

Officer Liz Anderson – Ecologist  
Date 13/11/24

Ref: 24/02214/FP  
Att: Melissa Tyler

**Land On The North West Side Of, Green Lane, Ashwell, Hertfordshire, SG7 5LW**  
**Erection of two 2-bed dwellings, three 3-bed dwelling and two four-bed dwellings, with associated access, landscaping and parking.**

**Consultee comments;**

Having read the submitted documents there would be no ecological objection to the proposal. The September 2024 Ecological Appraisal (EA) identifies the site as a well-managed modified grassland lawn with an area of mixed scrub to the north of the site and a small area of semi-natural broadleaved woodland spanning much of the eastern boundary. It makes recommendation for appropriate protection measures for retained trees and advises precautionary mitigation measures to avoid adverse effects on nesting birds, bats and badger.

A separate Biodiversity Impact Assessment has been supplied and this provides detail on the site's baseline Biodiversity value being 2.36 habitat units and 4.52 hedgerow units. The proposal is expected to deliver habitats to a value of 1.98 habitat units and 9.56 hedgerow units. Meeting the statutory Biodiversity Net Gain requirement for hedgerows but resulting in a net loss of 16.16% of habitat units and also failing to meet the trading rules, as such the assessment advises off-site units will be sought.

In addition to mandatory BNG the North Herts Local Plan also advises development should consider the inclusion of integrated features in the built fabric of dwellings such as bat, bird and bee bricks. These are also recommended in part 8 of the September EA together with hedgehog holes in fences to maintain permeability throughout the site for wildlife.

Taking the above points into account the following conditions are advised;

**Biodiversity Method Statement**

*No development shall take place (including any ground works, site clearance) until a Biodiversity Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall be informed by September 2024 Ecological Appraisal and include the following:*

- a) Review of site potential and constraints.*
- b) Details of any necessary working methods to prevent harm to wildlife.*
- c) Type and source of materials to be used where appropriate.*
- d) Persons responsible for implementing the works.*

**Ecological Enhancements**

*No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in*

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*buildings/structures and hedgehog holes in fences, as informed by the September 2024 Ecological Appraisal, 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 National Planning Policy Framework.*

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.*