

Officer Liz Anderson – Ecologist

Date 03/03/25

Ref: 24/02404/FP

Att: Henry Thomas

**Land Adjoining Cantlebury Chapel Street And 1, Christys Yard, Hinxworth,
Erection of one detached 2-bed bungalow with associated access, car parking, private garden
and landscaping.**

Consultee comments;

Having read the submitted documents there would be no ecological objection to the proposal. The application would be subject to mandatory Biodiversity Net Gain and as such a BNG Metric has been provided. This shows that the proposal would result in a net loss of 85% of habitat units on site. The application recognises this will have to be delivered by the purchase of off site units to meet the 10% BNG requirement.

The DAS quotes an excerpt from a Preliminary Ecological Appraisal but I can't see this document amongst those submitted. It states that GCN have been confirmed present in the adjacent pond and the applicant will join the Natural England District Level Licence. A signed IACPC has been submitted so any potential impact on GCN has been appropriately addressed in accordance with the NE DLL route.

The August 2024 Habitat Mapping & Classification to support a BNG assessment (HMC) states there is no evidence of bats using the site but makes recommendation for appropriate protection measures in relation to the impacts of lighting during and post construction. Equally reptiles, birds, mammals and amphibians are cited as potential receptors which require precautionary methods of working.

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 bat, bird and bee bricks. These are also recommended in the HMC.

Taking the above points into account the following conditions are advised;

Biodiversity Method Statement

No development shall take place (including any ground works, site clearance) until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall be informed by August 2024 Habitat Mapping & Classification to support a BNG assessment and include the following:

- a) Review of site /time constraints.*
- b) Details of any necessary working methods to prevent harm to bats.*
- c) Type and source of materials to be used where appropriate.*
- d) Persons responsible for implementing the works.*

Ecological Enhancements

No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures and hedgehog holes in fences, as informed by the August 2024 Habitat Mapping & Classification to support a BNG assessment, has been submitted to and approved in writing by the local planning authority.

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.