

Officer Liz Anderson – Ecologist
Date 30/01/2026

Ref: 25/02401/OP
Att: Paul Chaston

Land South Of Turnpike Lane, Ickleford, Hertfordshire,

Erection of up to 100 dwellings with means of access from Turnpike Lane including associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works following demolition of all existing structures (all matters reserved except means of access)

Consultee comments following updated information

Following comments provided previously, additional ecological information has been supplied giving the remaining species survey data.

It is acknowledged that the layout retains boundary habitats with further ecological gains coming from habitat creation with tree planting, grassland enhancement and new ponds / SuDS. I also welcome the intention to take the Hertfordshire LNRS strategic habitat priorities and actions into account in the final landscaping design.

The ecological appraisal addresses the value of the onsite grassland habitats and the trees and woodland and the precautionary approach taken when considering potential risks of temporary damage during construction is noted and accepted.

The proposal fails to demonstrate the mandatory 10% BNG on site, which remains disappointing. The submitted Metric shows a negative impact as a result with a 14.56% loss of biodiversity units from the site. The applicant also acknowledges that off-site units will be required and I am satisfied that the biodiversity hierarchy has been appropriately followed.

Existing and proposed habitats on site are considered to be significant as they are classified as medium distinctiveness so a Habitat Management and Monitoring Plan (HMMP) will be required to be submitted alongside a Biodiversity Gain Plan (BGP). A draft Habitat Management and Monitoring Plan (HMMP) has been provided as requested and this is welcomed.

Regarding GCN, given assessments have been undertaken and taking the information provided by the applicant into account, a Reasonable Avoidance Method Statement would be acceptable.

Commuting and foraging bats are considered to be of Local-District Importance due to the diversity of species recorded within the site, including those species that are rarer, such as barbastelle and Nathusius' pipistrelle. Recommendations set out within the EclA for mitigation and enhancement measures relating to bats remain largely unchanged as a result of the

finalised survey outcomes. The habitats on site and significance of the use of the site by nocturnal species will require a Lighting Strategy to be conditioned.

The illustrative landscape strategy indicates proposed active routes around the site connecting up with adjacent land. Whilst this will provide valuable pedestrian connectivity, both for those on this site and also adjacent developments, I am concerned at the level of access shown in woodland where badger activity has been identified. The EclA records several badger setts on site. As mentioned in my previous comments, the proximity of any development, including the creation of new access routes, would need to take this into account to ensure that future conflicts with residents and badgers won't arise. The applicant's ecological response to my concerns are reasonable in terms of new dwellings but an access strategy for the site will need to take badger disturbance into account and mitigate impacts by ensuring formal paths avoid areas in proximity to setts.

Further, the updated ecological report notes the presence of Otter spraints SW of the site by the river. Local residents in the area will naturally be keen to enjoy the new access across the site but routes to the river should consider the sensitivity of wildlife to disturbance from dogs and ensure access into the water is restricted.

Given the mitigation detailed by the applicant I have no ecological objection to the proposal subject to the following conditions;

Construction Environmental Management Plan

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 the September 2025 Ecological Impact Assessment and 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 impacts to protected species during construction (may be provided as a set of method statements).*
- 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 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.

Habitat Management and Monitoring Plan

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan 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 to create or improve habitat to achieve the biodiversity net gain 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; and*
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.*

Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and*
- (b) habitat creation and enhancement works as set out in the HMMP have been completed.*

The created habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

As North Herts Council will be required to review the monitoring reports and make site visits to assess the effectiveness of, and adherence to, the HMMP, costs would need to be secured via a s106 as detailed in Biodiversity planning advice at complexity price band 2.

Recommendations are made for ecological enhancements 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 bricks in buildings/structures, swift bricks should be used where building 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.

The potential for disturbance to nocturnal species from lighting on site is raised in the EclA and as such a sensitive lighting strategy is advised;

A lighting strategy for biodiversity on 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 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.