

Welwyn Hatfield Borough Council: Draft Local Plan

Consultation 2016: Submission by Ecologists of the Central Hertfordshire Green Corridor Group. Barry Goldsmith, Peter Oakenfull

Group members Supporting

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Policy SP11 Protection and enhancement of critical environmental assets

Sustainability Appraisal

Policy SP12: Strategic Green Infrastructure and Welwyn Hatfield Green Corridor

2. Is the Plan a sound plan for the future of Welwyn Hatfield?

The Plan is positively prepared. But it still does not constitute a sound plan because it fails on grounds of lack of:

- ***Effectiveness***
- ***Justifying Evidence to maintain present biodiversity***

Policy SP11 Protection and enhancement of critical environmental assets

Tests of Soundness

1. Positively prepared

WHBC’s local plan has the following objectives which we welcome and support.

WHBC’s local plan includes the objectives to:

- reduce people’s impact on the environment and therefor enhancing biodiversity by reducing the need to travel, by managing flood risks and by designing development to take into account future changes in climate.
- maximise opportunities for sustainable transport and to manage parking demand.
- protect, maintain and, where possible, enhance the historic and natural environment
- enhance opportunities for, and access to, recreation, heritage, cultural activities and improve green links which will improve people’s perception of how wildlife and habitats are linked.

More specifically WHBC’s policy SP11 aims to set out the strategic approach to protecting and enhancing the borough’s critical environmental assets within the planning process. Key elements include:

- requiring proposals that affect the water environment to protect and enhance the ecological status of water bodies
- supporting development that would secure positive improvements to and ensure the long-term conservation of ecological and heritage assets for the enjoyment of future generations
- supporting the designation of ecological and heritage assets where it is deemed appropriate and necessary to safeguard them for future generations.

WHBC's¹ elaboration of SP11 appears to pursue this by stating that "The mitigation hierarchy should be followed at all times to limit adverse impacts on ecology and biodiversity. The hierarchy consists of the stages below which should be applied in sequential order as part of an integrated design.

- Avoid: This can be achieved by site selection (i.e. a sequential approach), siting and layout of development within a site, and innovative design.
- Reduce: This can be achieved, for example, by setting the development into the ground and the implementation of sensitive building and landscape design (such retention of existing habitats)
- Remediate: This can be achieved, for example, via replanting and screening within the site.
- Compensate: This can be achieved via off-site measures that help achieve an overall net gain in biodiversity or improvements to the structure and function of ecological networks in the wider area.

2. **Effective**

However, the Council's Local Plan fails to deliver effectively in practice on these good intentions. It has significant limitations and omissions, which is assessed in the Central Hertfordshire Green Groups paper that sets out substantively and aims to help WHBC address. Specifically:

- a. The Council fails to fulfil its aims to enhance and protect the natural environment in the Borough and in particular in the Green Corridor by failing to carry out a strategic ecological assessment of its wildlife and habitats.
- b. It is not clear what they are doing on an overall scale to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species linked to national and local targets
- c. WHBC do not set out a plan for biodiversity at a landscape-scale across local authority boundaries and apply it to SDS2 – as required by NPPF (para 117);
- d. WHBC do not identify and map components of the local ecological networks.
- e. WHBC propose (p. 36) use of the "biodiversity impact assessment calculator" to offset impacts of developments and ensure that there is no net loss of habitats and species diversity. WHBC cannot make this judgement unless a comprehensive strategic ecological assessment has been carried out to see how it can be applied and more importantly whether this calculator adequately captures and assesses the complex species found surrounding SDS2.
- f. The proposed Birchall Garden Suburb housing will effectively plug the central part of the existing green corridor and will cause negative impacts on species movement and recovery on existing designated and protected sites such as The Commons Local Nature Reserve and Commonswood (county wildlife site) and to the east Panshanger Park and therefore contradicts the council's own green corridor stage 1 report.
- g. WHBC have accepted the scoping report produced by the proposer of Birchall Garden Suburb that failed to consider all protected species including European, red data species, red listed species of birds and species of principle importance. The

developer's ecological statement consisted of 15 lines and highlighted only great crested newt, bats and badgers as important species affected in establishing Birchall Garden Suburb. This is a huge under consideration of protected and endangered species within the area and is not acceptable. Its paucity of data cannot be relied upon by WHBC as a true representation of species in determining the allocation of SDS2 in the local plan.

- h. The proposer of Birchall Garden Suburb Scoping study into ecological constraints also failed to engage all local stakeholders when structuring the surveys required for the scoping report and this is against the guidelines of the Chartered Institute of Ecology and Environmental Management whose methodologies it was stated were being followed and which is fundamental in achieving robust data gathering. Therefor as comprehensive study was not carried out failing to highlight all protected and endangered species affected by the development of SDS2; therefore WHBC cannot be confident that multiple impacts on multiple species can be mitigated for causing negative impacts on biodiversity and contrary to the requirements of the Natural Environment and Rural Communities Act.

WHBC made a statutory designation of the Commons Local Nature Reserve and has a responsibility to protect it from the adverse effects of development. The council have actively encouraged management of its habitats through successive management plans to promote the spread of its species into the wider countryside and encourage new species to the reserve including farmland birds for which there are 20 years of data. By allowing SDS2 it will isolate its habitats and species from the wider countryside and therefor cause negative impacts on biodiversity which is not consistent with requirements set out in The Natural Environment and Rural Communities Act and their own obligation under Policy SP11 that states; **protect, maintain and, where possible, enhance the historic and natural environment.** It is not consistent with this policy to sacrifice the wealth of biodiversity including rare species and habitats found within the Commons LNR to satisfy housing quotas of the district plan when sites of lesser biodiversity were considered as suitable for inclusion but were not taken forward.

- i. Welwyn Garden City Society has highlighted in a recent report the potential contamination from the former landfill site and old gravel workings at Cole Green. The society also highlighted that the landfill site overlaps into Tarmac's proposed development of 'Birchall Garden Suburb' (WGC5 – now called SDS2) in WHBC's Local Plan. Although highly contaminated with regard to human health this area is diverse in its habitats and supports many species including European Protected, Species of Principle Importance, red data species and red listed species of birds within habitats that have evolved to become ecologically diverse and an important reservoir of local biodiversity surrounded by arable habitats. The developer plans to formalise the area into a park and promotes this as compensation for mass development over SDS2 and Birchall Farm in East Herts. Tarmac has failed to consider that as a park and open green space with sports facilities it will degrade the current habitats and diverse species giving an overall degrading of biodiversity for the Birchall Garden Suburb development. This old landfill area is crucial for the developer to mitigate its proposal providing green space for such a large community project but has failed to consider by removing its diverse habitats, important and

protected species will disappear and this would be contrary to the Natural Environment and Rural Communities Act which states development must have positive gains for biodiversity and not negative.

- j. There is considerable leachate and methane gas venting from organic and toxic waste dumped in the landfill site in the past. The resultant leachate is now a major environmental hazard. This raises serious questions about the viability and acceptability of SDS2 and WHBC's failure to exercise its duties regarding this potentially contaminated site under Environmental Protection Act 1990: Part 2A Contaminated Land Statutory Guidance. Wildlife could have net gains and benefit from any serious attempt in providing a solution to the problem by way of treatment marshes to the west of the landfill. The issue cannot be solved by building a school over the contaminated land.

- k. Royal Haskoning DHV have carried out 3 surveys at this site which highlight a number of contaminants. However, these surveys have some limitations. For example, they only took samples at shallow depths and did not go down far enough to reach the worst of what could be there. They also do not appear to have checked for potential migration of the plume of contaminants to beyond the current boundaries of the former landfill site (eg through the aquifer). Moreover, they do not assess the costs of their provisos regarding the necessary remedial measures and their implications for the proposed development (eg regarding topography of the proposed houses) and its viability. DCLG (21012, para 173) states that "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-making. Plans should be deliverable." This all raises the following important and as yet unanswered questions which the Local Plan fails to address and which Tarmac and WHBC need to answer explicitly **before** any decision is taken on this proposed development.
 - o What are the findings of WHBC's inspections on the state of this potentially contaminated site (and leachate from it) that WHBC ought to have carried out under Part 2A of the 1990 Environment Protection Act?
 - o What is the scale and nature of the pollutants in the leachate from this site?
 - o Do they contribute to poor state of the Middle Lea?
 - o What are the implications of this contamination constraint on the topology of the proposed houses and the viability of these houses and the proposed development?
 - o What are costs of the remedial measures Royal Haskoning recommend to tackle the contaminants and treat the leachate from the former landfill site?
 - o What scale of marshes could be required to filter this leachate?
 - o If marshes not suitable, then what are the costs of alternative treatment methods?
 - o Who should pay for treating the leachate? – Tarmac? - How?

3. ***Justified by the evidence***

- a. WHBC have failed to carry out a strategic ecological assessment of the existing green corridor that under present site allocations will take the majority of the larger proposed development sites within the new local plan. If they had

commissioned an independent study, which it did not, it would have allowed WHBC to make an informed assessment of species and habitats and therefore assess the proper impacts of SDS2 and not rely on imaginary levels of biodiversity.

- b. The councils reliance on the developers scoping report survey results of SDS2 in determining its suitability for inclusion into the local plan is not acceptable as they did not fully considered all protected species including European, Species of Principle Importance, Red data and Red listed species of birds and therefore is inadequate and misleading.
- c. The developer also failed to engage with local stakeholders in the scoping study for SDS2 to formulate a strategy for species surveys. This is directly against the fundamental guidance for establishing a species and habitat survey protocol stated by the Chartered Institute of Ecology and Environmental Management that the developer says they are working too.
- d. The council must be confident that the Habitats Regulations 3 stage test can be met when granting planning consent. Mitigation and compensation must be achievable and adequate, otherwise the requirements of the Natural Environment and Rural Communities Act, that states; development cannot have negative impact, but must have positive gains for biodiversity. We believe this cannot be achieved.
- e. Given WHBC cannot rely on the developers scoping report findings on species and habitats over such a large and complicated development such as Birchall Garden Suburb. Given the potential accumulative effects on species of other proposed sites and that the loss of habitats on the landfill by removing suitable habitats the area cannot be relied upon to adequately to mitigate and compensate. For this reason, can WHBC be confident and make a sound judgement in adopting SDS2 into the district plan. No
- f. The Local Plan is not based on up-to-date information about the natural environment and other characteristics of the area. They do not appear to draw from, for example, River Basin Management Plans, catchment management plans, working with Local Nature Partnerships, and assessments of existing and potential components of ecological networks – as required by NPPF (Para 165).

6 Please set out the changes you consider necessary to make the draft Local Plan legally compliant or sound including revised wording of any policy or text. Be as precise as possible. (Attach supporting documents if necessary).

- i. Carry out a full and independent strategic ecological assessment of the existing green corridor from Stanborough to Hertford to inform on the impacts on species and habitats to assess the accumulative effect of all proposed development sites.
- ii. This is particularly significant for Birchall Garden Suburb, as cross boundary local authority cooperation is in place. It will allow WHBC and EHDC to be confident that the Natural Environment and Rural Communities Act can be fulfilled by making informed judgements.

If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing? Yes.

9 Yes. We wish to be notified of the following:

When the Welwyn Hatfield Local Plan has been submitted for independent examination.

When the Inspectors Report of the Welwyn Hatfield Local Plan is published.

Adoption of the Welwyn Hatfield Local Plan.

We welcome your comments on our consultation - would you like to complete our short feedback form? (If submitting more than one comment, please complete the feedback form once only.) No

Sustainability Appraisal

Tests of Soundness

1 Positively prepared - No

2. Effective - No

4. Justified by the evidence – No

The Sustainability Appraisal is inadequate and has significant limitations that mean it does not comply with legal requirements and does not measure up adequately to NPPF requirements. It and its subjective conclusions and assessments are based on little or no supporting evidence. These shortcomings specifically include:

- It reports little data and is based on little objective authoritative evidence. It is not based on any current actual systematic assessment of the ecology and natural environmental assets in the corridor, their potential strategic linkages and their ecosystems services benefits, nor how the proposed developments in the plan could affect them. It is largely based on the hidden subjective views of the consultants.
- The report just focuses on the implications of the Local Plan's 'policies'. These say the right things – as we note in our general comments on these policies. However, the SA fails to assess substantively the (adverse) environmental impacts and risks of the actual proposed developments in the content of the Local Plan, which could have significant adverse environmental impacts and risks (see Section 2 of the Central Hertfordshire Green Corridor Groups paper).
- Para 6.219 states that for WGC 5 “The focus of the SA has been on the component of the site that falls within Welwyn Hatfield Borough, with the component of the site falling with East Herts being covered by the SA of the East Herts District Plan. References to the East Herts component are included in the SA where relevant to the achievement of SA objectives for the Welwyn Hatfield Local Plan. It should be noted that the combined development will give rise to cumulative effects that are likely to reinforce many of the effects identified in the SA of the Welwyn Hatfield component of the development.” These joint and cumulative effects must be considered together – not ducked - **before** any decision is made on this proposed development.
- Para 6.223 states that “SDS2 (WGC5) is considered to have significant negative effects on retaining local distinctiveness as the site is located on the edge of Welwyn Garden City, close to or within the Green Belt (SA objective 4.4). It was considered to have a

minor negative effect on the landscape character and a negligible effect on open space (also SA objective 4.4). To address these negative effects, Policy SP 19 requires future applications to contribute to the wider strategic green infrastructure corridor from St Albans through to Hertford, through the incorporation of informal open spaces, landscaping and planting, which could create a buffer between the site and the wider countryside setting. This site is identified as a greenfield site and although it is located on non-agricultural land, it was considered to have a minor negative effect on SA objective 4.10 (Conservation and sustainable use of land).” Para 6.225 states that “The site is adjacent to the Commons Local Wildlife Site and Local Nature Reserve designated sites, which could give rise to a significant negative effect on biodiversity (SA objective 4.6). Requirements to incorporate informal open space on the site to contribute to wider ecological networks and to provide safe routes for wildlife, protecting and enhancing wildlife assets, will help to mitigate the effects of the development, but in Policy SP 19 also requires that these proposals balance the need of recreation and nature by contributing to the wider ecological network and create safe routes for wildlife. Mitigation is also provided by Policy SADM 16, which provides further safeguards regarding biodiversity.” Para 6.253 concludes that “sites located on the edges of the town more likely to give rise to significant negative effects on biodiversity and landscape objectives, and sites closer to the town centre more likely to score positively for the reuse of previously developed land. Minor and significant negative effects identified in the appraisal will require mitigation”. They just “assume that this will be realised through adherence to relevant strategic policies”.

However, it is not clear what such mitigation will be implemented in practice nor how effective they will be? Moreover, the SA fails to set out substantively the scale, nature and significance of these significant negative impacts. Their proposed mitigation measures are not clearly adequate; so there could still be significant residual negative impacts which they fail to set out so that WHBC can take them into account and determine and demonstrate if this harm is clearly outweighed by ‘other considerations (as NPPF would require for such impacts in the Green Belt – NPPF para 88).

- The SA just appears designed to reassure that the Local plan is overall beneficial and has little significant adverse impacts.
- Para 6.37 states that “Neither of the existing urban areas of Welwyn Garden City and Hatfield are generally subject to fluvial flood risk so development within the existing urban areas should help to avoid increasing flood risk resulting in a significant positive for SA objective 2.2 (flood risk).” Paras 6.133 states that “A significant positive effect is expected for flood risk”. Also Para 6.226 draws a similar conclusion regarding WGC 5. However, they fail to assess the impacts of new developments in the corridor in increasing flood risks **elsewhere** – as NPPF (Para 103) requires (see Section 5 of attached paper). Moreover, para 6.168 states that “ A number of possible minor negative effects have been identified as the development of infrastructure across the Borough in general could potentially result in an increase in flood risk (SA objective 2.2) due to an increase in the extent of impermeable surfaces”. This contradicts there earlier statements about flood risks and also about SUDS being required.
- Para 6.42 states that “An uncertain effect is expected in relation to SA objective 4.8 (avoid water pollution). The additional development that will need to take place on

greenfield land could lead to increased urban run-off and if not managed well, runs the risk of pollution to sensitive watercourses in the borough. The Proposed Submission Local Plan seeks to address such risks; however there is an element of uncertainty regarding delivery.” Para 6.133 correctly states that “A minor positive effect can also be expected for water pollution (SA objective 4.8) due to the requirement to use Sustainable Urban Drainage Systems.”

SUDS are important and are part of some of the developments (eg at Symondsye – SDS 6 - and North West Hatfield – SDS5). However, it is not clear if they are required in **all** of the proposed developments, esp that for Birchall Garden Suburb (WGC5) which has the particularly significantly potential risks for flood risks and water pollution (see Section 5 and 6 of the attached paper). In relation to WGC 5, Para 6.226 states that “The site is located within outer impact zones of a source protection zone, resulting in a potential minor negative effect on water pollution (SA objective 4.8). To mitigate against this, under Policy SP 18, future proposals will need to incorporate new utilities including SUDS and flood mitigation, which could help improve and enhance local water quality”.

However, it is not clear if these requirements are actually being stipulated and being fully included and costed in all the proposed developments in the Plan, especially Birchall Garden Suburb (WGC5).

- Para 6.145 correctly states that “it is possible that increased access to open spaces for recreation could negatively affect biodiversity.” However, contrary to the requirements of NPPF and WHBC’s own policy SP11, the SA fails to assess these impacts nor how they could be mitigated and the extent of residual impacts to the extent that these impacts cannot be fully mitigated – as we risk will be the case.

Policy SP12: Strategic Green Infrastructure and Welwyn Hatfield Green Corridor ***Tests of Soundness***

1 *Positively prepared*

WHBC’s SP12² states that they will. “plan positively for the creation, protection, enhancement and management of networks of green infrastructure and to actively support the creation and enhancement of green infrastructure and link existing spaces for the benefit of wildlife, biodiversity, leisure and recreation. This includes parks, open spaces, playing fields, river corridors and woodlands. The Council will:

- work with partners to actively support the creation and enhancement of strategic green infrastructure across the borough
- aim to ensure no overall net loss in green infrastructure across the borough within the Plan period
- support opportunities to link existing green spaces and improve public access and amenity to provide a comprehensive network of functional, linked spaces for the benefit of wildlife, biodiversity and the community
- require development to plan positively for, and contribute to, the creation and management of high quality, multifunctional green spaces linked to the surrounding green infrastructure network

² Welwyn Hatfield Borough Council (2016, para 12.15) Draft Local Plan Proposed Submission August 2016

- refuse development that would compromise the integrity, functionality or cause significant fragmentation of the green infrastructure network.
- require new development to have regard to standards for provision of open space set out in the Planning Obligations.
- seek developer contributions to deliver strategic green infrastructure including that identified in the Welwyn Hatfield Green Infrastructure Plan and require support to deliver the following projects:
 - Implementation of the Hertfordshire Rights of Way Improvement Plan
 - Improvements to the River Mimram and Lea corridors
 - Greening of the urban environment in Welwyn Garden City and Hatfield
 - Implementation of Welwyn Hatfield Green Corridor project
- work with partners and developers to enable the delivery of an east-west Green Corridor across the borough between Welwyn Garden City and Hatfield.

Similarly, WHBC's ³ Green Corridor Stage 1 report sets out a vision, which includes:

- The green corridor will be a wide stretch of open countryside running across the Borough between Welwyn Garden City and Hatfield and beyond. It will have a *sense of openness and space and will safeguard against coalescence* between principle settlements.
- The green corridor will *be accessible from both towns and comprise a network of footpaths, cycleways and bridleways* to ensure the route can be used by all.
- The green corridor will *promote biodiversity and be home to a diverse mix of habitats and wildlife. It will build on the borough's heritage and encourage community involvement in the management of this important link.* It will be an attractive environment that is well maintained, *to ensure it can be enjoyed long into the future.*
- The green corridor will provide residents *with a new multi-functional green space* which will promote opportunities for recreation and encourage healthy lifestyles, whilst respecting the wildlife and countryside in this area. It will form an important part of the borough's green infrastructure network and provide an important link to the wider strategic green infrastructure network across the county.

We have highlighted in *italics above* key elements of this vision.

2. Effective

However, the Council's Local Plan fails to deliver effectively in practice on these good intentions. It has significant limitations and omissions, which the attached paper sets out substantively and aims to help WHBC address. Specifically:

- a. WHBC fail to show they put into real substantive effect its plans in SP11 and 12.
- b. WHBC do not provide a map showing clearly proposed path extensions and links
- c. The current footpaths in the Borough are not well connected and are in a dreadful dilapidated state – see for example the footpath from Mill Green up to the main road. The fence, separating it from the A 414 below it, is broken and a safety hazard.
- d. It is not clear that the Council's plans will provide adequate resources for not only the creation of the proposed network of paths but also safeguard their maintenance to ensure that they remain a good condition into the future.

³ Welwyn Hatfield Borough Council (2016, Green Corridor Strategic Framework Plan. Stage 1 Report, August 2016

- e. The plan fails to specify clearly whether the HCC or landowners and developers will be responsible for creation and maintenance of the paths and funding them. The Plan does not set out clear mechanisms for landowners to be responsible for maintenance costs in the future. We worry that, when push comes to shove, the Council will fail to require that developers pay fully such investment and maintenance costs due to alleged fears that such costs could jeopardise the ‘viability’ of the proposed developments. We believe strongly that if a development cannot cover its full environmental and social costs and pay for its infrastructure (including green infrastructure measures such as these paths), then it is not viable and worthwhile for inclusion in a plan that should benefit the whole community.
- i. WHBC’s Green Corridor Stage 1 report is an important start. However, it currently has significant limitations. It is weak on ecology and does not address other important other multi-dimensions. Specific requirements in the NPPF that the Green Corridor report currently fails to address adequately include implications for the Local Plan regarding:
 - o Natural habitats and ecology
 - o Fish and fishing. The Local Plan and the Green Corridor report contain no information or measures to support, protect and enhance fish and fishing benefits in the Green Corridor, where there is a high current and potential demand for fishing.
 - o Flood risk management
 - o Water management
 - o Soil erosion. Clean gravels are an essential part of a healthy river system for trout egg laying and successful reproduction. This is true especially the river Mimram which is one of the few significant chalk streams worldwide and are a priority habitat under the EU Habitats Directive. Currently (March 2016) the Rivers Lea and Mimram suffer from excessive silt and sediment eroded from neighbouring agricultural land which is polluted by the chemicals used on this land.
- m. WHBC’s proposed Green Corridor in their Stage 1 report is significantly narrower and poorly specified compared with the existing Green Corridor that we believe is needed to protect, enhance and sustain, among other matters, the environmental assets and their services and benefits. p. 29 of this report also states that “the corridor be less than 50m wide as this is the minimum required to promote use by migrating birds and other wildlife”. But this is not based on any analysis of the relevant evidence. It is much too narrow and open to abuse. It would not enable protection let alone enhancement of the ecosystems services benefits from the natural environment assets in the green corridor.
- f. The natural habitat and ecosystems in the Green Corridor are important in sustaining wildlife along not only their stretches of the corridor but along wider areas. Thus the Commons Nature reserve provides seeds and insects especially for the lean winter months that sustain high numbers of birds and other vertebrates in two other sites within the corridor and surrounding farmland and also in three other counties. WHBC seem to agree with this. In their Stage 1 report on the Green Corridor , they state that “Additionally, for the green corridor to be a ‘wildlife corridor’ it will be important to ensure other areas of green space, outside the strategic habitat locations, are wide and diverse enough to enable movement of species between them”. However, their actual practices in the Local plan regarding the proposed

development at WGC5 go against this dictum since they would narrow the corridor. Already there are pinch points in the Green Corridor where its width is constrained and where there is only woodland on its western edge. We are already at the minimum level to sustain the habitats and species which we currently enjoy. Any losses will result in a loss of diversity and the Ecosystem Services that they provide, which are summarised briefly in the attached paper.

3. *Justified by the evidence*

- a. WHBC's Local Plan and Green Corridor Stage 1 report is based on reports (on landscape character assessment and biodiversity action plan) dating back to 2005 and 2006 respectively and then a limited consultation in a workshop in 2015. They do not base their plan on any current actual systematic assessment of the ecology and environmental assets, their potential strategic linkages and their benefits and the impacts of developments on them. This is essential **before** they make any planning decisions affecting the green corridor.
- b. p. 49 of the Green Corridor Stage 1 report refers to the 2011 Rights of Way Improvement Plan. But it and the work on the Green Corridor should be based on the 2016 Rights of Way Improvement Plan.
- c. WHBC's statement "the corridor be less than 50m wide as this is the minimum required to promote use by migrating birds and other wildlife" is not based on any evidence (see above).

6 *Please set out the changes you consider necessary to make the draft Local Plan legally compliant or sound including revised wording of any policy or text. Be as precise as possible. (Attach supporting documents if necessary).*

- i. **'That Local Plan Policy SDS2 (Birchall Garden Suburb) be Removed'**
- ii. The Green Corridor needs to be based fundamentally on assessing strategically all of the overall benefits of the Green Corridor and seeing how best to protect and enhance them – see attached report which examines these benefits.
- iii. HCC must provide a clear map of the proposed path extensions and links.
- iv. HCC must show how the proposed plans for extending the network of paths in the Green Corridor are an integral part of their Transport Plan.
- v. HCC and WHBC should set out the welfare and health benefits to local residents from their greater use of these paths and how these are cost-effective ways of improving the currently poor health of residents in the Borough
- vi. HCC must set out clearly whether HCC or landowners and developers will be responsible for creation and maintenance of which paths. To address 2e above.
- vii. In either case, HCC must still be responsible for publicising the expanded network so that as many people as possible can benefit from it and monitoring the state of the paths and reporting publicly on its state and ensuring that the responsible body (either HCC or the landowner) effectively maintain all the paths on the network.
- viii. HCC must safeguard provision of finance for HCC's paths this in HCC's budgets. To address 2b- d above
- ix. For those paths for which developers are responsible, the Council must implement S 106 agreements with the developers to require them to pay fully for the creation of these paths and also their maintenance to ensure that they remain a good condition indefinitely. Set out clear mechanisms for the latter.

- x. The local plan and Green Corridor needs to include provision of a green path along the Lea between Bush Hall and the Stanborough Nature Reserve
- xi. HCC must publicise extensively the extended paths to encourage their use by local residents. The best way to protect the remaining green corridor from future pressure for yet more housing is to make sure that it is used and valued by the local community.
- xii. WHBC urgently needs to address the limitations of its current Stage 1 report on the Green Corridor (in 2f above) by pressing ahead with the proposed stage 2 work. This must be based on a sound up to date knowledge and understanding on the environmental assets in the Corridor and their benefits. WHBC must involve all local stakeholders and residents in this process. The Central Hertfordshire Green Corridor Group is ready, willing and able to participate positively and actively in this process.
- xiii. Accordingly, the Council needs to improve significantly the natural environment in the corridor and hence enhance the benefits for the large numbers of (local) people that could use the proposed extended network of paths.
- xiv. The required scale and width of the Green Corridor and its buffer zone should be based on a careful study of the natural habitats and ecosystems and their services in the corridor and what scale and breadth of a corridor is needed to protect and enhance them so as to be of maximum benefit to the environment and local people. This study must be completed **before** any decision can be taken on proposed developments alongside the corridor and in particular on any developments impinging on the corridor. Experts at the LSE consider that the benefits of a green corridor are broadly proportional to its breadth and length – ie double the width of the corridor yields a doubling of its benefits. Thus the recreation benefits of improved access paths are considerably enhanced by having a good natural habitat with a rich ecology and views alongside the paths. The physical and mental health and welfare benefits of the corridor will be considerably greater if it is bordered by good habitats and has views over neighbouring good quality landscape including views of Hatfield House and Hatfield Park. Furthermore, the natural habitats and ecosystems in the green corridor need to be sufficiently long, wide and connected to sustain bats, bees and other insects, which provide important pollination services to orchards and other farming activities in the area. They also help regulate pests.
- xv. To help WHBC determine the length and breadth of the Green Corridor needed now and for the future, it is proposed that LSE masters students will carry out a rigorous study of the benefits of the green corridor. They will review international evidence and best practice regarding green corridor and green infrastructure assets. They will then carry out focus group workshops and surveys asking Hertfordshire residents for their views on important features and aspects in the Green Corridor and the specific benefits of different scales of the Green corridor in terms of its breadth, length and quality. The Central Hertfordshire Green Corridor Group stands ready to facilitate the input of this study's findings into WHBC's Stage 2 work.
- xvi. Reducing soil and sediment input into the rivers is an important objective of the Middle Lea Catchment Plan, which the Green corridor could significantly help realise. Improved soil management and buffers of semi-natural and natural vegetation can significantly reduce soil erosion and input of sediments into the rivers. It is important to have fairly extensive areas of protective marginal grassland and scrub to achieve this. Landowners in the corridor should be encouraged to implement such measures through targeted use of agri-environment schemes and catchment sensitive farming.

To develop such effective measures requires answers to the following questions which the WHBC Local Plan and Green Corridor report currently fails to address:

- What is the breadth and length of the measures needed to improve soil management at neighbouring land and create buffers to reduce soil erosion problems and improve fish populations?
- How could such measures be implemented (e.g. through farm stewardship schemes, catchment sensitive farming etc).

If your representation is seeking a change, do you consider it necessary to take part and speak at the examination hearing? Yes.

9 Yes. We wish to be notified of the following:

- *When the Welwyn Hatfield Local Plan has been submitted for independent examination.*
- *When the Inspectors Report of the Welwyn Hatfield Local Plan is published.*
- *Adoption of the Welwyn Hatfield Local Plan.*

We welcome your comments on our consultation - would you like to complete our short feedback form? (If submitting more than one comment, please complete the feedback form once only.) No