

Officer Liz Anderson – Ecologist

Date 9/1/25

Ref: 24/02167/FP

Att: Tom Rae

Old Generator House, Mill Lane, Hexton, Hertfordshire, SG5 3JE

Erection of one detached 3-bed dwelling with parking and landscaping with new vehicular and pedestrian accesses onto Mill Lane following demolition of existing outbuilding.

Consultee comments;

Having read through the submitted documents I would have no ecological objection to the proposal.

The December 2024 Statutory Biodiversity Metric finds that the proposal would result in a 3% loss equating to 0.07 of a biodiversity unit. This is primarily because garden land cannot count towards BNG in metric calculations but given the location of the dwelling and the opportunities to compensate for that loss there is no concern that a Biodiversity Gain condition could not be discharged.

A bat survey has been undertaken which found no evidence of bats using the building but a barn owl interest in the barn was identified. As such a barn owl and breeding bird mitigation plan to address the loss of potential breeding habitat will be required.

Prior to the commencement of works hereby permitted a Barn Owl and Breeding Bird Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of nature conservation. To comply with Policy NE4 of the Local Plan

In addition to BNG units the North Herts Local Plan also looks for new development to deliver ecological benefit and as such the inclusion of bat boxes as recommended in the Emergence and Activity Bat Survey is advised.

All ecological measures and/or works shall be carried out in accordance with the details contained in the May 2024 Emergence and Activity Bat Survey as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that works are ecologically sensitive and do not result in adverse impacts to protected species.

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.

North Herts Council,

PO Box 10613, Nottingham, NG6 6DW

www.north-herts.gov.uk

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.