

Officer Liz Anderson – Ecologist

Ref: 26/01638/S73

Date 31/07/2026

Att: Melissa Tyler

Land Adjacent To Ashridge Farmhouse, Ashwell Street, Ashwell, Hertfordshire, SG7 5QF

Vary Condition Numbers 1 (BNG), 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 16 and 18 of planning permission reference number 25/03050/FP granted on 02.02.2026 for Erection of 4 dwellings including parking and landscaping.

Consultee comments;

Thank you for consulting me, having read through the submitted documents I would have no ecological objection to the amended wording for condition 3 – Ecological Enhancement. However, the suggested wording for the variation to the Biodiversity Net Gain condition is not appropriate.

Prior to commencement of any development on either phase an **overall biodiversity gain plan** is required. As such the following alternative wording is advised;

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:

- (i) a biodiversity gain plan for the overall development has been submitted to the planning authority; and*
- (ii) the planning authority has approved that plan;*

No phase of development may be begun unless the following has been met in respect of that phase:

- (i) a biodiversity gain plan for that phase has been submitted to the planning authority; and*
- (ii) the planning authority has approved that 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 Hertfordshire District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>). 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.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In Summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may begin (the overall plan) and before each phase of development may begin (phase plans).