

Application: 25/02547/FP

Location : Land to the south and east of Senuna Park, Station road, Ashwell

Updates to the committee report for the meeting on 16/04/26

1.0 Therfield SSSI

- 1.1 Following the publication of the report, it has been brought to the case officer's attention by Cllr May that the application site is within the 5.8km zone of importance for the Therfield Heath SSSI. Unfortunately, this was missed when the application was registered due to an error with the constraints map system, which has since been updated. Both Natural England and the Conservators of Therfield Heath have been consulted on the application.
- 1.2 A response has been received from the Therfield Heath Conservators', which is attached to this update. In summary, this is seeking a S106 contribution of £680.00 (plus indexation) per dwelling, which is £24,480.00 (plus indexation) under the Therfield Heath SSSI Mitigation Strategy to be put towards the 'signage and web initiative' programme. At this time, this has been put to the applicant for his review and agreement, and the amended recommendation to the application, as set out below, allows for this to be agreed by delegation to the Development and Conservation Manager.

2.0 Ashwell Parish Council Sports Pavilion

- 2.1 Further to the committee report, there is no update on this matter. The applicant has agreed to pay towards the sports pavilion but the amount is still not agreed. The recommendation of the application allows for this matter to be agreed by delegation to the Development and Conservation Manager.

3.0 HCC Growth and Infrastructure

- 3.1 An updated response dated 10/04/26 has been received, which is attached to this update. This sets out that the previous response was based on an incorrect dwelling mix, and as a result, the contributions sought have been decreased. Therefore, the figures set out in the committee report at paragraphs 3.6 and 4.3.30 are no longer correct. The previous and new figures are: (NB all are to be indexed linked to BCIS 1Q2024 plus BCIS regional Factor for education):

Contribution	As set out in the report	New amount sought
Secondary education towards the expansion of Knights Templar Secondary School, Baldock	£439,126.00	£342,425.00
SEN education	£63,760.00	£59,919.00
Childcare contribution towards increasing the capacity of 0-2 year old child care	Not sought	£7,681.00

Childcare contribution towards increasing the capacity of 5-11 year old child care at Ashwell Primary School	£643.00	£504.00
Library service towards increasing the capacity at Baldock Library	£10,630.00	£10,127.00
Youth Service Contribution towards increasing capacity through resource requirements to support the delivery of youth work	£7,250.00	£6,111.00
Waste Service – recycling centre	£7,609.00	£7,249.00
Waste Service – Transfer station	£10,641.00	£10,138.00
Fire and Rescue Service	£15,451.00	£3,229.00 (indexed linked to BCIS 2Q2025).
Sustainable Transport	£354,996.00	No change - £354,996.00

3.2 Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

3.3 At the time of writing this update, the applicant has not agreed these revised figures. An update on this will be provided at the meeting.

4.0 Place Services Ecology

4.1 An updated response from Place Services has been received, dated 09/04/26. This has not changed the recommended conditions, which are recommended at BNG2 below, and at conditions 8, 10, 11 and 12 in the committee report.

5.0 BNG Conditions

5.1 There is an error in the report as the BNG conditions have not been published in the committee report. The two conditions are:

5.2 BNG1:

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 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.

5.3 BNG2:

A Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, 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 to create or improve habitat to achieve the on-site significant enhancements 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 in respect of the created or enhanced habitat to be submitted to the local planning authority; and*
- f) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.*

Notice in writing shall be given to the Council when the:
o initial enhancements, as set in the HMMP, have been implemented; and
o habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of the habitat creation and enhancement works until:
o the habitat creation and enhancement works set out in the approved HMMP have been completed; and
o a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

6.0 Revised recommendation

6.1 Paragraph 6.1 of the report states:

6.1 That planning permission be GRANTED subject to the following resolutions:

- 1. The receipt of a no objection response from the LLFA and the imposition of any conditions delegated to the Development and Conservation Manager;*
- 2. The agreement of the sports pavilion payment delegated to the Development and Conservation Manager;*
- 3. The completion of a S106 legal agreement for the HoTs as set out above and the inclusion of the sports pavilion contribution, all indexed linked;*
- 4. An extension of time as required to address the above; and*
- 5. The conditions and informative as set out below:*

6.2 The updated recommendation for this application is that planning permission be GRANTED subject to the following resolutions:

1. The receipt of a no objection response from the LLFA and the imposition of any conditions delegated to the Development and Conservation Manager;
2. The agreement of the sports pavilion payment delegated to the Development and Conservation Manager;
3. The agreement of the Therfield Heath SSSI mitigation strategy payment delegated to the Development and Conservation Manager;
4. The completion of a S106 legal agreement for the HoTs as set out above in this update note with the inclusion of the sports pavilion and Therfield Heath SSSI mitigation strategy contribution, and the affordable housing contribution as set out in the committee report all indexed linked;
5. An extension of time as required to address the above; and
6. The conditions and informative as set out in the committee report with the addition of the BNG conditions as set out above.