

For submission to Stage 1 of the planned review of the Welwyn Hatfield Borough Council local plan.

Submitted by

Peter Oakenfull,

8<sup>th</sup> September 2017

### Questions

- 1) Has the DPD been prepared in accordance with the Local Development Scheme?
  
- 2) Is the DPD in general accordance with the Statement of Community Involvement and its public consultation requirements?
  
- 3) Has the DPD been subjected to Sustainability Appraisal? Are its conclusions sound and have they been taken into account in the DPD?
  
- 4) Has a Habitat Regulations Assessment been prepared? Are its conclusions sound and have they been taken into account in the DPD?

***Throughout the stages of the consultation process I have raised concerns that the Welwyn Hatfield Borough Council have not thoroughly considered the impacts on wildlife with regard to Birchall Garden Suburb and received no contact from them.***

***Welwyn Hatfield Borough Council accepted the findings of a flawed Scoping Report in 2015 prepared by Tarmac Limited for Birchall Garden Suburb and adopted the site into the local plan on this data. This report failed to follow the Chartered Institute of Ecology guidelines for scoping studies and by not engaging with stakeholders failed in determining the appropriate baseline of species and habitats to inform survey strategy.***

***Consequently, the Tarmac scoping report is limited to a one paragraph statement that only considers two European Protected Species, Bats and Great Crested Newts and the protected Eurasian Badger as being limitations to impacts on wildlife in taking the Birchall Garden Suburb scheme forward into the Local Plan.***

***I pointed this out at a joint meeting in August 2016 with head of planning for both Welwyn Hatfield Borough Council and East Herts District Council as part of the formulation of the Hertingfordbury Parish Council Neighbourhood Plan as a volunteer ecological advisor to the parish.***

***The Ecological Evaluation report commissioned by the parish council as part of the Neighbourhood Plan process and published in September 2017 has concluded that there are numerous designated county wildlife sites, a statutory protected Local Nature Reserve, ancient woodland, networks of hedgerows that are clearly linked through important arable habitats.***

***The area of the proposed Birchall Garden Suburb and surrounding countryside supports a rich diversity of important species dependent on the continued linkage of these wildlife sites which was not considered in the 2015 Tarmac scoping report.***

***Furthermore, the ecological evaluation report commissioned by Hertingfordbury Parish Council also lists three key European species, Water vole, Common Dormouse and Barbastelle Bat, the latter an Annex 2 species. These, along with many red and amber listed birds, schedule one and species of principle importance found in the study area were also not considered or listed in the developers study.***

***Welwyn Hatfield District Council has relied on a flawed developer's scoping report and not commissioned their own ecological study. Therefor it has not demonstrated that the Habitat Regulations have been considered or that given the complex biodiversity of the area they can be fully discharged by meeting the criteria of those regulations.***

5) Has the DPD been prepared in full accordance with the relevant parts of the Planning and Compulsory Purchase Act 2004 and the T&CP (Local Plan) (England) Regulations 2012 as amended?

6) Has the DPD had regard to appropriate national policy?

7) Has the Council fulfilled the requirements of the duty to cooperate?

***I believe that Welwyn Hatfield has failed in its duty to cooperate by not listening to the ecological statements put to them and at no point during the consultation period have they asked why I have raised these issues.***

I would be pleased of the opportunity to speak to the inspector if he feels I can be of assistance at the planned review on this matter

Yours sincerely.

Peter Oakenfull ACIEEM 8<sup>th</sup> August 2017

Also Treasurer of The Central Hertfordshire Green Corridor Group