



Ben Glover
North Herts Council
PO Box 10613
Nottingham
NG6 6DW

Date: 16th January 2026

By email only: Planning Department, planning.control@north-herts.gov.uk

Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform North Herts Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: 25/01708/OP
Location: Land Opposite Heath Farm Briary Lane Royston Hertfordshire
Proposal: Erection of up to 84 dwellings with public open space, landscaping and sustainable drainage system (SuDS) following demolition of No. 24 Echo Hill with all matters reserved save for access.

Thank you for consulting Place Services on the above outline application.

No ecological objection	☐
No ecological objection subject to attached conditions	☒
Further information required/Temporary holding objection	☐
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the Preliminary Ecological Appraisal (CSA Environmental, June 2025) and Ecological Impact Assessment (EcIA) (CSA Environmental, October 2025) relating to the likely impacts of development on designated sites, protected and Priority species &

habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We are satisfied that there is sufficient ecological information available to support determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species and habitats, and with mitigation measures secured, the LPA can determine the application in line with policy requirements.

Designated sites (Therfield Heath SSSI and LNR):

We note the comments provided by the LPA ecologist (27 August 2025), Natural England (ref 520064 dated 13 August 2025) and also those submitted by and Herts & Middlesex Wildlife Trust (18 September 2025). We consider that the applicant has provided additional detail and Natural England is satisfied with the mitigation proposed for delivery to be secured.

The site is located within 60m of Therfield Heath SSSI and LNR and is within the evidenced 5.8km Natural England Zone of Influence for recreational pressure impacts and therefore details for delivery of a package of mitigation measures and/or financial contributions in accordance with North Hertfordshire Council's Therfield Heath SSSI Mitigation Strategy is necessary. We welcome confirmation that the proposed development will deliver c. 5.89ha of green infrastructure, significantly in excess of Natural England's recommended SANG 8ha/1000 population standard. To ensure the greenspace is sufficiently attractive to divert and deflect recreational use of the nearby SSSI, we recommend that any consent should require the greenspace to include a community orchard, adequate circular walking routes and areas of amenity grassland and restoration of calcareous grassland.

We share the LPA ecologist's concern that the proposed design of the development does not provide a robust buffer to the SSSI, though the approved mitigation strategy make require this to be embedded into the design of the development at reserved matters stage.

European Protected Species:

Bats

We note that, in addition to a bat Preliminary Roost Assessment of the two buildings on site, bat activity surveys were undertaken which recorded Barbastelle, a very rare species of bat which needs a network of features in the landscape for foraging. Being listed on Appendix II species of both Bern and Bonn Conventions as well as also being a protected and Priority species, mitigation for flightlines e.g. hedgerows and tree lines, is essential to avoid adverse impacts at a local population scale as the static survey results show use of the site from May to September indicating it is part of the wider conversation zone for the offsite roosts. We recommend that all features evidenced as used by Barbastelle bat are retained within the layout unless alternative connections are planted to maintain its sustenance zone which could extend to 12km from a roost.

We support the EclA recommendation for a sensitive external lighting scheme will be prepared in consultation with a bat ecologist to avoid/minimise light spill onto retained and created habitat to ensure ecological functionality of retained hedgerows and boundary habitats. This is necessary to maintain dark corridors for bats and other nocturnal wildlife and would need to be secured via control of detailed lighting designs and/or a suitably worded planning condition.

Great crested newt (GCN) & Hazel dormouse

We are satisfied that, given the lack of suitable breeding opportunities and absence of great crested newt within the average dispersal range (250-500m), GCN are likely absent from the Site and surveys are not considered necessary.

We note that the EclA also considers it highly unlikely that dormice will utilise the Site; however, this species has been found to be present using habitat which is atypical and distributed at a very low level across the landscape. We therefore recommend that precautionary measures are secured for removal of any section of hedgerow.

Protected species (reptiles and Barn Owl):

We highlight that reptile surveys undertaken between June and July 2025 confirmed a low population of breeding Common lizard within the field margins of F2. The EclA recommends a Reptile Mitigation Strategy is necessary to translocate animals to a onsite receptor site and secure the details via a condition of any consent to be discharged ahead of reserved matters stage.

As the Site walkover confirmed Barn owl pellets found along the base of Hedgerow H3 and desk study records indicate that this Schedule 1 bird uses the Site for foraging, we recommend that the design of the open space includes a long-sward grassland which will need to be maintained using appropriate long term management to provide foraging opportunities for Barn owl.

Priority species & habitats:

Whilst the breeding bird surveys identified several Priority species on site, the farmland bird assemblage which will be affected includes Grey partridge, Linnet, Skylark and Yellowhammer. We welcome the EclA statement at para 5.47 that offsite compensation to be delivered for one Skylark breeding territory, secured by a planning obligation or a legal agreement if the applicant does not have suitable land within their control.

We also note that the EclA confirms that two Priority species of invertebrates were recorded, including small heath butterfly and cinnabar moth (a 'research only' species in relation to ragwort). Whilst not recorded there is potential for two other Priority species Horehound longhorn moth and five-banded digger wasp, as the Site supports the correct food resources within hedgerows and long-sward grassland.

As the development will result in the loss of Priority habitat Hedgerow, the development is expected to use the onsite greenspace to be provided to follow the Biodiversity Gain Hierarchy and retain habitats within the layout before creating compensatory habitat and delivering as much of the mandatory 10% BNG as possible. We welcome that hedgerow infill planting and enhancements to existing hedgerows on Site will support ecological connectivity for species, such as bats.

The mitigation measures identified in the Ecological Impact Assessment (EcIA) (CSA Environmental, October 2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance designated sites, protected and Priority species and habitats, particularly those recorded in the locality.

Mandatory Biodiversity Net Gains (BNG)

With regard to mandatory biodiversity net gains, we have also reviewed the information submitted relating to mandatory biodiversity net gains. It is highlighted that we are satisfied that the submitted Biodiversity Net Gain Assessment: Design Stage (CSA Environmental, October 2025) and Statutory Biodiversity Metric (CSA Environmental, October 2025) are sufficient to support a lawful decision. Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- c) Pre and post development habitat plans.
- d) Legal agreement(s)
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).
- f) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes a significant on-site enhancement, it is suggested that this includes the following habitats:

- Other neutral grassland
- Mixed scrub
- Traditional orchard
- Urban tree
- Rural tree

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site

enhancements should be secured via planning obligation for a period of up to 30 years from the completion of development. This will be required to be submitted concurrent with the discharge of the biodiversity gain condition. Therefore, the LPA is encouraged to secure draft heads of terms for this planning obligation at application stage, to be finalised as part of the biodiversity gain condition. Alternatively, the management and monitoring of significant on-site enhancements could be secured as a condition of any consent. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 3, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Ecological Impact Assessment (EclA) (CSA Environmental, October 2025) to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gains.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (EclA) (CSA Environmental, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. **CONCURRENT WITH RESERVED MATTERS PRIOR TO COMMENCEMENT:
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR
BIODIVERSITY**

“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements e.g. Hazel dormouse, Badger).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP Biodiversity 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”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

3. **CONCURRENT WITH RESERVED MATTERS PRIOR TO COMMENCEMENT:
REPTILE MITIGATION STRATEGY**

“No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the local planning authority.

The Reptile Mitigation Strategy shall include the following:

- a) purpose and conservation objectives for the proposed works;*
- b) review of site potential and constraints;*
- c) detailed design(s) and/or working method(s) necessary to achieve stated objectives;*
- d) extent and location of proposed works shown on appropriate scale maps and plans;*
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;*
- f) timetable for implementation, demonstrating that works are aligned with any proposed phasing of development;*
- g) persons responsible for implementing the works;*

- h) details of initial aftercare and long-term maintenance of the receptor site;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented strictly in accordance with the approved details and shall be retained in that manner thereafter.”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (as amended) and s17 Crime & Disorder Act 1998.

4. **CONCURRENT WITH RESERVED MATTERS PRIOR TO COMMENCEMENT: FARMLAND BIRD COMPENSATION STRATEGY**

“A Farmland Bird Compensation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Compensation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;
- b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: ‘AB4 Skylark Plots’;
- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Compensation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.”

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (as amended)

5. **CONCURRENT WITH RESERVED MATTERS PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Impact Assessment (EcIA) (CSA Environmental, October 2025), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;

- c) *locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) *persons responsible for implementing the enhancement measures; and*
- e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

6. **CONCURRENT WITH RESERVED MATTERS PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

“Prior to occupation, a “lighting design strategy for biodiversity” for any areas to be lit in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) *identify those areas/features on site that are particularly sensitive for bats and other nocturnal wildlife and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) *show how and where external lighting will be installed (through 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 scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

7. **CONCURRENT WITH RESERVED MATTERS PRIOR TO OCCUPATION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

“A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development [or specified phase of development].

The content of the LEMP shall include the following:

- a) *Description and evaluation of features to be managed.*
- b) *Ecological trends and constraints on site that might influence management.*
- c) *Aims and objectives of management.*
- d) *Appropriate management options for achieving aims and objectives.*

- e) *Prescriptions for management actions.*
- f) *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) *Details of the body or organisation responsible for implementation of the plan.*
- h) *Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details for the lifetime of the development to provide the required SANG function for Therfield Heath SSSI."

Reason: To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (as amended) and avoid adverse effects on statutory designated sites.

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation (either at application stage or the Biodiversity Gain Condition), to allow aftercare and monitoring to be secured for the 30-year period and the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

1. PRIOR TO COMMENCEMENT: HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)

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:

- *initial enhancements, as set in the HMMP, have been implemented; and*
- *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:

- *the habitat creation and enhancement works set out in the approved HMMP have been completed; and*
- *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.

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under [paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990](#). The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

The local planning authority is strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using [draft text](#) provided by the Secretary of State:

“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) 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. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

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.”

Please contact us if you have any queries in relation to this advice.

Sue Hooton CEnv MCIEEM BSc (Hons)
Principal Ecological Consultant
 Place Services at Essex County Council



Place Services provide ecological advice on behalf of North Herts Council

Please note:

- *This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.*
- *We are unable to respond directly to applicants/agents or other interested parties.*
- *Any additional information, queries or comments on this advice that the applicant/agent or other interested parties may have, must be directed to the Planning Officer at the relevant LPA, who will seek further advice from us where appropriate.*