

Hertfordshire LEADS (Ecology)
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15/09/2025

Application

Variation of condition 2 (revised plans) and condition 10 (Flood Risk Assessment) of planning permission 22/03092/FP granted 15.03.2024 for Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Grays Lane (as amended)

[25/01745/S73](#)

Land To The East Of Foxholes And Gainsford And On The West Side Of Crow Furlong Hitchin Hertfordshire

Documents:

- Landscaping Proposals DWG JBA 24/555
- Biodiversity Net Gain - Landscape And Ecological Management and Maintenance Plan, July 2025.
- Updated Ecological Appraisal, June 2025
- Proposed site Plan, DWG181-PS-2-101.
- Biodiversity Net Gain Calculation for land at Gray's Lane, Hitchin, 2nd July 2025.

Consultancy: James Blake Associates, Aspect Ecology.

Summary of Advice:

Advise- Insufficient information to determine application.

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Protected Species:

Insufficient information on Bats to allow determination.

Condition 7 & 8: Further information required.

Over all changes to the design to the permitted development:

I am not aware of any new ecological constraints as a result of the proposed changes.

Updated Ecological Appraisal (June 2025)

Bats: In the updated May 2025 survey a hawthorn tree proposed for removal was assessed as having a feature with moderate potential as a bat roost. An endoscopic

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survey is recommended within the report to assess the presence or absence of bats. These surveys can be carried out at any time of the year. As bats are classified as European Protected Species (EPS), sufficient information is required to be submitted to the Local Planning Authority **prior to determination**, so it can fully consider the impact of the proposals on bats and discharge its legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended). Consequently, **there is still currently insufficient information to properly determine the impact on bats**. I advise the recommended survey is undertaken and the results, including any appropriate mitigation, submitted in a report to the Local Planning Authority for approval.

Other protected Species: Reasonable avoidance measures for protected species and retained habitats are recommended and should be followed in full.

Conditions attached to application 22/03092/FP that the applicant seeks to resolve as part of this application:

Either further information, as set out below, relating to condition 7 and 8 should be provided or the existing conditions added to any permission granted for this application. There is sufficient information relating to condition 28 (lighting).

Condition 7

	Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority.	Sufficient information	Additional comment
aa)	The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (+0.47 habitat units, +0.64 hedgerow units) to achieve a net gain in biodiversity and include the following	Yes	Yes
a)	Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.	No	Yes
b)	Appropriate management options for achieving target condition for habitats as described in the approved metric.	No	Yes
c)	Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity).	Yes	No
d)	Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.	No	Yes
e)	Ongoing monitoring plan and remedial measures to ensure habitat condition	Yes	No

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	targets are met.		
f)	Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.	Yes	No

aa). The +0.47 habitat units, +0.64 hedgerow units quoted in the condition relate to the Metric V3 completion date 04/02/2022 by Aspect Ecology which supported the original application 22/03092/FP. The BNGMP quotes a higher set of figures 0.92 habitat units and a 0.97 gain for hedgerows/linear features units. This is based on a completed mandatory metric Biodiversity Net Gain by – James Blake Associates in 2025 which is informed by updated Landscaping plans (JBA 24/555 02-13).

- a) The excel spreadsheet version of the metric is not supplied and the habitat prescriptions are applied to habitat type without any cross reference to individual habitat parcels or rows within in the metric. However, I note that in the report on the 2025 metric calculation only a single condition target is being set for each type of habitat. Given this the need to reference individual parcels is not required. Nevertheless, the original excel metric should be provided for scrutiny to check this detail.
- b) The advice on cutting the hedges is contradictory with the general prescription advising pruning in June and the schedule of operation advising That it should be carried out outside of the bird nesting season. This should be corrected.
- d) The seed mix for the wildflower areas is not specified and the landscaping plans reference a planting schedule which needs to be provided and presumably provide this detail.

Condition 8:

“No development shall commence until details of 20 integrated swift boxes and 20 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.”

Comment: The location of these boxes set at appropriate aspects are provided on the landscape overview plan, **but details of the actual proposed boxes is not provided**, nor is this indicated by the Aspect ecology report.

The boxes should be of an integrated version and I would advise for the swift boxes that a universal design is utilised. Details of the type of both the bird and bat boxes should be provided.

Condition 28:

“28. Prior to the commencement of the development hereby approved, a scheme of

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sensitively designed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include and consider temporary construction lighting as well as more permanent lighting associated with the development hereby approved. Light-spill (including from temporary construction lighting) onto retained and newly created habitat, in particular the retained woodland habitat forming the south of the site, should be minimised in accordance with good practice guidance, as set out in footnote 15 of the approved Updated Ecological Report by Aspect Ecology referenced 1005083 UEcoAp vf12 CL dated 15/11/2022. The sensitively designed lighting strategy shall consider the following key factors:

- o Light exclusion zones*
- o Variable Lighting Regimes*
- o Light barriers*
- o Spacing and height of lighting units*
- o Light intensity*
- o Directionality*

Reason: To ensure the protection, enhancement and management of biodiversity, and to comply with Policy NE4 of the North Hertfordshire Local Plan 2011 to 2031.”

Comment: The Lighting Design ref 25-002-1A provides details of the types of lights and give horizontal lux values. Theses demonstrate that the southern woodland will be unaffected by the proposed lighting, the horizontal lux value drops to 0.5 or less near the vicinity of proposed artificial bat roosts and to 1 or 0.5 lux within the green spaces within the development. Consequently, I advise the design meets the requirements of the condition.

I trust these comments are of assistance and kind regards.

Simon Richards

Senior Ecologists, Hertfordshire LEADS