

Officer Liz Anderson – Ecologist
Date 23/05/25

Ref: 24/01042/FP
Att: Tom Rea

**Land At Church Wood, Three Houses Lane, Codicote, Hertfordshire,
Change of use of land to equestrian and erection of stables and covered menage.**

Consultee comments;

Thank you for consulting me, having looked at the submitted documents I would have no ecological objection to the proposal.

The Submitted Statutory Metric identifies the site biodiversity baseline as 3.1 Habitat Units, the post-development habitats of the site are valued at 3.55 Habitat Units resulting in a Biodiversity Net Gain of 14.5%. Thereby meeting the mandatory requirement for 10% 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.