

Officer Liz Anderson – Ecologist
Date 14/11/24

Ref: 24/02265/FP
Att: Thomas Howe

Baldock Services, Great North Road, Radwell, Baldock, Hertfordshire, SG7 5TR

Erection of electric heavy goods vehicle (eHGV) charging hub with associated works.

Consultee comments;

Having read the submitted documents and reviewed the statutory metric there would be no ecological objection to the proposal. The provision of a Biodiversity Gain Plan is welcomed and it is noted that the scheme would be able to demonstrate a 10.65% gain on site.

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.