

Officer Liz Anderson – Ecologist

Date 02/02/2026

Ref: 25/03189/FP

Att: Melissa Tyler

Fear End, Fears Green, Sandon, Buntingford, Hertfordshire, SG9 0QY

Erection of five detached dwellings including parking and landscaping following demolition of agricultural buildings (amendment to previously approved Prior Notification 24/02908/PNQ granted 13.02.2025)

Consultee comments;

Having read the submitted October 2024 Preliminary Ecological Assessment Report (PEAR) and associated bat emergence surveys report it is evident that building (B1) was identified as a maternity roost for pipistrelle bats.

6.28 of the planning statement refers to the PEAR and states that *'The buildings are considered to offer at the most a negligible level of bat roosting potential. Further surveys are therefore neither necessary nor appropriate in respect of the buildings.'* Going on to say in 6.30 *'The bat and reptile survey did not reveal any bat emergence from either building and only a very low level of bat activity was recorded around the site generally. It is therefore considered highly unlikely that the redevelopment of the application site would have a significant adverse effect on the local bat population.'*

This is confusing as the PEAR is very clear, stating in the conclusion that 'Bat roosts are present in Building 1 and other roosts may be present or near to the site'. Clarifying further, stating, 'The development of Building 1 will affect the Common pipistrelle maternity roost and this is not avoidable due to the location of the roosts within the building. Construction nearby may also cause disturbance to the roost.'. One wonders if the agent actually has had sight of the correct ecological report?

The December 2025 Statutory Biodiversity Metric submitted indicates a 100% loss of habitat units from the site with the planning statement confirming that the statutory requirement for 10% BNG will be met through the purchase of off-site credits which is acceptable given the residential use of the final scheme.

It is acknowledged that planning permission exists for conversion of the agricultural buildings and there would be no ecological objection to this application subject to the following conditions;

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 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.*

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- d) *The location and timing of sensitive works to harm to biodiversity features.*
- e) *The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) *Responsible persons and lines of communication.*
- g) *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) *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.

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 boxes in buildings/structures, has been submitted to and approved in writing by the local planning authority. Swift bricks should be used where building heights allow.

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

Lighting

Prior to occupation, 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 where lighting is 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.

Reason: To ensure that works do not result in adverse impacts to protected species.

European Protected Species Licence

No works are in any circumstances to commence unless the local planning authority has been provided with either:

- *a licence issued by Natural England authorising the specified activity/development to go ahead; or*
- *a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.*

Reason: To ensure that works do not result in adverse impacts to protected species.

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.