

Officer Liz Anderson – Ecologist

Date 12/05/25

Ref: 25/00949/FP

Att: Tom Rea

**Land Between Shangri-La And Todds Corner, Stevenage Road, Todds Green,
Erection of two detached dwellings with private gardens including landscaping, parking and
widening of existing vehicular access off Stevenage Road.**

Consultee comments;

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

The submitted Small Sites Metric (SSM) identifies the site biodiversity baseline as 0.92 Habitat Units and 0.4 Hedgerow Units with the post-development habitats of the site are valued at 1.02 Habitat Units and 0.88 Hedgerow Units which means that the development is able to meet the mandatory requirement for 10% BNG on site. However, this is to be achieved through the provision of Biodiversity Net Gain land to the rear of the two properties accessed from a new gate off the main drive. Whilst this is an acceptable way to provide BNG within a red line boundary, it is not clear within the documentation provided how the piece of land will be managed for 30 years and by whom to ensure it does actually deliver the biodiversity units claimed and not actually be consumed within the gardens of plot 1 and plot 2.

The SSM shows that 13 new trees will be planted and these are characterised as medium distinctiveness. Additionally, hedgerow and grassland creation on site would constitute significant enhancement. 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 provision of the March 2025 Ecological Impact Assessment is welcomed and this does not predict any impact on protected sites or species. It does make recommendation for ecological enhancements and, in conjunction with North Herts Local Plan policy NE4, the following condition is advised;

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 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.

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.