

Hertfordshire LEADS (Ecology)
Farnham House
Six Hills Way,
Stevenage
SG1 2F



PO: Tom Rea
District: North Hertfordshire District
Council, Development &
Conservation
planning.control@north-herts.gov.uk

ecology@hertfordshire.gov.uk

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<u>Application</u>	<u>Documents:</u>
Residential development to provide 9 flats with associated vehicular parking and access via existing dropped kerb from King James Way with ancillary bike and refuse store. 25/00104/FP Land To The Rear Of Banyers Hotel King James Way Royston Hertfordshire SG8 7BZ	• Ecological Walkover, 14 November 2024, Arbtech. • Preliminary Ecological Appraisal (PEA) (referenced, original Nov 2023; updated by Walkover), Arbtech. • Biodiversity Net Gain Assessment, Final Issue 08 January 2025, Arbtech. • Mandatory Biodiversity Metric (Statutory Biodiversity Metric Spreadsheet), Completion Date 08 January 2025. • Natural England Consultation Response, 25 July 2025, Natural England. • S106 Agreement (Deed under Section 106 of the Town & Country Planning Act 1990), Executed and dated 2025/2026, North Hertfordshire District Council.

Summary of Advice:	
Application can be determined with Conditions and Informatives listed	Pre-determination • Protected species, no further surveys required. • BNG Sufficient minimum information Determination • Protected species, Sufficient information for determination. • BNG Nonsignificant enhancement • Conditions and informatives precautionary mitigation measures, species enhancements Post- Determination • BNG –general advice.

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Comments and recommended Conditions and Informatives:

Protected Species: The application is accompanied by an ecological walk over report. I note that the **trees on site are being retained**, I do not consider further surveys are required and support the precautionary mitigation measures recommended. I advise these are secured by **Condition**.

Habitat Assessment: Sufficient information has been provided to allow the LPA to consider the UK habitat and habitat condition assessments provided. Based on this information I advise that the LPA can be confident that the habitat assessment is sufficient to populate the biodiversity metric.

Ecological enhancements:

The ecological report (Ecological Walkover, Arbtech 2024) identifies a range of biodiversity enhancement opportunities. If the LPA wishes the application to be policy compliant with the NPPF and local policy I advise these are secured by **Condition**.

Therfield Heath SSSI: - I note that a Therfield Heath Mitigation Strategy Contribution forms part of the submitted s106.

BNG

Degraded Habitats Prior Date:

The biodiversity gain report details that, that at the time of the site visit some onsite habitats in the form bramble scrub had already been cleared. In line with Schedule 14 of the Environment Act in the case of any habitat degradation or deliberate destruction undertaken on a site since 30th January 2020 the habitat state prior to the destruction should be used as the baseline for the purposes of biodiversity net gain. In this case the Base line was calculated to include the cleared bramble area.

Minimum BNG information pre- determination:

The metric calculation tool (Mandatory Metric) Completion date 8th January 2024 shows base line values of 3.73 Habitat Units. The baseline habitats are consistent with the base line habitat map. As a result I have no reason to doubt these values.

Strategic Significance: The values for the baseline habitats have been set as low in line with government LNRS guidance.

Consequently I advise that the minimum information requirements have been met and the application can be determined accordingly.

BNG- Determination Select and delete as required

On site BNG is not significant:

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Non-Significant on site BNG: The proposed BNG On-Site enhancements, that because of their a scale and type I advise that they should be considered non-significant.

A net loss has been shown, and the trading rules have not been met, in line with government guidance it would generally be inappropriate for concerns about the ability to discharge the condition to be used as a reason to refuse an application. However, the applicant should be made aware the general biodiversity condition is a pre commencement condition and that if the applicant chooses not to address these matters prior to determination they will need to do so at the post determination stage.:

BNG-Post Determination:

At the biodiversity gain plan stage an updated metric will need to be submitted showing how a net gain can be delivered. This could be either by the provision of further onsite non-significant enhancements, onsite enhancements that can be secured at the post determination stage, or by the use of an off-site location. As a last resort if an off-site location cannot be found Biodiversity Credits would need to be purchased. In this latter case the applicant must demonstrate to the satisfaction of the LPA that all other options have been fully explored and that the BNG hierarchy has been followed.

Off-site BNG: Where an off-site solution is sought the spatial multiplier will need to be applied and, depending on the location of the provision, could require the purchase of more BU than is presently shown in the headline results. At the post determination site, the Off Site Gain summary tab should be checked to ensure that the spatial risk multiplier has been applied as this will not reflect in the headline results.

Biodiversity Gain Plan: I advise this is completed using the government template.

In order the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- Completed metric tool calculation that demonstrates
 - a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.
 - A fully completed start page including project details and the date the final version of the metric was completed.
 - where off site units are being used these should be shown in the appropriate tab of the metric and the offsite gain site summary should be completed.
- pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale, Post Development Plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.
- if off-site units are being used, the biodiversity net gain register reference number will be required for a completed BGP,

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- proof of purchase if they're buying statutory biodiversity credits
- a description of how they will manage and monitor significant on-site gains (for example, With a habitat management and monitoring plan)

I trust these comments are of assistance and kind regards.

Simon Richards

Senior Ecologists, Hertfordshire LEADS