

Summary

The only potential issue is biodiversity net gain.

Ecology

Ecological issues were assessed as part of the previous application and the baseline agreed and mitigation proposed. As the site was cleared under the previous permission, I accept that currently there is no need for updated ecological survey. Previous conditions/informatives relating to proximity to the watercourse and invasive species should be reapplied.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

Mitigation was previously agreed. The revised layout includes bat boxes and new native trees, I am satisfied that these proposals are adequate given the value of the site prior to clearance.

With regards BNG, the developer has claimed exemption under the de minimis rule. Given the site was cleared legitimately under the previous permission, I accept that less than 25sqm of vegetation will be permanently lost. Theoretically as the development is within 10m of a watercourse, the river metric also needs to be considered. However, there are no actual negative changes in the broad habitat within 10m of the watercourse as it is currently developed to be replaced with development. I am therefore satisfied that the development is exempt.

The proposed tree planting and bat boxes can be conditioned.