

Officer Liz Anderson – Ecologist
Date 13/05/25

Ref: 25/00423/FP
Att: Andrew Hunter

Trees , Gosmore Road, Hitchin, Hertfordshire, SG4 9AN

Erection of 3no detached dwellings with garages following demolition of existing house and outbuildings. Formation of vehicular access onto the highway.

Consultee comments;

Thank you for consulting me, having read through the submitted documents I am concerned at the extent of tree loss from the site. Given the site name is 'Trees' it is disappointing to see the Arboricultural Impact Assessment identify the need to remove 6 of the 24 trees to facilitate the development, thereby losing a ¼ of the trees on site.

The March 2025 Statutory Biodiversity Metric records the site as having a baseline value 0.76 Habitat Units and 0.46 Hedgerow Units. The post-development habitats of the site are valued at 0.66 Habitat Units and 0.51 Hedgerow Units. Whilst there is a gain in hedgerow units it still represents a 12.86% loss of habitat units and as such the applicant would need to source these off-site.

North Herts Local Plan policy NE4 requires 12 metres of complimentary habitat be provided around trees and hedgerows and this site clearly fails to achieve that. Whilst there is a degree of flexibility on assessing the application of the policy, a proposal such as this on a site with extensive tree cover, on the rural edge would seem cramped.

The submitted Preliminary Roost Assessment did not find any evidence of bats using the building so no harm to protected species is predicted. It is also noted in the DAS that wall mounted bat and bird boxes are proposed but, should the officer be minded to grant planning permission, it is recommended that these are integrated features in the built fabric of dwellings. Taking this into account the following condition is advised;

Ecological Enhancements

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, 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 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.