

Officer Liz Anderson – Ecologist
Date 04/09/25

Ref: 25/01929/FP
Att: Henry Thomas

Land East Of 2 Scarp Close, Ashwell, Hertfordshire, SG7 5FP
Erection of detached dwelling and detached garage.

Consultee comments;

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

The provision of the May 2025 Preliminary Ecological Appraisal (PEA) is welcomed. The site is identified as unmanaged neutral grassland with potential badger interest noted off-site. As a result of this the PEA discusses mitigation strategies and it's advised that the following condition should be applied to any permission;

All ecological measures and/or works shall be carried out in accordance with the mitigation strategies contained in the May 2025 Preliminary Ecological Appraisal as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

The submitted Statutory Metric identifies the site biodiversity baseline as 0.98 Habitat Units with the post-development habitats of the site valued at 0.17 Habitat Units, a loss of 83%, which means that the development is unable to meet the mandatory requirement for 10% BNG on site. The applicant has sought to address this through the introduction of traditional orchard habitat on land within the blue line. However, there are some discrepancies with the calculations and plans provided which I expand on below;

- The PEA states that the site area assessed was 1188sqm, this roughly accords with the Metric at 0.122Ha of site area.
- 5.2 of the PEA gives the site description as 0.05Ha of neutral grassland, what is the remaining 0.07Ha?
- The Orchard areas as proposed on drawing 178 SKD 31 show an area beyond that assessed by the PEA. To adequately assess the baseline value of any habitat to be enhanced – where the orchard will be planted- it should be included within the PEA.
- There also seems to be some discrepancy between red line boundaries.



In addition to this, the landscape plan 178 SKD 30 lists the hedgerow species as ornamental evergreens rather than the native species as recommended in the PEA. The mix detracts from the ecologically beneficial fruit trees and should be replaced by native planting as referred to in 7.8 of the PEA.

So, whilst there is no ecological objection to the principle of development at this site, information would need to be clarified to satisfy a Biodiversity Gain Plan.

The PEA explains the loss of 0.98 neutral grassland units must be offset by a higher distinctiveness habitat to satisfy the trading rules. The orchard would be classified as a high distinctiveness habitat. As described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required to ensure the BNG is secured for 30 years and managed in an appropriate manner. NHC will secure in application BNG gains where a HMMP is required and unit gains are above 1 by Section 106 with the fee calculator setting the monitoring charge.

In addition to this, as the habitat gains are classified as off-site they will need to be registered on the Natural England Biodiversity Net Gain (BNG) Site Register.

Lastly, the PEA makes recommendations for biodiversity enhancements in part 7, 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 boxes in buildings/structures, 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 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.