

---

**From:** Planning Administrator [mailto:Planning@hmwt.org]

**Sent:** 29 September 2020 15:52

**To:** Dominic Bateman <Dominic.Bateman@stalbans.gov.uk>

**Subject:** RE: Consultation 5/2020/1992 at Roundhouse Farm Bullens Green Lane Colney Heath St Albans AL4 0FU

Dear Dominic

The website was not working when I tried to respond so please could you pass this comment onto the officer concerned.

Objection: This application does not demonstrate a 'measurable' net gain to biodiversity by utilising the Defra biodiversity metric.

This development must demonstrate that it can deliver a 'measurable' net gain in biodiversity in accordance with NPPF, BS 42020. At present it contains no objective, quantified assessment of net ecological impact and so should be refused until a calculation which utilises the DEFRA biodiversity metric has been submitted and approved. It is likely that the arable site will be able to achieve this but until a metric has been submitted this is subjective conjecture. The following additional information is required:

Net gain to biodiversity (habitats) should be adequately and objectively demonstrated by application of the DEFRA biodiversity metric.

NPPF states:

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value
- d) minimising impacts on and providing net gains for biodiversity

174. To protect and enhance biodiversity and geodiversity, plans should:

- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing 'measurable' net gains for biodiversity.

175. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure 'measurable' net gains for biodiversity.

The object of an ecological report submitted in support of a planning application should be to demonstrate how the proposals are capable of being consistent with NPPF and local planning policy. Therefore the ecological report should state, what is there, how it will be affected by the proposal and how any negative impacts can be avoided, mitigated or compensated in order to achieve 'measurable' net gain to biodiversity. Subjective assessments of net impact (as in this case) are not sufficient, not 'measurable' and therefore not consistent with policy.

In order to prove net gain to biodiversity, the ecological report must include a 'measurable' calculation of the current ecological value of the site and what will be provided following the development. BS 42020 states:

#### '8.1 Making decisions based on adequate information

The decision-maker should undertake a thorough analysis of the applicant's ecological report as part of its wider determination of the application. In reaching a decision, the decision-maker should take the following into account:

h) Whether there is a clear indication of likely significant losses and gains for biodiversity.'

The most objective way of assessing net gain to biodiversity in a habitat context is the application of the Defra biodiversity metric. This metric assesses ecological value pre and post development on a habitat basis, has been upheld by the planning inspectorate as an appropriate mechanism for achieving the ecological aims of NPPF, and its use is advocated in govt guidance [e.g. https://www.gov.uk/guidance/natural-environment](https://www.gov.uk/guidance/natural-environment).

In order to meaningfully and measurably accord with planning policy to achieve net gain to biodiversity, the applicant will need to use this metric. The development must show a net positive ecological unit score to demonstrate compliance with policy. Habitat mitigation can be provided on or offsite. This will give some legitimacy to statements claiming that net gain can be achieved.

If the development results in a negative - net loss score, a biodiversity offset must be proposed and endorsed by a legitimate biodiversity offset broker or provider with full establishment, management and monitoring regimes.

At present the ecological mitigation, compensation or enhancement measures suggested in the ecological report are potentially suitable to be conditioned via a landscape and ecological management plan. However the amount of these may change depending on the results of the Defra metric calculation. Once the extent of the mitigation, compensation and enhancement measures are established, they should be definitively proposed, so that they can form the basis of a condition. BS 42020 states:

'6.6.2 An ecological report should avoid language that suggests that recommended actions "may" or "might" or "could" be carried out by the applicant/developer (e.g. when describing proposed mitigation, compensation or enhancement measures). Instead, the report should be written such that it is clear and unambiguous as to whether a recommended course of action is necessary and is to be followed or implemented by the applicant.'

A clear indication of all ecological measures that will be delivered by the development must be provided. This could be conditioned as part of the decision by adapting a condition from BS 42020. However, until a Defra metric assessment has been conducted, the character and extent of onsite provision will not be known.

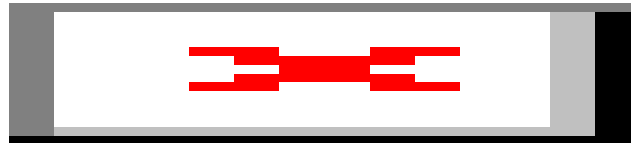
Until this information has been provided, the application should not be approved.

Best wishes

Matt

**Matt Dodds**  
**Planning & Biodiversity Manager**  
**Herts & Middlesex Wildlife Trust**

T: 01727 858901 x236  
M: 07585 441980  
E: [Matt.Dodds@hmwt.org](mailto:Matt.Dodds@hmwt.org)



---

**From:** Dominic Bateman [mailto:Domini.Bateman@stalbins.gov.uk]  
**Sent:** 25 September 2020 15:41  
**To:** 'planning@welhat.gov.uk' <planning@welhat.gov.uk>; 'HNL Sustainable Places@environment-agency.gov.uk' <HNL Sustainable Places@environment-agency.gov.uk>; 'ecology@hertfordshire.gov.uk' <ecology@hertfordshire.gov.uk>; 'devcon.team@thameswater.co.uk' <devcon.team@thameswater.co.uk>; 'ASTData@affinitywater.co.uk' <ASTData@affinitywater.co.uk>; 'growth@hertfordshire.gov.uk' <growth@hertfordshire.gov.uk>; Planning Administrator <Planning@hmwt.org>; 'kealey5rq@btinternet.com' <kealey5rq@btinternet.com>; 'escritt@waitrose.com' <escritt@waitrose.com>; 'julian.thornton@hertfordshire.gov.uk' <julian.thornton@hertfordshire.gov.uk>; 'FRMConsultations@hertfordshire.gov.uk' <FRMConsultations@hertfordshire.gov.uk>; 'cpds@herts.pnn.police.uk' <cpds@herts.pnn.police.uk>; 'annely.robinson@nhs.net' <annely.robinson@nhs.net>; 'planning.enquiries@hertsvalleysccg.nhs.uk' <planning.enquiries@hertsvalleysccg.nhs.uk>; 'M25Planning@highwaysengland.co.uk' <M25Planning@highwaysengland.co.uk>  
**Subject:** Consultation 5/2020/1992 at Roundhouse Farm Bullens Green Lane Colney Heath St Albans AL4 0FU

**ST ALBANS CITY & DISTRICT COUNCIL**

## **PLANNING & BUILDING CONTROL**

E-mail: [planning@stalbans.gov.uk](mailto:planning@stalbans.gov.uk)

Date: 25 September 2020

Dear Sirs,

### **TOWN AND COUNTRY PLANNING ACT 1990**

Planning ref: 5/2020/1992

Case Officer: Please see website

Location: Roundhouse Farm Bullens Green Lane Colney Heath St Albans AL4 0FU

Proposal: Outline application (access sought) - Construction of up to 100 dwellings together with all ancillary works

We have received an application for the above proposal and would welcome any comments you may have. You may view the application details via our website. Please use the following link:

<https://planningapplications.stalbans.gov.uk/planning>

Click on the Documents tab and you will be able to view the plans and other supporting material. You may submit your comments online via our website by clicking on the Comment tab or alternatively by email to [planning@stalbans.gov.uk](mailto:planning@stalbans.gov.uk).

Please note that the Council has a statutory duty to determine all applications within 8/13 weeks and unless we receive your response within the next 21 days we may assume you have no objections to the proposal and will proceed to a determination on this basis. The final date for receipt of all consultations is Saturday 24th October 2020.

Please try and restrict your comments/advice to no more than half a side of A4, including a clear recommendation (unless you have no objections). Suggested conditions/reasons for refusal can be additional to the comments. By suggesting conditions/reasons for refusal you are committing your service to enforcing them on behalf of/supporting them at appeal for the Local Planning Authority.

Yours sincerely,

Tracy Harvey  
Head of Planning & Building Control

### **Your vote matters; don't lose it**

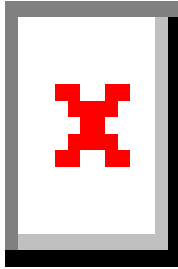
The annual household registration canvass commences in July and every property within the district will receive an email or letter. If you're asked to respond, please do so as soon as possible. Details of how to do this will be provided.

Anyone who is not yet registered to vote will also need to register individually. Visit [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote). Paper application forms will be sent upon request.

For further information visit [www.stalbans.gov.uk/voting-and-elections](http://www.stalbans.gov.uk/voting-and-elections) or call 01727 819294

## Do you have a 'MyStAlbans' District Account?

To register, just go to [www.stalbans.gov.uk/mystalbansdistrictaccount](http://www.stalbans.gov.uk/mystalbansdistrictaccount) to access a personalised online account that gives you instant access to lots of useful council services, wherever you live in the District.



\*\*\*\*Disclaimer\*\*\*\*

The information in this message should be regarded as Private and is intended for the addressee only unless explicitly stated. If you have received this message in error it must be deleted and the sender notified.

The views expressed in this message are personal and not necessarily those of St Albans City and District Council unless explicitly stated. Please be aware that emails sent to or received from St Albans City and District Council may be intercepted and read by the council. Interception will only occur to ensure compliance with council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purposes of essential maintenance or support of the email system.

**Please note for the time being during the Covid-19 pandemic, the Council will accept service by email.**

The personal information you provide will be held in accordance with the General Data Protection Regulation (GDPR) and the Council's Data Protection Policy. You can find more information about how we will handle your personal information in our privacy notice: [Privacy Notice](#)

## Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).