

Officer Liz Anderson – Ecologist
Date 14/02/25

Ref: 24/02475/FP
Att: Andrew Hunter

Ramridge Farm, Luton Road, Kimpton, Hitchin, Hertfordshire, SG4 8HB

Erection of livestock agricultural barn

Consultee comments;

Thank you for consulting me, having read through the submitted documents there is no ecological objection. The Preliminary Ecological Appraisal predicted no impact to protected species but did advise a sensitive lighting strategy should be implemented to prevent light spills into the dark corridor at the rear of the site. The following condition wording is suggested;

Prior to occupation, a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall identify those areas/features on site to which bats and other nocturnal species are particularly sensitive where lighting is likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and

b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Due to the presence of a hedgerow and other habitat that may be of interest to nesting birds the applicant is advised to avoid the bird nesting season, or if this cannot be avoided the site should be checked for nesting birds prior to any site clearance taking place.

The proposal is subject to mandatory Biodiversity Net Gain and the submitted Statutory Metric shows that the proposal would result in a would result in a 13% gain in habitat units and 12% gain in hedgerow units and so is compliant with the mandatory requirement for eligible developments to deliver 10% Biodiversity Net Gain (BNG)

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.