

Officer Liz Anderson – Ecologist
Date 07/07/25

Ref: 25/00718/FP
Att: Melissa Tyler

Hitchin Swimming Pool, Fishponds Road, Hitchin, Hertfordshire, SG5 1HA

Decarbonisation works, including: the provision of insulated rendering to external walls, a substation, air source heat pump and associated enclosure, and the installation of photovoltaic panels on roofs. Changes to western access gate and ground re-enforcement of access.

Consultee comments;

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

The March 2025 Statutory Biodiversity Metric records the site as achieving a 12% gain in Habitat Units and 10.67% gain in Hedgerow Units. Thereby meeting the mandatory requirement of 10%.

The preliminary ecological appraisal advised further bat roost assessment. Three surveys were undertaken and the final report confirms that an individual common pipistrelle bat was using the roof of the gym building as a day roost. As such the report advises that an EPS mitigation licence will be required from Natural England and the following condition should be added to any permission granted.

Roofing works being undertaken likely to cause harm to bats shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

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.