

Officer Liz Anderson – Ecologist
Date 27/9/24

Ref: 24/01251/FP
Att: Alex Howard

Greenfield Service Station , Baldock Road, Royston, Hertfordshire, SG8 9NN

Replace existing canopy, reconfiguration of forecourt pumps to create additional HGV lane and changes to parking arrangements on site.

Consultee comments;

Having looked at the submitted documents and made a site visit I feel confident that the proposal would not impact on a protected species.

The Preliminary Ecological Appraisal advises reasonable avoidance measures to prevent any impacts to herptiles and small mammals on site and these should be incorporated into a Construction Environment Management Plan to guide site development works.

The buildings on site were suggested to be of low suitability for bat roosts. B2 holds the canopy which will be replaced but the roof structure appears in reasonable condition and is unlikely to offer roosting opportunities. Demolition of this structure must be undertaken under an ecological watching brief which would be detailed as part of the CEMP.

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 August 2024 Preliminary Ecological Appraisal 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) 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.

The application is subject to a requirement to deliver 10% Biodiversity Net Gain and a Statutory Metric calculation has been provided with the application which indicates that the scheme would be unable to deliver this gain on site as part of the development proposal and as such will need to secure the unit shortfall via an off-setting scheme, details of which will be provided at discharge of condition stage.

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.

