

Officer Liz Anderson – Ecologist
Date 6/1/26

Ref: 25/02791FP
Att: Tom Rea

Motte And Bailey, 1 Great Green, Pirton, Hitchin, Hertfordshire, SG5 3QD

Erection of one 4-bedroom detached dwelling including bin store, parking, landscaping and reconfiguration of the existing public house car park and rear garden. Creation of vehicular access off Crab Tree Lane.

Consultee comments;

Having looked at the submitted documents it is disappointing not to see an ecological appraisal. I provided pre-app advice (25/00727/PRE) to this applicant advising on the potential for trees and hedgerows on site to have ecological interest associated with them.

The DAS states in 8, 'The most important habitat on site is a single mature lime tree of medium size....'. Reading the Arboricultural report it is interesting to see 6.4 claim, 'It is considered that in following the advice in this document, any negative factors affecting trees on the site will be minimised.' When the document is advising that a category B2 tree should be felled. The B2 classification recognises the value of the tree as making a significant contribution. No photographs or description of the tree are provided so it is hard to determine the ecological value beyond that attributed in the BNG metric.

Should the case officer be minded to grant planning permission I would advise a bat informative as follows;

The applicant is advised where works to roofing or timber is to be undertaken it is the legal responsibility of the contractor to check for bats. If bats are found during the course of any work to buildings or trees where not previously anticipated, then works should immediately stop and Natural England notified for appropriate advice.

The application is subject to a requirement to deliver 10% Biodiversity Net Gain. The submitted Small Sites Metric indicates a net loss of 46.82% habitat units and an 11.58% net gain in hedgerow units. In order to meet the unit shortfall the BNG feasibility assessment explains that off-site Biodiversity units will need to be sourced.

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.