

Officer Liz Anderson – Ecologist  
Date 15/06/25

Ref: 25/02885/OP  
Att: Anne McDonald

**Land At Mill Lane, London Road, St Ippolyts, Hitchin, SG4 7NN**

**Erection of up to 41 dwellings with associated infrastructure and open space (all matters reserved except means of access).**

**Consultee comments;**

Thank you for consulting me, having looked at the amended plans, I note the removal of dwellings in the western field with it now remaining undeveloped, primarily providing ecological enhancements. No updated BNG metric has been provided but it is felt that the removal of development on this parcel will be beneficial with the scheme more likely to achieve 10% BNG on site.

The submitted November 2025 Statutory Metric identifies the site biodiversity baseline as 22.93 Habitat Units and 5.23 Hedgerow Units. Whilst desirable, a post development BNG calculation is not essential and 10% BNG will be secured post permission should the proposal be approved. Previous comments regarding strategic significance still stand and any updated Metric accompanying the Biodiversity Gain Plan will need to take the LNRS into account.



Hedgerow 1 (H1), bordering Mill Ln, is an important hedgerow. This and the woodland W2, do not currently appear to have any existing access into the site as shown on the above plan. Not having an access here is an improvement as ecological connectivity can be maintained. The development

framework plan does identify a pedestrian access onto Mill lane and the final location of this must be determined by existing vegetation and trees to ensure the route results in minimum habitat impacts.

The Metric shows medium distinctiveness habitats on site pre and post development therefore, as described on the North Herts Council website, a Habitat Management and Monitoring Plan (HMMP) is required. The BNGA acknowledges this. 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 November 2025 Preliminary Ecological Appraisal (PEA) and Ecological Impact Assessment (EclA) is welcomed. Whilst bats and reptiles have been confirmed on site 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 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. Where building heights allow swift bricks should be used. The approved measures must be implemented on site prior to occupation and retained on site thereafter.*

Bat surveys recorded bats commuting and foraging around the site as noted in 4.34 of the EclA. Due to the presence of bats foraging in the area the use of artificial lighting at night must be strictly controlled and the following condition for 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 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.*

Given the existing habitats on site a Construction Environment Management Plan is advised to guide site development works. Minimising impact to retained features and ensuring removal of vegetation is undertaken sensitively.

### **Construction Environmental Management Plan**

*No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the November 2025 Ecological Impact Assessment and include the following.*

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures to avoid or reduce impacts during construction.*
- d) The location and timing of sensitive works to harm to biodiversity features.*
- e) Use of protective fences, exclusion barriers and warning signs.*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by 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.*