

Officer Liz Anderson – Ecologist
Date 05/12/25

Ref: 25/02246/FP
Att: Tom Rea

Hitchin Yeshiva, Wellbury House, Offley, Hitchin, Hertfordshire, SG5 3BP

Erection of detached building to provide dining, kitchen, shower and other ancillary facilities in association with the existing rabbinical school following demolition of the existing swimming pool

Consultee comments;

Thank you for consulting me, having looked at the submitted documents I would have no ecological objection to the proposal. Though there is a discrepancy between the August 2025 Biodiversity Gain Report and the submitted October 2025 Small Sites Metric (SSM).

The SSM provided identifies the site biodiversity baseline as 1.312 Habitat Units and the post-development habitat units are valued at 0.95 resulting in a net loss of 27.53%. As a result the site fails to meet the mandatory requirement for 10% BNG. However, the BNG report claims the requirement can be met citing a 15.49% gain which must be an error. Never-the-less the habitats on site are not significant and an off-site solution would be acceptable to provide units to make up the shortfall.

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.