

Officer Liz Anderson – Ecologist
Date 27/9/24

Ref: 24/01580/FP
Att: Tom Rea

School House, School Lane, Offley, Hitchin, Hertfordshire, SG5 3AT

Erection of two 3-bedroom dwellings and two 1-bedroom apartments on land adjacent to School House, with 5 parking spaces and new vehicular access onto School Lane.

Updated consultee comments;

Having looked at the amended documents the Small Sites Metric is acceptable. It's noted that more trees are proposed to provide sufficient unit gain to secure the mandatory 10% gain.

Whilst the metric is acceptable the site layout still appears cramped with little amenity space for new householders and a likelihood that the retained hedgerow will be reduced to provide some outdoor space for the eastern unit.

To ensure the scheme is delivered in accordance with North Herts Local Plan policy NE4, I suggest the following condition should you decide to grant planning permission;

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 and hedgehog holes in fences, has been submitted to and approved in writing by the local planning authority. The approved measures must be implemented on site prior to the first occupation of the first dwelling hereby approved and retained on site thereafter.

Reason: To ensure development secures biodiversity enhancements in accordance with Policy NE4 of the Local Plan.

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.