

1. The scheme fails to meet mandatory Biodiversity Net Gain (BNG) requirements on-site:

- The Statutory Biodiversity Metric shows a **significant net loss of Habitat Units: –5.58 units (–24.26%)**.
- Habitat trading rules are not satisfied, meaning the development does not follow the Biodiversity Gain Hierarchy, which requires avoidance and minimisation of harm before compensation.
- Under the Environment Act (2021) and the related 2024 Regulations, the development must deliver **at least 10% net gain**, but **the proposal achieves a 24% net loss on-site**.

Why this matters:

Planning permission **should not** be granted for a scheme that does not meet the statutory 10% BNG requirement on its own land and requires uncertain off-site offsetting to function.

- **Environment Act 2021** — The Act introduced a mandatory requirement for most new developments in England to deliver a measurable increase in biodiversity through the law-enacted “Biodiversity Net Gain” (BNG) regime. [Legislation.gov.uk+2GOV.UK+2](https://legislation.gov.uk/ukpga/2021/24/section/17)
- Under the Act (via insertion of Schedule 7A into the Town and Country Planning Act 1990), a “biodiversity gain condition” must be attached to planning permissions, requiring that developers deliver a net biodiversity uplift, typically at least **10%** over baseline. [Legislation.gov.uk+2GOV.UK+2](https://legislation.gov.uk/ukpga/2021/24/section/17)

2. Heavy loss of medium-distinctiveness habitats

The report confirms that:

- **53% of area habitats** will be lost to development, including grassland, woodland, and scrub.
- The entire site comprises **medium-distinctiveness habitats**, which the Local Plan (NE4, SP12) requires to be **protected, enhanced, and managed**, not significantly reduced.

Why this matters:

The Local Plan clearly expects protection and enhancement of medium-distinctiveness habitats. Replacing over half the site's natural habitats with built development directly contradicts these policies.

3. Loss and deterioration of woodland

The report states:

- Woodlands (W2 and W4) will suffer “**necessary losses**” and **deterioration**.
- The retained woodland’s condition is only “**poor**” and will require long-term management merely to maintain basic levels of ecological value.

Why this matters:

Losing and degrading existing woodland conflicts with North Herts Council’s own policy framework – specifically policies SP12, NE1 and NE4 require the protection, enhancement, and **avoidance of loss** to woodland.

4. The proposal conflicts with the North Hertfordshire Local Plan

Several key policy conflicts arise:

Policy SP12 – Green infrastructure, landscape & biodiversity

This proposed development:

- **Does not protect or enhance green infrastructure**, instead removing over half of it.
- **Does not manage biodiversity networks**, given the major loss of grassland and woodland.
- **Fails to deliver measurable net gains** in habitat biodiversity.

Policy NE1 – Strategic green infrastructure

This proposed development:

- Causes **loss, fragmentation, and severance** of the strategic green infrastructure network.
- Does not provide equivalent replacement green infrastructure.

Policy NE4 – Biodiversity & geological sites

This proposed development:

- Does **not avoid, minimise, or fully mitigate** adverse ecological impacts.
- Does **not demonstrate that habitat losses are unavoidable**, violating the mitigation hierarchy.
- Creates no certainty that meaningful long-term biodiversity improvement will occur.

Why this matters:

Planning permission **should not be granted** where a development is contrary to multiple adopted local policies.

5. The development depends on off-site compensation to meet legal BNG requirements

The report notes:

- A 10% BNG will **not** be achieved on-site.
- The development **must rely on off-site offsetting**, but no details of land availability, deliverability, or long-term management have been confirmed.

Why this matters:

Off-site units can only be used when on-site options are exhausted, and even then must be:

- Available
- Registered
- Legally secured for 30 years

Because **no specific off-site land is identified**, the development cannot currently satisfy the statutory BNG condition required for planning permission.

6. Threat to Protected and Priority Species:

- Records show the presence for protected species, including multiple bat species - with suitable roosting trees on-site, and a rich assemblage of birds, including owls.
- Development would cause significant increase light pollution as well as direct loss of habitat - risking population declines.
- Given the presence of protected and priority species (bats, reptiles, birds, badgers, etc.), the proposal risks contravening species-protection legislation — notably the Wildlife and Countryside Act 1981 (as amended), which protects many native species and their habitats.

7. Green Belt Protection Must Be Maintained

- The site is currently designated as Green Belt and plays a vital role in preventing urban sprawl, preserving the open countryside, and maintaining the identity and historic character of the village of St Ippolyts and the hamlet of Gosmore.
- The proposal conflicts with policies protecting Green Belt land under the National Planning Policy Framework (NPPF) and North Hertfordshire District Council's Local Plan.
- The site is **not identified as a sustainable development location in the Local Plan** and lacks the infrastructure to support new housing.
- The National Planning Policy Framework (NPPF) and North Hertfordshire District Council Local Plan strongly protect Green Belt land except in "very special circumstances", which have not been justified here. There is simply no evidence of "very special circumstances" particularly as the **location of this site is directly opposite a new housing development of 80+ new houses** which is already underway.

• 8. Impact on Existing Local Residents

- The development would increase traffic, on Mill Lane - a very narrow country lane in a historic rural village location.
- This will negatively impact the quality of life and safety of current residents and the elderly residents of Sloe Hill residential care home.
- The development would increase light pollution – there are no street lights on Mill Lane, maintaining it's country lane character.
- There is one primary school in the village this school is very small and already over-subscribed and unable to meet the demand for school places caused by numerous housing developments in the same area. Travelling to an alternative school will increase traffic as there are no other primary schools within walking distance. Secondary schools in Hitchin are also already over-subscribed and not in walking distance – again increasing road traffic along London Road and down Mill Lane, which will become a dangerous cut-through to avoid congestion on London Road.