

Officer Liz Anderson – Ecologist

Date 18/09/25

Ref: 24/02233/FP

Att: Henry Thomas

Old Foxes, North End, Kelshall, Royston, Hertfordshire, SG8 9SE

Change of use of land from agricultural/grazing land to residential garden and erection of detached ancillary annexe.

Consultee comments;

Thank you for consulting me, having looked at the submitted documents I would have no ecological objection to the proposal.

The Statutory Metric provided identifies the site biodiversity baseline as 1.05 Habitat Units and 0.19 Hedgerow units. The post-development hedgerow units for the site remain unchanged whilst habitat units are valued at 0.72 Habitat Units resulting in a net loss of 31.34%. As a result the site fails to meet the mandatory requirement for 10% BNG and the report acknowledges that off-site units will be required to make up the shortfall.

In addition to mandatory BNG the North Herts Local Plan also advises development should consider the inclusion of integrated features in the built fabric of dwellings such as bird and bee bricks. Taking this into account the following condition is advised;

Ecological Enhancements

No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat or bee boxes in the building has been submitted to and approved in writing by the local planning authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

The case officer should note Biodiversity Gain condition wording should be added to the decision notice, the biodiversity gain condition is a pre-commencement condition having its own separate statutory basis and is deemed to apply to every planning permission granted for the development of land in England. To ensure the applicant is clear about this distinction the biodiversity gain condition should not be included in the list of conditions imposed in the written notice when granting planning permission but should remain separate.

Biodiversity Net Gain

*The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that **development may not begin** unless:*

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Herts Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.