

Officer Liz Anderson – Ecologist
Date 04/03/2026

Ref: 26/00240/FP
Att: Thomas Howe

Barns At Winch Hill Farm, Winch Hill Road, Luton, Hertfordshire, LU2 8PA

Installation of replacement roofs and external cladding to existing outbuildings. Creation of vehicular access and egress off Winch Hill Lane. Installation of bike store, landscaping, fencing and hardstanding to provide 8 parking spaces.

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 2.3 Habitat Units and 0.14 Hedgerow Units with the post-development habitats of the site are valued at 2.53 Habitat Units and 0.23 Hedgerow Units which means that the development is able to meet the mandatory requirement for 10% BNG on site.

The Metric identifies medium distinctiveness habitats on site at the baseline and also through habitat creation and enhancement post development. As a result, as described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required. To ensure the BNG is secured on site for 30 years and managed in an appropriate manner, the following condition is advised;

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority 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 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 and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.*

The agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse hereby approved and shall remain on site thereafter.

The provision of the October 2025 Preliminary Ecological Appraisal and Roost Assessment is welcomed and no impact on protected sites or species has been identified. 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 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.

No bat roosts were identified on site but habitats recorded on site were assessed to provide suitable foraging opportunities for bats. As such a sensitive lighting strategy is advised;

A lighting design strategy for biodiversity for 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.