

Officer Liz Anderson – Ecologist
Date 21/01/26

Ref: 25/01696/OP
Att: Naomi Reynard

Land South East Of Holwell Road And North Of Hambridge Way, Pirton, Herts

Outline application for the erection of up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS), and associated works with all matters reserved save for access.

Updated consultee comments;

I welcome the additional information and comments in response to my initial consultation. Having read through the updated information provided, which includes the outstanding species surveys, I am satisfied that the proposal would not have a detrimental impact on a protected species. However, 5.56 of the November 2025 Ecological Impact Assessment (EclA) notes that the site will be registered under the Hertfordshire District Level Licensing (DLL) scheme in association with Natural England to address any potential impacts on GCN. Guidance on the use of this licence method is clear in that an applicant 'must include a copy of the countersigned IACPC with your application for planning permission'. An IACPC is an impact assessment and conservation payment certificate and is not apparent with this application. The case officer is advised that the LPA needs to see evidence that the applicant has joined the DLL scheme.

The updated October 2025 Statutory Metric identifies the site biodiversity baseline as 13.16 Habitat Units and 7.18 Hedgerow Units with the post-development habitats of the site are valued at 13.44 Habitat Units and 8.56 Hedgerow Units resulting in a net gain of habitat units of 2.16% and a gain in hedgerow units of 19.26%. The habitat unit deficit will be met through off-site offsetting as stated in the November 2025 Biodiversity Net Gain Assessment (BNGA).

The Metric shows medium distinctiveness habitats on site pre and post development therefore, as described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required. The BNGA acknowledges this. To ensure the BNG is secured on site for 30 years and managed in an appropriate manner, the following condition is advised;

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including;

- (a) a non-technical summary;*
- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];*
- (c) the planned habitat creation and enhancement works in accordance with the approved Biodiversity Gain Plan;*
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;*

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse hereby approved and shall remain on site thereafter.

The provision of the October 2025 Preliminary Ecological Appraisal (PEA) and November Ecological Impact Assessment (EclA) is welcomed. The EclA notes in 4.38 that at least seven species of bat were identified during activity surveys, including common pipistrelle, soprano pipistrelle, Nathusius' pipistrelle *Pipistrellus nathusii*, noctule, brown long-eared bat and barbastelle. Of these it is interesting to note that barbastelles were the third most recorded species, with more contacts than species more commonly found such as brown long-eared or noctule bats. I agree that lighting design can be conditioned to be detailed at RM stage but this should ensure the expectation to retain dark corridors along hedgerows and boundaries is secured.

No reptiles or badger were recorded on site.

Recommendations made for ecological enhancements are detailed in 5.60, these should serve to inform an EEP and, in conjunction with North Herts Local Plan policy NE4, the following condition is advised;

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 and bee boxes in buildings/structures, and hedgehog holes in fences 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.

Given the existing habitats on site a Construction Environment Management Plan is advised to guide site development works. Minimising impact to retained features and ensuring removal of vegetation is undertaken sensitively.

Construction Environmental Management Plan

No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the November 2025 Ecological Impact Assessment and include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures to avoid or reduce impacts during construction.*
- d) The location and timing of sensitive works to harm to biodiversity features.*
- e) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed 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.