3 or the current version (V4) of the Defra Metric.
- 4.3.4 All BNG calculations have been undertaken by AEL, who are professionally qualified ecologists and trained in the use of BNG metrics. As such, there is no doubt that the calculations have been correctly undertaken by suitably qualified and competent individuals.
- 4.3.5 Policy NE 4 (at paragraph 11.18) of the North Hertfordshire Local Plan 2011-2031 states that ecological surveys '*should be consistent with BS42020 Biodiversity- Code of Practice for Planning and Development, or as superseded, and use the DEFRA Biodiversity Metric, or as superseded, or any statutorily prescribed alternative to assess ecological value and deliver measurable net gain*', but does not quantify the level of gain required. The submitted EAR subsequently fully conformed to the requirements of the Local Plan both in terms of process and with regards to the delivery of a measurable biodiversity net gain.
- 4.3.6 In summary, with regards to BNG, the Proposed Development will provide a very substantial benefit for biodiversity and is clearly in accordance with both NPPF and local policies. The overall BNG scores offers a substantially greater benefit to biodiversity within the Appeal Site than the forthcoming mandatory 10% gain requirements of the Environment Act 2021.

5.0 MATTERS RAISED BY NHDC

5.1 Introduction

- 5.1.1 In this section, I consider the matters raised by North Hertfordshire District Council ("NHDC"), firstly in the Committee Report (CD35a) and then in their Statement of Case.

5.2 Committee Report

5.2.1 The Committee Report (CD35a) refers to representations in Section 3, including responses to re-consultation. Representations from statutory and non-statutory nature conservation bodies are summarised as follows:

- **Natural England.** No objection – the Proposed Development will not have significant adverse impacts on statutorily protected nature conservation sites.
- **Hertfordshire Ecology** (on behalf of NHDC). No objection – subject to conditions.
- **Herts and Middlesex Wildlife Trust** – initial concerns that more information was required. No objection on re-consultation following the amended landscaping scheme.

5.2.2 The Committee Report then considers impacts on biodiversity in paragraphs 4.5.164 to 4.5.174. The Officer concluded that, subject to the recommended conditions, the Proposed Development would not result in harm to biodiversity and that, on balance, there would be net gains which weigh in favour of the proposal.

5.2.3 Paragraphs 4.6.29 to 4.6.30, and 4.6.35 to 4.6.36 of the Committee Report then set-out the wider environmental benefits of the Proposed Development, noting the environmental enhancements and BNG metric calculations. Officers consider that there would be BNG in compliance with ELP Policy NE4, and more than the 10% net gain that will be required in the future by the Environment Act 2021.

5.3 Statement of Case

5.3.1 The NHDC SoC (CD138) sets out the Council’s case that planning permission should be granted for the Proposed Development (paragraph 1.5).

5.3.2 Paragraph 5.28 of the NHDC SoC relates to biodiversity. This states that Local Plan Policy NE4 requires net gains in biodiversity (BNG) from development proposals, and noted that the application includes a significant BNG of about 205% in habitat units and around 102% in hedgerow units. The NHDC SoC noted that this exceeds the Local Plan policy requirement and the emerging national target of 10% BNG. Therefore, the Proposal complies with LP Policy NE4 and paragraph 180 of the NPPF.

5.3.3 With regards to planning benefits, the NHDC SoC notes, in paragraph 5.37, that there would be environmental enhancement resulting from the provision of hedgerow and woodland planting and other elements of Green Infrastructure, such as species rich grassland, which

would be retained following decommissioning of the solar farm. This is noted as a long-term benefit to the Appeal Site and the area.

5.3.4 I agree with the NHDC Committee Report and SoC that the Proposed Development would not harm in biodiversity, and that there will be substantial benefits arising from the scheme both throughout its operational lifetime and following decommissioning.

6.0 MATTERS RAISED BY THIRD PARTIES

6.1 Introduction

6.1.1 In this section of my proof, I consider matters raised by third parties in response to the Application and which relate to biodiversity. I shall not address each representation in turn; however, I include responses to three separate representations; those by Mrs. Hope, Mr. Kennedy and Mrs. Flynn. These three representations are specified as, collectively, they capture the main elements of all third-party correspondence objections with regards to biodiversity.

6.2 Representation by Mrs Ann Hope

6.2.1 Statements in italic quotations below are extracted from the letter of objection submitted by Mrs Hope.

Ecological impact. The proposed site is rich in biodiversity, with several species of wildlife inhabiting the surrounding area. The development of a solar farm could disrupt the natural habitat of these animals, potentially leading to a decline in local biodiversity. Furthermore, the disturbance caused during the construction phase could harm or displace wildlife leading to an imbalance in the ecosystem.

6.2.2 The ecological value of the Appeal Site has been robustly assessed and considered. With the implementation of standard good practice avoidance measures and the delivery of a substantial BNG, it is evident the biodiversity value of the Appeal Site will be enhanced with the delivery of the Proposed Development. Whilst Mr's Hope's views are understandable, there is no evidence to suggest that solar farms lead to a decline in wildlife, with emerging evidence that they provide considerable benefits for most species; for example, a recent (June 2023) report 'Solar Habitats: Ecological Trends on Solar Farms in the UK' which is provided as CD110. The report is published by the solar trade association, in partnership with Lancaster University and two ecological consultancies, and outlines results from 37 operational solar sites surveyed in 2022 across the UK. The report highlights the positive relationships solar

farms can have with ecology, with a focus on botany, invertebrates, mammals and birds. The report states that ecological monitoring over the last decade has shown that well-designed and well managed solar farms have the potential to influence ecology and make significant contributions to addressing biodiversity loss in the UK. Subsequently there is clear evidence that solar farms benefit wildlife in many cases and I disagree with Mrs. Hope's view that the local ecosystem will be imbalanced by the Proposed Development.

6.3 Representation by Mrs Paul Kennedy

6.3.1 Statements in italic quotations below are extracted from the email of objection submitted by Mr. Kennedy.

We have a diverse bird and wildlife in the fields with ground nesting Skylarks (on the Red List of endangered) Pheasants and Partridge. In recent years Buzzards and Red Kites have taken up occupation, together with Kestrel, Sparrow Hawk, Hobbies and Peregrine Falcon, also Tawny, Barn and Little owls use these fields as their hunting grounds together with numerous bats. In summer Swifts and Swallows can be seen and Yellow Hammer, Chiffchaff and warblers can be heard all will be adversely affected by these acres of unsightly glass. The fields are home to Hares, Badgers and small deer and of course Foxes all to be excluded by wire fencing.

6.3.2 The submitted EAR considers impacts on breeding birds (including skylark) and protected and notable species. The proposed large BNG to be delivered under the Proposed Development will provide considerable gains for almost all of the species mentioned by Mr Kennedy through improved habitats and foraging conditions above current agricultural use of the Appeal Site. In particular, insectivorous birds (such as swifts, swallows and chiffchaff) will benefit from the cessation of use of agricultural chemicals. The raptors mentioned will not be negatively affected, and are in fact likely to benefit from an increase of prey. It is standard good practice for solar farm security fencing to be fitted with mammal gates which will allow access for hares, badgers and foxing and use of solar farms by these species is already evidenced (see paragraph 6.2.2 and CD110). Subsequently, I disagree with M. Kennedy's view that the species he lists above will be negatively impacted.

6.4 Representation by Mrs Gwendoline Flynn

6.4.1 Statements in italic quotations below are extracted from the letter of objection submitted by Mrs Flynn.

The wildlife which will be affected by this development includes, but is not limited to, Skylarks (status classified as red under the Birds of Conservation Concern 5: the Red List for Birds [2021]). Buzzards, red kites, pheasant, partridge and bats (this could be a bat foraging area). Bird deaths at solar farms are common as they mistake the glass for water.

Transitory animals have their traditional routes blocked by the security fences. Deer are often diverted on to roads and in this particular case, this could mean the A1 (M) with worrying results.

6.4.2 I have addressed similar comments in my proof above and therefore will not repeat these comments; however, I will comment with regards to bird deaths at solar farms. In my experience this is commonly cited as a concern for solar farm applications. To the best of my knowledge, there is no documented evidence that this occurs, and as such is no more than a hypothesis; I am not aware of a single incident of a bird death where the panels were apparently mistaken for water. I therefore disagree that bird deaths are commonplace.

7.0 COMPLIANCE WITH POLICY

7.1.1 In this section of my PoE, I consider compliance with the relevant policies of the North Hertfordshire District Local Plan 2011-2031 (NHDLP, CD 39) and the National Planning Policy Framework (NPPF, CD56).

7.2 Policy NE12: Renewable and Low Carbon Energy

7.2.1 Policy NE12 states that renewable energy developments ‘*will be permitted subject to an assessment of the impacts on:*

- i) Landscape quality, landscape character and visual amenity, including consideration of cumulative impacts of development;*
- ii) Environmental assets;*
- iii) The historic environment, including the impact on the setting of historic assets;*
- iv) The transport network;*
- v) Air quality;*
- vi) Aviation interests; and*
- vii) The amenity of residents.’*

7.2.2 Policy NE12 only states that an assessment of impacts on environmental assets must be made but does not indicate levels of acceptability. It however does note that *'In assessing renewable and low carbon energy proposals against the above criteria the Council will give significant weight to their local and wider benefits.'*

7.2.3 As Policy NE12 is not specific about the assessment requirements in respect of ecology, it is considered that Policy NE4 takes primacy in terms of judging the ecological impacts of the Proposed Development.

7.3 Policy NE4: Biodiversity and Geological Sites

7.3.1 Policy NE4 states that:

'Planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12.

All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible'.

7.3.2 I consider that the Proposed Development application fully accords with Policy NE4 as a very substantial measurable gain is provided (see Section 4). Further, through increased biodiversity value of the Appeal Site, the Proposed Development will contribute to wider ecological networks.

7.4 Policy SP1: Sustainable development in North Hertfordshire

7.4.1 Policy SP1 is a catch-all policy on sustainable development in North Hertfordshire and it is therefore considered that Policy NE12 which is directly related to renewable energy development is the more relevant policy. Nevertheless, Policy SP1(c)(iv) requires development to protect biodiversity.

7.4.2 As set out in this proof, it is evident that the Proposed Development provides protection of biodiversity through a combination of avoidance, mitigation, and enhancements under BNG, and is therefore in accordance with Policy SP1.

7.5 Policy SP12: Green infrastructure, landscape and biodiversity

7.5.1 Policy SP12 sets out the Council’s strategic approach to protecting green infrastructure, landscape and biodiversity within the District. The policy includes at point c) that the Council protect enhance and manage designated sites, and at point d) that the Council will protect, enhance and manage biodiversity networks.

7.5.2 Policy NE4 is judged to provide more detailed requirements with regards to considering biodiversity. The appraisal of Policy NE4 is therefore not repeated here.

7.6 Local Development Policies

7.6.1 The Wymondley Neighbourhood Development Plan (WNDP, provided as CD40) considers Biodiversity in policy NHE2, and Wildlife and Ecology in policy NHE3 (pages 17 to 19).

7.6.2 Policy NHE2 (Biodiversity) states:

‘Proposals should, where appropriate be supported by a biodiversity action plan and measures to ensure net gains in biodiversity. The use of a Biodiversity Impact Assessment Calculator is encouraged’.

7.6.3 Through the delivery of a measurable biodiversity gain, it is evident that the Proposed Development complies to policy NHE2.

7.6.4 Policy NHE3 (Wildlife and Ecology) states:

‘Development proposals affecting designated sites and Priority Habitats or Species, must comply with the relevant European, national and local policy requirements’.

7.6.5 The submitted EAR (CD7) demonstrates compliance with relevant policies (and legislation) and therefore evidence that the Proposed Development accords with policy NHE3.

7.7 National Planning Policy Framework

7.7.1 The relevant section of the NPPF is Chapter 15, ‘Conserving and enhancing the natural environment’). I consider the relevant paragraph in relation to biodiversity to be paragraph 174, sections a) and d) which state that:

‘Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

and,

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures’.

7.7.2 With regards to paragraph 174(a), the Proposed Development will not adversely impact any site of biodiversity value, including the Wymondley LWS following reinstatement of the cable route. With regards to paragraph 174(d) it is evident that the Proposed Development provides a very substantial net gain for diversity and further contributes to ecological networks and resilience. It is therefore my view that the Proposed Development is compliant with paragraph 174(a) and 174 (d) of the NPPF.

7.7.3 NPPF Chapter 15 also includes a section on Habitats and Biodiversity (paragraphs 179 to 182). Paragraph 179 states that, to protect and enhance biodiversity and geodiversity, plans should:

a) ‘Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and,

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity’.

7.7.4 For the reasons previously stated, again it is my view that the Proposed Development accords entirely with paragraph 179 of the NPPF.

8.0 CONCLUSIONS

- 8.1.1 The Planning Application submitted in December 2021 was accompanied by an EAR prepared in accordance with current best practice guidance.
- 8.1.2 The conclusion by both the Applicant and NHDC is that there would be no adverse effects on biodiversity.
- 8.1.3 In conclusion, the Proposed Development accords to all relevant local and national policies and provides substantial biodiversity benefits through a significant biodiversity net gain.