

Officer Liz Anderson – Ecologist

Date 12/03/26

Ref: 25/00276/FP

Att: Henry Thomas

**Land Opposite Silver Ball, London Road, Reed, Hertfordshire, SG8 8BA,
Erection of 21 Dwellings including creation of two vehicular access roads and off-site highway
improvements, provision of play area, landscaping and associated infrastructure.**

Consultee comments;

Having considered the submitted information I do have some concerns regarding the current proposal.

The provision of the January 2026 Ecological Impact Assessment (EclA) and associated bat and reptile surveys is welcomed. The EclA notes in on page 2 that the habitats on site contain '*areas used by barbastelle bats, which are on the cusp of District value*'. The bat surveys recorded 8 bat species including the nationally rare barbastelle. Barbastelles were found to be using the northeast, northwest and southeast corners of the site. Given their sensitivity to light the report considers there is potential for moderate, negative and long-term impacts on bat activity across the site as a result of the development without mitigation.

A lighting strategy can be conditioned and it is recommended that external lighting be minimised but this will only be effective for areas within the public realm. I am concerned that the proximity of the new dwellings to the northern tree line will result in uncontrollable levels of light spill emanating from within households. In order to be sure that dark corridors along hedgerows and the northern boundary are maintained I advise that there should be no first floor windows on the northern elevation of plots 1, 5, 12 and 15. North Herts Local Plan policy NE4 expects a buffer of 12m to existing hedgerows and trees. This scheme proposes a reduction of this to 10m in places and it does not allow for the canopy of larger trees which, in the case of plot 12, will result in bat activity potentially being brought very close to the new dwellings.

The tree protection plan shows root pruning for a tree within G3, the purpose of NE4 is to protect the integrity of wildlife corridors whilst supporting biodiversity net gains. It is one thing to reduce the required 12m to 10m but to go beyond this and require root pruning because an insufficient buffer has been provided is not acceptable, nor policy compliant.

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;

a) identify those areas/features on site to which bats and other nocturnal species are particularly sensitive and that are 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 (through the provision of appropriate lighting contour plans and technical specifications) 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

The Metric shows medium distinctiveness habitats on site pre and post development therefore, as described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required. To ensure the BNG is secured on site for 30 years and managed in an appropriate manner, the following condition is advised;

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and 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 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 and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.*

The agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse hereby approved and shall remain on site thereafter.

No reptiles or badger were recorded on site.

Recommendations made for ecological enhancements are detailed in the EcIA, these should serve to inform an EEP and, in conjunction with North Herts Local Plan policy NE4, the following condition is advised;

No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in buildings/structures with swift bricks used where heights allow and hedgehog holes in fences has been submitted to and approved in writing by the local planning authority.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the North Herts Local Plan policy NE4.

Given the existing habitats on site a Construction Environment Management Plan is advised to guide site development works. Minimising impact to retained features and ensuring removal of vegetation is undertaken sensitively.

No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by an up to date Ecological Appraisal and include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures to avoid or reduce impacts during construction.*
- d) The location and timing of sensitive works to harm to biodiversity features.*
- e) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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.