



**Planning and Building Control
St Albans City and District Council
District Council Offices
St Peter's Street,
St Albans
Hertfordshire AL1 3JE**

Hertfordshire LEADS

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Contact: Chloe Weingarten

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Date: 09/09/2024

Dear Sir/Madam

Application: Section 62a designation - Part demolition of existing two storey extension to 38 Briar Road, St Albans and creation of new building plot adjacent. Creation of new 3 bedroom two storey dwelling & new pedestrian crossover

Address: 38 Briar Road St Albans Hertfordshire AL4 9TI

Application No: [5/2024/1221](#)

ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Overall Recommendation:

- Application can be determined with no ecological objections (with any informative/conditions listed below).

Summary of Advice:

- Nesting bird informative.

Comments:

The site is situated in a residential area, and whilst there is some semi-natural habitat in the vicinity, the site, which consists of a dwelling and associated garden, is of low ecological value.

I do not consider the proposals will have any ecological constraints, however given the presence of some garden trees, **I advise the following information relating to nesting birds should be added to any permission granted:**

“In order to protect breeding birds, their nests, eggs and young, any vegetation removal should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed”.

Biodiversity Net Gain: In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets:

1. Self-Build and Custom Build Applications and consisting of no more than 9 dwellings on a site no larger than 0.5 hectares.

The Ecology Service (LEADS) has not undertaken any scrutiny of the validity of the claimed exemption, but taking it on face value in this instance the requirement for mandatory 10% biodiversity gain does not apply.

I trust these comments are of assistance,

Regards,

Chloe Weingarten
Assistant Ecology Advisor, Hertfordshire LEADS

Hertfordshire LEADS provides Landscape, Ecology, Archaeology, Design and Sustainability support to planning departments in Hertfordshire.